

**EU AS A NORMATIVE POWER IN THE MED REGION:  
DEMOCRACY PROMOTION IN TUNISIA**

**by**

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## **ABSTRACT**

Following the “Arab Spring,” the EU’s approach in the Mediterranean region necessitated a reconsideration of the process, impact, and limits of the so-called normative power upon which its approach has been based. The EU aimed to create a ring of friends in the neighbourhood and pledged to promote democracy in the region as a way of tackling the root causes of illegal migration and terrorism. Democracy, then, was one of the main objectives, the EU as a normative power, intended to promote. This thesis will critically examine the effectiveness of the EU’s promotion of democracy in the Southern Mediterranean and Tunisia in particular as a case study.

The EU engaged in the democratisation of the Southern neighbourhood since the inception of the Barcelona process in 1995. However, this process has turned into “stability partnership”, where the EU has provided extensive financial and political support to the authoritarian regimes in exchange for stability, security, and economic opportunities. The European Neighbourhood Policy (ENP) failed in re-balancing the security and stability prioritisation to the detriment of democracy promotion, despite reforming its approach from multilateralism to bilateralism. The EU’s democracy promotion agenda remained a secondary objective rather than a priority.

The Arab uprisings revealed the limitations and contradictions of the democracy promotion policy. The multiplicity of the objectives and the security dilemma rendered the ENP unfit to achieve any substantial political reforms in the Southern Mediterranean. In search for more effectiveness, the EU responded by announcing a paradigm shift in its approach towards the Southern neighbours through the ENP review. An approach based on differentiation, sustainable and inclusive growth, further socialisation with a greater role for civil society and enhanced conditionality. What emerges is not just that the EU failed to reform its democratisation policy substantially, but despite its rhetoric, it has consistently prioritised its security and economic interests over the democracy promotion objective.

This thesis draws on the analysis of historical relations between the European Union and the Southern Mediterranean countries and highlights the main

initiatives and consequences of the adopted practices of democratisation in the region following the Arab Uprisings. The main focus is on the continuity and limited changes in the new approach. One of the main findings is that the limited reform of the EU approach primarily resulted from the inherited political constraints. The net result was a set of structured security orientated relationships which will continue to repeat earlier mistakes before 2011. The mechanisms of democracy promotion, whether conditionality or socialisation remained inherently full of contradictions. The overall EU approach is still wanting due to lack of leverage, incoherence, double standards, too much priority awarded to economic liberalisation and security.

This thesis attempts to further the understanding of the democratisation evolution of Tunisia and to assess its effectiveness. Tunisia, uniquely, became the only viable democracy in the Arab world. Although the EU failed to achieve any substantial reforms in the past, following the Jasmin revolution, the EU support in conjunction with the Tunisian willingness for reforms has created an environment where democracy could flourish. The thesis argues that the EU did not apply a democracy promotion but rather democracy support following the regime collapse in 2011. The EU's (socialization through civil society and more-for-more) were important mechanisms in supporting the Tunisian young democracy through the transition and consolidation phases. The EU approach, nevertheless, tends to be fluctuating between continuity and changes. Although security remained an important factor in the EU's democracy support to Tunisia, the positive engagement with Islamic party Enahdha indicates a substantial shift in the security- democratization relationship. However, in terms of continuity, the EU emphasis on further economic liberalisation may have a negative impact on this young democracy.

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## **ABBREVIATIONS**

AA	Association Agreement
AAP	Annual Action Programmes
AP	Action Plan
CAP	Common Agricultural Policy
CFSP	Common Foreign and Security Policy
CSO	Civil Society Organisation
CSP	Country Strategy Paper
CFSP	Common Foreign and Security Policy
CEEC	Central and Eastern European Countries
CSCM	Conference on Security and Cooperation in the Mediterranean
DG	Directorate General
DFTA	Deep Foreign Trade Agreement
DCFTA	Deep and Comprehensive Free Trade Areas
EEAS	European External Action Service
EIB	European Investment Bank
EMP	Euro Mediterranean Partnership
ENP	European Neighbourhood Policy
ENPI	European Neighbourhood Policy
ECHR	Human Rights and fundamental Freedoms
EIDHR	European Instrument for Democracy and Human Rights
ESS	European Security Strategy
EDC	European Defence Community
EU	European Union
EC	European Community
EEC	European Economic Community
EMPA	Euro-Mediterranean Parliamentary Assembly
FDI	Foreign Direct Investment

FTA Free Trade Area

GATT General Agreement on Tariffs and Trade

GMP Global Mediterranean Policy

IMF International Monetary Fund

IR International Relations

MoU Memorandum of Understanding

MEDA Mediterranean Development Assistance

MENA Middle East and North Africa

NATO North Atlantic Treaty Organisation

NGOs Non-Governmental Organisations

NIF Neighbourhood Investment Facility

NIP National Indicative Programme

NPE Normative Power Europe

NIS Newly Independent States

OECD Organisation for Economic Cooperation and Development

RELEX (DG) Directorate General External Relations

RIP Regional Indicative Programme

SIGMA Support for Improvement in Governance and Management

TAIEX Technical Assistance and Information Exchange

TRIPS The Agreement on Trade-Related Aspects of Intellectual Property Rights

TACIS Technical Assistance to the CIS

WTO World Trade Organisation

UfM Union for the Mediterranean

UN United Nations

UNDP United Nations Development Programme

USA United States of America

UK United Kingdom

UNSC United Nation Security Council

# Chapter 1: INTRODUCTION AND RESEARCH PROBLEM

## 1.1. Introduction

The Advent of the Arab uprisings has reignited the debate about the rationale and the effectiveness of the EU democratisation policies in the Southern Mediterranean, which subsequently raised important questions about the credibility of the European Union (EU) as a normative power in the region<sup>1</sup>. In this context, this thesis attempts to assess the effectiveness of the EU's democratisation policy in the Southern Mediterranean and Tunisia in particular.

The Arab uprisings in 2011 triggered unprecedented changes in the Southern Mediterranean region. Long-established authoritarian regimes were confronted with widespread anti-regimes demonstrations. The protesters called for democratic change and socio-economic rights confronted the status quo in the region. As a result, in some cases, this led to the overthrowing of dictatorships<sup>2</sup>. Even though the revolts occurred in the EU's southern backyard, the EU's response has been severely criticised for being too weak, too cautious and too slow. Initially, European politicians have reacted to the events in the Southern neighbours in one of two ways. The pessimists, particularly in Southern Europe have seen the uprisings as a considerable threat by focusing on the potential risk of flocks of illegal immigrants washing up on their shores. Their concerns are some measure legitimate, and their hostility to the unrests in the Southern Neighbourhood suggests that they have neither grasped the lessons of the failed EU policies nor thought about the potential positive future for the partners<sup>3</sup>. The optimists, on the other hand, emphasised the opportunity, as one the Polish

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<sup>1</sup> Neuman, M., & Stanković, S. (2019). Introduction: EU Democracy Promotion in Its Near (and Further) Abroad Through the Prism of Normative Power Europe. In *Democracy Promotion and the Normative Power Europe Framework* (pp. 1-10). Springer, Cham.

<sup>2</sup> Aggestam, L. (2017). Power and leadership in the European neighbourhood: Contending role concepts. In the Routledge *Handbook on the European Neighbourhood Policy* (pp. 50-59). Routledge.

<sup>3</sup> Grant, C. (2011). "A new neighbourhood policy for the EU", Centre for European Reform Policy Brief, p 2.

observer has noted: “recent events reveal the collapse of the idea of authoritarian modernisation in the Arab world<sup>4</sup>”.

The EU’s initial response was inadequate, as, at that time, the EU seemed to be preoccupied with the internal financial crisis, and engrossed in the establishment of new institutional setting, in addition to the member states different political stances toward the unrests<sup>5</sup>. Indeed, the EU’s initial response has been described as neither efficient nor coherent or proactive<sup>6</sup>. Despite the fact that the uprisings in Tunisia have started by the end of 2010, the EU failed to generate an official response until the middle of January 2011. In a joint statement with the High Representative Catherine Ashton, The European Commissioner for enlargement and European neighbourhood Štefan Füle voiced their concerns over the violence towards the protesters and urged the government to accept the right of people to protest peacefully and to restrain from the use of force<sup>7</sup>. Only following the departure of the Tunisian president, the EU expressed its “support and recognition to the Tunisian people and their democratic aspirations<sup>8</sup>”.

The EU restraint response was very surprising to many observers, given in mind that the democratization of the neighbourhood was a well-established policy, embedded in consecutive policies towards the region<sup>9</sup>. Indeed, the EU-Southern Mediterranean relationship is as old as the EU itself. Initially, although it has been characterised by economic agenda, soon developed to incorporate multiple political and security objectives. Subsequently, the democracy issue, for the first time, became an important part of the Barcelona multilateral Agreement in 1995<sup>10</sup>. The EU developed a multilateral approach to export its normative

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<sup>4</sup> Balcer, A. (2011). “*The Jasmin Democracy*”, policy paper, *demos EUROPA*, p 2.

<sup>5</sup> Aggestam,(note 2), pp. 50-59.

<sup>6</sup> Narbone, L. (2017). EU Democracy Promotion and the Arab Spring: International Cooperation and Authoritarianism, by V. van Hüllen (Basingstoke: Palgrave Macmillan, 2015, ISBN 9787737298515); xii+ 242pp. *JCMS: Journal of Common Market Studies*, 55(2), 414-415.

<sup>7</sup> Orbie, J. and Wetzel, A. (2011) ‘With map and compass on narrow paths and through shallow waters: discovering the substance of EU democracy promotion’, pp. 705-725, in: *European Foreign Affairs Review*, 16, 2011(b).

<sup>8</sup> European Union, Joint statement by EU High Representative Catherine Ashton and Commissioner Štefan Füle on the events on Tunisia, A 016/11, 14 January 2011, [Accessed 16/02/2019]. At: [http://www.consilium.europa.eu/uedocs/cms\\_data/docs/pressdata/EN/foraff/118865.pdf](http://www.consilium.europa.eu/uedocs/cms_data/docs/pressdata/EN/foraff/118865.pdf).

<sup>9</sup> Isa, F. G. (2017). EU promotion of deep democracy in Egypt after the Arab spring: A missed opportunity? *Revista electrónica de estudios internacionales (REEI)*, (33), 3.

<sup>10</sup> Zoubir, Y. H., & White, G. (Eds.). (2015). *North African politics: change and continuity*. Routledge. 309-328.

principles and standards and even its sui generis model of regional integration<sup>11</sup>. Against this background, many Southern partners, including Tunisia, negotiated new bilateral Association Agreements (AA) and were obliged to sign up a clause stipulating a commitment to democratic reforms<sup>12</sup>. The democracy agenda took an even more prominent position in the European neighbourhood policy (ENP)<sup>13</sup>. However, while the EU model of liberal democracy has been relatively successful in the case of Central and Eastern Europe<sup>14</sup>, yet it has proven rather challenging in the case of the Southern Mediterranean<sup>15</sup>. The democracy promotion theorists have asked the question: Why the diffusion of liberal democracy in this region is a difficult task? The answers highlighted by this thesis are mainly the prioritisation of economic liberalisation which is based on a strong conviction that it will ultimately lead to political liberalisation<sup>16</sup> and the EU's security considerations which supersede any other political affairs<sup>17</sup>.

the EU's efforts were lacking substantial and genuine pressure to persuade the Southern neighbours to introduce political liberalisation reforms, given the importance of regional stability to the EU's security sector. Not only the region's autocratic regimes, but also western -orientated ones, are acting as a shield against the rise of radical Islam and provide a measure of regional stability, but they also endorsed the EU's economic liberalisation and its vision for multilateral regional cooperation<sup>18</sup>. The result was a "stability partnership" that served the EU's security and stability interests and the southern partners autocratic regimes economic and legitimacy interest. The EU became more and more aware of the

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<sup>11</sup> Pietrangeli, G. (2016). *Supporting regional integration and cooperation worldwide: an overview of the European Union approach*. In *the EU and World Regionalism* (pp. 29-64). Routledge.

<sup>12</sup> Zardo, F., & Cavatorta, F. (2016). *What is new in the 'borderlands'? The influence of EU external policy-making on security in Tunisia and Morocco after the uprisings*. (January 2016). Robert Schuman Centre for Advanced Studies Research Paper No 2. RSCAS, 2.

<sup>13</sup> Baracani, E. (2005). 'From the EMP to the ENP: a new European pressure for democratisation? The case of Morocco', pp. 54-67, in: *Journal of Contemporary European Research*, 1 (2).

<sup>14</sup> Börzel, T. A. (2016). Building Member States: How The EU Promotes Political Change in Its New Members, Accession Candidates, And Eastern Neighbors. *Geopolitics, History & International Relations*, 8(1).

<sup>15</sup> Börzel, T. A., Risse, T., & Dandashly, A. (2015). The EU, external actors, and the Arabellions: much ado about (almost) nothing. *Journal of European Integration*, 37(1), 135-153.

<sup>16</sup> Ibid, pp 139-140

<sup>17</sup> Dandashly, A. (2018). EU democracy promotion and the dominance of the security–stability nexus. *Mediterranean Politics*, 23(1), 62-82.

<sup>18</sup> Durac, V. (2018). Counterterrorism and democracy: EU policy in the Middle East and North Africa after the uprisings. *Mediterranean Politics*, 23(1), 103-121.

limitats to its democratisation approach in the neighbourhood, despite the political and legal arsenal created by the Lisbon Treaty in order to provide the EU with the required mechanisms to develop into a “credible global player”<sup>19</sup>.

Nevertheless, the toppling of many Arab regimes by the political earthquake of the “Arab Spring” in 2011 has effectively drawn to an end to the Euro-Mediterranean countries relationship status quo. The ring of friends has turned into a ring of fire<sup>20</sup>. The events not only changed the political scene of the Southern Mediterranean but raised questions and challenged perceptions relating to the EU as a normative power and its ability to exercise this transformative power in the Southern Mediterranean<sup>21</sup>. The EU and particularly the Commission, supported by the High Representative for Foreign Affairs and Security Policy, seems to have responded to these criticisms, as they quickly launched a new policy to introduce more pragmatic approach. High expectations were raised through the “Partnership for Democracy and Shared Prosperity (PFDSP)”<sup>22</sup> and “A New Response to Changing Neighbourhood”<sup>23</sup> which perceived as a complete change in the neighbourhood policy by introducing a central role for democratisation<sup>24</sup>.

However, there were multiple reasons to doubt the claim that the new approach will be significantly different from the previous ones, and not only has been changed cosmetically especially in terms of the democracy promotion centrality. The PFDSP specifically claimed that the novelty in new strategic approach consists, firstly, in acknowledging the slips of its previous methodology, secondly,

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<sup>19</sup> Petrov, R and Van Elsuwege, P. (2011). Article 8 TEU: Towards a New Generation of Agreements with the Neighbouring Countries of the European Union? (June 19, 2011). *European Law Review*, Vol. 36, pp. 688-703, 2011. Available at SSRN: <https://ssrn.com/abstract=2039449>. [Accessed on 16/02/2019].

<sup>20</sup> Chappell, L., Mawdsley, J., & Petrov, P. (2016). 13 Uncovering EU strategy in its security policy. *The EU, Strategy and Security Policy: Regional and Strategic Challenges*, 202.

<sup>21</sup> Roccu, R., & Voltolini, B. (2018). Security and stability reframed, selective engagement maintained? The EU in the Mediterranean after the Arab uprisings. *Mediterranean Politics*, 23(1), 182-195.

<sup>22</sup> European Commission and High Representative of the European Union for Foreign Affairs and Security Policy (2011b), A Partnership for Democracy and Shared Prosperity with the Southern Mediterranean, (COM/2011/200). Available from: <http://eur-lex.europa.eu/legal-content/en/TXT/?uri=celex:52011DC0200>. [Accessed 8 January 2019].

<sup>23</sup> European Commission and High Representative of the European Union for Foreign Affairs and Security Policy (2011), A New Response to a Changing Neighbourhood: A Review of European Neighbourhood Policy (COM/2011/303). Available from: <http://eur-lex.europa.eu/legal-content/en/TXT/?uri=celex:52011DC0303>. [Accessed on 8 January 2019]

<sup>24</sup> Ibid

in listening to the voices and the demands of the Arab uprisings, and thirdly, in responding to the demands by injecting innovative mechanisms and shifts in the EU's democratisation promotion policy framework<sup>25</sup>. Indeed, the PFDSP described its new approach as an innovative response to the Arab uprisings<sup>26</sup>, and a qualitative step forward not only in the manner in which the EU is promoting democracy in the Southern Mediterranean but also as a "paradigm shift in terms of the way the EU's strategic policy objectives for its external relations are conceived and pursued<sup>27</sup>". The EU communications, although indirectly, acknowledged that the EU's diverse policies objectives are generally incompatible. The apparent conflict between the democratisation of the southern neighbours and the EU's interests such as security can be perceived as the main example<sup>28</sup>. The Arab uprisings demonstrated the danger of this equilibrium: Security first and foremost, forced the EU to reinvigorate its approach, precisely in terms of democracy promotion.

Although the democracy promotion agenda is considered as an important normative objective, the substance of this concept remained uncertain. For example, does socio-economic rights can be considered as part of democracy or not? What about good governance? Despite many attempts, the EU failed to achieve a consensus on the substantive metrics of democracy. The latest ENP review documents did not further elaborate on this issue despite connecting the effectiveness of the democracy promotion to socio-economic rights, although implicitly indeed, this confusion is reflected in most academic research on the international dimension of democratisation. The concept of international democratisation process has been rather limited until the 1990's when some attention to external democratisation has increased gradually. As noted by Brown and Kauffman: "academic research in international democratisation studies followed the practice. It only becomes significant after democracy promotion

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<sup>25</sup>Teti, A. (2012) The EU's First Response to the 'Arab Spring': A Critical Discourse Analysis of the Partnership for Democracy and Shared Prosperity, *Mediterranean Politics*, 17:3, 266-284.

<sup>26</sup> Schumacher, T., & Bouris, D. (2017). *The 2011 revised European Neighbourhood policy: continuity and change in EU Foreign policy*. In *The Revised European Neighbourhood Policy* (pp. 1-33). Palgrave Macmillan, London.

<sup>27</sup> Teti, (note 25), p 268.

<sup>28</sup> Ibid, p 267

become a central component of the foreign policy of the main western power<sup>29</sup>. This could explain the boost in the democratisation research during the 2000s and particularly following the Iraq invasion<sup>30</sup>. The theoretical divide between the hard power (US) and soft power (EU) has intensified in the academic research as to what is the best options for the promotion of democracy in the Middle East and North Africa (MENA)<sup>31</sup>. Despite this academic wrangling, the Arab countries seem to have missed the rendezvous with democracy. However, the uprisings of 2011 succeeded in reigniting the debate. While some scholars acknowledged the fact that finally, democracy has knocked on MENA doors, while others stressed the resilience of the authoritarian regimes in the region<sup>32</sup>

Ultimately, this debate has led to the assessment of the EU's democracy promotion role in the Southern Neighbourhood. The assessment has concentrated around whether the EU as a democracy promotor is acting as a normative or realist power<sup>33</sup>. Three main observations could be made in this regard. First, there has been less focus on the substance of the EU democracy promotion and more emphasis has been made towards theoretical questions. Second, the EU democratisation process emphasised socialisation through the empowerment of civil society organisations in order to improve the circumstances that ultimately lead to democracy, yet in terms of these circumstances, limited considerations have been given to socio-economic conditions. Third, the majority of research emphasised the role of positive conditionality with little assessment of the negative conditionality concept<sup>34</sup>.

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<sup>29</sup> Brown, N and Kauffman, C. (2013) *The dynamics of democratisation: dictatorship, development and diffusion*. Baltimore: The John Hopkins University Press, 2011. Cited in Burnell, P., Promoting democracy, pp. 265-287, in: 'Government and opposition', 48(2), 2013 in Bergé H. (2013) *Democracy Promotion in the European Neighbourhood Policy the case of Morocco*. Masaryk University, Master's Degree in Human Rights and Democratisation.

<sup>30</sup> Burnell, D. P. (2013). *Democracy assistance: The state of the discourse in Democracy Assistance* (pp. 11-41). Routledge.

<sup>31</sup> Nielsen, K. L. (2013). EU soft power and the capability-expectations gap. *Journal of Contemporary European Research*, 9(5).

<sup>32</sup> Valbjorn, M. (2013) *Beyond the democratisation and authoritarianism 'paradogma': towards a 'genuine science of (Middle East) politics'*, a conference speech at the BRISMES Annual Conference 2013, Dublin, 24 June 2013.

<sup>33</sup> Mišák, M. (2019). The EU's Democratization: Normative Power Europe Meets External EU Perception Literature. In *Democracy Promotion and the Normative Power Europe Framework* (pp. 37-51). Springer, Cham.

<sup>34</sup> Huber, D. (2015). The EU's Approach to Democracy Promotion and Its Ups and Downs in the Mediterranean Region. In *Democracy Promotion and Foreign Policy* (pp. 101-120). Palgrave Macmillan, London.

Overall, interest in the EU's democracy promotion towards the MENA area has gradually grown since the Arab Spring. In this context, this thesis focusses on the EU's democracy promotion based on the ENP review towards the Southern Mediterranean and Tunisia as a case study. Thereby, expanding and update on the previous research conducted in this field by many scholars<sup>35</sup>. This thesis examines whether the ENP review can be considered as a quantitative step forward and indeed "*A New Response to a Changing Neighbourhood*" in terms of the democracy promotion objective and whether the ENP review could be argued to have setup an effective democratisation policy. In order to provide a comprehensive answer while addressing the academic literature existing gap, this thesis will try to address two main issues. First, was there a substantial reform in the policy content regarding democracy promotion? Second, does democracy indeed became the cornerstone of the EU approach towards the Southern Neighbours?

The answer will be divided into two sections. First, The EU democracy promotion approach before the Arab Spring, whether under the European Mediterranean Partnership (EMP) or the ENP. This part will analyse the EU's democratisation policy and try to provide an answer to the said questions, covering the content of the policy, including the mechanisms (conditionality and socialisation). This part will argue that democracy promotion was very limited due to the economic considerations and security prioritisations. The second part will analyse the ENP review following the Arab Spring and subsequently the effectiveness of the EU approach nowadays. At this stage, an assessment of the ENP review documents will be provided following by extensive discussion on the mechanisms of the democracy promotion which has been described as innovative instruments of the EU's reformed approach. In contrast with some scholars' optimistic analysis<sup>36</sup>, this thesis argues that such claim of reformed approach does not have a grounding in the text itself or the application of the new policy in the Southern Mediterranean. In fact, the innovative part is likely to fall short of any considerable

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<sup>35</sup> Freyburg, T., Lavenex, S., Schimmelfennig, F., Skripka, T., & Wetzels, A. (2015). The Limits of Leverage and Linkage in the European Neighbourhood. In *Democracy Promotion by Functional Cooperation* (pp. 25-41). Palgrave Macmillan, London.

<sup>36</sup> Echagu "e, A., Michou, H. & Mikail, B. (2011) Europe and the Arab uprisings: EU vision versus member state action, *Mediterranean Politics*, 16(2), pp. 329–335.

impact on the ground, with the policy framed in similar terms to the EU's pre-uprisings approach, it may also be ending up reproducing the same limitations<sup>37</sup>. This thesis argues that the policy remained inadequate and lacking a strong commitment. This leads to a further section on the paradoxes and contradictions in the EU's democracy promotion efforts in the region. It concludes by arguing that because there is no clear distinguishing between the democratisation and other principles of good governance, lack of coherence, a history of double standards, and the security versus democracy nexus, the objectives of the EU democratisation process remain problematic. Hence, the EU still limits itself in this policy area where it could potentially have a normative impact<sup>38</sup>.

Although these democratisation limits are applicable in the case of Tunisia, this country remained the only beacon of hope following the "Arab spring"<sup>39</sup>. By contrast to other Mediterranean countries, Tunisia has successfully pulled off transitions to democracy, despite ensuing terrorism attacks and societal polarisation. Tunisia, which attracted particular attention from the EU, can be an interesting case study for analysing the evolution of the EU's democracy promotion strategy and its impact on the process of political change. Although the EU did not change its approach considerably following the Arab Spring, in terms of its relationship with Tunisia, there are new and important variables which may have provided a window of opportunity for the EU further influence. Tunisia is in the process of establishing a new political order, which reflects differences in institutions and the distribution of power that predate the revolution<sup>40</sup>. Subsequently, the EU has tried to influence the transformation process and the outcome by relying on the mechanisms of the ENP. The Analysis then will focus on the EU's documents and literature review documents to examine the way in which the EU is trying to influence the Tunisia reformative agenda. At the same time, I will examine how the EU engaged in a cooperative process with Tunisia. This will be based on a comparison between the EU Approach prior to and

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<sup>37</sup> Theuns, T. (2017). Promoting democracy through economic conditionality in the ENP: a normative critique. *Journal of European Integration*, 39(3), 287-302.

<sup>38</sup> Dandashly, (Note 17), pp 62-82

<sup>39</sup> Bassotti, G. (2017). *Did the European Union Light a Beacon of Hope in North Africa? Assessing the Effectiveness of EU Democracy Promotion in Tunisia*. EU Diplomacy Paper 6/2017. (2017).

<sup>40</sup> Fontana, I. (2017). *EU Neighbourhood Policy in the Maghreb: Implementing the ENP in Tunisia and Morocco Before and After the Arab Uprisings*. Routledge., p 11.

following the “Jasmin revolution”. A comparison of change which has been instrumental in supporting and potentially reinforcing democratic reforms in Tunisia. Having said that, this thesis will identify the challenges that still remain. These range from political to economic instability which hinders the reforms. Indeed, it seems that the EU-Tunisia have been dominated by facilitating trade cooperation to the detriment of social aspects. In addition, although security remained the cornerstone of the EU approach, there is a clear positive adjustment towards political Islam.

This thesis structured in the following way:

- The first chapter included the introduction, background and research problem.
- The second Chapter introduces the research framework and concepts which provide us with the theoretical and analytical tools for assessing the effectiveness of the EU policy. This part is divided into explaining the power and actorness concepts with specific reference to the EU’s normative power theory followed by an outline of limits to this theoretical concept. In addition, this part will discuss the Europeanisation concept and democratisation of the Southern neighbourhood.
- The third chapter will examine the evolution of the EU-Southern Mediterranean relationship: The Normative Agenda. This part is divided into the legal basis of the EU-neighbourhood relations, the cooperative approach under the EMP and ENP, in addition to the substance of these policies. In the end, compatibility assessment between the two policies will be provided.
- The fourth Chapter is divided into three main sections. The first section is assessing democracy promotion under the EMP and ENP before the Arab Spring. The second section will discuss the EU approach following the Arab Spring which will indicate the EU’s new role from stability to change. The new role assessment will be based on the ENP review documents itself and whether this review can be said to be quantitative progress. The following part will discuss the strategic development in terms of

conditionality and socialisation and whether they are effective democracy promotion mechanisms. This part will be concluded by discussing the EU's response to the Arab spring so far by assessing the innovative versus original concepts and new advanced status versus ordinary member state. The third section will assess further challenges to the democratisation of the Southern Mediterranean. This will include the EU democracy discourse, double standards, the contradictory objectives, the incentives offered: outweighing the costs democracy versus security. The Conclusion will indicate the re-emergence of security-based relationships.

- The Fifth Chapter will discuss EU democracy promotion in Tunisia. This chapter is divided into the EU approach before the “Jasmin revolution” and the approach following the ENP review 2011. The second part will discuss the conditionality and socialisation towards Tunisia, in addition, the continuity and change in the security-democracy. The last part will discuss the potential negative impact of liberalisation on Tunisia young democracy before a conclusion provided.
- Finally, in the sixth chapter, a general conclusion will be provided.

## **1.2. Background and Research Problem**

The assessment of the EU's role in the Southern Mediterranean region generally requires a reconsideration of the impact and limits of the so-called normative power upon which the EU itself claims implicitly or explicitly its approach has been based on. The EU response to the Arab uprisings has further demanded such reassessment, as the EU hesitant intervention has raised multiple concerns regarding the effectiveness of its policies, perhaps most importantly, towards democracy promotion.

The term ‘Normative Power Europe’(NPE), has become popular in both policy debates at the European level and academic studies on foreign policy and external relations of the EU<sup>41</sup>. Studied as an actor of the international system, the European Union has been presented by certain researchers as a civil power or a

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<sup>41</sup> Manners, I. (2002). Normative power Europe: a contradiction in terms? *JCMS: Journal of common market studies*, 40(2), 235-258.

normative power. For supporters of the normative power, it is the very nature of the Union that allows it to be qualified and predisposed to act in a normative manner in the international system. The representation of the NPE gives the impression that the EU is an ideal-type in the international sphere<sup>42</sup>, which makes it possible to point out the importance of the standards and the norms in its relations in the international system, and to study the means of dissemination of these norms and standards, which seems particularly well suited to address development cooperation policy by the EU, one of the major instruments of European external action. This representation of the EU appealed because, in its “profane” version, it confers a positive image on the European action. In fact, the EU institutions nowadays refer to their actions under external policies within the framework of normative power<sup>43</sup>.

However, this representation appears partial and insufficient to qualify the EU as a normative power, including in the field of the development and co-operation policies with its southern neighbours in the Mediterranean, based on the criticisms of many schools including realists<sup>44</sup>. Indeed, the EU fulfils far more strategic purposes, as regards external action – including the interests of its member states, regional neighbours and the international security in general. The normative concerns seem to be projected within the fields of development and co-operation, which subordinate the overall goals of foreign politics. If the EU approaches the ideal type of normative power, in particular by the methods of its cooperation policy, it behaves sometimes like the other actors of the international system, by privileging its interests, which illustrates the inconsistencies of the European development co-operation<sup>45</sup>,

Indeed, the Arab Spring reinvigorated the debate on the EU’s normative power and its transformative capacity to reform and consolidate democracy in the Southern Mediterranean. Although the effectiveness of the EU democracy

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<sup>42</sup> Forsberg, T. (2011). Normative power Europe, once again: a conceptual analysis of an ideal type. *JCMS: Journal of Common Market Studies*, 49(6), 1183-1204.

<sup>43</sup> Pavlova, E. B., & Romanova, T. A. (2017). Normative Power: Some Theory Aspects and Contemporary Practice of Russia and the EU. *Polis. Political Studies*, 1(1), 162-176.

<sup>44</sup> Aggestam, (note2), pp. 50-59.

<sup>45</sup> Öniş, Z., & Kutlay, M. (2017). *Global Shifts and the Limits of the EU’s Transformative Power in the European Periphery: Comparative Perspectives from Hungary and Turkey*. Government and Opposition, 1-28.

promotion question is not considered as a new topic, the reformulation of the EU approach, especially since the collapse of many Arab regimes in 2011, has created an opportunity to assess the adequacy of the EU policies. Initially, the majority of the studies concentrated on the “acquis Communautaire<sup>46</sup>” as an effective instrument of democratic reforms in the Eastern European area: “The attractiveness of the EU membership and the strict conditionality attached to the accession process have vested the EU with considerable transformative power in the applicant countries<sup>47</sup>”. Within this contest, many scholars regarded and reiterated Ian Manners notion of the EU as a new form of power: normative power.

In terms of the policies towards the Mediterranean neighbours, the EU has a longstanding history<sup>48</sup>, initiated originally in the 1970s through multiple measures specifically in the trade and development areas. In the 1990s, following the end of the cold war and the appearance of new security concerns, the EU was persuaded mainly by the southern members to introduce systematic policy approach, namely the Euro-Mediterranean partnership<sup>49</sup>. The new framework aimed to enhance the cooperative approach in multiple sectors, between the EU and 12 southern Mediterranean neighbours, as the EU claimed: “we are also committed to developing ever deeper ties and bridges of cooperation with our neighbours and share the future of this community of values with others beyond our shores<sup>50</sup>”. The EMP was launched to promote prosperity, security and stability, and most importantly, normative principles. The EU was aware of the possible lack of security in the region and as potentially the source of illegal immigrants, it sought to create a new type of cooperative apparatus with its

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<sup>46</sup> Börzel, T. A., Dimitrova, A., & Schimmelfennig, F. (2017). European Union enlargement and integration capacity: concepts, findings, and policy implications. *Journal of European Public Policy*, 24(2), 157-176.

<sup>47</sup> Schimmelfennig, F & Sedelmeier, U. (2005). *The Europeanization of central and Eastern Europe*, p 2. Cornell University press.

<sup>48</sup> Pace, M., & Fenech, D. (2017). The historical construction of the Mediterranean. *In Routledge Handbook of Mediterranean Politics* (pp. 29-39). Routledge.

<sup>49</sup> Bicchi, F. (2017). Regionalism and the Mediterranean: long history, odd partners. *In Routledge Handbook of Mediterranean Politics* (pp. 53-65). Routledge.

<sup>50</sup> European Council Presidency conclusions, Bruxelles, le 20 June 2003. Available at: [http://europa.eu/rapid/press-release\\_DOC-03-3\\_en.htm](http://europa.eu/rapid/press-release_DOC-03-3_en.htm). [Accessed on 2/10/2018].

neighbouring countries, based on the EU's norms and values. Subsequently, democracy promotion in the region became a constitutive principle in this project.

By 2004, the EU went through the biggest enlargement since its creation by the accession of ten new members, raising the overall member states to 25. This process, while it created “enlargement fatigue<sup>51</sup>” and internal tension, it created also new periphery challenges. The “big bang” of 2004 led to an unwillingness to further offer membership to the newly developed neighbours. Yet, the creation of new policy intended to create “an area of peace and prosperity<sup>52</sup>” in the neighbourhood, which targeted both the Eastern and southern Neighbours. Hence, the European Neighbourhood Policy was a response to the new reality of the EU, and in order “to meet this new reality, the EU introduced the European neighbourhood policy to create a ring of friends around its new borders<sup>53</sup>”. The ENP, in addition to the most recent project, the Union for the Mediterranean<sup>54</sup>, continued to shape the relationships between the EU and its southern neighbours. The democracy promotion remained at the heart of the EU approach and a prominent goal of the consecutive policies towards the southern neighbours. However, despite the EU efforts, the pursue of the region democratisation remained severely constrained, whether due to EU multiple and ambitious objectives, or the neighbour's authoritarian regimes reluctance to embark on the required reforms<sup>55</sup>.

The series of pro-democracy uprisings engulfed several Mediterranean Arab states in the spring of 2011 influenced not only in the political configurations of these countries, including Tunisia, Egypt, Syria and Libya, but also the political relationship with the EU. This period has been hallmarked by increased instability

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<sup>51</sup> Terzi, Ö., & Pars Alan, B. (2017). *NEAR or FEAR: The Security Aspects of EU Enlargement*. College of Europe Policy Brief# 5, 17 May 2017.

<sup>52</sup> Lucarelli, S., & Menotti, R. (2006). The conflicting values of the European Union's external action. *Values and Principles in European Union Foreign Policy*, 37, 147.

<sup>53</sup> Johansson-Nogués, E. (2004). Profiles: a 'ring of friends'? The implications of the European Neighbourhood Policy for the Mediterranean. *Mediterranean Politics*, 9(2), 240-247.

<sup>54</sup> Cardwell, P. J. (2011). EuroMed, European Neighbourhood Policy and the Union for the Mediterranean: Overlapping Policy Frames in the EU's Governance of the Mediterranean. *JCMS: Journal of Common Market Studies*, 49(2), 219-241.

<sup>55</sup> Romanyshyn, I., & Baltag, D. (2017). The challenge of analysing the performance of the European Neighbourhood Policy 1. In *The Routledge Handbook on the European Neighbourhood Policy* (pp. 39-49). Routledge.

and unprecedented waves of illegal immigrations<sup>56</sup>. Soon after the outbreak of the “Arab Spring”, many scholars reiterated the inadequacy and ineffectiveness of the EU’s Mediterranean policies<sup>57</sup>, while the EU assessment concluded that the time for a new approach is ripe, which quickly materialised through a sequence of ENP reviews and documents. The new policy intended to set the democratisation question at the heart of the new approach. Indeed, the introduction of the joint Communication of the new policy stated that “we believe that now is the time for qualitative step forward in the relations between the EU and the southern neighbours<sup>58</sup>”. This statement has been clarified in the following sentences as “the commitment to democracy, human rights, social justice, good governance and the rule of law must be shared. The partnership must be based on concrete progress in these areas. It must be differentiated approach<sup>59</sup>”.

Following this document, the Commission proposed a review of the ENP<sup>60</sup>. Although the proposal dealt with both dimensions of the neighbours, Eastern and Western, it intended to reformulate the whole approach of the policy. Throughout the documents, the EU emphasised the conditionality and socialisation as the main instruments in its efforts in promoting democratic reforms in the region. This implied that increased EU’s financial and political support “will depend on progress in building and consolidating democracy and respect for the rule of law<sup>61</sup>”. In contradiction with the original approach, the reformed policy announced the use of negative conditionality, which means that violating democratic principles could result in political and economic sanctions, or at least revoking financial assistance<sup>62</sup>. In addition to these mechanisms, the differentiated

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<sup>56</sup> Narbone, L. (2017). *EU Democracy Promotion and the Arab Spring: International Cooperation and Authoritarianism*, by V. van Hüllen (Basingstoke: Palgrave Macmillan, 2015, ISBN 9787737298515); xii+ 242pp. *JCMS: Journal of Common Market Studies*, 55(2), 414-415.

<sup>57</sup> Tocci, N., Cassarino, J. P. (2011). “*Rethinking the EU’s Mediterranean Policies Post-1/11*” Working Paper, 11/06, Istituto Affari Internazionali (March 2011); Verheugen, G. (2012) “*Meeting the Geopolitical Challenges of the Arab Spring: A Call for a joint EU -Turkish Agenda*”. Turkey Policy Brief Series, International Policy and Leadership Institute, n.1.

<sup>58</sup> European Commission (2011), *Proposal for a Regulation of the European Parliament and of the Council establishing a European Neighbourhood Instrument*. Brussels, 7.12.2011, COM (2011) 839 final.

<sup>59</sup> Ibid, page 2.

<sup>60</sup> European Commission (2011), *Proposal for a Regulation of the European Parliament and of the Council establishing common rules and procedures for the implementation of the Union’s instruments for external action*. Brussels, 7.12.2011, COM (2011) 842 final.

<sup>61</sup> Ibid, p 3.

<sup>62</sup> Ibid, pp 3-4.

approach became the centre stage, which illustrates that political and financial support to each partner will be differentiated according to the partner commitment and the progress in implementing the agreed objectives<sup>63</sup>. While the new approach has been hailed by many scholars as a powerful tool of democratisation in the region, others highlighted its weaknesses and restrictions as an effective mechanism for spreading democracy<sup>64</sup>. Although the EU highlighted the importance of the new approach in diffusing its norms and values, many scholars' assessments of the new approach remained sceptical as to whether the EU will be effective in stimulating democratic reforms.

The differentiated approach has been highlighted predominantly in the case of Tunisia. Indeed, following the uprisings in the Southern Mediterranean, many countries such as Libya or Syria became engulfed in internal conflicts, others including Egypt have reversed the democratic progress and improvements achieved following the revolutions. In fact, Egypt as an example fell again under an authoritarian regime<sup>65</sup>. By contrast, Tunisia is the only remained beacon of light in the region<sup>66</sup>. Many democratic reforms have been achieved since the Jasmin revolution, and the country in its way of achieving a genuine democracy, taking into considerations the multiple democratic elections accomplished in the last few years. Tunisian progress opened the window of opportunity for the EU to support the Tunisian democratisation process further. Hence, I will try to assess the role played by the ENP in the democratisation process of Tunisia. Although many internal variables are beyond this thesis, I will identify and assess the strategies of the EU in promoting democracy following the Jasmin revolution.

So, the main research objectives will be as follows:

- 1) Acting as a normative power, what are the strategies of the EU in promoting and developing democratic norms and values in the Southern Mediterranean region.

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<sup>63</sup> Korosteleva, E. A., Van Gils, E., & Merheim-Eyre, I. (2017). The Political” and the ENP: Rethinking EU relations with the Eastern Region’. *Theorizing the European Neighbourhood Policy*, 227-42. Available at: <https://www.researchgate.net/>. [Accessed 11/7/2017].

<sup>64</sup> Roccu & Voltolini, note 21, pp. 182-195.

<sup>65</sup> Hatab, S. (2018). Abortive regime transition in Egypt: pro-democracy alliance and demand-making framework. *Democratisation*, 25(4), 579-596. Taylor & Francis.

<sup>66</sup> Bassotti, note 39.

- 2) How effective was the ENP in promoting democracy in the region?
- 3) How effective was the ENP in promoting democracy in Tunisia as an example?
- 4) The purpose of the thesis is to explore the EU normative engagement with the Southern Mediterranean countries, and to explore the effectiveness of the EU democracy promotion in the Southern Mediterranean following the Arab Spring, as well as assessing whether it succeeded to has a normative impact on democratisation by focusing on the case of Tunisia.

## Chapter 2: ANALYTICAL FRAMEWORK AND METHODOLOGY

### 2.1. Introduction

In order to assess the formulized question regarding the EU's strategy towards the Southern Mediterranean in general, and Tunisia in particular, and to understand what kind of power the EU's applying in the region it is necessary to establish the theoretical framework and methodology that can assist and guide the assessment in a clear way. Similar to any other academic discipline, international relations theories are intended to explain and clarify some aspects of the relationships between international entities<sup>67</sup>. The EU has been a preferred subject in the last decades. It is widely argued that it has unique characteristics in the international arena not only due to its economic and trade influence but also due to the soft manner in which it disseminates its political and economic governance and democratic norms to the partner states<sup>68</sup>. The collapse of Berlin wall created an opportunity for re-examination and evaluation of the notions of civilian and military power Europe. This assessment while it reignited the discussions on the role of the EU internationally based on the traditional conceptions of power<sup>69</sup>, it paved the way to the new theoretical foundation: The EU as a normative power, transformative power in the normative fields including democracy.

Since the aim of this thesis is to assess the transformative role of the EU's in the southern neighbourhood, the purpose of this introductory chapter is to set the scene and the framework of analysis and provide an outline of NPE, which is the starting point of our theoretical and methodological basis for the empirical analysis that will be undertaken in the following chapters of this thesis. It is appropriately to starts with explaining the notions of "actorness" and "power" since they are important concepts to understand and assess the NPE theory.

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<sup>67</sup> Lawson, S. (2015). *Theories of international relations: Contending approaches to world politics.*, pp 22-46. John Wiley & Sons.

<sup>68</sup> Del Sarto, R. A. (2016). Normative empire Europe: The European Union, its borderlands, and the 'Arab spring'. *JCMS: journal of common market studies*, 54(2), 215-232.

<sup>69</sup> Carstensen, M. B., & Schmidt, V. A. (2016). Power through, over and in ideas: conceptualizing ideational power in discursive institutionalism. *Journal of European Public Policy*, 23(3), 318-337.

This is will be followed by discussing the main characteristics of the EU as a normative power in the international relations, as the same time refers to the challenges, whether theoretically or methodologically, facing the reliance of normative power concept in the assessment of the EU's international power.

As the EU became recognised as a fully-fledged international actor, that researchers have attempted to qualify and grasp in all its complexity. Many scholars began their analysis by the specificities of the EU as an international actor, among whom, the limitation of the military capacities, and economic power<sup>70</sup>. The reflection around the political nature of the European Union extended to its place and its role on the international scene. Each school of international relations has its own reading of the place which the Union occupies on the international scene. The civil power with the normative power, concepts were born to qualify the capacities and the role of the EU at the international level, under a rather positive light<sup>71</sup>. Thus, we will attempt to explain the theoretical debate on the evolution of the NPE concept which had its roots on the civilian power theory. Then, the development of the NPE which is based on Ian Manners theory, in addition to the diffusion and effectiveness of the norms.

The representation of the EU as civil or normative power was based on the sociological approach of the international relations, which is interested in the question of the norms taken in the broader sense, as a guide of action<sup>72</sup>. The sociological approach of the international relations "leave the common report that international phenomena must be understood like social facts [... and...] have jointly interested parallel to the actors and in the structures<sup>73</sup>". The representation of the EU as a civil power, then normative, are based on what is regarded as a European specificity, its normative nature, to explain its action and its possible influence on the international scene. So much so, that the representation of the NPE became very popular in the international relations theories, and the EU

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<sup>70</sup> Telò, M. (2016). Introduction: Globalization, new regionalism and the role of the European Union. In *European Union and New Regionalism* (pp. 25-46). Routledge.

<sup>71</sup> Larsen, H. (2014). The EU as a normative power and the research on external perceptions: The missing link. *JCMS: Journal of Common Market Studies*, 52(4), 896-910.

<sup>72</sup> Adler-Nissen, R., & Kropp, K. (2015). A sociology of knowledge approach to European integration: Four analytical principles. *Journal of European Integration*, 37(2), 155-173.

<sup>73</sup> Adler, E. (2013). Constructivism in international relations: sources, contributions, and debates. *Handbook of international relations*, 2, 112-144.

appears in the general deliberations, even academic, as a “force for good<sup>74</sup>”, and an “ideal-type<sup>75</sup>” in the international sphere. This depiction makes it possible to point out the importance of the standards and the norms in the relations between actors in the international system, and to study the means of dissemination of these norms and standards, which seems particularly suited to address development cooperation policy by the EU, one of the major instruments of European external action<sup>76</sup>. For supporters of the normative power doctrine, it is the very nature of the Union that allows it to be qualified and predisposed to act in a normative manner in the international system despite recent challenges deriving from the criticisms of its theoretical foundations.

The characterisation of the NPE concept is based on the institutional configuration of the EU southern Mediterranean relationship and the combination of normative objectives. Part of these objectives is the democratisation of the Southern Neighbours. Hence, this part will be touching upon the concept of Europeanisation in general and democratisation in particular, which are two important concepts of the case studies as a significant part of the NPE principle. In the end, I will try to conceptualise the terms conditionality and socialisation, which are integral parts in shaping the Europeanisation process and the democratic reforms.

## **2.2. Research Methodology**

This part will attempt to explain the research methodology of this thesis. The first part will explain the methodology before clarifying the importance of relying on case study as a research method of international relations and democratisation in particular.

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<sup>74</sup> Schumacher, T. (2015). Uncertainty at the EU's borders: narratives of EU external relations in the revised European Neighbourhood Policy towards the southern borderlands. *European security*, 24(3), 381-401.

<sup>75</sup> Forsberg, note 42, pp. 1183-1204.

<sup>76</sup> Elgström, O. (2000). Norm negotiations. The construction of new norms regarding gender and development in EU foreign aid policy. *Journal of European Public Policy*, 7(3), 457-476.

### 2.2.1. Methodology

European studies have developed several tools for analysis of the EU's role in international relations<sup>77</sup>. The EU agendas role in international relations created particular interests regarding the concept of "normative power Europe". The concept of the EU as a 'normative power' has been coined by Manners. His theory, built around this term, suggested a theoretical approach to the assessment of the EU ability to shape the international arena by producing reforms in its norms<sup>78</sup>. The NPE theory, then, have been subjected to assessment with respect to its empirical verifiability.

In this context, relying on qualitative case study with comparative elements, this thesis is attempting to identify the characteristics of the EU role as a normative power in the Southern Mediterranean and Tunisia in particular as a case study. At the same time assessing the challenges whether theoretical or methodological in terms of the EU ability to disseminate its normative principle of democracy.

This thesis intends to use the concept of NPE in analysing the effectiveness of the EU role as a promotor of democracy, especially after the Arab uprisings.

Methodologically, this thesis consists of two main parts. The first part intends to answer the question regarding the EU's approach towards the Southern Mediterranean in which it has been described as a normative power and try to categorise the political tools applied in order to achieve the political reforms required. This part of the thesis also attempted to classify the challenges involved in relying on the normative power concept whether theoretically or methodologically to assess the role of the EU in the Southern Mediterranean<sup>79</sup>. The arguments of the said approach include different theoretical schools, i.e. the criticisms stipulated by other theoretical political schools such as the neo-realism. The methodology applied here is that of discourse analysis of the theory

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<sup>77</sup> Skolimowska, A. (2015). *The European Union as a 'Normative Power' in International Relations. Yearbook of Polish European Studies*, (18), 111.

<sup>78</sup> Manners, note 41, pp: 235-238.

<sup>79</sup> Hollis, R. (2012). No friend of democratization: Europe's role in the genesis of the 'Arab Spring'. *International Affairs*, 88(1), 81-94.

developed by Ian Manners and other social constructivism theorists<sup>80</sup>, which were the preliminary instigators of the theory that provided the framework of the amplification of NPE concept.

The second part of the thesis features an analysis of the NPE theory with specific reference to democracy promotion process in the Southern Mediterranean and to Tunisia, as a case study, as developed in the consecutive policies of EMP and ENP, and the actions of the EU and its response in the face of the recent uprisings in the Arab world. It might seem the development in the Arab world has created new challenges to the EU and a threat to its security agenda<sup>81</sup>. Hence, the uprisings have proved that the EU should re-assess the process of constructing the foundations of its foreign and security policy in the Southern Neighbourhood where democracy promotion should have been? the main basis of the EU approach. In this context, this thesis will provide a demonstration and analysis of the EU's normative agenda in the Southern Mediterranean based on the democratisation process since the EMP, is then assessed the EU reformulated approach in relation to the political crisis taking place in the Southern Neighbourhood.

The analysis also takes into account the historical EU approach to democratisation in order to establish the extent of the EU's approach effectiveness in the Southern Mediterranean. The main assumption in defining the EU as NPE, is that when it is acting as a normative power in the Southern neighbourhood, the EU is exerting a positive influence on the Southern neighbours, especially after the Arab uprisings<sup>82</sup>. Such an assumption should indicate that the EU is diffusing its norms in the region at least hypothetically. This, in turn, suggests that progressive reforms in the southern neighbours

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<sup>80</sup> Manners, I., & Whitman, R. (2003). The "difference engine": constructing and representing the international identity of the European Union. *Journal of European public policy*, 10(3), 380-404.

<sup>81</sup> Zardo, F., & Cavatorta, F. (2018). Friends will be friends? External-domestic interactions in EU-Tunisia and EU-Morocco security cooperation after the uprisings. *International Politics*, 1-19.

<sup>82</sup> Bürkner, H. J., & Scott, J. W. (2019). Spatial imaginaries and selective in/visibility: Mediterranean neighbourhood and the European Union's engagement with civil society after the 'Arab Spring'. *European Urban and Regional Studies*, 26(1), 22-36.

correspond with the theory that the EU is a force for good<sup>83</sup>. However, this thesis assessment of the facts may indicate that the EU ability to diffuse its norms will vary from one case to another. The research methodology of this assessment is based on the concept of Europeanisation and subsequently, the effectiveness will be empirically evaluated in the comparison between the Europeanisation process of the EU perspective members and the Southern neighbours which do not have the perspective of EU membership.

The analysis of the EU reformative agenda was proposed by Roy H. Ginsberg. His analytical framework for evaluating the EU's influence and political impact on the developing countries allows to quantify the EU influence "on a scale from "nil political influence" to "significant political impact"<sup>84</sup>. Consequently, this thesis will rely on such a methodology to measure the EU influence on the Southern Neighbourhood. The methodological questions are as follows:

- Is the EU's normative policy being effective in developing and implementing democratisation policies?
- What are the critical factors in terms of the EU's democratisation policy effectiveness in the Southern Mediterranean?
- Is the EU democratisation policy given a priority or are there other priorities inbuilt in these policies?
- What are the decisive factors that have hindered the EU approach prior to the Arab uprisings?

The qualitative changes in the Southern Mediterranean following the Arab uprisings created new reality which forced the EU to question its approach in the Southern Mediterranean, particularly its democratisation agenda. However, the analysis of the EU role in accordance with the concept of normative power theory supposed to disregard the formal scrutiny of external policies or institutions and give more attention instead to "the approaches within a sociological or cognitive

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<sup>83</sup> Gomez, R. (2018). *Negotiating the Euro-Mediterranean partnership: strategic action in EU foreign policy?* Routledge.

<sup>84</sup> Ginsberg, R. (2001). *The European Union in International Politics. Baptism by Fire*, New York , pp 52-55.

framework<sup>85</sup>". According to Manners' concept of normative power, the EU external relations approach should be assessed based on EU's ability to exercise its influence in relation to normative principles, including democracy, on the rest of the world. Therefore, the NPE concept itself is not based on quantitative assessment but rather a theoretical assessment in need of further elaboration. In this context, this thesis will try to empirically examine Manners normative power theory in terms of EU relations with the Southern Mediterranean.

The EU's actions as a normative power in the Southern Mediterranean should lead, at least theoretically, to a substantial change in the presence of normative principles in the relationship between the two parties due to the ability of the EU to the presumed? influence the Southern neighbours. The thesis will examine the effectiveness? of such influence by assessing the main mechanisms: socialisation, political dialogue and conditionality. Socialisation according to the logic of appropriateness constitutes an important mechanism used in the promotion of democracy. The constructivists argued that the attractiveness of the EU's norms, in this case, democracy, will ultimately encourage the developing countries to institutionalise their relationships with the EU based on standards and norms catalogued in the EU's treaties<sup>86</sup>. This thesis will investigate this assumption empirically and assess whether socialisation can be an effective mechanism in implementing political reforms in the Southern Mediterranean and Tunisia in particular. In terms of conditionality, the EU acts and promotes democracy and other normative principles through its policies which range from development, aid and assistance or through trade<sup>87</sup>. This thesis will investigate whether conditionality through these policies can be an effective mechanism in implementing political reforms in the Southern Mediterranean. While many scholars argued that conditionality and the "Copenhagen Criteria<sup>88</sup>" were important benchmarks in implementing the political reforms in the EU's membership process. The question remains - whether such relatively successful

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<sup>85</sup> Skolimowska, note 77, p117.

<sup>86</sup> Holzhaecker, R., & Neuman, M. (2019). Framing the Debate: The Evolution of the European Union as an External Democratization Actor. In *Democracy Promotion and the Normative Power Europe Framework* (pp. 13-36). Springer, Cham.

<sup>87</sup> Theuns, T. (2019). The legitimacy of free trade agreements as tools of EU democracy promotion. *Cambridge Review of International Affairs*, 32(1), 3-21.

<sup>88</sup> Janse, R. (2018). The evolution of the political criteria for accession to the European Community, 1957–1973. *European Law Journal*, 24(1), 57-76.

method can be replicated in the Southern Mediterranean remain to be investigated in this thesis. Whether through conditionality or socialisation political dialogue can be an important mechanism in the implementation of normative principles.

In this process, the institutionalisation of the EU-Southern Mediterranean countries was an important factor in developing the political relations between the two parties. The EMP and subsequently the ENP created multiple institutions in order to influence the Southern Mediterranean countries' political reforms<sup>89</sup>. This thesis will examine the extent and the limits of such an approach. The instruments of socialisation, conditionality and dialogue have been used to demonstrate the power of the EU's influence or the lack thereof. These mechanisms should provide the framework within which this thesis will investigate whether the EU has fulfilled its normative role in the region.

In addition to the qualitative approach, this thesis will rely on critical discourse analysis. The discourse analysis refers to the EU communications and the action applied on the grounds<sup>90</sup>. This methodology enables us to facilitate a critical stance towards the EU's approach towards the Southern Mediterranean countries and Tunisia as the case study in relation to the EU's key norm of democracy promotion. The particular approach applied in this thesis is the discourse-historical approach and within this approach, the critical theory aspect is applied as follows:

1. "Text or discourse-immanent critique" which aims to expose the EU inconsistency in implementing its normative agenda. Paradoxes and dilemma in terms of the relationship between democracy and security or other normative principles<sup>91</sup>.
2. "socio-diagnostic critiques" which aims to clarify the persuasive characters of the EU policies in the region.

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<sup>89</sup> Fawcett, L. (2018). MENA and the EU: contrasting approaches to region, power and order in a shared neighbourhood. *Contemporary Politics*, 24(1), 65-80.

<sup>90</sup> Philips, L and Jorgenson, M. (2004) "The Field of Discourse Analysis" in *Discourse Analysis as Theory and Method*, pp 123-124. London: Sage.

<sup>91</sup> Dandashly, A., & Noutcheva, G. (2019). Unintended Consequences of EU Democracy Support in the European Neighbourhood. *The International Spectator*, 54(1), 105-120.

3. “prospective critique” which intends to assess the EU policies on the ground.

The discourse historical analysis intends to fulfil the following criteria as Reisigl and Wodak outlined<sup>92</sup>:

- summarise key themes of the EU normative approach in the Mediterranean region and Tunisia whether before the Arab spring or after.
- identify the normative identity of the EU in particular democracy promotion.
- Realist interests: identify and assess other EU priorities and interests including security.
- Identify and assess the EU means applied to achieve its normative agenda.

This thesis then, will rely on different methodological tools including a qualitative case study with comparative elements, as well as the discourse historical analysis to assess the NPE theory in relations to democratisation of the Southern Neighbourhood and Tunisia as a case study.

### **2.2.2. Case Study : Method, Research Strategy, or Paradigm?**

The concept of case study, and related terms, are not well defined in social sciences, despite their widespread use and centrality<sup>93</sup>. Hammersley and Gomm propose to define the case study in contrast to the statistical survey<sup>5</sup> (social survey) and the experimental study<sup>94</sup>. The statistical survey covers a large number of cases or units’ analysis with a limited amount of information. In contrast, the case study focuses on a few cases, or even one, on which a large amount of information is collected in all kinds of dimensions. The case may be an individual (in our case Tunisia), an event (Arab uprising), an institution, etc.

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<sup>92</sup> Reisigl, M. and Wodak, R. (2009). “The Discourse Historical approach” in *Method of Critical Discourse Analysis 2<sup>nd</sup> Edition*; p 123. London: Sage.

<sup>93</sup> Dubois, A., & Salmi, A. 2016. A call for broadening the range of approaches to case studies in purchasing and supply management. *Journal of Purchasing and Supply Management*, 22(4), 247-249.

<sup>94</sup> Hammersley, M, et Gomm, R. (2000). « Introduction ». In *Case Study Method. Key Issues, Key Texts*. de Roger Gomm, Martyn Hammersley et Peter Foster, p. 1-16. London: Sage Publications.

Experimental research, on the other hand, also involves a small number of cases, but these are artificially created while case studies focus on cases occurring naturally .

Yin emphasises the importance of distinguishing the case study from other methodological approaches such as ethnography, participating observation and entrenched theorisation <sup>95</sup>. In particular, he explains that unlike ethnography, in a case study, the researcher does not necessarily have to make direct and detailed observations of the phenomenon under study<sup>96</sup>. On the other hand, Hammersley and Gomm clearly give an ethnographic "flavour" to the case study by indicating that it tends to attribute a great deal of weight to the meaning that the actors themselves give to their conduct rather than to the external analysis of the researcher. For these authors, the researcher's approach would be more to "give a voice to the actors than to use them as informants or respondents<sup>97</sup>".

A common error according to Yin is to view the case study as exploratory research, pre-ceding to more in-depth research and with greater scope in general terms<sup>98</sup>. Mills et al expresses well the condescension with which sociology has traditionally considered the case study: "It is of interest only as an exploratory approach and this, in order to give shape to a study, must be strengthened if not regenerated by means of the methods themselves <sup>99</sup>.

The arguments stipulated above have a special relevance for democratisation in general and democratisation of the Southern Mediterranean and Tunisia as a case study in particular. So why we relied on the case study to assess the political development of the Southern Mediterranean region? Because of its conceptual validity, the prospect of deriving new hypothesis, explore contributing apparatuses and assess complex relations between the EU and the Southern neighbours. Most researchers may rely on what may be labelled as "crucial

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<sup>95</sup> Yin, R, K. 2017. Case Study Research: Design and Methods, p 12, 6<sup>th</sup> edition. Thousand Oaks (Calif.): Sage Publications.

<sup>96</sup> Ibid. p 15.

<sup>97</sup> Hammersleyet Gomm, note 94, p 3.

<sup>98</sup> Yin, note 95 (p. 12)

<sup>99</sup> Mills, J., Harrison, H., Franklin, R., & Birks, M. (2017). Case study research: Foundations and methodological orientations. In Forum Qualitative Sozialforschung/Forum: Qualitative Social Research (Vol. 18, No. 1, p. 17). DEU.

cases<sup>100</sup>” to assess the EU/Southern neighbours’ relations. In contrast we choose to rely on “deviant case<sup>101</sup>” in order to compare and conclude the lessons which can be learned from Tunisia relevant successful transformation to democratic country. Hence, in line with Yin theory we should view Tunisia case study as exploratory research as to why the EU approach was successful in supporting Tunisia political reforms when it failed to do so in the other Southern Mediterranean neighbours.

In this context, Yin explains that the case study should not be understood in terms of data collection techniques, but that it is a "comprehensive research strategy", "with a "logic of data collection" design of research, data collection techniques and specific approaches to data analysis" <sup>102</sup>. Hammersley and Gomm note that while for some authors, the case study is a research method that is part of the social sciences researcher's panoply, for others, such as Lincoln and Guba , it is a "separate research paradigm<sup>103</sup>". Even if it is considered a research method, the term "case study" covers a range of possibilities, depending on the level of detail of the study, the extent and number of cases (comparative aspect), the degree of consideration of the context and the researcher's position on a continuum from description/explanation to prescription/assessment.

Other considerations relate to the nature of the data collected. For Hammersley and Gomm, more often than not, in a case study, these are unstructured data that will be qualitatively analysed, often using narrative analysis to "capture cases in their uniqueness<sup>104</sup>". However, Yin differs on this point, considering that case studies can combine quantitative and qualitative evidence or even rely solely on quantitative data. In his view, therefore, "case study" and "qualitative research" should not be too closely associated<sup>105</sup>. However, this thesis has relied on

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<sup>100</sup> Møller, J., & Skaaning, S. E. (2017). Explanatory typologies as a nested strategy of inquiry: Combining cross-case and within-case analyses. *Sociological Methods & Research*, 46(4), 1018-1048.

<sup>101</sup> Seawright, J. (2016). The case for selecting cases that are deviant or extreme on the independent variable. *Sociological Methods & Research*, 45(3), 493-525.

<sup>102</sup> Yin, note 95, p 14.

<sup>103</sup> Hammersley, M. Gomm, R et Foster, P. 2000. « Case Study and Theory ». In *Case Study Method. Key Issues, Key Texts*. De Roger Gomm, Martyn Hammersley et Peter Foster, p. 234-258. London: Sage Publications.

<sup>104</sup> Lincoln, Y. S., et E. G. Guba. 2000. « The Only Generalization Is : There Is No Generalization ». In *Case Study Method. Key Issues, Key Texts*, in de Roger Gomm, Martyn Hammersley et Peter Foster, p. 27-44. London: Sage Publications.

<sup>105</sup> Yin, note 95, pp: 14-15.

qualitative approach to assess the EU's normative power and its ability to diffuse its proclaimed democracy agenda to its Southern neighbours. The reason for such approach is to give us the opportunity and the ability to assess in depth and understand the process of very complex approach taking into consideration the amalgamation of the EU's normative approach.

### **2.2.3. Case Study: A Plural Definition**

In view of the above, can a definition of the case study be attempted? There are clearly at least two visions of a case study; Hammersley et al, and That of Yin.

If we refer to Yin , a case study is empirical research that:

1. deals with a contemporary phenomenon in its context.
2. Is characterized by the fact that the boundaries between the phenomenon and its context are not clear.
3. Has an abundance of relevant variables.
4. relies on multiple pieces of evidence. Interestingly, Yin excludes retrospective and historiographical studies, chronicles, life stories, etc. For Yin, the case study is contemporary research on the phenomenon in question<sup>106</sup>. For Hammersley et al "The emphasis [by Yin] on contemporary phenomena suggests that the case study is a matter of sociology<sup>107</sup>"
5. Is guided by an existing theoretical framework.

Yin therefore directly links the case study to the consideration of context in the study of a phenomenon. Padgett judiciously observes that "the case study is therefore about reporting a phenomenon to its context and analysing it to see how it manifests and develops<sup>108</sup>.

Discussing the relationship between case study, sociology and history, Mills et al makes several nuanced distinctions. It is not the seniority or contemporaneity of the case that brings it out of either of these social sciences, but rather the way it

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<sup>106</sup> Yin, note 95, pp: 15-16.

<sup>107</sup> Hammersley et al , note 94, p 123.

<sup>108</sup> Padgett, D. K. (2016). Qualitative methods in social work research (Vol. 36). P 82.Sage Publications.

is analysed and interpreted. A case in the past may be useful to the sociologist in isolating a sociological phenomenon or category, or in developing new theoretical concepts and tools, provided that he is careful to avoid anachronisms in the type explanations mobilised in interpreting the conduct of actors<sup>109</sup>. Moreover, the authors states that each case calls for an understanding of sociological (analytical) and historical synthesises<sup>110</sup>; it is this duality, namely its inscription in a dual theoretical and historical context, that would define and constitute the singularity of a case. This leads the authors to note that the comparison of several cases is generally necessary. For example, the events of 2011 in Tunisia and Egypt forced us to compare the two countries political development. Although the two countries have multiple similarities including a strong presence of political Islam, the trajectories and the outcome of 2011 uprisings seems to differ substantially. While Tunisia became the except in the Arab world, Egypt political reforms has been reversed. It seems that in addition to the internal variables, the international community including the EU lack of genuine effort to influence Egypt's reverse trend towards democracy. Egypt's importance in the EU's security agenda was a major block in the EU's inability to influence the country positively. The thesis, hence, deliberately incorporated a positive and negative outcome, however, the challenge is to isolate the factors that made the difference in terms of the EU approach. Democratisation Process tracing since the EMP can support our task by focusing on the way the EU institutions tried to shape preferences.

Another point that is not agreed upon is Yin's assertion that the case study must be based on a pre-existing theory. For Yin, in contrast to ethnographic and qualitative approaches influenced by the entrenched theorisation of Glaser and Strauss for which there are few hypotheses forged at first, the case study necessarily relies on a more or less elaborate theory that guides both research design, data collection and analysis<sup>111</sup>. Becker seems to go in this direction and notes, not without irony, that the researcher who practices the case study tends

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<sup>109</sup> Mills, J., Harrison, H., Franklin, R., & Birks, M , note 99, p 17.

<sup>110</sup> Ibid.

<sup>111</sup> Glaser, B. G., & Strauss, A. L. (2017). *Discovery of grounded theory: Strategies for qualitative research*. Routledge.

to choose the case that validates the theory, or at least, that is explicable under the theory, the anomalies being rejected as not being "good" cases<sup>112</sup>.

However, Yin's view is not shared by Hammersley, Gomm and Foster. For these authors, the case studies allow to see at work chains of causality and, as a result, supportive theories. Hammersley et al. claim to be the movement of thought initiated by Glaser and Strauss who, in their book on the "discovery" of entrenched theorisation, explain that observation on the ground allows for the manifested relationships between variables<sup>113</sup>.

If we summarise the above by attempting to integrate the points of view presented, we propose to consider two types of case studies: a theoretically "illustrative" or "probational" case study, which involves testing and corroborating a hypothesis based on a concrete case, and an "open" case study in the sense that there is no theoretical framework at first sight but the emergence of theoretical proposals as the dense description of the social phenomena observed, in an approach close enough to entrenched theorisation. However, what we propose in our thesis is to provide the reader with already formulated theory of the EU's normative power and try to test it in this case study. For example, the theoretical framework of political conditionality developed by Schimmelfennig and Sedelmeier<sup>114</sup> to assess the EU diffusion of its normative principles under the accession criteria of the enlargement process has been applied on different countries. This thesis, however, intend to apply this theoretical framework to the Southern Mediterranean countries and Tunisia in particular which do not have the prospect of EU membership, and thus develops the scope of use and brings new challenges to the theoretical framework.

The conceptual tensions we have identified regarding the links of a case study with ethnography, entrenched theorisation, theory, generalisation, as well as the

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<sup>112</sup> Becker, H, S. 2000. « Cases, Causes, Conjectures, Stories and Imagery ». In Case Study Method. Key Issues, Key Texts, in de Roger Gomm, Martyn Hammersley et Peter Foster, p. 223-233. London: Sage Publications.

<sup>113</sup> Glaser & Strauss, note 111, p 261.

<sup>114</sup> Schimmelfennig, F., & Sedelmeier, U. (2004). Governance by conditionality: EU rule transfer to the candidate countries of Central and Eastern Europe. *Journal of European public policy*, 11(4), 661-679.

more or less normative posture of the researcher are all themes that will articulate our analysis on the status of the case study.

#### **2.2.4. The Problem of Representativeness and Generalisation**

As discussed above Yin considers that the case study must be based on a pre-existing theoretical framework, and that its ambition is not to lead to the development of explanatory theories; he even sees it as a methodological criterion for distinguishing the approach of the case study from that of entrenched theorisation. Hammersley, Gomm and Foster point out, on the contrary, that some authors do not hesitate to assert that "the case study is designed to produce theories"<sup>115</sup>. However, they also acknowledge that this raises important questions about the validity of the theories thus produced. Is it possible to talk about representativeness from a single case, was it "an example" and how to evaluate and measure its representation? And if we have to give up talking about representativeness, then what about the generalisation of the conclusions of a case study? These conceptual issues have not been fully resolved by scholars. It is certainly true that the literature is full of disagreements. For example, an old question has been reformulated since the Arab uprisings as to whether the EU is acting as a normative power. The comparative studies have produced two main conclusions whether critical or in favour of. The two sets of conclusions have important methodological implications for understanding generalisability.

In this context, Gomm et al. acknowledged the important role of Geertz's ideas in the way he reported the case study to theoretical generalisation<sup>116</sup>. Based on Geertz argument, the production of general conclusions is not done through the accumulation of studies building on top of each other, in the sense that one would start where the previous one would have stopped, but rather using theoretical resources generated by previous work to deepen our understanding of universal themes concerning democratisation<sup>117</sup>. Neither the position of seeing in a case a "microcosm of society as a whole", which would in principle base a possible representation of the case, nor that of seeing in the case study a way of testing a

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<sup>115</sup> Hammersley, Gomm and Foster, note 94, p 234.

<sup>116</sup> Gomm, R. Hammersley, M. Foster, P. 200. Case Study Method. Key Issues, Key Texts. London: Sage Publications.

<sup>117</sup> Ibid, p 262.

theoretical idea. According to Geertz, the anthropologist does not observe a village, he observes, in a village, a social phenomenon of a universal nature<sup>118</sup>. Padgett agrees when he states that the case "plays methodologically the role of an intermediary in identifying an object of study under anthropology or sociology". It is, therefore, an "observatory"<sup>119</sup>.

Regarding the representation of a single case, Hammersley, Gomm and Foster cite Colin Lacey who, in a landmark case study on academic success in England, justifies his methodological choice to focus his study on a single school, because it was necessary to open the "black box" that constituted the school in most previous research. For Lacey, the case study seems to be a research strategy of opening a black box. This is reminiscent of a familiar theme of the first generation of researchers, whose field studies often consisted of "opening the black box" of a scientific fact or a stabilised technical artefact<sup>120</sup>.

This assessment is reminiscent of those addressed to the case studies found in the sociology of the actor-network. However, Bruno Latour explains what he considers to be the essential difference between a case study in the classical sense of the term - which proves to coincide for him with the perspective of Yin and the description case, in the sense of actor-network theory<sup>121</sup>. For Latour, the paradigm in which the case study fits are that of an induction/deduction relationship between an explanatory framework and a particular case. The approach is to assume the existence of a cause "already there" but virtual which would be seen in a particular case. The very term "case" would be at the paradoxical limit in an investigative approach, since it implies the prior knowledge of processes, dynamics and logics that are precisely sought to uncover. "A case study that needs to be supplemented by an explanatory framework is a case study that was wrongly chosen from the start"<sup>122</sup> observes Latour, meaning that it does not teach us anything, either because it contains no information in the strong sense, or because it only confirms what we already knew. Hence the

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<sup>118</sup> Ibid, p263.

<sup>119</sup> Padgett, note 108, p 129.

<sup>120</sup> Hammersley, Gomm and Foster, note 94, p. 236

<sup>121</sup> Latour, B. 2004. « Comment finir une thèse de sociologie. Petit dialogue entre un étudiant et un professeur (quelque peu socratique) ». La Revue du M.A.U.S.S., no 24, pp. 154-172

<sup>122</sup> Ibid.

crucial importance of the choice of terrain, because this choice depends on the researcher's ability to produce new knowledge.

With respect to the generalisation of the conclusions drawn from a case study, Yin considers that the case study allows for generalisations to some extent, provided we speak of analytical, rather than empirical, generalisations that is, based on a large amount of empirical data: "case studies, like experiments, are general to theoretical proposals and not to populations or universes. In this sense, the case study, like the experiment, does not represent a "sample", and in undertaking a case study, your goal will be to expand and generalise theories"<sup>123</sup>.

Concluding that a comparative approach is unavoidable, Hammersley, Gomm and Foster mention two forms of induction eliminating that can be used in comparative analysis of several cases, in order to identify necessary and sufficient conditions for a phenomenon, and ultimately to produce explanations in terms of causal relationship, or even theories<sup>124</sup>. It is possible, from the same set of observations, to infer different theories. It is therefore not possible to argue that generalisation is the only possible, or therefore the right one<sup>125</sup>. This being the case, one of the major pitfalls to avoid is what they call the "nomothetic-idiographic dilemma" <sup>126</sup>. The nomothetic approach to phenomena is to infer general rules from specific observations. The idiographic approach is to consider each case in what it has individual and special - what Green et al calls "an analysis of the singular as such"<sup>127</sup>.

But if any attempt at generalisation from the study of a single case seems futile, it is possible to draw from it a working hypothesis. However, the portability of such a "hypothesis" from the context in which it originated to another context depends entirely on the degree of correspondence between the two contexts<sup>128</sup>. And in order to assess this correspondence, we must have provided a dense description

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<sup>123</sup> Yin, note 95, pp76-78.

<sup>124</sup> Hammersley, Gomm and Foster, note 94, p 26.

<sup>125</sup> Ibid.

<sup>126</sup> Ibid, p 33.

<sup>127</sup> Green, C. A., Duan, N., Gibbons, R. D., Hoagwood, K. E., Palinkas, L. A., & Wisdom, J. P. (2015). Approaches to mixed methods dissemination and implementation research: methods, strengths, caveats, and opportunities. *Administration and Policy in Mental Health and Mental Health Services Research*, 42(5), 508-523.

<sup>128</sup> Ibid, pp : 508-523.

of the case in question. The problem of representation thus becomes a problem of "transposability" that relies not so much on the choice of case but on how to report it.

### **2.2.5. Conditions and Limits of Epistemic Reconstruction**

The six stages constituting the case study highlighted by Green et al make it possible to formulate them: the delimitation of the study; the selection of data; the naturalisation of the phenomenon; the construction of a false continuity; the compression of the lived experience; the conceptual and written double formalisation<sup>129</sup>. Some of these steps seem contradictory to the initial goal of understanding the phenomenon of democracy promotion as a whole. However, they seem inevitable in the context of sociological oriented research. We chose to take this into account to explain the very limits of this work. The first step is to delineate the study. Why such a case (Tunisia) and not another country? What justifies this choice and what significance emerges? The explanation of the initial choice, which is not random, leads to a systematic and comparative exploration of the studied environment of the Southern Mediterranean. It also makes it possible to explain certain subjective positions (ideological, axiological, biographical, affective) as a material for later critical reflection. The second step is the inevitable selection of observed "facts" taken from a multifaceted "reality". Too many parameters intervene as filters and operate too many selections and deformations to suggest a possible confusion between the "reality" of the observed phenomenon of democracy promotion in Tunisia and its epistemic representation: the very work of research (epistemological positioning, theoretical frameworks, methods of collection and data analysis); the researcher's subjectivity as an actor (social actor, in his field of research and with regard to the studied field); the conditions of production of the discourse, its diffusion and its reception<sup>130</sup>.

This approach is primarily concerned with controlling the conditions of fidelity, reliability and relevance of the selected data and the objective of producing an understanding of the EU's normative power and particularly democracy

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<sup>129</sup> D'Allonnes, M. R., & Fœssel, M. (2016). Le paradoxe de la représentation. *Esprit*, (12), 87-99.

<sup>130</sup> *Ibid*, pp 89-90

promotion in Tunisia. The trend towards "naturalisation" is the third step. From the "real" phenomenon (integrated, evolutionary, adaptive, in situation of permanent actualisation) to the "epistemic" phenomenon (described, dissected, analysed, stopped at a moment of its evolution)<sup>131</sup>. This reification through discourse leads to questions of methodology used to assess the EU's democratisation approach but also of ethics, particularly on the limits of interpretation and taking into account reactions of actors to the communication of results. Such consideration requires an expansive analysis and rendering whose reception feeds in return the first analyses produced. This step is often not followed by researchers and is not self-evident in its implementation<sup>132</sup>. The fourth stage is the "reconstruction" of a factitious continuity, starting from materials by definition, as a trace of an activity by nature discontinuous. Here again, the critical reflexive control of the fidelity, the reliability and the relevance of the selected data makes it possible to avoid the "illusion of transparency"<sup>133</sup>. The challenge is to develop a research that maintains an acceptable level of readability, while communicating the elements of apprehension of the limits of the study. The illusion of continuity contributes largely to the "compression of the research" which marks the fifth stage. This "reduction of the real" appears in contradiction with the initial project of our case study. The temptation of exhaustiveness and the concern for an analysis that takes into account the global nature of the democracy promotion is illusory. Despite the deployment of a rich methodology that attempts to faithfully record the density, uncertainty and fragility of the democratisation process, the moment always arrives to delimit an observable, stop an analysis, circumscribe a field of understanding. A multitude of elements are inevitably lost that still recall the impossibility of apprehending "the irreducible singularity of the case study " in democratisation<sup>134</sup>.

The last step is that of the written conceptual formalisation conducted according to the rules of scientific and academic culture. Far from the narrative project, it is

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<sup>131</sup> Ibid, pp 89-90.

<sup>132</sup> Gehman, J., Glaser, V. L., Eisenhardt, K. M., Gioia, D., Langley, A., & Corley, K. G. (2018). Finding theory–method fit: A comparison of three qualitative approaches to theory building. *Journal of Management Inquiry*, 27(3), 284-300.

<sup>133</sup> Ibid, p 289.

<sup>134</sup> Taylor, K. M., & Vachon, S. (2018). Empirical research on sustainable supply chains: IJPR's contribution and research avenues. *International Journal of Production Research*, 56(1-2), 950-959.

necessary to identify, if not a set of invariants, at least observables, indicators, categories which, appearing relevant in the context of the EU's democratisation of the southern neighbourhood and Tunisia in particular as case study, which are susceptible to be reused in the field to understand, describe, analyse similar situations. Writing, a trace of this conceptual formalisation, is also dictated by the institutional framework and the communication contract in which the discourse is produced<sup>135</sup>. The linearity of the presentation, the harmonisation of our contributions and the choice of complementary documentation also contribute significantly to the "reconstruction" of the phenomenon studied. Rather than artificially reducing the "reality" of the democratisation phenomenon into a control goal, the case study takes the risk of confronting it as it can be perceived<sup>136</sup>. It tries to account for it in its entirety, by controlling at best the fidelity and the reliability of the analyses to communicate an intelligible and plausible interpretation, as close as possible to the convergences that emerge from the various collected materials (instrumented observations, speeches of the various EU actors, multiple traces of activity, documents and archives). Methodological obstacles are not interpreted as flaws or errors, but fuel critical thinking, not only epistemologically and theoretically, but also deontologically.

### **2.3. Understanding the Concept of EU International Actorness**

Since the creation of the EU foreign policies, scholars have become preoccupied with understanding the context of the EU development as an international actor<sup>137</sup>. The majority quickly recognised that conceptualising the EU as an international actor is not an easy task, as the EU cooperates with other actors in different ways. There is no specific pattern in which the EU interacts with others. The manifested variation of the EU actorness is strengthened by multiple interpretations. First, the multiple EU institutions which act on its behalf, ranging from the Council presidency, the Commission to the Common Foreign and Security Policy (CFSP)<sup>138</sup>. Second, the process of the external actions also varies from one policy to another, which suggests that EU projection to the world is a

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<sup>135</sup> Ibid.

<sup>136</sup> Ibid

<sup>137</sup> Hill, C., Smith, M., & Vanhoonacker, S. (Eds.). (2017). *International relations and the European Union*. Oxford University Press.

<sup>138</sup> Sun, Y. (2019). EU Common Foreign and Security Policy: The Case of Civilian CSDP. *Journal Global Policy and Governance*, 7(2), 89-91.

complex issue<sup>139</sup>. Nevertheless, undoubtedly, the EU became one of the important actors internationally, due to its “footprint” in world politics. The political impact was sufficiently significant to entail academic studies and a prerequisite for this is the development of appropriate conceptualisation.

To understand the existence of the EU actorness in the international sphere, many scholars adopted an institutional perception (rational and sociological approaches) by supposing that different EU institutions may have a different impact on the development of the EU foreign policy<sup>140</sup>. For example, Smith defined EU international actorness as “the EU’s ability to function actively and deliberately in relation to other actors in the international system<sup>141</sup>”. Accordingly, the assessment of the EU’s capacity of actorness is based on four dimensions: “Cohesion, authority, autonomy and recognition<sup>142</sup>”. Cohesion denotes the EU’s ability to develop coherent and consistent policies internally. Authority refers to the EU’s legal competency in the international arena. Autonomy refers to the EU’s institutions ability to act in relative independence from member states. While recognition implies the acceptance of other actors to interact with the EU<sup>143</sup>. The actorness dimensions are interconnected, indeed, while the EU for example, can be considered as an autonomous entity but does not enjoy recognition by others, it may not enjoy a high degree of actorness, nor if it lacked the legal capacity or the authority to act in certain areas. The rationale approach perceives EU institutions actorness foremost “as [creating and employing] formal rules, legal competences and decision-making procedures that structure the policy making process<sup>144</sup>”.

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<sup>139</sup> Rosamond, B. (2005) Conceptualizing the EU Model of Governance in World Politics, 10(4) *European Foreign Affairs Review*. PP: 463-465.

<sup>140</sup> Jupille, J., Caporaso, J.A. and Checkel, J.T. (2003) ‘Integrating Institutions: Rationalism, Constructivism and the Study of the European Union’. *Comparative Political Studies*, Vol. 36, No. 1/2, pp. 7–40.

<sup>141</sup> Smith, K.E. (2003) *European Union Foreign Policy in a Changing World* (Cambridge: Polity Press). PP:3-4

<sup>142</sup> Groenleer, M. L., & Van Schaik, L. G. (2007). United we stand? The European Union's international actorness in the cases of the International Criminal Court and the Kyoto Protocol. *JCMS: Journal of Common Market Studies*, 45(5), p 3.

<sup>143</sup> Ibid, p 6.

<sup>144</sup> Ibid, pp. 969-998.

Under this view, EU institutions constrained and regularised the EU's capability to act internationally<sup>145</sup>. However, the EU ability to effectively act internationally is controlled by the institutions' preferences compatibility with the member states. Therefore, cohesion from this perspective is the product of the harmonious Member States preferences on the rudimentary objective. The Member States are not necessarily required to agree on all issues in order to achieve cohesion, as this concept denotes that EU actorship remain intact as long as Member States attained some success in developing policies that assist in serving their goals<sup>146</sup>. The authority and autonomy under this approach refer to the formal legal competences to enter into international agreements and the discretionary power which can be acquired through delegation, while formal recognition can be observed through the negotiation of the international treaties or agreements, such as the ENP<sup>147</sup>.

Although the rationalist theories have developed reasonable hypothesis about the EU actorship in the international arena through the formal institutional explanations, they failed to clarify "the processes through which the mechanisms operate<sup>148</sup>", or to explain it differently they significantly ignored the attributed peculiarity of the EU's foreign policy, henceforth, they tended to analyse the EU's actorship based on the conventional state actorship frameworks which can be misleading. White indicates that "it is imprudent to think about the EU...projects itself in different substantive ways<sup>149</sup>". The problem of this conventional approach of international relations actorship is that the theories are constructed on rudimentary ontological descriptions of the states. Of course, the literature is littered with arguments about whether the EU is becoming a conventional state, while many scholars may have argued that the EU is developing into a hybrid state form, it remained obviously far from being a state<sup>150</sup>. The additional ultimate problem in this approach is the expectation of the international relations principal

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<sup>145</sup> Hill, Smith & Vanhoonacker, (note 137), pp:120-121.

<sup>146</sup> Ibid, p121.

<sup>147</sup> Smith, M. E. (2003). *Understanding the European Union's External Relations*. Springer, pp: 377-380.

<sup>148</sup> Rosmand, (note139), pp: 463-465

<sup>149</sup> White, B. (2004a) 'European Foreign Policy Analysis and European Foreign Policy', in Tonra, B. and Christiansen, T. (eds) *Rethinking European Union Foreign Policy*, Manchester: Manchester University Press, p 45.

<sup>150</sup> Kassim, H. (2003). Meeting the demands of EU membership: The Europeanization of national administrative systems. *The politics of Europeanization*, 83-111.

elements to display instrumentality and rationality. The EU's foreign policies coherence deficiencies may explicate the rationalists' early discussions in defence of the looser notion of "presence" instead of actorhood<sup>151</sup>. Indeed, Hill's favoured the idea of the EU's 'presence' mirrored the reflection that the EU lacked these core characteristics of a state, but that at the same time its influence in world political agenda was noticeable<sup>152</sup>.

The sociological approach concentrates "on the social environments in which institutions are embedded<sup>153</sup>". The concept of EU actorhood is developed through the notions of norms and values established and embedded in its institutions<sup>154</sup>. From this perspective, the institutions establish the EU's power to conduct itself as an international actor<sup>155</sup>. Its actions channelled by the social background may not be a results concern, but rather a process orientated<sup>156</sup>. In line with argument, the EU external actorhood is based on moving targets, rather than fixed preferences, aiming to achieve its goals in the long run through socialisation<sup>157</sup>. The interaction between the EU norms and social values and institutionalisation process in any field of external relations would clarify the degree of EU actorhood internationally<sup>158</sup>. From a sociological perspective, the dimensions of actorhood can be perceived through informal institutional settings. Cohesion can be developed through normative approach, while "high level of cohesion is the result of the emergence, over time, of a set of shared values and norms with regard to the basic goals and the means by which these goals are realised<sup>159</sup>". The authority as the second dimension does not require legal competences or formal rules, alternatively, it depends on the normative principles represented by the

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<sup>151</sup> Hill, C. (1994) 'The capability-expectations gap, or conceptualizing Europe's international role', in Bulmer, S. and Scott, D. (eds) *Economic and Political Integration in Europe: Internal Dynamics and Global Context*, Oxford: Blackwell, pp. 103-126.

<sup>152</sup> Hill, Smith & Vanhoonaeker, (note137), p21.

<sup>153</sup> Soproni, L., & Horga, I. (2016). The EU's Voice Beyond Its Borders: The European Union's External Communication. *Centre for European Studies (CES) Working Papers*, 8(3).

<sup>154</sup> Checkel, J. T. (2007). Constructivism and EU politics. *Handbook of European Union Politics*, 57-76.

<sup>155</sup> Banchoff, T. (2002). Institutions, inertia and European Union research policy. *JCMS: Journal of Common Market Studies*, 40(1), 1-21.

<sup>156</sup> March, J. G. and Olson, J.P. (2004). 'The Logic of Appropriateness', ARENA Working Paper 04/09 (Oslo: ARENA).

<sup>157</sup> Schumacher, T. (2011). *The EU and the Arab Spring: between spectatorship and actorhood*. *Insight Turkey*, 13(3), 107-119.

<sup>158</sup> Smith, K. E. (2013). *European Union foreign policy in a changing world*. John Wiley & Sons.

<sup>159</sup> Groenleer & Van Schaik, note 142, pp. 969-998.

EU<sup>160</sup>. The autonomy concept, although its informal, it relies on the representatives of the Member States to consider themselves as European actors and not mere representatives of their countries, and in order to achieve a high level of autonomy, their actions should be based on the common values and norms<sup>161</sup>. Finally, while as well informal, the recognition is based on the relations with other actors, the socialisation may lead to higher recognition, and subsequently to a higher degree of actorness<sup>162</sup>. The conceptualisation of the EU actorness under this approach allows to argue that the EU needs to be in conformity with the system of norms in order to appear as an international actor. Yet, analytically, based on the assumption of pre-existing norms at the EU internal level, there is always a danger in benchmarking the EU external actorness in terms of success or failure not only to comply with the pre-existing norms, but as well in terms of the projection of these norms externally<sup>163</sup>.

The fact that there are numerous explanations in which the EU appears as an international actor, creates some confusion. Each school tried to substantiate its thesis based on pre-existing philosophical arguments. The fact is, the EU interacts with international actors in a variety of methods and means, which inevitably lacks uniformity or predictable pattern, or what it may be called as “putative foreign policy”. The manifested variations of the EU actorness can be observed by two further features. First, different EU institutions can act on behalf of the EU, whether the EU Council, the Commission or the High Representative of the Common Foreign and Security Policy to name but three possibilities. Second, the development of the EU’s foreign policy varies between different institutions, which can suggest that the prediction of the EU external actions is as complex matter, which is characterised by a multifaceted system of governance and decision-making process. Nevertheless, the EU indisputably generates ‘footprints’ at the international level in different fields, whether in the form of influence over the politics of global trade, the establishment of development or

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<sup>160</sup> Manners, I. (2006). *The European Union as a normative power: a response to Thomas Diez*. Millennium, 35(1), 167-180.

<sup>161</sup> Niemann, A., & Bretherton, C. (2013). EU external policy at the crossroads: the challenge of actorness and effectiveness. *International relations*, 27(3), 261-275.

<sup>162</sup> Groenleer & Van Schaik, note 142, pp. 969-998.

<sup>163</sup> Manners, I. and Whitman, R. (2003) ‘The “Difference Engine”: Constructing and Representing the International Identity of the European Union’, *Journal of European Public Policy* 10(3), page 395.

humanitarian support, the promotion of cooperative approach and joint actions in different foreign policy fields or the articulation of normative concepts at the global stage<sup>164</sup>. In other words, this influence or footprints are of adequate significance to necessitate academic analysis and a pre-requisite for this is to intensify the quest to develop and explicate an appropriate conceptual schema.

#### **2.4. Theoretical Approach: From Hard Power to Soft Power**

NPE theory is a very recent political category within international politics, as first formulated by Ian Manners in 2002. The concept is divided into two terms, normative and power, hence before assessing the whole concept, the description of the power theory is required. The separation of two terms is important to theoretically understand the EU influence on the Southern Mediterranean countries. This part will start initially by providing a theoretical analysis of two main international relations schools, realism and liberalism, regarding the concept of power. This will be followed by a conceptualisation of the EU power in international relations. The assessment is necessary to conceptualise the EU as a civilian/normative power, as the soft power is an integral part of the EU normative power configuration.

While we tried to compare and explains the theories regarding the concept of power, it is necessary to define the concept of power since it is essential to this thesis and has been subject to many interpretations by many theoretical schools and scholars<sup>165</sup>. Generally speaking, power can be defined as the ability to influence the behaviour of other actors in order to reach the outcome it needs<sup>166</sup>. The behavioural influence can be achieved through different means, whether through coercion or threats, or inducement with benefits or attract or co-opt them<sup>167</sup>. Foucault one of the leading scholars on the notion of power described this concept generally as the centre stage of the relationship between different actors<sup>168</sup>. He argued that the generation of power is created when an actor starts

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<sup>164</sup> Smith, K. E. (2010). The European Union in the world: future research agendas. *In Research Agendas in EU Studies* (pp. 329-353). Palgrave Macmillan, London.

<sup>165</sup> Emmet, D. (2017). *The concept of power in Paradigms of Political Power* (pp. 78-104). Routledge.,

<sup>166</sup> Nye Jr, J. S. (2004). The benefits of soft power. *Harvard Business School Working Knowledge*, 2(3)., p:5

<sup>167</sup> Ibid

<sup>168</sup> Foucault, M. (1982). The subject and power. *Critical Inquiry*, Vol. 8, No. 4, 777-795.

acting in a particular field<sup>169</sup>. However, the concept of power under Foucault was outside the remit of the different paradigms, whether realism<sup>170</sup>, liberalism<sup>171</sup>, or constructivism<sup>172</sup>, due to his interpretation of the power itself and not restrictive to any particular paradigm.

The neorealist theory is based on the military power and the capacity of the state to defend itself from external threats in an anarchical international political order. Subsequently, the military force seems to be the most crucial factor in the hard power definition under the neorealism theory. The concept of hard power can describe the power attained through the application of military force or another form of coercions to change the behaviour of other actors or to attain further interests<sup>173</sup>. Hence, hard power can be equally used as incentives or coercions. Accordingly, hard power is a “wilful power... as the ability to impose one’s goals without regards to others... the ability to talk instead of listening and to afford not to learn them<sup>174</sup>”. Nye also called this type of power as “command power” which can be applied through “diplomatic coercion, deterrence and protection<sup>175</sup>”. Neorealist theorists conceded as an alternative to the military power, the state can apply coercion through economic power, whether through inducements or threats and sanctions.

In contrast with this theoretical framework, soft power can be described as obtaining influence through cooperation and attracting the other party by assistance and collaboration rather than coercive measures as stipulated by the hard power<sup>176</sup>. Furthermore, according to Fergusson soft power is a type of “non-traditional forces such as cultural and commercial goods<sup>177</sup>”. Accordingly, soft power intends to change the preferences instead to intimidate, the difference between the two concepts can be observed not only in relations to the nature of

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<sup>169</sup> Ibid

<sup>170</sup> Hill, C., & Smith, M. (2011). *International Relations and the European Union*. Oxford: Oxford University Press., pp: 27-31.

<sup>171</sup> Ibid, pp31-35

<sup>172</sup> Ibid, pp35-38

<sup>173</sup> Nye Jr, J. S. (2009). Get smart: Combining hard and soft power. *Foreign affairs*, 160-163.

<sup>174</sup> Deutsch, K. W. (1963). The nerves of government; *models of political communication and control* (No. 04; JA73, D4.), p:111.

<sup>175</sup> Ibid

<sup>176</sup> Nye, (note 166), p 5

<sup>177</sup> Ibid, pp: 3-5.

behaviour but also in terms of the tangible resources available to shape the preferences. Hence, in terms of the hard power, the available resources confined in the economic power and ultimately in the military strength, whereas soft power resources can include different apparatuses including “intangible factors such as ideology, culture and institutions<sup>178</sup>”. The latter will be able to attract the other countries to accept the norms of soft power as universal principles. Moreover, the soft power tends to rely on civilian instruments rather than military, such as communications through diplomatic relations, and financial and economic assistance and developments <sup>179</sup>.

In terms of the EU international power, this concept has generated bifurcated debate mainly between two different international relations theories, namely realism and liberalism specifically following the end of the cold war. The neoliberalism institutionalism, which is part of the liberalism school, suggested that the peace and prosperity objectives can only be achievable through collective power and by pooling all the required resources together. Hence, the independent states should surrender parts of their sovereignty to supra-institutional settings to construct integrated community capable of developing the member states economically and respond more effectively to regional challenges. Accordingly, the development of the EC and subsequently EU legal and political integration reflects what liberalism school defined as the “soft power<sup>180</sup>”. The EU relied on negotiation and cooperation among member states to create one of the most important political entity in the world. Such ability to persuade others without relying on military power has been described as the EU’s soft power.

The neoliberalism, in turn, indicated that “transnational and complex interdependence” can explain the concept of soft power<sup>181</sup>. Joseph S. Nye one of the prominent scholars of soft power in the 1970’s argued that multiple international actors are becoming more interlinked, which in turn render them more dependent on each other actorhood, hence we should be able to refer to

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<sup>178</sup> Nye, J. S. (1990) ‘Soft Power’. *Foreign Policy*, pp:166-167.

<sup>179</sup> Ibid, p 167

<sup>180</sup> Shin, Y. (2007). Book Review: Joseph S. Nye, Jr., *Soft Power: The Means to Success in World Politics* (New York: Public Affairs, 2004, 191 pp., 14.00pbk., 25.00 hbk.). *Millennium*, 35(2), 458-460.

<sup>181</sup> Keohane, R. O., & Nye Jr, J. S. (1998). Power and interdependence in the information age. *Foreign Affairs.*, 77, 81.

this situation as “complex interdependence<sup>182</sup>”. Nye indicated that following the world war two, in terms of power, the world is becoming more pluralist, as multiple actors, whether states or non-state organisations are getting more involved at the international level through a different method of interactions across borders<sup>183</sup>. However, this argument has been claimed as hogwash by the realism schools, especially by the structural realism which is considered to be one of the most influential schools of neorealism, which bases their theories on hard politics and military power<sup>184</sup>. Kenneth Waltz one of the prominent scholars of this school claimed that liberal theories regarding power are very optimistic about cooperative approach among the different international actors, taking into consideration the chaotic international relations, where each power main concern is survival and protection of its interests, subsequently the cooperation between the different international powers is impossible to materialise unless the states agreed to it<sup>185</sup>. Waltz asserted that the international relations are based on the self-help approach where the states are the dominant if not the only powers<sup>186</sup>. From the neorealism theory perspective, since the EU lacks the characteristics of the state, it cannot be considered as a sovereign power on its own merit, however, it may be able to act as a vehicle for the interests of the community.

Although theoretically based on the liberalism theory, cooperative relationships between international powers can be achieved providing that mutual interests are promoted which could maximise the two parties' gains. By contrast, neo-realists claimed that cooperative relationships are hard to attain since the anarchical international system renders the states to be pre-occupied with protecting their own interests, power and security. Mearsheimer accepted the fact that states may become motivated to act beyond the gain nexus, as they may not be solely motivated by security concerns or power boosting, but there are also secondary interests which come beyond the original interests, albeit in the end, they assist

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<sup>182</sup> Nye Jr, J. S. (2008). Public diplomacy and soft power. *The annals of the American academy of political and social science*, 616(1), 94-109.

<sup>183</sup> Keohane, R. Nye, J. S. (1989) *Power and Interdependence*, 2nd ed., (Harper Collins Publishers), pp.24-26.

<sup>184</sup> Guzzini, S. (1993). Structural power: the limits of neorealist power analysis. *International Organization*, 47(3), 443-478.

<sup>185</sup> Waltz, K. (1979). *Theory of International Politics*, (Reading, Mass: Addison-Wesley Pub., Co.), p.65.

<sup>186</sup> Ibid

in the realisation of the former<sup>187</sup>. In line with this theory, Hyde-price argued that since the EU establishment, it “has increasingly come to serve as the institutional repository for the second-order concerns as long as this does not conflict with [EU member states] core national interests<sup>188</sup>”, which means that member states security or economic interests will prevail, normative objectives, which may jeopardise these interests may set aside<sup>189</sup>. Moreover, Waltz argued that the states, particularly great powers, are interested in keeping their close vicinity stable and free from destructive conflicts, hence they ardently try to resolve any issue before further escalating, or what Wolfers termed as the pursue of “milieu goals<sup>190</sup>”. In this context, Hyde-Price claimed that the EU’s cooperative approach in its external policies towards its neighbours is a mere “milieu shaping” attempt, motivated predominantly by its member states interests<sup>191</sup>. Ultimately, hard power is rooted in the material interests, as the force behind the idea is most important rather than the substances of the idea itself<sup>192</sup>. These views have been further highlighted by Mark Blyth which indicated that “ideas ... are ultimately secondary to the mode of analysis in which they are employed<sup>193</sup>”.

This is one of the most important sites of dissent between hard power and soft power, as we will highlight below norms and ideas can be an important factor in the EU’s soft power towards Southern Mediterranean countries. When we speak about hard power, realism usually refers primarily to material interests, whether economic or security. As results, it usually in need to satisfy short terms objectives at the expense of long-term equilibria<sup>194</sup>. Soft power, to the contrary, derives from “co-optive power<sup>195</sup>” as labelled by Nye, which comes from culture and political values. Hence, it derives mainly from cooperation and persuasion,

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<sup>187</sup> Mearsheimer, J. J. (2001) *The Tragedy of Great Power Politics*, (New York: Norton & Company), pp.32-36.

<sup>188</sup> Hyde-Price, A. (2006) “Normative’ power Europe: a realist critique”, *Journal of European Public Policy* 13:2, March 2006, pp.220-223.

<sup>189</sup> *ibid*

<sup>190</sup> Waltz, (note 185) p 65.

<sup>191</sup> Hyde-Price, (note 242), p 222.

<sup>192</sup> Schweller, R. & Wohlforth, W. (2000). "Power Test: Updating Realism in Response to the End of the Cold War", *Security Studies*, vol. 9, no. 3, pp. 60-108.

<sup>193</sup> Lieberman, R. 2002, " Ideas, Institutions, and Political Order: Explaining Political Change", *The American Political Science Review*, vol. 96, no. 4, p699.

<sup>194</sup> Frost, M. (2003). "Tragedy, Ethics and International Relations", *International Relations*, vol. 17, no. 4, pp. 477-495

<sup>195</sup> Ramos, L., & Zahran, G. (2010). “From hegemony to soft power: implications of a conceptual change”. In *Soft power and US foreign policy* (pp. 24-43). Routledge.

where ideas and norms play an important role, as soft power goes beyond mere persuasion, as it includes “the ability to attract<sup>196</sup>”.

This leaves one final question open: what kind of power expected the EU to be? Realists answer was relatively straightforward: to defend its member states interests, as Costalli argued: “in the economic realm, the EU is a real superpower, with an enormous latent power represented by the advanced economies of its member states and its huge internal market<sup>197</sup>”. Liberalism refers to the EU soft power, which consists of identity driven predilections and inter-subjectively shared cognitions in the form of norms and culture<sup>198</sup>. This soft power later referred to as civilian power and subsequently normative power. In the same context, Holsti stipulated six different ways in which the EU as an international actor can influence other actors: whether through persuasion, offering or granting rewards, threatening or inflicting punishment, or the use of force as the last resort<sup>199</sup>.

## 2.5. The EU as Civilian Power

The EU is a peculiar international actor, and despite its importance is still an “unidentified political object<sup>200</sup>”. This statement is best reinforced by Jacques Delors’ declaration: “The Union lacks some of the essential structural features of the state. It has no monopoly over legitimate means of coercion. It has no clearly defined centre of authority. Its territory is not fixed. Its geographical, administrative, economic and cultural borders diverge. It is a polity without coherent demos, a power without an identifiable purpose, and a geopolitical entity without defined territorial limits<sup>201</sup>”. The EU does not exercise its power in the same way as its member states or any other state. Some have argued that the EU is a civilian power which promotes some universal norms in its European sphere and beyond. This is due to its unique project consistent with profound

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<sup>196</sup> Nye, note 178, pp: pp:166-167.

<sup>197</sup> Costalli, S. (2009). Power over the sea: The relevance of neoclassical realism to Euro-Mediterranean relations. *Mediterranean Politics*, 14(3), pp 335-336.

<sup>198</sup> Nichols Jr, J. H. (2017). Two Traditions of Liberalism. *Journal of Democracy*, 28(1), 172-175.

<sup>199</sup> Holsti, K. J. (1995). *International politics: a framework for analysis* (p. 22). Englewood Cliffs, NJ: Prentice-Hall.

<sup>200</sup> Manners, I. (2013). European communion: political theory of European union. *Journal of European Public Policy*, 20(4), 473-494.

<sup>201</sup> Zielonka, J. (2013). *European Foreign Policy and the Euro-crisis* (No. 23). European University Institute (EUI), Robert Schuman Centre of Advanced Studies (RSCAS)., p 9.

objective of modernisation and Cross-European integration<sup>202</sup>. It stimulates the rule of law at the international level, supports cooperation within its entourage by setting up and developing institutional structures with intention to contribute to the development of the basic norms within and beyond the EU. The basic set of norms and rules which guided the process of the EU creation and integration has shaped the European continent from war ravaged to a model of peace and prosperity<sup>203</sup>. Subsequently, based on its experience, the EU's foreign policy makers assumed that exporting its norms can support other nations to recreate the European experience. However, the question as to what are the EU norms that have been developed goes hand in hand with the query as to what is the nature of the EU power<sup>204</sup>?

The debate as to the nature of the EU power has been instigated among academia since Duchêne's description of the EC's as a "civilian form of power<sup>205</sup>". but the first time, Duchêne did not develop the notion of 'civil power' in a systematic way<sup>206</sup>. Analysing the development of inter-State relations in the various phases of the cold war, he noticed that nuclear deterrence has put into perspective, the importance of military power: "The curtailment of the use of nuclear weapons" However, he noticed the fact that traditional advantages conferred by military power have been much diminished<sup>207</sup>. That suggests that other dimensions of power must be considered<sup>208</sup>. According to him, the European Community seems able to face the new challenges of the time: "[the community] founders may have helped to create an instrument and a useful technique precisely to confront the conflicts born of interdependence<sup>209</sup>".

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<sup>202</sup> Telò, M., & Ponjaert, F. (2016). "The EU: A Civilian Power's Diplomatic Action after the Lisbon Treaty. Bridging Internal Complexity and International Convergence". In *The EU's Foreign Policy* (pp. 45-82). Routledge.

<sup>203</sup> Larat, F. (2005). Present-ing the past: political narratives on European history and the justification of EU integration. *German LJ*, 6, 273.

<sup>204</sup> Arts, B., & Van Tatenhove, J. (2004). Policy and power: A conceptual framework between the 'old' and 'new' policy idioms. *Policy sciences*, 37(3-4), 339-356.

<sup>205</sup> Duchêne, F. (1973). The European Community and the uncertainties of interdependence. In *A Nation Writ Large?* (pp. 1-21). Palgrave Macmillan, London.

<sup>206</sup> Orbie, J. (Ed.). (2009). *Europe's global role: external policies of the European Union*. Ashgate Publishing, Ltd. Page:4.

<sup>207</sup> Duchêne, (note 205), p.42

<sup>208</sup> Keohane, R. O., & Nye Jr, J. S. (2000). Globalization: What's new? What's not? (And so what?). *Foreign policy*, 104-119.

<sup>209</sup> Duchêne, (note 205) p.45

The reflection that led Duchêne to presents a certain forward-looking aspect. Indeed, he wondered what form the European Community should take in such context if its members chose to make it a political and economic union, rather than a single common market. He believed that the community has certain characteristics that should be put forward, as they would be likely to allow it to play a stabilising role in the international system. These characteristics make the community a 'civil power '. "The impasse in which Europe finds itself, resulting from the balance of nuclear terror of the superpowers, empty the military of its substance and give more value to civil forms of influence and action<sup>210</sup>"Per Duchêne the EEC existed and should continue to remain as “a civilian group long on economic power and relatively short on armed forces<sup>211</sup>”.

Duchêne quotes, in particular, the EU's value and economic positioning, “one of the four great economic centres in the world<sup>212</sup>”. Organised in the form of a union supporting the collective action, “the Community, in particular, will have a chance to demonstrate the influence that could be exercised by broad political cooperation, essentially made up to exert a civilian form of power<sup>213</sup>. The interest of the community, then, is to foster a "civilisation " of relations between the States, whether between the Member States or outside its borders<sup>214</sup> . Thus, for Duchêne, 'the European Community must be the force that broadcasts civil and democratic values on the international level, otherwise, it will be itself more or less a victim of power advocated by stronger States<sup>215</sup>”. François Duchêne, therefore, proposes the concept of “civil power”, while basing himself on the one hand on his knowledge of the European States and the community which they tried to build together<sup>216</sup>, and on the other hand on his analysis of the major upheavals of the sources of the power. The European Community could, therefore, represent in the near future, “the example of a new stage of political civilisation<sup>217</sup>”.

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<sup>210</sup> Duchêne, (note 205), p.43

<sup>211</sup> Ibid, p.42

<sup>212</sup> Ibid, p.43

<sup>213</sup> Ibid

<sup>214</sup> Ibid

<sup>215</sup> Ibid, p.45

<sup>216</sup> Duchêne, F., & Esposito, C. (1995). Jean Monnet: The First Statesman of Interdependence. *History: Reviews of New Books*, 24(1), 34-35.

<sup>217</sup> Duchêne, (note 205), p.4

It is important to assess Duchêne's idea in its context. His perception of the issue was determined by two major facts, namely the cold war contest and the evaluation of the US as a major superpower which was a key factor to the EC image as a civilian power<sup>218</sup>. Duchêne wanted Europe to overcome "the age-old processes of war and indirect violence<sup>219</sup>" and valued the strong direct physical power in the form of actual empirical capabilities whether "long on economic power<sup>220</sup>". Hence, the EU value and economic positioning, "one of the four great economic centres in the world<sup>221</sup>", organised in the form of a union supporting the collective action, "the Community, in particular, will have a chance to demonstrate the influence that could be exercised by a broad political cooperation, essentially made up to exert a civilian form of power<sup>222</sup>". The interest of the community, then, is to foster a "reformulation" of relations between the States, whether between the Member States or outside its borders<sup>223</sup>.

The image of a European Community which holds a certain influence on the international system in a non-traditional form, that of the civil power, was born and spread in the debate on the international role of Community<sup>224</sup>. This debate is based on an apprehension that the Community is distinct from the other actors of the international system<sup>225</sup>, which retained the definition of the concept in four elements, proposed by Karen Smith: A civilian power is an actor who uses civilian means of persuasion, in order to pursue civil purposes, and whose conduct of foreign policy is subject to the democratic control or public scrutiny<sup>226</sup>. Accordingly, the four elements of civilian power are important<sup>227</sup>. While Hans Maull later defined a civilian power as "the acceptance of the necessity of cooperation with others in the pursuit of international objectives; the

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<sup>218</sup> Bachmann, V., & Sidaway, J. D. (2009). Zivilmacht Europa 1: critical geopolitics of the European Union as a global power. *Transactions of the Institute of British Geographers*, 34(1), 94-109.

<sup>219</sup> Duchêne, (note 205), p. 19

<sup>220</sup> Ibid

<sup>221</sup> Ibid, p.43

<sup>222</sup> Ibid

<sup>223</sup> Ibid., p.44

<sup>224</sup> Zwolski, K. (2018). Europe as a Power: Boundaries Solidified. In *European Security in Integration Theory* (pp. 69-100). Palgrave Macmillan, Cham.

<sup>225</sup> Drieskens, E. (2017). Golden or gilded jubilee? A research agenda for actorness. *Journal of European public policy*, 24(10), 1534-1546.

<sup>226</sup> Smith, K. E. (2005). Beyond the civilian power EU debate. *Politique européenne*, (3), 63-82.

<sup>227</sup> Ibid., p:67

concentration on non-military, primarily economic, means to secure national goals, with military power left as a residual instrument serving essentially to safeguard other means of international interaction; and a willingness to develop supranational structures to address critical issues of international management<sup>228</sup>". Hence, according to the civilian power approach the EU's "soft power" is deriving from the lack of military power and the reliance on diplomatic and economic mechanisms to confront the complexities of the international relations<sup>229</sup>.

This evaluation was later criticised by Hill's<sup>230</sup> and Bull's<sup>231</sup> and debated whether the EC is a political power rather than a civilian and argued that the EC is not a civilian power because such a "model does not use coercive mechanisms<sup>232</sup>". Hedley Bull's remedy was to suggest that the EC should become more self-sufficient in defence and security<sup>233</sup>, and estimated that in the early years of the 1980, that the "civil power" is a "contradiction in terms<sup>234</sup>". According to him, it is because of the military support given by the United States and NATO to European security, that Europe has the possibility of holding a role of civilian power. The notion of civilian power, based on Bull criticism is lacking effectiveness<sup>235</sup>, as he argued that "Europe is not an actor in international affairs, and does not seem likely to become one<sup>236</sup>". The lack of effectiveness of the civilian power rendered the EU to act as if the world is "Kantian pacific league<sup>237</sup>", while military power such as the US behaves as a hegemonic global power and motivated to behave

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<sup>228</sup> Maull, H. (1990). Germany and Japan: The New Civilian Powers. *Foreign Affairs*, 69 (5), pp.92-93.

<sup>229</sup> Wilson III, E. J. (2008). Hard power, soft power, smart power. *The Annals of the American Academy of Political and Social Science*, 616(1), 110-124.

<sup>230</sup> Hill, C. (1990) 'European Foreign Policy: Power Bloc, Civilian Model – or Flop? In Reinhardt, R. (ed.) *The Evolution of an International Actor. Western Europe's New Assertiveness* (Boulder: Westview).

<sup>231</sup> Bull, H. (1982) 'Civilian Power Europe: A Contradiction in Terms? *JCMS, Journal of Common Market Studies*, Vol. 12, No. 2, pp. 149–64.

<sup>232</sup> Pace, M. (2007). The construction of EU normative power. *JCMS: Journal of Common Market Studies*, 45(5), 1041-1064.

<sup>233</sup> Bull, (note 231), pp149-164.

<sup>234</sup> Lavenex, S., & Wichmann, N. (2009). The external governance of EU internal security. *European Integration*, 31(1), 83-102.

<sup>235</sup> Birchfield, V. L. (2011). The EU's Development Policy: Empirical Evidence of 'Normative Power Europe?'. In *Normative Power Europe* (pp. 141-160). Palgrave Macmillan, London.

<sup>236</sup> Bull, (note 231), pp 149-164.

<sup>237</sup> Adler, E., Bicchi, F., & Crawford, B. (Eds.). (2006). *The convergence of civilizations: constructing a Mediterranean region* (Vol. 1). University of Toronto Press.

in the international political arena as “Hobbesian state of nature<sup>238</sup>”. However, his concept proved to be phony, especially when the EC opened up to its neighbours in the Mediterranean and Eastern Europe, and nowadays the EU, not only became a major actor in international affairs, but also it succeeded in creating a political and legal system capable of influence not only the member states but also other international actors.

The Neo-Realist Robert Kagan indicated that power will only exist when there is a military capacity; or in the ability to force its interests by harming others if necessary. Subsequently, if one state gains some power, others will inevitably lose theirs. In this context, Kagan argued that if the EU does not improve its collective power, the US power will overwhelm the EU, while “Europe is turning away from power<sup>239</sup>”. Kagan also stated, that relying on soft forms of power is not sufficient, and the European Union should become a mighty military power in order to defend its status in the world<sup>240</sup>. As he stipulates: “Because Europe has neither the will nor the ability to guard its own paradise and keep it from being overrun, spiritually as well as physically, by a world that has yet to accept the rule of ‘moral consciousness’, it has become dependent on America’s willingness to use its military might to deter or defeat those around the world who still believe in power politics<sup>241</sup>”.

Contrary to Kagan theory, Carpenter<sup>242</sup> is convinced that the EU is incapable of becoming hard power, hence, the US should be responsible for protecting the free world, as there is no other state is capable of doing so at the international arena. Carpenter insisted that although the military power is important is still inadequate to create influence. He argued that the NATO which supported the stabilisation and democratisation in Europe hereafter the cold war has not been

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<sup>238</sup> Costigliola, F. (2003). Of Paradise and Power: America and Europe in the New World Order. *Political Science Quarterly*, 118(3), 518-520.

<sup>239</sup> Kagan, R (2002). “*Power and Weakness - Why the United States and Europe see the world differently*”, p 2. Available at; <http://www.hoover.org/publications/policy-review/article/7107>. [Accessed: 07/10/2018].

<sup>240</sup> The President of France Macron (2018). Advocating for EU army. [Accessed on 12/11/2018] <https://www.dw.com/en/emmanuel-macron-calls-for-unified-europe-in-bundestag-address/a-46346197>.

<sup>241</sup> Kagan, (note 239), p 24.

<sup>242</sup> Pehlivan Türk, B, and Birgül D, (2018). "Civilian Powers and Contemporary Global Challenges". *Perceptions* 23, no. 1 (2018): 1-7.

supported only by military power, but also with normative principles<sup>243</sup>. Kagan and Carpenter Although both scholars are from the same Neo-Realist school, but their main difference is how they assessed the importance of military power. While the former acknowledges the importance of the incorporation of the norms power to achieve a comprehensive foreign policy, the other believes only military power is worth referencing.

Carpenter rational could be based on the failure of the European Defence Community (EDC) In 1950. The Schuman proposal sought to organise European army on a supranational basis, including some German units, to be placed under a single European and political European authority. However, the plan was rejected by the French National Assembly in August 1954<sup>244</sup>. The French rejection of the EDC, while it discredited France for many years as the champion of European causes, it finally led to the plan of the European Community. Having said that, the European political leaders have never abandoned the hope to create European military power. Although it took decades of negotiations, the French president Emmanuel Macron unveiled the European Defence Coalition which will once again raise the spectre of a European Army<sup>245</sup>. The latest development while it is important for re- examining the EU power generally, taking into consideration the strategic motive which is to reduce the dependence on the USA hard power, it is too early to form a substantial projection on the effectiveness of this European Army. Its critics, though, already projecting a failure of this initiative due to the Member States long lasting history of disagreements when it comes to external policies<sup>246</sup>. Nevertheless, the latest development while may not really change the EU approach externally from soft power to hard power, undoubtedly it will re-engage the scholars' assessments

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<sup>243</sup> Ibid

<sup>244</sup> Gagnon, D. (2015). "France and the Community of Six: The Schuman Declaration to the Treaties of Rome". Phillips Memorial Library Undergraduate Craft of Research Prize Paper 2. Available at:

[http://digitalcommons.providence.edu/research\\_prize/2](http://digitalcommons.providence.edu/research_prize/2). [Accessed on 10/01/2018].

<sup>245</sup> European defence coalition launched in Paris, Reuters World News, November 7, 2018. Available at: <https://uk.reuters.com/article/uk-europe-defence/european-defence-coalition-launched-in-paris-idUKKCN1NC295>. [Accessed on 18/1/2019].

<sup>246</sup> Ostermann, F. (2018). *Security, defense discourse and identity in NATO and Europe: How France changed foreign policy*. Routledge.

regarding the EU power and specifically the role of the military in the EU external actions.

The liberal scholar Moravcsik, in his assessment of the EU power, stated in his article “Europe, the Second Superpower<sup>247</sup>” articulated from the outset that EU is a second superpower. However, his definition of power is significantly different from the realists as “high per capita income, sophisticated economic production and a pattern of global consensus<sup>248</sup>”. Moravcsik claims that power not only can be assessed by the military power or norms power but mainly by economic power, henceforth, power can be defined in a multidimensional way. The EU’s power goes hand in hand with its economic capabilities. No economy in the world, small or large can overlook the EU market of over 500 million citizens, a quarter of the world’s GNP, and about 40 percent of the world’s merchandise exports<sup>249</sup>. He further articulated how a state can be described as a superpower if it has some sort of global influence “across the whole spectrum of power, from hard to soft<sup>250</sup>”, which is pertinent to the EU at the political or economic level. Moravcsik claims that the EU power is based not only on the assortment of civilian instruments, but as well by the projection of intercontinental financial and political influence. The EU trade with African nations<sup>251</sup>, South American<sup>252</sup>, Asian states<sup>253</sup>, foreign aid, ENP and EMP and so on are all normative tools that are applied to influence the political agendas of the world.

Contrary to some realists which criticised the EU power due to the lack of military force, Moravcsik indicated the presence of European military forces on many locations around the world, which render it the second military superpower in the world claiming that “international interactions are positive-sum, such that the rise of more than one country or region can be complementary<sup>254</sup>”. The EU exercises

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<sup>247</sup> Moravcsik, A. (2010). Europe, the second superpower. *Current History*, 109(725), 91.

<sup>248</sup> Ibid.

<sup>249</sup> Zielonka, (note 201), p 9.

<sup>250</sup> Moravcsik, (note 239), p 91.

<sup>251</sup> Storey, A. (2006). Normative power Europe? Economic partnership agreements and Africa. *Journal of Contemporary African Studies*, 24(3), 331-346.

<sup>252</sup> Garcia, M. (2013). From idealism to realism? EU preferential trade agreement policy. *Journal of Contemporary European Research*, 9(4).

<sup>253</sup> Jetschke, A., & Murray, P. (2012). Diffusing regional integration: the EU and Southeast Asia. *West European Politics*, 35(1), 174-191.

<sup>254</sup> Moravcsik, (note 239), p. 92.

its power in the fields of military and security, but differently from other nation states including the US. For example, EU peace-keeping interventions have multiplied in the last decade and became one of the cornerstones of the EU external intervention, reaching multiple continents and remote places including East Timor, Afghanistan, Sudan and Congo as well as Bosnia and Georgia in the European Continent<sup>255</sup>. Yet, such interventions have only a rather symbolic political significance. Without a doubt, the greatest value of the EU peace keeping contribution was in Europe itself. The European Union has succeeded to integrate the European member states in an ever-tighter institutional framework<sup>256</sup>. The member states, which for centuries fought bloody wars, nowadays only fight diplomatically at the European meetings<sup>257</sup>. By succeeding in exporting its system of governance and norms, the EU hopes to re-create its own experience and soothe the ever-grown tensions among its neighbours, whether in the Balkans, East Europe, the Middle East or North Africa (MENA). Such approach has been recognised and supported by many international organisations, such as the Noble Committee which awarded the EU the Peace Prize in 2012, as a recognition of the EU efforts in promoting reconciliation and peace. Taking into consideration, that many countries such as Nigeria or Egypt may have a better record in participation in peace-keeping operations than the EU. Yet, they may not have the same success in developing, structuring and institutionalising relations in the respective areas to the advantage of peace and security in the mode the EU has been succeeded to do so<sup>258</sup>.

To address international issues, the EU policies relied mainly on multilateral approach rather than unilateralism as the Council of the European Union stated: “In a world of global threats, global markets and global media, our security and prosperity increasingly depend on an effective multilateral system. The development of a stronger international society, well-functioning international

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<sup>255</sup> Rosamond, B. (2014). Three ways of speaking Europe to the world: Markets, peace, cosmopolitan duty and the EU's normative power. *The British Journal of Politics and International Relations*, 16(1), 133-148.

<sup>256</sup> Bruszt, L., & Langbein, J. (2017). Varieties of dis-embedded liberalism. EU integration strategies in the Eastern peripheries of Europe. *Journal of European Public Policy*, 24(2), 297-315.

<sup>257</sup> Baun, M. J. (2018). *An imperfect Union: The Maastricht Treaty and the new politics of European integration*. Routledge. taylorfrancis.com.

<sup>258</sup> Zielonka, (note 201), p10.

institutions and a rule-based international order is our objective<sup>259</sup>". The multilateralism approach is the key factor of EU civilian power. This policy can be observed in relations to the Southern Mediterranean where the EU created different multilateral agreements, such as the EMP, ENP or the Union for the Mediterranean (UfM) to reduce the security threats and to form a cooperative practice between the different, and sometimes disagreed parties. The latter recognised the soft and persuasive EU approach by engaging in dialogue in multiple sectors ranging from economic issues, democratisation to security concerns<sup>260</sup>.

Despite the different conceptualisation of the EU power, the representation of the European Community as civilian power continued, perhaps because this representation draws on an attractive civilised model, at the internal level; A co-operation between States which were in war in the past, as external an international influence, which does not imply the recourse to the force, exerted by the EU in its relations with international and regional organisations, its policies of cooperation with its periphery and the developing countries<sup>261</sup>". Let us note that even the creation of the ESPD, starting from the end of 1990, has lead the Union "to have an autonomous capacity for action supported by credible military forces<sup>262</sup>" did not lead all the authors to abandon the concept of civilian power<sup>263</sup>, because it remained, despite its imperfections, useful to highlight the specificities of the Union and its foreign policy<sup>264</sup>. The EU always has civilian tools, of which it continues to use, achieving normative ends.

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<sup>259</sup> Duke, S. (2017). *In Search of Strategy. In Europe as a Stronger Global Actor* (pp. 67-83). Palgrave Macmillan, London., Currently the European Security Strategy (ESS), adopted by the European Council on 12-13 December 2003, provides the conceptual framework for the Common Foreign and Security Policy (CFSP), including what would later become the Common Security and Defence Policy (CSDP). Titled 'A Secure Europe in a Better World'. , p. 9.

<sup>260</sup>Lavenex, S. (2004). EU external governance in 'wider Europe'. *Journal of European public policy*, 11(4), 680-700.

<sup>261</sup> Doidge, M., & Holland, M. (2015). A chronology of European Union development policy: Theory and change. *Korea Review of International Studies*, 17(1), 59-80.

<sup>262</sup> European Council Declaration on the common policy on security and defence (4 June 1999). Cologne European Council, Presidency Conclusions. Annex III. [ON-LINE]. [s.l.]: [06.06.2003]. Press: 0 Nr:150/99. Available on <http://ue.eu.int/en/info/eurocouncil/>. [Accessed on 01/10/2018].

<sup>263</sup> Aggestam, L. (2015). Transformative power or political dwarf? European leadership and global imbalances. *The EU's Role in Fighting Global Imbalances*, Cheltenham: Edward Elgar, 16-34.

<sup>264</sup> Orbie, J. (2006). Civilian power Europe: review of the original and current debates. *Cooperation and Conflict*, 41(1), 123-128.

## 2.6. The Characteristics of the EU as the Normative Power According to Ian Manners

In order to investigate the relationship between the EU and the southern Mediterranean countries, and the extent to which the EU is acting as a normative power in the region, it is necessary to examine the characteristics of the NPE concept. The conceptualisation of the NPE theory based on Ian Manners theoretical foundation is essential in the assessment of the EU's democratisation policies effectiveness towards the southern neighbours.

Admitting that the critical theoretical principle that “theory is always for someone and for some purpose<sup>265</sup>”, Manners the father of the NPE concept encouraged the scholars to pursue a normative approach to the study of the EU in world politics. Interestingly, Manners lead this approach by assessing the normative ethics of the EU, which arguably set the framework for NPE as a theoretical and empirical ground for analysis<sup>266</sup>. Nevertheless, much of the researches and discussions of NPE focussed around the conceptual and theoretical side as well as critiques and contestation rather than empirical validation<sup>267</sup>. Despite this, based on Manners proposed method of assessing the EU's normative approach and impact, perhaps the NPE theory is evolving towards a more rigorous analytical framework<sup>268</sup>. By examining the EU normative discourse and the impact of specific policy allow us to provide a comprehensive answer to the main question of this thesis: Is the EU approach towards the Southern neighbours is consistent with its normative principles, such as democracy as well as an effective way in promoting such values. A normatively grounded, empirically supported answer to this question may have significant implications for both the theoretical and empirical debates regarding the utility of the normative power concept as well as the debates regarding the strategies of diffusing the normative principles and their effectiveness<sup>269</sup>. This part should set up an analytical framework that I

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<sup>265</sup> Booth, K., & Erskine, T. (Eds.). (2016). *International relations theory today*. John Wiley & Sons., p 128

<sup>266</sup> Manners, (note 41), pp 235-258.

<sup>267</sup> De Oliveira Salgado, C. (2018). *The Politics of Norm Reception: the dilemmas of Normative Power Europe* (Doctoral dissertation, PUC-Rio).

<sup>268</sup> Sjørnsen, H. (2015). Normative theory: An untapped resource in the study of European foreign policy. *The Sage handbook of European foreign policy*, 197-214.

<sup>269</sup> *Ibid*, p 202.

believe offer significant theoretical and methodological guideposts that help us to understand the NPE concept.

The conceptualisation of theories allows us to analyse and interpret methodologically the complex social phenomenon, which assists our advanced knowledge, stemming from theoretical understanding and empirical substantiation. While we lay out the analysis framework that establishes the theoretical and empirical core, we must first clarify the theoretical foundations of the NPE. In an effort to address Bull and Duchêne theories, Ian Manners reflected on the European Union international identity beyond the theoretical framework and resemblance of the Union to a state<sup>270</sup>. He believed that beyond the civilian power and military power, the EU possesses a normative power, the power of the ideas and norms<sup>271</sup>. Manners argued that: “the warming relationship, at the same time, of the international order and the intellectual order during the cold post-war era encouraged fundamentally different ways of conceiving and understanding the European Union in the international arena<sup>272</sup>”. Indeed, if the EU has civil capacities such as the economic power and military capacities based on the multilateralism principle, it also has the capacity to disseminate standards and norms in international relations. “Is not to say that the EU’s civilian power, or its young military power, are without significance, simply which one must attach much more attention to its capacity to shape designs of what is “normal” in international relations<sup>273</sup>”.

Having said that, Manners initial claim that the EU is a normative power was not a categorical assessment about the degree of the EU’s ethical behaviour in international politics, but rather a theoretical reassertion and interpretation deriving from multiple research publications which led him to affirm the concept<sup>274</sup>. The EU as a political entity is a unique power in world politics and therefore the international relations traditional theories may obscure rather than elucidate the EU characters, especially as they derived from state-centric

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<sup>270</sup> Manners, (note 41), p.23

<sup>271</sup> Ibid.

<sup>272</sup> Manners, I. (2006). The European Union as a normative power: a response to Thomas Diez. *Millennium*, 35(1), 167-180.

<sup>273</sup> Manners, (note 41), p.239.

<sup>274</sup> Ibid, p 382.

interpretations. In essence, the EU “represents the antithesis of the state in the post-cold war world<sup>275</sup>”. Hence, from a theoretical perspective, the concept of NPE originally is not based on the actual behaviour of the EU, or its diffusion of norms, nor its official rhetorical declarations, but merely by virtue of what it is, a normative institutional construction process in the international system. Manners asserted “the concept of normative power is an attempt to suggest that not only the EU is 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 critical and unusually 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<sup>276</sup>”.

Manners intended to assess the identity of the EU beyond the normal state features; by evaluating the EU principles and shared values that the member states adhere to<sup>277</sup>. These values and norms are enshrined in the *acquis communitarian*<sup>278</sup>, which include: The centrality of peace, liberty democracy; rule of law and human rights. However, Manners added four other minor norms: Social solidarity; anti-discrimination; sustainable development and good governance<sup>279</sup>. He argued that these principles differentiate the EU from other states and force it to act in a normative manner. In fact, these principles became the cornerstone of the EU design, to the point that are legally binding principles for any country who wish to join the EU<sup>280</sup>. Despite the challenges by the realists, by 2008 Manners argued that the EU became a fully-fledged normative power and will continue to be so for the foreseeable future<sup>281</sup>. The EU validates its normative power by diffusing its principles in cooperative manner<sup>282</sup>. Hence, rather than diffusing its norms in a coercive manner or by military means, it does so by being an example, other political actors wish to follow its steps. Arguing that the NPE concept does not fundamentally exclude the characterisations of the EU traditional forms of power, but to add to them a critical fundamental of the

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<sup>275</sup> Ibid, p 399.

<sup>276</sup> Manners, I. (2002) ‘Normative Power Europe: A Contradiction in Terms?’ *JCMS*, Vol. 40, No. 2, p 252

<sup>277</sup> Ibid, p.261

<sup>278</sup> Ibid, p. 262

<sup>279</sup> Ibid

<sup>280</sup> Dunne, T. (2008). Good Citizen Europe. *International affairs*, 84(1), 13-28.

<sup>281</sup> Manners, I. A. (2008). The normative ethics of the European Union. *International affairs*, 84(1), 45-60.

<sup>282</sup> Ibid, pp 52-53.

EU identity; ideational nature. Hence, the conceptualisation of the NPE can accommodate other conceptions of power including military<sup>283</sup>.

Manners NPE theory has developed broadly based on the notion of the EU's international identity by explaining what he refers to as the "flexible dimension" and illustrating how we can differentiate between the representation of the EU polity and role<sup>284</sup>. We should think of the EU as a "difference engine", meaning the tallying of international components to the already intricate and complicated identities existing among Europeans. The main point here is the significance of the reflexivity notion which plays an important role in the representation and construction of the EU international identity. The EU decision making process regarding international policies undergoes an exercise in what Hollard described "as an identification and legitimation internal process coupled with an external process of justification and projection<sup>285</sup>". The traditional forms of power theories entirely missed this important and perceptive dimension that is inherent in the construction of the NPE theory<sup>286</sup>. As I will argue later on, with the example of the EU approach towards the Europeanisation and specifically the democratisation of the Southern neighbours, the EU reflexivity capacity and policy modification stems from and avows the unique nature of the EU's normative power. Hence, it is necessary to present this ideational interpretation with empirical references, by examining beyond the theoretical framework towards rigorous analytical conceptualisation, which Manners have presented useful guidelines in this endeavour.

In his prominent article "The Normative Ethics of the European Union<sup>287</sup>", Manners argued the EU can be a normative power because "it changes the standards, norms and values in international relations and moves away from the traditional pattern of the state being the most important<sup>288</sup>". In his research, he analysed the principles and actions of the EU to uncover whether its approach

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<sup>283</sup> Manners, (note 41), p 253.

<sup>284</sup> Manners and Whitman, note 103, pp. 380–404.

<sup>285</sup> Birchfield, V. (2013). A normative power Europe framework of transnational policy formation. *Journal of European Public Policy*, 20(6), 907-922.

<sup>286</sup> Carstensen & Schmidt, note 69, pp. 318-337.

<sup>287</sup> Manners, I. (2008). The normative ethics of the European Union. *International Affairs* Volume 84, Issue 1, pp: 45–60.

<sup>288</sup> Manners, (note 41), pp 235-258.

and goals are normative. Manners assessed the EU policies, legal documents and treaties and concluded that the EU is becoming a normative power even though has not reached that stage at the time. He stated: "The creative efforts and longer-term vision of EU 's normative power towards the achievement of a more just, Cosmo-world which empowers people in the actual conditions of their lives should and must be based on more universally accepted values and principles that can be explained to both Europeans and non-Europeans alike<sup>289</sup>".

The EU retained a "strong commitment to normative principles", as most of the EU agreements with developing countries, specify the respect of these principles<sup>290</sup>. Manners highlighted the importance of the way the EU spreads its norms, which is as important as the norms it promotes, stipulating how the EU's non-coercive and non-military dissemination methods can be considered specific to its identity. Manners tried to refocus the debate about the nature of the EU, which makes it possible to re-examine the ideational influence of the EU's international role as demonstrating normative power<sup>291</sup>. The author claimed that EU assessment should not be based on the pre-existing political forms and dismissed the supposition that exertion of power will require the use of force. The fact that the EU by nature is different from other international actors is what makes it eligible to act as a normative power<sup>292</sup>. He suggested that the EU should be viewed as "new type" of international actor, due to its non-violent and non-threatening nature within the eccentric international system<sup>293</sup>. The EU differs from other actors in the international system for several reasons: "a historical context, a hybrid political system and a politico-legal structure that has contributed to the commitment to put the norms and Universal principles at the centre of the European Union's external relations"<sup>294</sup>.

It is, therefore, the particular nature of the EU which would explain its manner of acting in the international system and would make it a normative power. The concept of normative power wants to suggest not only that the EU is built on a

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<sup>289</sup> Manners, (note 287), p. 60.

<sup>290</sup> Ibid, pp: 45-60.

<sup>291</sup> Manners (note 41), pp 242-243.

<sup>292</sup> Ibid

<sup>293</sup> Wright, N. (2011). The European Union: What kind of international actor? *Political Perspectives*,5(2), 8-32.

<sup>294</sup> Manners (note 41), p 251.

normative basis, but also that predisposes it to act in a normative way in the world policies<sup>295</sup>. The NPE concept is built on the crucial and usually neglected observation according to which the most important factor working the international role of the EU is not what it does or says, but what it is<sup>296</sup>". Thus, the extent of the EU projection and diffusion of its normative power is the main test by which we are able to establish the conceptual and theoretical lead of the NPE concept in comparison with other theoretical approaches to comprehending the EU's international actorness. However, when we refer to the NPE we should not assume that the EU projection of power is always based on normative ground, nor that the EU will consistently act in a normative way<sup>297</sup>. This is indeed why the NPE exceeds a mere concept; it is a theoretical foundation of the analytical exercise in making sense and explaining the role of the of the EU as an international actor. Respectively, in understanding the NPE, we should be able to distinguish between the theoretical and empirical functions sides, in order to avoid the amalgamation of NPE as an analytical tool with NPE as an uncontested explanation of what the EU says and does<sup>298</sup>.

Many attempted empirical studies of the EU policies influence at the world stage were attempted without posing an important question: "how we may judge what the EU should be doing in world politics<sup>299</sup>", and why the EU is acting or not in a particular manner. In contrast, the NPE theory intends to further contribute to the understanding of principles and norms promoted by the EU. The universal principles recognised by the international community<sup>300</sup>. Manners argued that "we must judge the EU's creative efforts to promote a more just, Cosmo-political world in terms of its principles, and impact<sup>301</sup>". The author suggestion can be translated into the maxims of "living by example, being reasonable and doing least harm<sup>302</sup>". These three rudiments constitute the empirical core of the EU's normative power analytical framework. At first stage, we must "examine the constitutive principles

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<sup>295</sup>Diez, T. and Manners, I. (2007) 'Reflecting on Normative Power Europe', in F. Berenskoetter and M. J. Williams (eds) *Power in World Politics* (London: Routledge), pp. 173–88.

<sup>296</sup> Manners, (note 41), p.252.

<sup>297</sup> Diez & Manners, note 295, p. 173.

<sup>298</sup> Birchfield, (note 285), p 918.

<sup>299</sup> Manners, (note 281), pp: 45-60.

<sup>300</sup> Gibney, M. (2018). *International Human Rights Law: Returning to Universal Principles*. Insight Turkey, 20(1), 255.

<sup>301</sup> Manners, (note 281), p 47.

<sup>302</sup> Ibid.

of the EU and how these became promoted as aims and objectives of the EU in world politics<sup>303</sup>". Secondly, we must assess and "look at how the EU promotes its constitutive principles as actions and policies in world politics<sup>304</sup>". Finally, we must "consider "the impact and outcomes of the EU actions taken to promote its constitutive principles in world politics<sup>305</sup>". This methodological approach assists in the unification of the normative, theoretical foundations and the empirical imperatives of the NPE. In doing so, we will be able to determine the extent of the EU reformative approach, by acting as a normative power. The exercise should analyse in a methodical manner the motivations for, the principles and values behind, and the impact or the consequences of the EU exercise of power.

Before discussing the analytical framework of the diffusion of norms and the effectiveness of the EU's normative approach based on the tripartite discussed above, certain points of the reflection of Ian Manners deserve to be underlined: initially, his insistence on the singularity of the EU (the Union has especially normative identity, which leads it to act in a normative way, then, the way in which he considered the diffusion of the European influence. The norms appeared both as means and purposes, and the European influence is the result of both its simple existence and more conscious efforts: "The normative power of the EU reflects the structural elements of the international relations which are strongly changed by the existence of the EU – i.e. by the exemplification rather than by an alleged goal-driven instrumentalism<sup>306</sup>".

The concept developed by Ian Manners includes all the senses of the term "normative<sup>307</sup>" which linked to the richness of the term "standard<sup>308</sup>". Indeed, Manners considered that the nature of the EU is to lead and to seek the world order, without instrument-lasing it for its own benefit <sup>309</sup>. Moreover, the concept of NPE contained a prescriptive "normative quality", in that it also deals with what

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<sup>303</sup> Ibid, p 55.

<sup>304</sup> Ibid, p 57.

<sup>305</sup> Ibid, p 58.

<sup>306</sup> Manners and Whitman, note 163, p:176.

<sup>307</sup> Manners, I. (2011). The European Union's normative power: critical perspectives and perspectives on the critical. *In Normative Power Europe* (pp. 226-247). Palgrave Macmillan, London.

<sup>308</sup> Bamgbose, A. (1998). Torn between the norms: Innovations in world Englishes. *World Englishes*, 17(1), 1-14.

<sup>309</sup> Manners, I. (2001). *Normative Power Europe: The international role of the EU*. p:22. Available at: [http://aei.pitt.edu/7263/1/002188\\_1.PDF](http://aei.pitt.edu/7263/1/002188_1.PDF). [Accessed on 1/10/2018].

the EU should do, of "would be good" ethically<sup>310</sup>. In line with this argument, Manners emphasised on six main differences in order to distinguish between civilian power and normative power. The first difference "dwells upon the idea that civilian power entails neo-colonial discourses<sup>311</sup>". Second, the basis of the civilian power is primarily the EU's economic power, while normative power accentuates on the diffusion of normative principles by attraction and imitation<sup>312</sup>. Third, the normative power here is beyond the concept of civil power: whereas Duchêne primarily reflected on the interests of the European Community, Ian Manners considers the Union as a cosmopolitan entity<sup>313</sup>. Whereas the development of the civil power served Foremost the interests of the European Community, the EU as normative power promotes the construction of the world order as a whole, in particular by supporting the UN norms and standards<sup>314</sup>. Fourth, Duchêne points out to the Westphalian culturation, in contrast with the normative power theory refers to the normativity in world politics<sup>315</sup>. Fifth, Duchêne theory reduces the concept of power between agents, regardless of the nature of the power, whether legal, multilateral or non-military. Meanwhile, the NPE theory reflects the fact that the interaction structure in world politics is profoundly changed by the mere existence of the EU, in particular by acting as an example, rather than self-interest driven instrumentalism<sup>316</sup>. The last distinction identified by Manners is that normative power has opened new discussion beyond the neo-colonial cold war theories<sup>317</sup>.

Apart from these differences, while the traditional concepts of power tend to focus on capabilities question, the NPE theory discussion refers to culturation and conciliation<sup>318</sup>. The culturation was explained by Manners as the scope of action of the EU's civilian role, which "provides the continuity of the norms of

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<sup>310</sup> Manners, (note 160), p.177.

<sup>311</sup> Ibid, p.175.

<sup>312</sup> Ibid, p.176.

<sup>313</sup> Whitman, R. G. (2011). Norms, power and Europe: A new agenda for study of the EU and international relations. In *Normative Power Europe* (pp. 1-22). Palgrave Macmillan, London.

<sup>314</sup> Laïdi, Z. (2008). *Norms over force: the enigma of European power*. Springer.

<sup>315</sup> Manners, (note160), p.176.

<sup>316</sup> Ibid pp.176-177

<sup>317</sup> Whitman, R. G. (2013). The neo-normative turn in theorising the EU's international presence. *Cooperation and conflict*, 48(2), 171-193.

<sup>318</sup> Manners, I. (2007). "The symbolic manifestation of the EU's normative role in world politics", in Ole Elgström and Michael Smith (ed.), *The European Union's roles in international politics*, (London: Routledge, 2007), p.68.

Westphalian international relations<sup>319</sup>, and specifically by observing the distinction between the “inside” and “outside” the EU. In this context, Manners explains that the understanding of conciliation is linked to the EU’s military power, which ensures the continuousness of the Westphalian normative principles in international relations that prefer mediation in conflicts<sup>320</sup>. Evidently, we should read Manners arguments behind the difference between the Civilian/normative power from a historical perspective, and specifically the development of the EU’s hybrid polity and political/ legal provisions<sup>321</sup>. In other words, the explanation of the EU’s normative power can be based on its sui generis nature. This Distinctiveness is also highlighted by Rosecrance: “Europe’s attainment is normative power rather than empirical ...It is perhaps a paradox to note that the continent which once ruled the world through the physical impositions of imperialism is now coming to set the world standards in normative terms<sup>322</sup>”.

### **2.6.1. The EU Dissemination of the Normative Principles**

While in the previous part we attempted to explain the NPE theory, in this part, we will explain and define the term “norm” in a limited perspective linked to Ian Manners use of this term in explaining the NPE theory. This will be followed by explaining what kind of norms the EU is trying to disseminate in the Southern Mediterranean and what are the methods of the EU’s norms diffusion. In other word, will apply the second phase of Manners tripartite assessment methodology which is how the EU promotes its constitutive principles.

#### **2.6.1.1. Conceptualise the Term Norm**

the conceptualisation of the term “norm” can be a complex issue; however, it is important to attempt it for the purpose of this thesis. The complexity is derived from their variations and context dependency. Despite the serious analytical

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<sup>319</sup> Ibid.

<sup>320</sup> Ibid.

<sup>321</sup> Twitchett, K. (1976) (ed.), *Europe and the World: The External Relations of the Common Market*, (New York: St. Martin Press, 1976), pp.1-2; and Hanns Maull, “Germany and Japan: The New Civilian Powers”, *Foreign Affairs*, Vol. 69, No.5, pp. 92-93, 1990; both cited by Ian Manners, “Normative power Europe: A Contradiction in Terms?”, *Journal of Common Market Studies* Vol. 40 Number 2, 2002, pp.236-237.

<sup>322</sup> Rosecrance, R. (1997) “*The European Union: a new type of international actor*”, European University institute, quoted in Manners, “Normative power Europe: A Contradiction in Terms?”, p.238.

problem posed by this concept, many converging and overlapping definitions stemmed from different philosophical and theoretical approaches have been provided. The rationalist school, for example, highlighted the symmetry and uniformity of behaviour<sup>323</sup>. In this context, norms became codified as “standards of behaviour”, understood in terms of rights and obligations<sup>324</sup>, and defined “as general prescriptions of behaviour which regulates intentions and effects<sup>325</sup>”. Raymond defined norms as “generalised standards of conduct that delineate the scope of state’s entitlements, the extent of its obligation, and the arrange of its jurisdiction<sup>326</sup>”.

While Thomson indicates that norms are simply rules which participate in such practices<sup>327</sup>. In the same contest, Gurowitz defined norms as “result from common practices among states<sup>328</sup>”. This type of definitions tends to focus on the behaviour regularities and dismiss the normative characteristic of norms. Evidently, not all norms can be conceptualised as normative, as they can be “non-ethical origins and purposes<sup>329</sup>”. Nevertheless, the rationalist approach indicates the importance of compliance with these norms, stipulating that sanctions should be applied as necessary if compliance could not be achieved by other means. This allows to infer that international actors with the required power could apply coercive measures to enforce the norms. From this perspective, norms should not be considered simply as “series of oughts”, as the prospect of sanctions is also a critical element<sup>330</sup>.

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<sup>323</sup> Fearon, J., & Wendt, A. (2002). Rationalism v. constructivism: a skeptical view. *Handbook of international relations*, 52-72.

<sup>324</sup> Krasner, S. D. (2012). Structural causes and regime consequences: regimes as intervening variables. *Revista de Sociologia e Política*, 20(42), 93-110.

<sup>325</sup> Björkdahl, A. (2002). Norms in international relations: Some conceptual and methodological reflections. *Cambridge Review of International Affairs*, 15(1), 9-23.

<sup>326</sup> Gregory, R. (1997), neutrality norms and the balance of power, *cooperation and conflict*, vol 32, no2, 1997, p 128

<sup>327</sup> Thomson, J. E. (1993). Norms in international relations: a conceptual analysis. *International Journal of Group Tensions*, 23(1), 67-83, page 81

<sup>328</sup> Gurowitz, A. (1999). Mobilizing international norms: domestic actors, immigrants, and the Japanese state. *World Politics*, 51(3), 413-445.

<sup>329</sup> Acharya, A. (2004). How ideas spread: Whose norms matter? Norm localization and institutional change in Asian regionalism. *International organization*, 58(2), 239-275.

<sup>330</sup> Goertz, G., & Diehl, P. F. (1992). Toward a theory of international norms: Some conceptual and measurement issues. *Journal of Conflict Resolution*, 36(4), 634-664.

The constructivist theory which is at the origin of numerous studies on the importance of norms in international relations<sup>331</sup> was the inspiration behind Ian Manners theory on the concept of European Union normative power. Manners believed that the Union is based on a normative basis and can disseminate these norms internationally. Under the constructivist school, the term norm is generally viewed as “a set of intersubjective understandings and collective expectations regarding the proper behaviour of states and other actors in a given context or identity<sup>332</sup>”. In this context, norms require an assessment and future anticipations of “behaviour in terms of what ought to be done”<sup>333</sup>. Andrew Hurrell adopted the definition of Chayes and Chayes<sup>334</sup>: “The norms can thus be defined as “a broad set of prescriptive assertions – rules, standards, principles, etc – both substantive and procedural” which are requirements for the action in situations of choice, comprising a feeling of obligation, the feeling which it should be followed<sup>335</sup>. The prescription is therefore not necessarily legal, it can be ethical, or rise from a consensus in favour of the norm concerned<sup>336</sup>.

Within the framework of the international system, the constructivists also define the norms in the following manner, according to Franck Petiteville: "The norms are [...]" collective expectations of appropriate conduct "that function as Behavioural requirements for actors: they may have "regulatory" effects on their identities, or even "constituents" if they come to "define" the identities of the actors<sup>337</sup>". From this perspective, norms not only cover the appeal of the means and goals. Thus, while the norm is divided into two elements, the second one (goals) can be normative. This interdependence between the two dimensions has been highlighted by Legro and Segerlund, who stated that “for the normal to

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<sup>331</sup> Adler, note 73, pp.112-144.

<sup>332</sup> Björkdahl, A., & Elgström, O. (2015). The EPA-Negotiations: A Channel for Norm Export and Import? *In Importing EU Norms* (pp. 133-152). Springer, Cham.

<sup>333</sup> Ibid, p 40.

<sup>334</sup> Chayes, A. Chayes, A.H. (1994), “Regime Architecture: Elements and Principles », in Nolan, J.E. (dir.), *Global Engagement. Cooperation and Security in the 21st Century.*, p:65.

<sup>335</sup>Hurrell, A, V. (2002) « Norms and Ethics in International Relations », in Carlsnaes, W., Risse, T. et Simmons, B. (dir.), *Handbook of International Relations*, pp.137 154.

<sup>336</sup> Manners, I. (2006). The symbolic manifestations of the EU’s normative role in world politics. *In The European Union's Roles in International Politics* (pp. 86-104). Routledge.

<sup>337</sup> Petiteville, F. (2010). “*The Multilateralism*”. Montchrestien. hal.univ-grenoble-alpes.fr. CNRS - Centre National de la Recherche Scientifique., p:75.

become normative a feeling of obligation needs to be added<sup>338</sup> and “the behaviour must be driven by norms<sup>339</sup>”. The normative perception of the norms is based on moral remedies emphasising rightness and justice through behavioural ethical norms<sup>340</sup>. This idea of constitutive norms is what Ian Manners is using to capture the EU.

Ian Manners relied on the Treaties to identify nine norms which he claimed are constitutive of the EU's international identity<sup>341</sup>. According to him, there are five "core norms", or fundamental standards constituting the EU normative basis: peace, freedom, democracy, the rule of law or pre-eminence of law<sup>342</sup>, respect for human rights and fundamental freedoms”. There are more than four "minor norms", or minor standards, which he recognised to be more "contested<sup>343</sup>": social solidarity, non-discrimination – that it will rename equality in a subsequent article<sup>344</sup>, Sustainable development and good Governance. Ian Manners, therefore, referred both to norms that constitute "European values", and to norms that constitute "objectives", according to the EU Treaties. But these two types of norms deserve to be distinguished since they do not have the same legal value. The compliance and respect of the values articulated by Article 2 of the European Union Treaty (TEU)<sup>345</sup> such as democracy, human rights, rule of law are mandatory for the Union membership<sup>346</sup> and their violation may initiate the sanction procedures provided for in article 7 of the TEU<sup>347</sup>. The elements registered in the second sentence of article 2 TEU do not have the same legal

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<sup>338</sup> Goertz, G and Diehl, P. 'Towards a Theory of International Norms: Some Conceptual and Measurement Issues', *Journal of Conflict Resolution*, vol. 36, 1992, pp. 634–64.

<sup>339</sup> Segerlund, L. (2016). “*Making corporate social responsibility a global concern: norm construction in a globalizing world*”. Routledge.

<sup>340</sup> Farrell, T. (2002). Constructivist security studies: Portrait of a research program. *International Studies Review*, 4(1), 49-72.

<sup>341</sup> Manners, (note 41), p.242.

<sup>342</sup> Ibid

<sup>343</sup> Ibid

<sup>344</sup> Manners, I. (2006). The symbolic manifestations of the EU's normative role in world politics. In *the European Union's Roles in International Politics*., p72 . Routledge.

<sup>345</sup> Treaty on European Union (Consolidated Version), Treaty of Maastricht 1992, Official Journal of the European Communities C 325/5; 24 December 2002, Article 2, Common Provisions, available at: <http://www.refworld.org/docid/3ae6b39218.html>. [accessed 2 October 2018].

<sup>346</sup> Ibid

<sup>347</sup> Treaty of Lisbon Amending the Treaty on European Union and the Treaty Establishing the European Community, 13 December 2007, 2007/C 306/01, available at: <http://www.refworld.org/docid/476258d32.html>. [accessed 2 October 2018].

consequences, they cannot involve the initiation of Article 7 procedures<sup>348</sup>. Lastly, the objectives of the Union, listed in article 3 TEU are “more concrete and more operational<sup>349</sup>”. Ian Manners considers that these objectives “are more specific to the way in which progressive social democracy is constitutive of the European Union<sup>350</sup>”, unlike values, shared by all the liberal democracies of the world and of which the EU makes its own interpretation. He uses the term of the norm as an encompassing concept and, although it is based on the founding texts of the EU, it does not consider these norms solely under the aspect of legal prescription, or in accordance exclusively to what the constructivist theorists understanding of what is “norm”<sup>351</sup>.

The norms stipulated by Manners reflect both the founding principles of the EU, the principles that guide its action, and its objectives. The only distinction that Ian Manners applied is the distinction between major and minor norms. In this regard, Franck Petiville rightly believed that the debate on Europe and the norms remains confusing: it mixes European norms, norms in the process of internationalisation and universalised norms; as well as political and juridical norms – while the EU does not have the same capacity to disseminate and influence these different types of norms<sup>352</sup>. There is a need to clarify here just how we can understand the EU norms? Petiville places this question at the centre of his study of the legitimacy of EU normative power. Manners has identified the different norms which can be disseminated by the EU without stipulating they are exclusively EU norms. Indeed, the author appeared to strongly suggest that the EU is a true normative power due to the norms it disseminates having “external reference points” – thus supporting the Construction of a global establishment rather than its own power position<sup>353</sup>. The external references are for example the texts of the United Nations or the European Convention for the protection of Human

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<sup>348</sup> Secondary norms such as: pluralism, non-discrimination, solidarity and equality between males and females.

<sup>349</sup> Treaty on European Union Consolidated Version, (note 285), Article 7.

<sup>350</sup> Manners, I. (2006). The constitutive nature of values, images and principles in the European Union. Values and principles in *European Union foreign policy*, p.33.

<sup>351</sup> Payne, R. A. (2001). Persuasion, frames and norm construction. *European journal of international relations*, 7(1), 37-61.

<sup>352</sup> Saurugger, S. (2013). “*Theoretical approaches to European integration*”. Macmillan International Higher Education., p172.

<sup>353</sup> Manners, I. (2015). Sociology of knowledge and production of normative power in the European Union’s external actions. *Journal of European Integration*, 37(2), 299-318.

Rights and fundamental Freedoms (ECHR). The European norms would, therefore, be derived from regional and international texts, which the EU would seek to disseminate. The normative quality of European power would then only be a matter of degree, compared with other powers. The author showed in other paragraphs more assertive reflection about the specificity of the European actor, illustrating the vagaries of the non-fixed concept. It will be a question of understanding if these norms have an external point of reference and how they are operational, put in context. One can, in addition, bring closer the norms according to Ian Manners to the study of the "preferences".

In this context, it is also possible to reconcile the norms suggested by Ian Manners with the study of the European "preferences" proposed by Zaki Laïdi: "The norm, especially when it is built, refers to issues, economic, social or cultural preferences. It is a developer of preferences. It constitutes one indicative of preferences<sup>354</sup>". Thus, the vision of Laïdi is more political, although, too methodical<sup>355</sup>, which led him to illustrate that "the priority [of the EU] is not to export its values in the name of a messianism..., but to have the preferences based on originality recognisable by the International system"<sup>356</sup>. For both authors, human rights occupy a central place in the concept of NPE.

The ideal approach of Ian Manners can lead to dismissing another meaning of the term norm, in the more technical sense: "model or standard, not always mandatory, which can be complied with in the execution of a technical operation<sup>357</sup>". The norms can, in fact, represent standards defined by actors in order to standardise their activity, exchange and work together. The standards<sup>358</sup> in question have a degree of precision that may not necessarily be addressed by Ian Manners. This acceptance of the term "norm" can be associated with the conventional version of power, the ability of an actor to enforce its economic

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<sup>354</sup> Laïdi, Z. (2008). Norms for What Pnotes? In *Norms over Force* (pp. 51-87). Palgrave Macmillan, New York., p 57

<sup>355</sup> Laïdi, Z. (2008). *Norms over force: the enigma of European power*. Springer., p65.

<sup>356</sup> Ibid, p66

<sup>357</sup> Moret-Bailly, J. (2002). Ambitions et ambiguïtés des pluralismes juridiques. *Droits*, (1), 195-206.

<sup>358</sup> For the difference between standards and norms see Locher, M. A., & Strässler, J. (Eds.). (2008). *Standards and norms in the English language* (Vol. 95). Walter de Gruyter.

norms, thus close to the economic power evoked by Duchêne when it lists the attributes forming the Civilian power.

### **2.6.1.2. The EU diffusion of the Normative Principles**

How is the diffusion of these norms has been organised, in order to qualify the EU as a normative power in the Mediterranean? According to Ian Manners is indeed the relative absence of physical force in the imposition of the norms<sup>359</sup>. Ian Manners raises six factors of diffusion of the norms<sup>360</sup>:

- 1) Contagion of norms: It is about a non-intentional diffusion of ideas to other political actors. This broadcast modality reconciled with the soft power developed by Joseph Nye, according to whom power can exert a “gravitational power” on third actors, leading them to want to integrate its value<sup>361</sup>. What we should note here is that that Manners intended to classify the EU’s diffusion of norms through what he called the “symbolic manifestations<sup>362</sup>”. This categorisation was based under the symbolic totems such as “Copenhagen Criteria”, “four freedoms”, “partnership and cooperation”. These principles became a cornerstone of the EU-Mediterranean countries relationship, as the EU tried to be a “virtuous example” in exporting its experiment to the near neighbourhood.
- 2) The diffusion of information, more precisely of strategic communications and speech put forth by bodies of the EU, a method which the European agents employ constantly. For the purpose of this thesis, we will rely on the different EU Communications, whether the Commission, the council and various EU institutions to identify and assess the EU’s normative approach, especially as many scholars have highlighted the discrepancy between the EU communications rhetoric and its actions on the ground<sup>363</sup>.  
In order to provide the greatest possible comparability of the results of the

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<sup>359</sup> Manners, I. (2006). Normative power Europe reconsidered: beyond the crossroads. *Journal of European public policy*, 13(2), 182-199.

<sup>360</sup> Manners, (note 41), p.244.

<sup>361</sup> Whitman, R. G. (2011). Norms, power and Europe: A new agenda for study of the EU and international relations. In *Normative Power Europe* (pp. 1-22). Palgrave Macmillan, London.

<sup>362</sup> Manners, I. (2007) “The symbolic manifestation of the EU’s normative role in world politics”, in Ole Elgström and Michael Smith (ed.), *The European Union’s roles in international politics*, (London: Routledge), p.76.

<sup>363</sup> Barbé, E., & Johansson-Nogués, E. (2008). The EU as a modest ‘force for good’: The European Neighbourhood Policy. *International affairs*, 84(1), 81-96.

discourse analysis, we will concentrate mainly in the second part on the EU's changing attitude and subsequently the language towards how to implement the reforms of the ENP reviews and compare them with EU previous efforts.

- 3) The procedural diffusion, which consists of institutionalising the relations of the EU with a third actor, using a cooperation agreement, EU's candidature for the international organisations or the enlargement of the EU. Hence, this thesis will try to provide an overview of the EU engagements with the Southern Mediterranean countries, namely the EMP and subsequently the ENP. I will argue that the institutionalisation of the EU-Mediterranean countries relationship had an important role in the diffusion of the normative principles<sup>364</sup>, whether through the multilateral approach or the unilateral approach through the development of the cooperation agreements with individual neighbours. Although normative agenda, including democracy, was an important feature
- 4) The transference diffusion, through the exchange of goods, services or development assistance with third actors. Although the EU has focused for a long time on pushing its southern neighbours to reform their economies, whether through financial assistance or preference measures, other normative concerns were not completely neglected at the expense of economic factors. Many scholars argued that financial assistance, which is usually attached with rigorous conditionality, is a mere covert to enhance the EU's economic interests<sup>365</sup>. I will argue, while this is true to some extent, nevertheless the EU normative principles were at the forefront of any development agreement assistance. For example, while the EU agreed to support Tunisia economy through the European Neighbourhood Instrument (ENI). Such support was always attached to normative principles conditionality.

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<sup>364</sup> Jones, A., & Clark, J. (2008). Europeanisation and discourse building: The European Commission, European narratives and European neighbourhood policy. *Geopolitics*, 13(3), 545-571.

<sup>365</sup> Bosse, G. (2007). Values in the EU's Neighbourhood Policy: Political Rhetoric or Reflection of a Coherent Policy? *European Political Economy Review*, 7(2), 38-62.

- 5) The manifest diffusion (“overt diffusion”) is allowed by the physical presence of the EU in Non-member states or international organisations<sup>366</sup>. One thinks for example of the delegations of the EU throughout the world. This type of diffusion is very important in the context of the EU-Mediterranean relationship. Hence, I will consider how the EU strong political relationship with the southern neighbours was an important factor in developing a normative agenda in the region. Although it was not always an easy task taken into consideration the multiple conflicts between the Southern Neighbours, nevertheless the EU succeeded in developing multiple policies in the region due to its full commitment to a multilateral approach. Furthermore, the overt diffusion in the Southern Mediterranean can be observed through the EU’s elections monitoring missions like that deployed in Tunisia following the “Jasmin revolution”.
- 6) The cultural filter, finally, is not a modality for the diffusion of the norms but rather a condition: This filter affects the outcome of the norms promoted for the actors who receive it, leading either to learning and adoption of these norms or to their rejection<sup>367</sup>. Accordingly, such a cultural filter has been at work in diffusion democratic norms in the Southern Mediterranean. Indeed, part of the EMP concentrated on the cultural aspects which hoped to affects the political learning of the Mediterranean countries.

By these various methods, the EU commits itself to diffuse and to defend its constitutional norms in the southern Mediterranean. One can, however, wonder about the physical absence of force which Ian Manners noted. Even if there is no mobilisation of the physical force in the relations between the EU and southern Mediterranean countries whom it seeks to influence, this does not mean that the relationships are symmetric. The agreements between the parties are formed in a context of negotiation which implies a certain force ratio, or at least a degree of constraint, in particular, related to asymmetry between the two partners, which Ian Manners addresses only indirectly. It is not obvious, therefore, that the absence of physical force is a sufficient criterion of distinction between the various

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<sup>366</sup> Manners, note 336, (pp. 86-104).

<sup>367</sup> Manners, (note 41), p.248

types of power<sup>368</sup>. Nye for his part proposed that the EU prefers persuasion rather than coercion<sup>369</sup>, but the distinction is not always obvious<sup>370</sup>. Ultimately, it is rather its ethical control<sup>371</sup>, which allows, according to Ian Manners, to qualify the EU as a normative power, “within the meaning of power contributing to lay down the norms and the rules of the international governance<sup>372</sup>”. He asserted that NPE should be perceived in terms of persuasion and socialisation in order to promote its principles. In other words, the normative approach should be deemed as the process of dialogue, engagement and understanding<sup>373</sup>.

### **2.6.2. The Effectiveness of the EU Normative Power**

To Assess the effectiveness of the EU normative power, and specifically its democratisation policy, this thesis will investigate the rationale, implementation process and the objectives of the EU policies towards the Southern Mediterranean neighbours. We will try to identify the declared policy objectives before assessing the effectiveness of the implementation process. This will enable us to identify the EU priorities in terms of policies, and also to identify, understand and explain the channels of cooperation under the EMP, ENP, and U-for-M. This, in turn, will enable us to evaluate not only the rationale of the policy, but also the delivery methods available to the EU in its quest of the normative reforms. Essentially, this research will argue that these policies provide the mechanisms for the promotion and adoption of certain regulations, constitutive and prescriptive normative principles to the southern neighbours.

The effectiveness of the EU’s normative power remains a core issue when assessing the EU’s dissemination of its normative principles. Does the EU succeed in promoting its normative preferences, and in disseminating its norms

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<sup>368</sup> Manners, I. (2013). Assessing the decennial, reassessing the global: Understanding European Union normative power in global politics. *Cooperation and Conflict*, 48(2), 304-329.

<sup>369</sup> Nye J (2017) *Soft power: the origins and political progress of a concept*. Palgrave Communications. 3:17008 doi: 10.1057/palcomms.2017.8.

<sup>370</sup> Damro, C. (2012). Market power Europe. *Journal of European Public Policy*, 19(5), 682-699.

<sup>371</sup> Diez, T. (2005). Constructing the Self and Changing Others: Reconsidering Normative Power Europe'. *Millennium*, 33(3), 613-636.

<sup>372</sup> Mayer, H., & Vogt, H. (Eds.). (2006). *A responsible Europe? ethical foundations of EU external affairs*. Springer.

<sup>373</sup> Niemi, T. E. (2017). The European Union as a Self-Identified Normative Power: A Frame Analysis of the Council Presidency Work Programmes Under the Treaty of Nice (2003-2009) (Bachelor's thesis).

at the international level? The results appear unsatisfactory<sup>374</sup>, except in the case of Tunisia, a country which has certain specificities helped in achieving better results when it comes to normative principles<sup>375</sup>. At this stage, we are not only interested in what the Union is proposing, as Ian Manners suggested, but what it does, as Karen Smith suggested in the examination of the EU international democratisation role<sup>376</sup>. Smith here argued that such assessment should be in relation to the “*acquis Communautaire*” normative principles which have become the standards in assessing the EU Association Agreements with developing countries, including the agreements with the southern neighbours<sup>377</sup>.

The question to what extent Southern Mediterranean countries which are outside the remit of EU membership actually adopt the EU normative principles? Which equally raises a synonymous question as to what extent the EU was effective in implementing the reforms required? The effectiveness can be defined as the degree of EU success in transferring its principles to the Mediterranean countries<sup>378</sup>. The analysis of the EU effectiveness in transferring the norms is not an easy task, as it should be based not only on the Mediterranean countries adherence to the EU’s normative principles but should as well take into considerations, the roles of other variables, be it the EU member states or influential states such as the USA, as well as international events, such as the 9/11 or the Arab uprisings. Nevertheless, the effectiveness can be assessed from two perspectives, the intensities of rule selection and rule adoption.

Rule selection is significant in the EU’s development of agreements with Southern Mediterranean countries. The process can help in evaluating “whether and to what extent EU rules constitute the normative reference point of the EU-third country relations<sup>379</sup>” Do the developing countries accept the EU principles based on the international standards and norms, or do they prefer jointly assigned

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<sup>374</sup> Koehler, K. (2010). European Foreign Policy After Lisbon: Strengthening the EU as an International Actor. *Caucasian Review of International Affairs*, 4(1).

<sup>375</sup> Neuman & Stanković, (note 1), pp. 1-10.

<sup>376</sup> Smith, K. E. (2005). Beyond the civilian power EU debate. *Politique européenne*, (3), 63-82.

<sup>377</sup> Ibid

<sup>378</sup> Schimmelfennig, F. (2010). Europeanisation beyond the member states. *Zeitschrift für Staats-und Europawissenschaften (ZSE)/Journal for Comparative Government and European Policy*, 319-339.

<sup>379</sup> Whitman, R. G. (2013). The neo-normative turn in theorising the EU’s international presence. *Cooperation and conflict*, 48(2), 171-193.

agreements. Rule selection is an important step in the methodological analysis of the EU external agreements, in comparison with the assessment of “*acquis Communautaire*”<sup>380</sup>. Although it may not be necessarily that EU norms and rules are dominant in the negotiations of the agreements. Equally important in the assessment of the normative power effectiveness is the evaluation of rule adoption by Southern neighbours. In doing so, we should be able to assert whether following the agreements, the rules are transferred into the developing countries internal legislation. From an empirical perspective, this is important due to the fact that many developing countries while accepting the rules at the negotiations stage, they may not adopt the rules in the end<sup>381</sup>. The extent of the rule adoption by the developing countries, therefore, is a major aspect in the assessment of the impact of the rules. Hypothesising the effectiveness of the EU power helps us to address some basic questions. Which mode of power the EU is applying and to what extent is effective? Why the EU’s approach may vary between two countries even though the EU deals with them under the same policy?

In the case of the EU relations with the Southern Mediterranean, we should assess the normative power Europe in relation to the concept of Nye’s “soft power” where it is essential to stipulate the conditions under which normative power can achieve the desired outcomes. The diffusion of norms under Manners theory is corresponding in essence, with the theory of soft power<sup>382</sup>, as the EU does not rely on its military capabilities to influence the southern neighbours, instead, it relies on its economic and diplomatic power to sway the southern Mediterranean countries stances on different issues, including democracy. Nye noted that the effectiveness of achieving preferences are more likely where the two parties have similar, rather than dissimilar cultures <sup>383</sup>. In the case of the EU-Mediterranean countries, despite the EU emphasis on the common values and norms, the differences between the two parties are substantial<sup>384</sup>. Indeed, when

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<sup>380</sup> Ibid

<sup>381</sup> Lavenex, S., & Schimmelfennig, F. (2009). EU rules beyond EU borders: theorizing external governance in European politics. *Journal of European public policy*, 16(6), 94-98

<sup>382</sup> Nye, (note 309),

<sup>383</sup> Ibid

<sup>384</sup> Whitman, R. G. (2011). Norms, power and Europe: A new agenda for study of the EU and international relations. In *Normative Power Europe* (pp. 1-22). Palgrave Macmillan, London.

it comes to democracy for example, while it is an important feature of the EU member states political systems, southern Mediterranean countries, including Tunisia, were for long time resistant to this model of the political system. In other words, the two parties have not been able to relate to each other given the circumstances of the extremely disputed EU democratisation policy<sup>385</sup>. The “soft power” approach, hence, strongly depends on the willingness of the receiving actor to reform its political preferences. This implies that if an international actor relies on the instruments of soft power to influence another receiving actor, its efforts are unlikely to succeed if the latter is not attracted and not willing to adopt the desired objectives<sup>386</sup>.

Hence, based on this theory, taking into account the cultural difference between the EU and the Southern Mediterranean states, including Tunisia, the NPE may not enjoy tangible success due to the fact, that the EU relies on the soft instruments. However, Manners normative power concept does not entirely dismiss the importance of hard power in the EU foreign policy equation, neither does Nye the father of the soft power concept, which perceives the soft and hard power combination as being a “smart power<sup>387</sup>”. Bearing in mind the impression of the NPE, similar to the soft power, seems to have a diffuse effect and thereby generating influence rather than creating tangible results and noticeable outcomes<sup>388</sup>. This should not be considered as criticisms, as general influence is very important in terms of the international relations, including the EU relationship with Mediterranean countries, otherwise, international actors would be seeking instantaneous payoffs and full reciprocity. For example, the EU usually refers to the democratisation of the southern neighbours as a long-term goal, it is a step-by-step process rather than instantaneous objective. Hence, the EU’s normative power is more probable to have an influence on the general objectives of a Mediterranean country rather than a tangible effect on a specific goal<sup>389</sup>. Manners

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<sup>385</sup> Malmvig, H. (2004). *Cooperation or democratisation? The EU's conflicting Mediterranean security discourses* (No. 2004: 8). DIIS Working Paper.

<sup>386</sup> O'Neill, K., Balsiger, J., & VanDeveer, S. D. (2004). Actors, norms, and impact: Recent international cooperation theory and the influence of the agent-structure debate. *Annu. Rev. Polit. Sci.*, 7, 149-175.

<sup>387</sup> Nye, (note 173), pp: 160-163.

<sup>388</sup> Nye Jr, J. S. (2010). Responding to my critics and concluding thoughts. *Soft power and US foreign policy: theoretical, historical and contemporary perspectives*, (13), 215.

<sup>389</sup> *Ibid*, p. 215.

argued that the EU symbols and norms play a vital role in its external actions. This argument can be challenged because it is uncertain that the EU can influence the Southern Mediterranean countries merely by what it symbolises. Maybe, the EU approach requires more than mere reliance on identity and norms. After all, perhaps not every neighbouring state accepts the objective to adopt the EU model.

In terms of the effectiveness of the EU external relations generally, and the relationship with the Southern Mediterranean countries, in particular, we could rely on Lavenex et al structural theory which distinguished mainly between the two forms of institutional setting: hierarchy and networks<sup>390</sup>. These institutional settings are empirical devices for assessing the EU relationships with developing countries, denoting the predominant institutional structures of the Barcelona process or the ENP. The hierarchical structure of the EU foreign policy can be observed in the formal institutional setting based on dominant power and subordination. This relationship is wielded through enforceable regulations, and any violations may result in sanctions. The two sections: “the dominance of the institutionalisation alongside the authority of the legislations and regulations develop with the implied acquiescence of the subordinate”<sup>391</sup>.

The vertical affiliation between the dominant and the subordinate powers suggests that influence is applied in a lop-sided manner. However, although the ENP lacks the formalised legality in-built in the Association Agreements with western European countries, a divisional perception of the regulatory development creates a diverse representation<sup>392</sup>. The development of formal regulations and precise procedures, monitoring system and sanctions concomitant with the hierarchical mode of external relations governance are also

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<sup>390</sup> Lavenex, S., Lehmkuhl, D., & Wichmann, N. (2009). Modes of external governance: a cross-national and cross-sectoral comparison. *Journal of European Public Policy*, 16(6), 813-833. Please note that Lavenex originally distinguished between three types of institutional setting: Hierarchy, networking and market.

<sup>391</sup> Ibid, pp: 822-823.

<sup>392</sup> Ibid , p. 824.

indispensable requirements for the application of the conditionality principle as a top-down strategy transfer on the ground of outwards incentives<sup>393</sup>.

Here we should differentiate within the hierarchy theory between institutional explanation and complementary power-based. In the institutionally based explanation, the EU relationship with southern Mediterranean countries is designed by EU institutions, which consist of the development of a comprehensive policy template ranging from rules and policies to conditions and assessments. Accordingly, this explanation may reflect the EU's institutional internal structure regardless of the modes of power. Based on the sociological institutionalism explanations, the EU may be leaning toward relying on its internal mode of governance as a template in the uncertainty of new policy contest or to rely on such structure for its legitimacy<sup>394</sup>.

Instead, the rationalist institutionalism explanations referred to this approach as a representation of the EU's institutional efficiency in resolving the policies problems at hand<sup>395</sup>. The problem with this explanation is that the EU relationship with its southern neighbours is not a one-way stream. The two parties rely heavily on cooperation and mutual engagement to develop the policies. What is underlined in the ENP, for example, is that through this engagement the EU is trying to create "joint -ownership" of the policies<sup>396</sup>. Although the conditions seem to be enforced upon the neighbours and in contradiction with the concept of "partnership"<sup>397</sup>. Based on this analysis, the EU drive to achieve its normative ends in the southern Mediterranean is based on giving these neighbours the possibility to choose the right way of adopting their normative principles, such as democracy. The EU tends to avoid a top-down approach since it can be

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<sup>393</sup> Schimmelfennig, F. and Sedelmeier, U. (2004) 'Governance by conditionality: EU rule transfer to the candidate countries of Central and Eastern Europe', *Journal of European Public Policy* 10(4): 664-5

<sup>394</sup> Damro, C. (2015). Market power Europe: exploring a dynamic conceptual framework. *Journal of European Public Policy*, 22(9), 1336-1354.

<sup>395</sup> Whitman, R. G. (2013). The neo-normative turn in theorising the EU's international presence. *Cooperation and conflict*, 48(2), 171-193.

<sup>396</sup> Gstöhl, S. (2016). The contestation of values in the European Neighbourhood Policy: challenges of capacity, consistency and competition. In *The European Neighbourhood Policy–Values and Principles* (pp. 68-88). Routledge.

<sup>397</sup> Kochenov, D., & Basheska, E. (2016). 8 The European Neighbourhood Policy's value conditionality. *The European Neighbourhood Policy–Values and Principles*, 145.

inflammatory and counter-productive<sup>398</sup>. Accordingly, in this process, the EU relies on positive conditionality which proved to be a crucial factor in inducing southern neighbours to adopt normative principles. Tunisia is a good example of just such an approach.

The power-based justification of the external relations stipulated that this concept can be explained by the interdependence of the EU's power with regard to southern neighbours. Under this philosophy, the external relations modes do not relate to the EU's intuitional configurations but to external structural modes of power and interdependence. The hierarchical method of governance entails a strong developing country dependency on the EU's political and market access, such as in the case of the ENP<sup>399</sup>. In the case where the EU has been stripped of the highly asymmetric dependency, it will not be able to exert hierarchical governance upon these developing countries. Market governance, on the other side, assumes substantial market amalgamation but not officious type of governance.

In opposition to the hierarchical structure, a networking arrangement outlines an affiliation in which the two parties can be formally equal. This does not exclude the probability of power asymmetries; however, it implies in terms of the institutional setting that both parties have the same equivalent rights, and neither can introduce measurements without the other party implied or explicit consent<sup>400</sup>. Hence, in contrast with the hierarchy approach which usually is centred around the binding legality, networking refers to minimum pressuring apparatuses and suggest practical methods of collaboration rather than lasting policy resolutions<sup>401</sup>. The networking approach of the EU's external relations would explain a robust institutionalised and incorporated structure of horizontal coordination. Some rudiments of this approach, or what may refer to as "negotiation system<sup>402</sup>" can be observed in the institutional structure of the ENP.

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<sup>398</sup> Noutcheva, G. (2015). Institutional governance of European neighbourhood policy in the wake of the Arab Spring. *Journal of European Integration*, 37(1), 19-36.

<sup>399</sup> Kelley, J. G. (2010). *Ethnic politics in Europe: the power of norms and incentives*. Princeton University Press.

<sup>400</sup> Börzel, T. A., & Risse, T. (2012). From Europeanisation to diffusion: introduction. *West European Politics*, 35(1), 1-19.

<sup>401</sup> Lackowska-Madurowicz, M. (2011). Europeanization-Fashionable Notion or Inspiring Conceptual Frames? *Miscellanea Geographica-Regional Studies on Development*, 15, 41-61.

<sup>402</sup> Börzel & Risse, (note 340), p. 65.

Indeed, the joint embellishment of the Action Plans, the joint assessment of the development process, the joint ENP subcommittees participation in the evaluation of programs progress are examples of networking<sup>403</sup>. In terms of the Barcelona progress generally, the most effective way of analysing the networking governance is in some sectors divisional level where the EU internal networking have partially been opened to the representatives of the Mediterranean developing countries<sup>404</sup>.

Based on the orientated voluntary process, networking arrangements offer a favourable framework of influence and reforms founded on socialisation and negotiations<sup>405</sup>. As some scholars suggested, networking abilities, whether based on co-ownership, cooperative processes, and solidity of collaborations rises the possibility of enhancing the legitimacy of the rules and procedures and accordingly beneficial to their growth<sup>406</sup>. This is inconsistent with the conditionality approach, whether in terms of incentives or sanctioning or the credibility of monitoring required for regulation development under the hierarchical governance. Indeed, under the hierarchical prototype, the EU imposed rules and regulations deliver a static institutional pattern of governance. The difficult issue in this context, whether developing countries will adhere to the EU rules, and if they do to what extent? Meanwhile, networking approach implies that developing countries enjoy more freedom in the negotiation process<sup>407</sup>.

Based on these explanations, interdependence and power can enhance the effectiveness of the EU's external relations. The extent of the EU's rules adoption and implementation under the cooperation agreements will depend on the EU's bargaining power. Accordingly, the "*acquis Communautaire*" was the centre stage of the EU bargaining power, while the EU was offering "the ultimate incentive" of full EU membership, joint with the candidates' strong dependency and eagerness to join the EU, the two variables positioned the EU to demands

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<sup>403</sup> Lavenex, S. (2008). A governance perspective on the European neighbourhood policy: integration beyond conditionality? *Journal of European public policy*, 15(6), 938-955.

<sup>404</sup> Lavenex, Lehmkuhl, & Wichmann, (note 390), p 825.

<sup>405</sup> Gänzle, S. (2009). EU governance and the European neighbourhood policy: a framework for analysis. *Europe-Asia Studies*, 61(10), 1715-1734.

<sup>406</sup> Börzel & Risse, note 400, pp. 1-19.

<sup>407</sup> Lavenex, S., & Schimmelfennig, F. (2009). EU rules beyond EU borders: theorizing external governance in European politics. *Journal of European public policy*, 16(6), 791-812.

full respect of its conditions and rules<sup>408</sup>. However, outside of the enlargement process, and within the context of the EU- Southern Mediterranean countries relationship, the EU bargaining power is much weaker, the extent of the weakness may vary across the policies. Accordingly, similar interpretation can be anticipated regarding the effectiveness of the external relations based on the power-based justifications.

When considering the effectiveness of the EU normative power generally and the EU democratisation process, in particular, we have to refer to different related problems which could thereto rise the debates:

- 1) The dichotomy issue: which refers to the contradictions between the EU's Member States economic and political interests versus the collective Community normative principles. The dichotomy has been noticeable in the democratic movements of the Arab Uprisings. From one perspective, the EU declared its full commitment to support the democratisation process in the region; while on the other, in conjunction with its member states discreetly supported dictatorial regimes, whether due to the fear from the waves of illegal immigration or to protect the petroleum suppliers<sup>409</sup>. In other words, there is a difference between the EU discourse and its actions towards the Southern Mediterranean states.
- 2) The establishment of whether the EU as normative power constitutes an effective international actor creates a number of difficulties. In that, when assessing whether the EU can truly influence the behaviour of the recipient neighbours, we collide with multiple variables which has some impact on the process of reforming the Southern Mediterranean countries, including different international actors, the EU Member States or the USA. This complex multi-player system renders the assessment as to whether the EU diffusion of norms was the most important factor in influence the behaviour of the southern Mediterranean countries very difficult to ascertain.

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<sup>408</sup> Lavenex, S., & Wichmann, N. (2009). The external governance of EU internal security. *European Integration*, 31(1), 83-102.

<sup>409</sup> Diez, T. (2015) Constructing the Self and Changing Others: Reconsidering Normative Power Europe, *Millennium: Journal of International Studies*, No. 3 (33), p. 635.

- 3) In the analysis of the NPE concept, due to the fact that “the supra-national integration model for external affairs has not been established the research into the matter must encompass a number of actors taking part in the process, this concerns both the member States and the private sectors<sup>410</sup>”

In sum, which are the main characteristics and how we can assess the effectiveness of the EU normative power in external relations?

The normative power which can be defined as the development of the EU norms and rules beyond the borders. The process encompasses the range of the membership rules beyond “*acquis communautaire*”. Largely, although the process is institutionalised in overarching contexts, such as the EMP or the ENP, the perceptible development of norms is trailing divisional outlines rather than macro-institutional perquisites<sup>411</sup>. The power patterns of external relations are moulded by interdependence, contributing to a robust differentiation of the normative approach.

Although the EU relies on different modes of influence in its relationship with developing countries in the Mediterranean, there is a clear tendency towards networking and socialisation rather than hierarchical form relied on by the “*acquis Communautaire*”. Indeed, Youngs, for example, stressed the EU practice on networking in its democratisation process<sup>412</sup>. The EU is less concerned with exporting the exact *acquis* principles, it rather tries to promote approximately its normative principles and practices, at least in its relationships with the Mediterranean countries. The negotiated rules are the cornerstone of the EU external relationship with the southern Neighbours<sup>413</sup>. The EU promotes its norms through its policies, including assistance, through trade or development policies. Within this context, political dialogue with Mediterranean countries remained the

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<sup>410</sup> Skolimowska, A. (2015). The European Union as a “Normative Power” in International Relations. Theoretical and Empirical Challenges. *Yearbook of Polish European Studies*, 18, 111-131., p 119

<sup>411</sup> Lavenex & Schimmelfennig, (note 381), p 94-98.

<sup>412</sup> Burnell, P., & Schlumberger, O. (2010). Promoting democracy—Promoting autocracy? International politics and national political regimes. *Contemporary Politics*, 16(1), 1-15.

<sup>413</sup> Barbé, E., & Surrallés, A. H. (2010). Dynamics of Convergence and Differentiation in Euro-Mediterranean Relations: Towards Flexible Region-Building or Fragmentation? Introduction. *Mediterranean Politics*, 15(2), 129-147.

most important mechanism for transferring these norms and values. Yet, the political dialogue requires institutionalisation in order to be more effective, whether in the form for example Association Agreements, the EMP or ENP, which are complemented by the association process of the neighbouring countries<sup>414</sup>. Such hypothesis requires not only the assessment of the EU power, but as well the concept of socialisation and subsequently Europeanisation, perceived as the mechanisms which can demonstrate the effectiveness and the influence of the EU power, or the lack thereof. These two instruments could suggest the framework by which the EU assessed as to whether they satisfy the theory as a normative power. The effectiveness of the EU approaches as a normative power “should, in turn, be measured by an indicator of the degree of disposition of the European model or the ideological/normative standards in those states within which such strategy is being implemented<sup>415</sup>”.

The Europeanisation process of the developing countries, including the Southern Mediterranean’s can be detected in the EU’s discourse towards these countries or in the public opinion of the receiving societies, where the shaping of the EU discourse reflects the characteristics of the EU as a normative power<sup>416</sup>. This further enables us to examine the reasons for the acceptance or the rejection of the EU normative power by the developing countries.

However, it could also be argued that the fact that many Mediterranean countries have experienced destructive revolutions highlighted the EU’s ineffective normative power approach due to the lack of full commitment, at least when it comes to democratisation<sup>417</sup>. The Commission and the EU’s Council acknowledged the limitations of the EU’s approach in influencing the Southern Mediterranean states to adopt democratic reforms. Subsequently, by 2011 although the EU did not set aside socialisation and networking mechanisms, the EU introduced multiple changes in its policies to exert further influence on the neighbouring countries, including stricter conditionality and differentiated

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<sup>414</sup> Manners, (note 41), p. 241.

<sup>415</sup> Skolimowska,(note 350),p 119.

<sup>416</sup>. Manners, (note 41), p. 241.

<sup>417</sup> Theuns, note 37, pp. 287-302.

approach<sup>418</sup>. The reformed approach can be apparent in the EU's relationship with Tunisia following the "Jasmin revolution". However, other countries remained immune from EU influence in terms of democratisation due to economic, political, or security factors<sup>419</sup>.

## **2.7. The Limits to the Normative Power Europe Theory**

The concept of normative power has theoretical and empirical limitations. Hence, this part will try to empirically examine these limitations and the different criticisms of the normative power EU, with the help of the external perceptions literature. It will look mainly at the realists' criticisms of this concept, which ranging from criticising the legitimacy of the EU's role as a normative power, including the inconsistency of implementing normative principles, the capability-expectations gap. This will be followed by the normative power theory separation from the notion of interest, the effectiveness of the normative power policies, the contradiction between the EU supposed normative power and the role of the influential member states, the limits of the conditionality principle, as well as the question of security versus other normative principles.

### **2.7.1. The Legitimacy of the EU Normative Power**

Defining the EU as a normative power uncritically in the 1990s has led to the unapologetic discourse by the EU institutions, which left many not only have blinded to the EU's limitations in diffusing its norms in practice, but have also created a danger of overestimating its impact<sup>420</sup>. As a result, some authors underlined the risk of the normative approach of producing a biased speech in favour of the EU, reflecting the "sympathy for the European project<sup>421</sup>" of the researcher concerned, or his difficulty in adopting a critical distance in relation to the official speeches produced by the EU<sup>422</sup>. The critics of the normative power theory also indicated that the supporters of this theory forget to think about the

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<sup>418</sup> Poli, S. (2015). The European Neighbourhood Policy: Differentiation without Political Conditionality? *Yearbook of Polish European Studies*, 18, 139.

<sup>419</sup> Jansson, P. (2018). Rhetoric and legitimacy in the European Neighbourhood Policy. *Global Affairs*, 4(2-3), 317-328.

<sup>420</sup> Whitman, R. J. (2013) 'The Neo-Normative Turn in Theorizing the EU's International Presence', *Cooperation and Conflict* 48(2): 171-183

<sup>421</sup> Sjørnsen, H. (2006). What kind of power? *Journal of European public policy*, 13(2), p:170.

<sup>422</sup> Laïdi, Z. (2005). *La norme sans la force: L'énigme de la puissance européenne (Norms over Force. The Enigma of European Power)*, Paris 2005., p 56

classical power and its instruments by focusing excessively on the norms. Their views would become too narrow to be able to identify the whole concept: "To give such importance to the role of norms, values and identity in the European Union's foreign policy is certainly valid and present an intellectual interest, but to insist in a way exaggerated on the values could make us blind to the importance of the more configurations of power<sup>423</sup>". Hence, the NPE theory has been accused of overlooking the previous notions of power developed under the different international relations theories and concentrating on the normative mechanisms largely in terms of their ethical features, which eliminates any consideration regarding the failures in the implementation phase of such mechanisms<sup>424</sup>.

While Manners in subsequent articles agreed that the EU should further rely on its military capabilities, some neorealist argued this would render the EU a military power; which in turn make it harder to argue the EU is a normative power. The military power argument is likely to be reinvigorated especially following the EU latest policy to limit the reliance on the USA military power by further advance the EU military response capabilities. Hyde-Price, who, being interested in the structural distribution of power, for example, argued the creation of The Common Security and Defence Policy<sup>425</sup> is certainly a move towards a military power EU and step away from EU normative power<sup>426</sup>. The creation of the defence policy was triggered by the changing power distribution at the international level. The EU is no longer able to rely on the US military power, due to the emergence of China as a military power, as well as the constant Russian threat at its border, not to mention the terrorism menace. However, Hyde-Price assessment still differs from the Neo-realists stating: "The EU is used by its member states as a collective instrument for shaping its external milieu by a combination of hard and soft power<sup>427</sup>".

In the same context, Nicolaidis and Howse asserted that the image of the EU as a normative power in the external relations is merely a myth created by the EU

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<sup>423</sup> Youngs, R. (2004). Normative dynamics and strategic interests in the EU's external identity. *JCMS: Journal of Common Market Studies*, 42(2), 415-435.

<sup>424</sup> Skolimowska, (note 350), p 120.

<sup>425</sup> Hyde-Price, note 425, pp. 217-234.

<sup>426</sup> Diez, T. (2013). Normative power as hegemony. *Cooperation and Conflict*, 48(2), 194-210.

<sup>427</sup> Hyde-Price, note 425, p. 217.

which does not reflect what it does in reality, but what should be doing in theory. Hence, it is a mere theory of the ideal that the EU aspires to achieve<sup>428</sup>. The scholars refer to the concept of NPE as “EUtopia”, a utopia which has been created by the EU itself. The normative power theory is based on the hypothesis that the EU is indeed a role model and an example which the developing countries should follow suit. However, such a presentation constitutes a myth presented by the EU in its search of appraisable identity. In fact, the EU true identity and the self-image it tries to create are undoubtedly inconsistent<sup>429</sup>. This inconsistency between the EU normative actorness rhetoric and its *de facto* actions has been highlighted by a number of realist and neorealist scholars which naturally disagreed with Manners assessment regarding the way the EU exercised its power. The Neorealist Adrian Hyde-Price<sup>430</sup> stressed the major role of the most powerful Member States in the CFSP, and indicated how it can be observed that the question of European interests has eluded Ian Manners<sup>431</sup>, by emphasising mainly the normative identity of the EU’s<sup>432</sup>. The normative approach cannot, therefore, seize the totality of the “European Union”.

Arguably the realists failed to acknowledge that Manners theory did not completely set aside the importance of other forms of powers, including military. The fact that he concluded that the EU is a normative power does not necessarily exclude other political, economic or even military powers. The normative power conceptualisation can, in fact, accommodate other forms of power. Manners theory does not argue against the characterisations of other forms of power but to add to them and to underline the main component of the EU’s fundamental and ideational nature<sup>433</sup>. Indeed, when it comes to the requirement of democratic conditionality, for example, the EU relies on its economic and political power to influence the Southern neighbours<sup>434</sup>. Besides, the realists’ assessments of the

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<sup>428</sup> Nicolaïdis, K., & Howse, R. (2002). ‘This is my EUtopia...’: Narrative as Power. *JCMS: Journal of Common Market Studies*, 40(4), 767-792.

<sup>429</sup> Ibid

<sup>430</sup> Hyde-Price, note 425, pp. 217-234.

<sup>431</sup> Manners, note 41, p.179.

<sup>432</sup> Lavenex, S., & Schimmelfennig, F. (Eds.). (2013). *EU External Governance: projecting EU rules beyond membership.*, p:685. Routledge.

<sup>433</sup> Manners, note 353, pp. 299-318.

<sup>434</sup> Haukkala, H. (2017). The EU’s regional normative hegemony encounters hard realities: The revised European Neighbourhood Policy and the ring of fire. In *The Revised European Neighbourhood Policy* (pp. 77-94). Palgrave Macmillan, London.

EU power usually use comparison with ordinary states, which can be easily refuted, as stated above the EU is not a simple state, but rather a complicated political entity. In terms of the EU's normative power failure to reach the normative end, we can stipulate two counter-arguments: First, normative power theorists indicated that the EU transformative approach is based on a long term goal. Hence, while its success in influencing reforms in some areas are questioned, with the right approach, the EU will be able to further influence the domestic political dynamics of the southern Neighbours. That explains why the EU has implemented a new approach following the review of the ENP in 2011. Secondly, given the complex mix of norms contained in EU policies towards the Southern Neighbours, there is a possibility that some norms effectiveness may have been perceived as inadequate. Indeed, in the case of the EU-Mediterranean relations, while the EU succeeded in the security field, democratisation did not follow suit. Yet, that does not mean that the EU's normative power is inadequate in all fields.

Hyde-Price not only questioned the validity of the EU identity as a normative power, he criticised the EU normative power based on the capabilities-expectations gap, arguing that what the EU says regarding normative principles and what it does, is very different. The EU ineffectiveness in influencing the developing countries political reforms is due to its limited capabilities paralleled by huge expectations<sup>435</sup>. As on many occasions, the EU choose to overlook its norms principles for the sake of economic benefits<sup>436</sup>. Its prioritisation of the economic status is in contradiction to the normative power agenda. Furthermore, the EU transformative influence depends on pressurising the recipient states via the use of economic pressure and the threatening of EU access. Hence, "EU's soft power is based on diplomatic persuasion, negotiation and compromise while its hard power involves the coercive economic statecraft, primarily in the form of conditionality clauses, in order to impose its vision of political and economic order<sup>437</sup>". While I may have to agree that the EU is facing a huge problem

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<sup>435</sup> Hyde-Price, A. (2006). 'Normative' power Europe: a realist critique. *Journal of European public policy*, 13(2), 217-234

<sup>436</sup> Sjursen, H. (2006). The EU as a 'normative' power: how can this be? *Journal of European public policy*, 13(2), 235-251.

<sup>437</sup> Youngs, R. (Ed.). (2010). *The European Union and democracy promotion: a critical global assessment*. JHU Press.

regarding the capabilities-expectations gap even after the latest ENP review of 2011. I suggest that the criticisms of enforcing the Southern neighbours' reforms are lacking merit. As I will later argue, that the EU has failed to apply any form of negative pressure, including negative conditionality due to multiple political reasons. Furthermore, the EU political, economic power and interdependence can influence the Southern Mediterranean states even without reference to normative principles<sup>438</sup>. The EU's promoted norms may complement the EU's economy and market attractiveness, which can result in a complex mix of influences for the southern neighbours<sup>439</sup>.

Natalie Tocci, from another perspective, underlined the *sui generis* nature of the EU as a non-state entity, stating that while it is not necessarily that the EU is adopting different foreign policy objectives, it should be distinguished from international powers such as the USA, Russia or China<sup>440</sup>. Tocci, highlighted the different forms of the EU power, for instance, in the enlargement process, and through the accession criteria, as the EU pursued normative objectives, by aiming to reform the political and economic approaches of the Central and Eastern European Countries. Yet, when it comes to Syria for example, the EU is behaving as "realpolitik" actor. The EU's foreign policy different strategies have been explained by the neo-realist as the EU's security orientated approach<sup>441</sup>. It is not surprising then that the neo-realist assumed the normative power concept is set aside in situations when there is a power balance issue. Balfour and Pace identified this difference respectively as "EU's flexible adherence to principles<sup>442</sup>" and "the asymmetry in power relations, in turn, affects processes and any desired outcome of normative power EU aimed at<sup>443</sup>". As would expect from realists, the

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<sup>438</sup> Moravcsik, A. (2016) 'Lessons from Ukraine: Why a Europe-Led Geo-Economic Strategy is Succeeding', Transatlantic Academy Working Paper Series, June, available at: <http://www.gmfus.org/publications/lessonsukraine-why-europe-led-geo-economic-strategy-succeeding>. [accessed 14 August 2018].

<sup>439</sup> Chaban, N., Knodt, M. and Verdun, A. (2016) "Talking with" not "Talking at"? Perceptions of the EU as a Global Normative Energy Actor in the Eyes of BRICS and EU "Big 3", *Comparative European Politics*, online June 2016

<sup>440</sup> Heisbourg, F., Tocci, N., Hamilton, D., Makarychev, A., & Xiang, L. (2008). *What prospects for normative foreign policy in a multipolar world?*. CEPS., p 9.

<sup>441</sup> Ibid.

<sup>442</sup> Balfour, R. (2006) "Principles of Democracy and Human Rights: A Review of the European Union's Strategies Toward its Neighbours"; in Sonia Lucarelli and Ian Manners (ed.), *Values and Principles in European Union Foreign Policy*, (London: Routledge, 2006) p.118.

<sup>443</sup> Pace, M. (2007) "The Construction of EU Normative Power", *Journal of Common Market Studies*, Vol. 45, Number 5, December 2007, p.1055.

majority of their theory is centred around the EU's security dilemma. But, what they failed to acknowledge is that the security question itself is a normative principle highlighted by Manners. The security orientated approach does not necessarily undermine the EU's normative power, although it illustrates the norms and policies shifts. Having said that, some criticisms of the EU's are well founded especially when it struggles to consistently implement some of its normative policies. Indeed, the EU's inconsistency and double standards can be highlighted by the EU inadequate effort to promote democracy, especially when it clashes with its security interests. For me, there seem little doubt that sustainable peace and security, in general, remained the prime principle within the EU's normative agenda, which leads inevitably to its prioritisation over the other principles, including democracy. Such contestation can only be understood if multiple normative principles are studied. Such methodological challenge and longitudinal interpretation and holistic analysis necessitate a further analysis in this thesis. Particularly, following the reviews of 2011, the EU became more aware that democracy should be seen as an important factor in ensuring lasting security, peace, and prosperity in the region, rather than a competitor to its security quest<sup>444</sup>. The fact that the EU has imposed multiple sanctions against Syria or Libya can indicate that the EU is pursuing normative principles more rigorously. Bearing in mind that the sanctions were not related to democratic breaches, but due to human rights abuses<sup>445</sup>. However, when it comes to democratic breaches, such as the military coup in Egypt, the EU intervention was very restrained due to different EU political and economic interests, including the important role of Egypt in the Middle East peace process<sup>446</sup>.

### **2.7.2. EU Interests and Normative Power**

The tension between the EU interests and normative principles have been highlighted by a number of scholars including Sjursen, Jorgenson and

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<sup>444</sup> Cofelice, A. (2016). The Parliamentary Assembly of the Mediterranean and Its Contribution to Democracy Promotion and Crisis Management. *The Hague Journal of Diplomacy*, 11(2-3), 292-310.

<sup>445</sup> Boogaerts, A., Portela, C., & Drieskens, E. (2016). One Swallow Does Not Make Spring: A Critical Juncture Perspective on the EU Sanctions in Response to the Arab Spring. *Mediterranean Politics*, 21(2), 205-225.

<sup>446</sup> Isa, F. G. (2017). EU promotion of deep democracy in Egypt after the Arab spring: A missed opportunity?. *Revista electrónica de estudios internacionales (REEI)*, (33), 3.

Laatikainen and Laidi. Helene Sjursen indicated the theoretical and empirical limitations of the NPE concept<sup>447</sup>, based on the inaccuracy of the hypothesis that the characteristics of the EU incline it to act as a normative player in international relations. Sjursen argued that while the identification of the normative power concept itself lacked precision, it lacked any substantial reference as well to the material factors in the EU's foreign policies, which renders any critical and objective assessment an impossible task<sup>448</sup>. The Author refuted the identification of the EU as a normative power and argued that the EU as an international actor is not different from any other imperialist power. In Sjursen's words, "the fact that NPE corresponds very closely to the EU's own description of its international role could be enough to set the alarm bells ringing<sup>449</sup>". The EU is acting as an agent of "cultural imperialism" of the former member states colonial countries<sup>450</sup>. She stated that a true normative power actor would, in fact, tried to eliminate the "power politics" through enhancing the international political order and laws since the "core feature of a putative normative or civilising power would be that it acts in order to transform the parameters of power politics through the focus on strengthening the international legal system<sup>451</sup>".

Accordingly, the solution to the EU's operationalisation of norms problem in a manner which does not compromise its claim legitimacy is to fight for greater *juridification of international politics*, which will enhance the legitimacy of the EU's normative power in the international legal regime. The EU should "functions as a system of action that makes it possible to implement moral duties and commitments<sup>452</sup>", however, at the moment the EU is acting as cooperative hegemony to ensure the financial and political interests of its Member States. What the author failed to grasp is that by accepting the normative basis of the EU does not mean that the EU will always act in a normative manner, nor that the normative principles it seeks to promote are necessarily in the best interest of the developing countries, at least in the short run. Certainly, the economic

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<sup>447</sup> Sjursen, H. (2006). What Kind of Power? " *Journal of European Public Policy*", No. 13(2)/ 2006, pp. 169–181.

<sup>448</sup> Ibid, p 172

<sup>449</sup> Ibid, p235.

<sup>450</sup> Ibid, p178.

<sup>451</sup> Ibid.

<sup>452</sup> Ibid, p 179.

liberalisation of the Southern neighbours, such as Tunisia, which is coming out from revolution, is the least of its priorities<sup>453</sup>. Yet, the EU is aggressively forcing Tunisia to implement further economic reforms<sup>454</sup>. Hence, the EU normative power seems to clash with what is seen as the EU's de facto actions in the economic field<sup>455</sup>. However, regarding the role of the EU as “cultural imperialism” agent, two points can be raised against Sjørnsen argument. First of all, it is not given that supposed member states colonial power is translated into the EU normative power<sup>456</sup>. The EU as a political entity does not have imperialist past that would permit for historical “mission civilisatrice<sup>457</sup>”.

Besides, regardless of the type of power, the majority of the EU advocates downplay the role of the member states imperial past in the EU postcolonial policies<sup>458</sup>. Secondly, through postcolonial lenses, considering the complex political composition of the EU, is somewhat unclear, which section of the institutional setting would convey a “mission civilisatrice”. Even if we have acknowledged there is a gap between the EU normative objectives and some economic policies in fields such as agriculture creates tension that might weaken the EU normative power perception<sup>459</sup>, that does not grasp the totality of the EU policies in the southern Mediterranean, nor does legitimise the accusation of the EU as an imperialist power.

Similarly, Jørgensen and Laatikainen stipulated that the normative power concept has intended to account for the special characteristics of the EU's identity, but

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<sup>453</sup> Noutcheva, note 398, pp. 19-36.

<sup>454</sup> Tröster, B., Raza, W., Grohs, H., Grumiller, J., Staritz, C., & von Arnim, R. (2018). *The EU-Tunisia Deep and Comprehensive Free Trade Area (DCFTA): macroeconomic impacts and pro-developmental policy responses* (No. 28/2018). Policy Note, Austrian Foundation for Development Research (ÖFSE).

<sup>455</sup> Fioramonti, L. and Poletti, A. (2008) 'Facing the Giant: Southern Perspectives on the European Union'. *Third World Quarterly*, Vol. 29, pp. 167–80.

<sup>456</sup> Larsen, H. (2014). 'Normative Power Europe and the Importance of Discursive Context: The European Union and the Politics of Religion'. *Cooperation and Conflict*.

<sup>457</sup> Keene, E. (2013). 'Social Status, Social Closure and the Idea of Europe as a “Normative Power”'. *European Journal of International Relations*., pp 14-16

<sup>458</sup> Bachmann, V. and Sidaway, J. (2009). 'Zivilmacht Europa: A Critical Geopolitics of the European Union as a Global Power'. *Transactions of the Institute of British Geographers*, Vol. 34, No. 1, pp. 104-105

<sup>459</sup> Bachman, V. (2013) 'The EU's Civilian/Power Dilemma'. *Comparative European Politics*, Vol. 11, No. 4, pp. 1–23.

ignored any reference to the EU's material interests<sup>460</sup>. The normative power theorists tried to present the EU as a "force for good", which gives the impression that the EU has no further financial and political interests in its international affairs. However, such a statement is false, as the EU is similar to any international actor, its shared financial and political interests are the main concerns. Hence, the fact that the EU is attempting to achieve some interests in the international relations, would be in contradiction with the rhetoric of acting up on the moral ground or ethical prerequisites, the imperative which the EU normative power should be based on. Moreover, the assumption that the EU's normative identity is based on its founded values and norms is far reaching theoretical analysis, such norms would be exclusively EU characters, while in truth it is shared by many international actors, such as the USA or the United Nations<sup>461</sup>.

The authors' contributions have focused on different case studies which are particularly interesting, although they are using different approaches to the epistemological question. The issue here in identifying the EU power, they have attempted mainly to separate interests from norms. In this respect interests and norms could be two sides of the same coin, whether according to Manners labelled as "discursive construction", "bounded rationality", "cultural hegemony" or "social preferences"<sup>462</sup>. What is obvious from these criticisms is that they are ontologically presumed by either the belief of the ultimate importance of the physical world and the unimportance of the social and subjective world, or they are based on the belief it is analytically possible these two concepts. The problem of the separation has been discussed by Diez who argued that "the point is not that normative power is not strategic, but that strategic interests and norms cannot be easily distinguished" and that the assumption of a normative sphere without interests is in itself nonsensical<sup>463</sup>.

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<sup>460</sup> Jørgensen, K.E. and Laatikainen, K. (2004). *The European Union and the United Nations*, Paper prepared for presentation at panel 154, Second Pan-European Conference on EU Politics, Bologna 24–26 June 2004.

<sup>461</sup> Ibid.

<sup>462</sup> Manners, I. (2007). 'Another Europe is Possible: Critical Perspectives on European Union Politics', in K. E. Jørgensen, M. Pollack and B. Rosamond (eds) *Handbook of European Union Politics* (London: Sage), pp. 77–95.

<sup>463</sup> Diez and Manners, note 295, pp. 173–88.

Hence, epistemologically all attempts to separate interests and norms are very problematic, especially when the question includes long and short-term interests, values, norms, and identity. Equally problematic is the inclination to explain the discourse of “force for good” and normative power in connection to materialism without reflecting on how these principles are constructed<sup>464</sup>. The “force for good” concept has emanated through the transatlantic discourse in the EU-US summit on 3 December 1995 and was incorporated into the 2003 European Security Strategy 2003. The transatlantic agenda stated: “we are determined to reinforce our political and economic partnership as a powerful force for good in the world<sup>465</sup>”.

In the same context, Laïdi criticised normative power theory due to the obvious separation from any notion of interests. According to the author, “European norms are seen as transcendental values, standing above European societies<sup>466</sup>”, however, there is a possibility of confusing the concept of normative power with the concept of “idealistic power, where everything would be about values and principles, and never about interests<sup>467</sup>”. Laïdi theory attempted to link social preferences to the concept of normative power, hoping to shed light on the idealistic trap and “to cross the bridge between material power and social power<sup>468</sup>”. According to the author, the normative power concept is mere façade created by the EU in its constant search for sources of legitimacy that might offset its ‘democratic deficit’. This pursuit of legitimacy forces the EU to validate its claims that it acts “in the general interest and that it is capable of doing so in those areas where the social demand for norm-based governance is strong<sup>469</sup>”.

Moreover, the concept of norms served as a mechanism to restrain the egotism of the member states in all sections of public policy, or what Laïdi described as “meta-value destined to domesticate undisciplined states... the will to circumvent

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<sup>464</sup>Pace, M. (2007). “Norm shifting from EMP to ENP: the EU as a norm entrepreneur in the south?”, *Cambridge Review of International Affairs*, Volume 20, Issue 4, December 2007, p.671

<sup>465</sup> EU-US Summit, Madrid, 3 December 1995: “the New Transatlantic Agenda and the Joint EU-US Action Plan”. This article first appeared in *Statewatch* bulletin vol 6 no 1 (Jan-Feb 1996). Available at: <http://www.statewatch.org/news/2008/aug/eu-usa-nta-1995.pdf>. [Accessed on 23 December 2018].

<sup>466</sup> Laïdi, (note 422), p 56.

<sup>467</sup> Ibid.

<sup>468</sup> Ibid.

<sup>469</sup> Ibid, p 64.

the political, or more specifically the constraints of politics, explains in large part the decisive role played by norms in the political construction of Europe<sup>470</sup>. Obviously, there is a good reason for Laïdi evaluation of egoism and self-interests orientated member states. This was evident in the initial response to the “Arab Spring”, where some member states and contrary to their rhetoric were eager to support the autocratic regimes to terminate the uprisings. However, this does not entirely discard the consideration of the EU relations with the Southern Neighbours from a normative perspective<sup>471</sup>.

Since 1995 and the creation of EMP, the EU discourse has devoted much attention to the development of normative principles in the south. Prior to this policy, the EU relationship with the neighbours’ objectives was basically deciphered into economic interests. The “trade policy was the ‘core business’ in both senses of the word of EU external policy<sup>472</sup>”. Then, the trade policy was increasingly influenced by political considerations. The EU Commissioner purposefully placed “social solidarity” and “sustainable development” at the heart of the trade policy discourse. The “pursuit of normative objectives is at the centre of the overarching trade objective of harnessing globalisation<sup>473</sup>”. The favourite motto of former Trade Commissioner Pascal Lamy: “It is no longer economic interests that are in question, but also values, the concept of society... Regarding development, human rights, social and environmental standards, the European Union brings with it values that have the aim of becoming Universal<sup>474</sup>”.

### **2.7.3. The Application of Conditionality Principle**

Most of the studies of the normative power tend to examine one empirical case, and often one EU principle. Indeed, the principle of conditionality which grabbed the attention of many scholars became a subject of deep and contentious criticisms. The EU strategy towards EU membership or mere partnership varies dramatically in terms of the incentives offered. While EU membership and

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<sup>470</sup> Ibid, p 59.

<sup>471</sup> Del Sarto, note 68, pp. 215-232.

<sup>472</sup>Orbie J (2011). “Promoting labour standards through trade: normative power or regulatory state Europe?” In:Whitman R (ed) *Normative power Europe: empirical and theoretical perspectives*. Palgrave, Basingstoke, p181

<sup>473</sup> Ibid.

<sup>474</sup> Pascal Lamy cited in Agence Europe (1999). Available at: <https://agenceurope.eu/en/home.html>. [Accessed on 6/12/2018].

partnership differ in terms of the end results, the former policy has intensely influenced the latter especially in terms of the conditionality principle. The concept of democratic conditionality, which considered as *sine qua non* political condition under the accession procedures has been described as the most effective approach, due to the incentive of EU membership. However, when such an incentive is lacking the normative impact is likely to be minimal<sup>475</sup>.

Bjorkdahl noted that EU effectiveness as norm promotor varies in terms of potential member states and simple partnership since the carrots offered are very different<sup>476</sup>. The author criticised the partnership inconsistency between the EU rhetoric and the actual outcomes, indicating that such inconsistency created obvious weakness in terms of the EU acting as normative promotor and policy maker. However, since conditionality is one of the most important mechanisms in relations between the EU and the southern Mediterranean countries, it's effectiveness may be undermined by the insufficient incentives offered. While the EU relied on the pre-conditions in the enlargement process, such a mechanism was absent in the EU- Southern Mediterranean relations context. Although there is clear emphasise on the "shared norms and common values", the EU was not able to pressurise Southern Mediterranean neighbours to implement these normative principles. Pace argued that "the EU seems, so far, unable to stick to one strategy, namely either of fostering its image as a normative power through the EU-Mediterranean relations or pursuing its political and economic interests in the region<sup>477</sup>".

Furthermore, since the EU as a normative power, is expected to act as the sole generator of the normative structure of this relationship, which implies a hierarchical model of governance. However, the Southern Mediterranean countries were reluctant to accept a hierarchical mode of governance, due to its contradiction with the concept of partnership<sup>478</sup>. This dynamic arguably reduces

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<sup>475</sup> Schimmelfennig, F., & Sedelmeier, U. (2004). Governance by conditionality: EU rule transfer to the candidate countries of Central and Eastern Europe. *Journal of European public policy*, 11(4), 661-679.

<sup>476</sup> Bjorkdahl, A. (2005). Norm-maker and Norm-taker: Exploring the Normative Influence of the EU in Macedonia. *Eur. Foreign Aff. Rev.*, 10, 257.

<sup>477</sup> Pace, M. (2007). Norm Shifting from EMP to ENP: The EU as a Norm Entrepreneur in the South? *Cambridge Review of International Affairs*, 20(4), 659-675.

<sup>478</sup> Theuns, note 37, pp. 287-302.

the EU's normative power in its relationship with the southern neighbourhood as it perceived to be driven exclusively by the EU. The neo-realists not only criticised the normative power EU concept itself, but also the effectiveness of the normative power in terms of achieving a normative end. Although the EU may be partially characterised by its normative interests and identity, the extent of achieving normative goals and the real impact in international politics rises multiple questions. Based on the military power versus soft power concepts, the neo-realists questioned whether by civilian means the EU can achieve normative objectives<sup>479</sup>.

The assessment of the EU intervention at the world stage not only showed ineffectiveness but clear inconsistency<sup>480</sup>. For instance, while the consolidation of democracy, human rights, good governance has become "essential clause" in most Association Agreements with Southern Neighbours, in practice the EU usually turn a blind eye when there is a breach of these principles. Furthermore, the essential clause lacked consistency in practice, when it comes to important partners such as China or Russia. Indeed, in contrast with Karen Smith, a prominent liberal-idealist, which stated that "the EU's stance on the death penalty distinguishes it from any key actors, thus emphasising its distinct international identity and providing its policy with some legitimacy<sup>481</sup>", neo-realists highlighted that while the EU rhetorically emphasised democracy or human rights issues, such as the abolishment of the death penalty, this does not extend to taking sanctions especially against major economic powers.

Hence, empirical evidence demonstrates that EU record in achieving normative principles is debatable at the least<sup>482</sup>. Although, the death penalty as an example given seems to be not relevant to my thesis which is the democratisation of the southern Neighbours. However, based on the EU approach, as we will discuss later, there is no separation between the EU's normative principles. The lack of conceptual clarity in democracy is one of the most puzzling features of the EU's

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<sup>479</sup> Kagan, R. (2003). *Of Paradise and Power. America and Europe in the New World Order*, p.57. (New York: Knopf)

<sup>480</sup> Larsen, H. (2017). The Performativity of the Capability-Expectations Gap. In *Gaps in EU Foreign Policy* (pp. 47-73). Palgrave Macmillan, London.

<sup>481</sup> Smith, E. K. (2003). "Human Rights", *European Union Foreign Policy in a Changing World*, (Cambridge, UK: Polity; Madlen, MA: Blacwell Pub., pp.108-110.

<sup>482</sup> Forsberg, note 42, pp. 1183-1204.

action in this field<sup>483</sup>. The EU conceptualisation of democracy is subject to inconsistency, ambiguity and competing visions. Very often, the democracy references are accompanied by human rights, good governance and rule of law<sup>484</sup>.

#### **2.7.4. EU self-Preservation versus Normative Principles**

Manners argument that the EU is a unique entity in world politics due to its normative based identity, ideational values and principles have been subject to multiple criticisms. These criticisms are particularly compelling about the need to reconsider the EU actorness in the Southern Mediterranean and to evaluate both the normative and empirical dimensions of its commitments in the region.

In this context, neo-realists indicated that normative objectives are a mere façade to the EU's self-preservation concerns, which prevails over all other interests. For instance, the pursue of democratisation as a foreign policy objective is actually pursuance of the EU Member States security considerations<sup>485</sup>. Smith identified three main issues which affected the EU policies consistency in the near-broad "commercial considerations of one or more-member states, security and political considerations including the desire of the member states to protect important bilateral relationships; and doubts about the effectiveness of negative measures<sup>486</sup>".

What Smith intended to argue, is that normative principles are developed within a dual system of the EU's external relations governance, which resulted in the defragmentation of the EU's policies development. The author suggested, as we stated above, that while security considerations are not, in essence, incompatible with normative principles, however, the deficit of comprehensive normative policies demonstrates that the EU's promotion of normative principles does not necessarily stem from its identity and practices but from its influential member

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<sup>483</sup> Landman, T and Larizza, M. (2010). *EU Policy Discourse: Democracy, Governance and Human Rights* (International IDEA 2010).

<sup>484</sup> Timmer, A. Majtényi, B. Häusler, K. and Salát, O. (2014) 'EU Human rights, democracy and rule of law: from concepts to practice', (FRAME Deliverable 3.2 <http://www.fp7-frame.eu/wp-content/uploads/2016/08/10-Deliverable-3.2.pdf>. Accessed ON 16/01/2019. [Accessed on 10/1/2019].

<sup>485</sup> Pace, M. (2009). Paradoxes and contradictions in EU democracy promotion in the Mediterranean: the limits of EU normative power. *Democratisation*, 16(1), 39-58.

<sup>486</sup> Smith, (note 481), p. 141.

states<sup>487</sup>. However, what the author failed to note is that the security agenda increased the effectiveness of the EU as a normative power. In particular, the EU has presented multiple proposals not only to protect the EU itself but as well to build the trust and change the attitudes between the conflict ridden southern neighbours. Having said that, the defragmentation of the EU policies towards the Southern Mediterranean countries is real problem in terms of the effectiveness of the EU, not only in terms of the policies, such as the separation between the EMP and ENP, But as well the separation between the policy makers and the developers on the ground<sup>488</sup>. Furthermore, the political agenda of some member states may not entirely correspond with the EU normative power. Indeed, such contradiction can be observed following the “Arab Spring”, where France for example, was not content with the uprising in Tunisia, as it tried to support the Tunisian regime. Hence, there is a real contradiction and incoherence between the EU and its Member States discourse and actions.

Drawing all these criticisms together, we can argue that there has been a significant preoccupation with the legitimisation of the EU’s normative power. As Aggestam put it “what is really needed today is a focus on the ethical dilemmas involved in choosing either the military or civilian instruments in foreign policy; that is, on the justifications behind the exercise of power<sup>489</sup>”.

The author also indicated that the deficiency in the normative power debate is mainly the evaluation of the EU’s norms based on pre-existing objective standards, or what the author claimed as “a charge often labelled at academics who seek to evaluate the EU’s international role is that they failed to agree on a set of explicit methodological rules by which to analyse foreign and security policy<sup>490</sup>”. Consequently, “they run the risk of simply confirming political, subjective assumptions, rather than opening up their analyses to the possibility that their findings can be refuted by empirical evidence<sup>491</sup>”. What is being articulated in this section is the legitimacy concerns regarding the EU’s normative

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<sup>487</sup> Ibid, p. 101.

<sup>488</sup> Tömmel, I. (2016). EU Governance of Governance: Political Steering in a Non-Hierarchical Multilevel System. *Journal of Contemporary European Research*, 12(1).

<sup>489</sup> Aggestam, L. and Hill, C. (2008) ‘The Challenge of Multiculturalism in European Foreign Policy’, *International Affairs*, 84 (1), 90.

<sup>490</sup> Ibid, p. 92.

<sup>491</sup> Ibid.

power, or what Aggestam put forward “is there a legitimate basis on which the EU can claim to be a universal force of good- or is this claim simply a ratification of a particular European conception of the good?<sup>492</sup>”. Manners stipulated that this question was at the heart of his theory from the beginning, stating that “I have attempted to develop an argument that normative power in general, and the EU’s normative power in particular, is sustainable only if it is felt to be legitimate by those who practice and experience it<sup>493</sup>”. Hence, at the heart of the normative power debate, there is still some doubt in relations to the validity of the EU status as a normative power. Indeed, in terms of the legitimacy of the EU normative power, while we tried to refute the impression that normative power theory has disregarded classical forms of power, the inconsistency between the EU rhetoric and action has been highlighted by many scholars since the Barcelona process<sup>494</sup>. Although we have argued that theoretically this problem can be explained by the normative approach, long term goal of certain objectives such as democratisation, nevertheless this issue has become the main criticism of the NPE.

Another criticism of the NPE has been highlighted in this part is how the EU is balancing its interests and normative objectives. The analysis of this issue argued against three main points. Firstly, the EU may not be acting as an imperial power<sup>495</sup>. Secondly, the EU interests and norms cannot be easily distinguished. Thirdly, we should not confuse normative power with idealistic power<sup>496</sup>. Having said that, the EU protection of its member states interests has become a considerable block in the NPE effectiveness. Indeed, the EU restrictions of the Southern Neighbours agricultural products, for example, reduced the EU influence and bargaining power.

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<sup>492</sup> Ibid. 91.

<sup>493</sup> Manners, I. (2008) ‘The Normative Ethics of the European Union’, *International Affairs*, 84 (1), p46

<sup>494</sup> Mišák, M. (2019). The EU’s Democratisation: Normative Power Europe Meets External EU Perception Literature. In *Democracy Promotion and the Normative Power Europe Framework* (pp. 37-51). Springer, Cham.

<sup>495</sup> Pänke, J. (2015) *The Fallout of the EU’s Normative Imperialism in the Eastern Neighborhood, Problems of Post-Communism*, 62:6, 350-363, DOI: [10.1080/10758216.2015.1093773](https://doi.org/10.1080/10758216.2015.1093773).

<sup>496</sup> Fanoulis, E. (2018). The EU’s Democratisation Discourse and Questions of European Identification. *JCMS: Journal of Common Market Studies*, 56(6), 1362-1375.

The limits to the EU bargaining power lead us to discuss a fundamental principle in the EU approach which is conditionality. In terms of the positive conditionality, while incentives are an important factor in inducing the neighbouring countries to implement political reforms, the lack of substantial incentives renders the EU influence on the Southern neighbours very restricted<sup>497</sup>. For this reason, the EU reintroduced the negative conditionality after the “Arab Spring”. However, as we will argue later, the application of this top-down principle, while it is against the principle of co-ownership, it may as well be very inflammatory in the relationship with the neighbours.

The last main criticism is self-preservation and security consideration. This point has been dealt with in two parts. Indeed, the EU intended to strengthen its security and therefore the security of its neighbours. In fact, the security agenda may increase the effectiveness of the EU as a normative power takes into consideration the conflict-ridden neighbourhood. Having said that, the security dilemma was evident during the “Arab Spring” where there is a clear contradiction between security prioritisation and democracy<sup>498</sup>.

## **2.8. Europeanisation of the Southern Neighbourhood**

From a normative power perspective, the EU pursues the promotion of its values and norms in the near abroad, in a manner aimed at the ‘Europeanisation’ of the neighbouring countries. Within this Europeanisation context, democratisation process plays an important role. In order to assess the EU diffusion of its norms generally, and democracy promotion, in particular, I will rely on the theoretical framework of Europeanisation of the Southern Mediterranean countries. We will try to conceptualise the theories of Europeanisation and democratisation respectively, followed by the notions of conditionality and socialisation which are integral concepts in the analysis of NPE within the Southern Mediterranean context.

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<sup>497</sup> Freyburg, Lavenex, Schimmelfennig, Skripka, & Wetzel, note 35, pp. 25-41.

<sup>498</sup> Roccu, R & Voltolini, B. (2018) Framing and reframing the EU’s engagement with the Mediterranean: Examining the security-stability nexus before and after the Arab uprisings, *Mediterranean Politics*, 23:1, 1-22, DOI: [10.1080/13629395.2017.1358895](https://doi.org/10.1080/13629395.2017.1358895).

### 2.8.1. Understanding Europeanisation Concept in the Near Abroad

The EU democratisation process is connected with the paradigm of Europeanisation, which from one perspective has rich democratic content, and from the other, it relates to the empowerment of the EU institutions. Democratisation and Europeanisation are overlapping concepts, although Europeanisation is a wider notion<sup>499</sup>. Hence, it is necessary to explain the concept of Europeanisation within this framework.

Europeanisation has traditionally depicted the integration process of the new member states into the EU's "community". The concept has been adopted subsequently by the international relations scholars to describe the process of the EU's incentives to partner states in return of the political, legal and economic reforms implementation in fulfilment of the EU's standards<sup>500</sup>. Hence, the Europeanisation concept infers a degree of domestic adjustment accredited to EU intervention and collaboration with the partner states<sup>501</sup>. This concept is a central theoretical and analytical tool in the context of this thesis.

Defining Europeanisation is not an easy task, as it has taken different forms throughout the literature. This assessment is relatively more accurate when applying this concept to the EU's relations with developing countries rather than to its enlargement process. Initially, Europeanisation was interpreted as the adoption of the new member states of the EU's legislation<sup>502</sup>. While generally, it explained the transfers of the institutional settings, hypothesised as the EU's uploading of the norms and values which developed as regulations and progressively downloaded towards developing countries domestic institutions<sup>503</sup>. Borzel defined Europeanisation as the influence of the EU norms, policies, and

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<sup>499</sup> Emerson, M. Senam, A. Noutcheva, G. Tocci, N. Vahl, V & Youngs, R. (2005): "The Reluctant Debutant. The European Union as Promoter of Democracy in its Neighbourhood", *Center for European Policy Studies*(CEPS), No. 223/July 2005, p.4.

<sup>500</sup> Shimmelfennig, F., & Sedelmeier, U. (2005). Introduction: Conceptualizing the Europeanization of central and eastern Europe. In F. Shimmelfennig & U. Sedelmeier (Eds.), *The Europeanization of central and eastern Europe*. London: Cornell University Press. Pp: 5-6

<sup>501</sup> Radaelli, C. M. (2006). Europeanization: solution or problem? *Advances in European Union Studies* (pp. 56-76). Palgrave Macmillan, London.

<sup>502</sup> Börzel & Risse, note 400, pp. 1-19.

<sup>503</sup> Vink, M. (2003). What is Europeanisation? And other questions on a new research agenda. *European Political Science*, 3(1), 63-74.

politics on the developing countries<sup>504</sup>, while Schimmelfennig and Sedlmayr defined the concept as “a process in which states adopt EU rules<sup>505</sup>”. According to Emerson et al, the process of Europeanisation is explained by the theorisation of the EU as a composition of institutions, normative principles and values which denotes a robust manifestation of democratic components<sup>506</sup>. Van Houtum et al<sup>507</sup> described Europeanisation as a combination of “rational institutionalism through policies of conditionality, and sociological institutionalism through norm diffusion and social learning<sup>508</sup>”. The short-term reforms may occur through conditionality. However, the deep-rooted improvements can only be expected in the long term through the actual transformation of normative identities and interests. The initial changes through Europeanisation may be seized through rational choice of the regimes, over the longer terms the internal process usually become the main engine of reforms.

Europeanisation is a complex concept, subject to many contested definitions. However, it can be divided into two sections. First, the process around “the impact of the policy outcomes and institutions at the European level on domestic politics and policies<sup>509</sup>”. Second, Europeanisation can be described as the process of adopting the EU normative principles through the interaction of three factors: the legality of the normative principles, the transformative objectives and the interests, the transformative impact of the norms and identities<sup>510</sup>. While, it is possible to differentiate between enlargement Europeanisation and Neighbourhood Europeanisation, for the purpose of this thesis, it is the latter which we are interested in.

Barbe’ et al. refers to the neighbourhood Europeanisation as the adoption of the *acquis communautaire* by the ENP partners’, and specifically the normative

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<sup>504</sup> Börzel, T., & Risse, T. (2000). “*When Europe hits home: Europeanization and domestic change*”, p 3, papers.ssrn.com.

<sup>505</sup> Schimmelfennig and Sedelmeier, (note 47), p 16.

<sup>506</sup> Emerson, M., & Youngs, R. (2005). Democracy’s plight in the European neighbourhood struggling transitions and proliferating dynasties. *Centre for European Policy Studies*, p. 169.

<sup>507</sup> Emerson, M., & Noutcheva, G. (2004). *Europeanisation as a Gravity Model of Democratisation*. CEPS Working Documents No. 214, 1 November 2004.

<sup>508</sup> Van Houtum, H., & Boedeltje, F. (2011). Questioning the EU’s Neighbourhood Geo-Politics: Introduction to a Special Section. *Geopolitics*, 16(1), 121-129.

<sup>509</sup> Schimmelfennig, F & Ulrich S. (2005). *The Europeanization of central and Eastern Europe*, Cornell University press, 2005, p.5.

<sup>510</sup> Emerson et.al, (note 499), p. 4.

principles associated with the *aquis politique*, such as human rights and democracy. The narrow interpretation was justified by the jeopardy of contemplating “all EU-driven transfers of rules and practices as Europeanisation<sup>511</sup>”. The authors added that the spread of liberal political and economic norms also promoted by different international actors, emphasising the concept of Europeanisation should be limited to circumstances which the identification of the EU normative principles adoption by the partners’ is well codified<sup>512</sup>. Europeanisation “is seen as a one-way street relationship in which the EU exports the products of integration. In this sense, the role of the EU as a carrier of ideas and ideals (integration and shared experience) acts as a model or a normative template for non-EU states<sup>513</sup>”.

The comparative angle between the “*acquis communautaire*” and the normative principles adopted by the Southern neighbours should be brought here for further analysis. While the normative principles are identical, the manner by which the EU transfer these norms are to some extent different. Under the accession procedures the “Copenhagen criteria” are implemented more rigorously, as the potential EU member states won’t be able to join in unless the country has satisfied the full requirements<sup>514</sup>. However, when it comes to the EU-Southern Mediterranean relationship, the normative principles are long term objectives, which are based mainly on association and socialisation rather than strict conditionality<sup>515</sup>. As we will discuss further on, the conditionality principle usually applied in a positive manner rather than negative. In other words, the EU is reluctant to use sanctions or threats, but rather positive incentives.

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<sup>511</sup> Barbé, E., Costa, O., Herranz, A., Johansson-Nogués, E., Mestres, L., Natorski, M., & Sabote, M.A. (2008). Europeanisation beyond the EU and the other games in town: A framework for the analysis of emerging patterns of Europeanisation, internationalization and coordination between the EU and its neighbours. *Observatory of European Foreign Policy*. Institut Universitari d’Estudis Europeus: Barcelona. Page 8-9.

<sup>512</sup> Ibid

<sup>513</sup> Bruno, I. (2016). Between Rhetoric and Implementation of EU Relations in The Mediterranean: The Case of the European Neighbourhood Policy (ENP) In Egypt. The thesis of Doctor of Philosophy of the University of Portsmouth at: [researchportal.port.ac.uk](http://researchportal.port.ac.uk). [Accessed on 20th of September 2018].

<sup>514</sup> Marktler, T. (2006). The power of the Copenhagen criteria. *Croatian yearbook of European law & policy*, 2(2.), 343-363.

<sup>515</sup> Manners, I. (2010). As you like it: European Union normative power in the European Neighbourhood Policy. In *The European Neighbourhood Policy in Perspective* (pp. 29-50). Palgrave Macmillan, London.

In this context, Escribano assessed not only the Europeanisation concept generally, but as well the incentives offered by the EU. He described Europeanisation in the Southern Mediterranean as “Europeanisation without Europe” due to the inexistence of membership prospect<sup>516</sup>. The author theory is based on the analysis of the ENP policy offer viability from an economic and political perspective. Principally, he questioned if the full access to the single market possibility is a realistic proposition, taking into account the EU’s member states bickering especially regarding the agriculture products as well as the Southern Mediterranean economic status. He came to the conclusion that ENP Europeanisation is a matter of modernisation process. Hence, the Economic Europeanisation in the region is not reasonably achievable since the process so far was unsuccessful in mobilising effectively the partners’ in reforming their economic status quo in line with the EU laws<sup>517</sup>. The current incentives offered by the EU are minimal and a mere cosmetic in comparison with the reforms required. The agricultural and manufacturing sectors, as an example, remained controversial in the EU’s relationship with the ENP member states. Although the Association Agreements with individual Southern Mediterranean states have opened the door to more completion in these fields, the interests of the member states, as well as EU policies such as the Common Agricultural Policy (CAP), have eliminated the possibility of positive impact<sup>518</sup>. Subsequently, the Author remained sceptical not only regarding the liberalisation process but to the Europeanisation generally, stating that exporting Europeanisation “is not a mechanical process, but rather a context-related one that follows path-dependency<sup>519</sup>”. In essence, the author was criticising the incentives offered by the EU. The high costs of the southern adopting the normative principles and the low incentives offered can combine to make the proposed alignment with the EU’s too costly to sustain for the southern neighbours and societies<sup>520</sup>. The validity of this argument can be observed in this thesis through the predominant interest

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<sup>516</sup> Escribano, G. (2006). *Europeanization without Europe: The Mediterranean and the neighbourhood policy*. EUI working papers RSCAS no. 2006/11. P 3.

<sup>517</sup> Ibid page 15

<sup>518</sup> Gomez, R., & Christou, G. (2004). *Foreign Economic Policy: The EU in the Mediterranean. Contemporary European Foreign Policy*. London: Sage, p 191.

<sup>519</sup> Escribano, (note 516), p15.

<sup>520</sup> Seeberg, P. (2009). The EU as a realist actor in normative clothes: EU democracy promotion in Lebanon and the European Neighbourhood Policy. *Democratisation*, 16(1), 81-99.

protection of the southern European countries (France, Spain and Italy) The Euro-Mediterranean relationship is shaped by the interests of the southern European countries, which are expressed either in a bilateral or multilateral way<sup>521</sup>. Despite the long list of requirements attached to the Action Plans for each Southern Neighbours, the EU failed to provide them with substantial concessions in fisheries or agricultural sectors. Hence, despite the EU rhetoric on the creation of a Mediterranean free-trade area, the easing of customs restrictions for some agricultural products within the preferential system of trade, when it comes to important practical economic decisions, the EU fails to take into considerations the Southern Neighbours priorities. Hence, the question of how the EU can influence the neighbours stands on normative principles if it cannot provide sufficient incentives.

The equilibrium between the high costs and low incentives has been highlighted further by multiple scholars. Bruno, for example, has focused on the ENP and described Europeanisation concept as “the impact of the EU on partners’ domestic structures<sup>522</sup>”, which can be differentiated. Accordingly, the impact is contingent on different factors stemming from the partners’ internal affairs, which includes the costs of implementation, the capacity to implement the changes and the willingness to implement the reforms taken into account the potential costs of the reforms<sup>523</sup>. Hence, while the implementation costs constitute a challenge to most partners’, the willingness and capacity to implement the reforms will fluctuate. We should indicate that in the case of the ENP member states, the Europeanisation impact is vastly reliant on the degree of the democratic status of the partners. The more autocratic the regime is, the greater the costs for Europeanisation and the worse off ability and willingness to implement the reforms. Accordingly, the partners’ capacity “plays a crucial role in mitigating the transformative power of Europe<sup>524</sup>”. In this context, Borzel argued that the socialisation mechanisms effectiveness is depending on the partners’ willingness to reforms its policies and legislations in line with the EU’s. Henceforth, the

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<sup>521</sup> Gstöhl, note 396, pp.269-289.

<sup>522</sup> Bruno, (note 513), p 6.

<sup>523</sup> Ibid.

<sup>524</sup> Borzel, T. (2010). *The transformative power of Europe reloaded. The limits of external Europeanization*, KFG working paper series, No.11, February 2010, KollegForscherguppe (KFG). *The Transformative Power of Europe*: Freie Universität Berlin. page 7.

rational explanation does not stipulate the constraints on the partners' only in terms of costs and capacity, but also in terms of the stage of democracy<sup>525</sup>.

In sum, we can define the concept of Europeanisation in the Southern Mediterranean basin as the process of implementing the EU rules on the partners' internal legislations and policies. This process can be through conditionality or socialisation which we will explain further in the next part. In terms of conditionality, we discussed in this section the deficiency of incentives offered which may render the possibility of influencing the neighbouring countries negligible. Based on the theoretical assessment at the beginning of this part, the conditionality principle in the Europeanisation process may give the impression that the EU is relying on a top-down approach, however, the assessment of the ENP as the main instrument in transferring the EU norms and values including democracy, in fact, it relies on a mixture of top-down and socialisation process. A close analysis of democratisation process theory may help us understand the effectiveness of the EU approach as a normative promotor. The other variables, such as other international institutions, the USA are beyond this thesis.

### **2.8.2. Conceptualisation of Democratisation**

The democratisation effort is an integral part of the EU's normative power transformative approach. This part will examine the democratisation phases, as I will rely on these separate phases to assess the role of the EU in supporting the democratic reforms in the Southern Neighbourhood and particularly in Tunisia. Furthermore, I will rely on this theoretical framework to distinguish between the EU's democracy support and EU democracy promotion.

Democratisation is the process of transformation towards democratic governance, or what Potter described as "political changes moving in a democratic direction<sup>526</sup>". Hence, democratisation is the process of development along the spectrum from the undemocratic system of governance to

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<sup>525</sup> Ibid.

<sup>526</sup> Potter, David (1997): "Explaining democratisation", in D. Potter, D. Goldblatt, M. Koloh and P. Lewis (eds.) *Democratisation*, Cambridge: Polity Press and Malden, US: Blackwell Publishers Inc., p. 3.

democracy<sup>527</sup>. This transition paradigm has been described as the democratisation phases. Daniel Silander distinguished between three phases of democratisation: pre-transition phase, transition phase, and consolidation phase<sup>528</sup>.

- The pre-transition phase is when the un-democratic country may enjoy some socio-economic liberalisation and limited pluralism.
- The transition phase is the stage when a regime is moving away from the undemocratic mode of governance to an electoral rule. However, identifying this phase can be problematic, for example following the Arab spring and the toppling of the Egyptian president Hosni Mubarak, it may not be considered in the transition process due to the fact that power remained in the hands of the army generals. That period can be described as 'political grey zone', neither dictatorship nor democracy.
- The consolidation phase: Although it is subject to disagreement as to what constitutes this phase. Generally speaking, is the establishment of a governance system in "a form of political community in which the institutional settings are surrounded by a high level of political rights and civil liberties<sup>529</sup>".

For the purpose of this thesis, while we will try to examine the EU efforts in the democratisation process, there are methodological limitations to Daniel Silander's three phases assessment. First, not all these neighbours have reached all these phases. In fact, the majority remained in the pre-transition phase. Hence, this process will only be applicable in Tunisia, as my case Study. However, according to Dahl, there are different internal and external factors, which can influence the democratisation process. Although internal factors, such as socio-economic, cultural and political factors are important, for the purpose of this thesis, we will only concentrate on the external factors (EU democracy promotion), as the main topic is the impact of the EU as an external power in the

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<sup>527</sup> Foa, R. S., & Mounk, Y. (2016). The democratic disconnect. *Journal of democracy*, 27(3), 5-17.

<sup>528</sup> Silander, D. (2005). *Democracy from The Outside in? Conceptualization and Significance of Democracy Promotion*. Växjö: Växjö University Press.

<sup>529</sup> Herman, L. E. (2016). Re-evaluating the post-communist success story: party elite loyalty, citizen mobilization and the erosion of Hungarian democracy. *European Political Science Review*, 8(2), 251-284.

democratisation of the southern Mediterranean countries. The external democratisation factors can be divided into democracy diffusion and democracy promotion.

- 1) Democracy diffusion can be described as the process, through which the states and their societies are persuaded to adopt norms and values by the influence of international actors. The diffusion of the democratic norms, according to Uhlin, can be applied in different forms 'uncontrolled, controlled, planned and spontaneous', and stipulated four required apparatuses: "The first one being the source of the emitter, the second one the adopter or the receiver, the third one the object that is diffused, and the fourth one the channel of diffusion<sup>530</sup>".
- 2) Democracy promotion: Defining democracy promotion is not an easy task. Although it became an interesting topic of researches in world politics, the multiple definitions may sometimes create some confusion, as sometimes refers to similar or close phenomenon such as democracy support, assistance or aid, which in fact a mere subcategory to the concept of democracy promotion. For the purpose of this thesis, we will refer to Schmitter and Brauwer's definition of democracy promotion. Within the context of democratisation, the scholars distinguished between democracy promotion and democracy protection. The former process can describe the pre-transition and transition phases (liberalisation and democratisation phases), while democracy protection refers to the consolidation phase. Although from a theoretical perspective it is easy to separate the two concepts, the democracy promotion seems to be focusing on the electoral democracies, which render it subject to many criticisms<sup>531</sup>. Hence, the purpose of this thesis, adopting combined definition of democracy promotion and protection is more suitable. Accordingly: "democracy promotion (and protection) consists of all overt and voluntary activities adopted, supported, and (directly or indirectly)

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<sup>530</sup> Uhlin, A. (1995): Democracy and diffusion: Transnational lesson-drawing among Indonesian pro-democracy actors, Lund: *Lund Political Studies* 87, 1995, p. 41, in Osipova, S. (2010). *The Normative Power of the EU in neighbourhood democratisation within the framework of the ENP: A case study on Armenia*. diva-portal.org., p 12.

<sup>531</sup> Levitsky, S., & Way, L. (2002). The rise of competitive authoritarianism. *Journal of democracy*, 13(2), 51-65.

implemented by (public or private) foreign actors explicitly designed to contribute to the political liberalisation of autocratic regimes, democratisation of autocratic regimes or consolidation of democracy in specific recipient countries<sup>532</sup>.

At this stage, it should be noted that while defining the democracy promotion effectiveness is subject to many difficulties, but there is also lack of an adequate theoretical framework of evaluating the effectiveness of democracy promotion, which renders any research in this field not only hard but subjective. The fact that there are multiple actors, objectives, methods and tools, “each one of which can be measured in its own way<sup>533</sup>” render any particular theoretical framework subject to criticisms. The theoretical framework developed by Daniel Silander may possibly allow us partially to overcome this difficulty. The author stipulated that the effectiveness of democracy promotion is based on the identification of the norm promotor and its different approaches, the adequacy of the democracy promotion channels, and the assessment of the real impact on the recipient domestic actors<sup>534</sup>. However, while Silander theoretical framework deals with the effectiveness of the democracy promotion in general terms, the objective of this thesis in essence, is to assess in particular the EU’s efforts in the democratisation of the Southern Mediterranean countries. Silander theoretical framework was a general outline of the democracy promotion<sup>535</sup> and did not take into consideration the peculiarity of the EU decision making the process, nor the multilateral framework of the EU’s policies, whether the EMP or the ENP. Hence, in order to understand the effectiveness of EU’s democracy promotion, we may have to rely further on the notable amount of research carried out by Emerson, Schimmelfenning, Schumacher and Young which contributed extensively to the broader understanding of the external impact on democratising Southern Mediterranean countries.

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<sup>532</sup> Schmitter, P. C. & Brouwer, I.(1999) “*Conceptualizing, Researching and Evaluating Democracy Promotion and Protection*”, EUI Working Paper, SPS 99/9, Florence (European University Institute), p.12

<sup>533</sup> Burnell, P. (2007). “*Does International Democracy Promotion Work?*”, Discussion Paper, German Development Institute, 17/2007, p.2

<sup>534</sup> Ibid, p 3

<sup>535</sup> Silander, (note 528).

### 2.8.3. The Modes of Europeanisation through democratisation: Persuasion, engagement and differentiation

This part of the analysis involves reviewing the manner through which NPE is developed in the ENP, in particular by studying the processes of engagement, persuasion and differentiation. The normative power, as we discussed above, is applicable through persuasion, argumenta and ability to shame or confer prestige<sup>536</sup>. The persuasion approach derives from the manner in which the “norms are expressed through language and the process of argumentation and debate which can shape what is said subsequently in both domestic and international venues<sup>537</sup>”.

This statement, as indicated by Constructivism theorists, should pave the way towards two theoretical directions: Discourse theory and sociological institutionalism theory<sup>538</sup>. Although some theorists tend to subsume the two theories under the socialisation process<sup>539</sup>, it is worth at least theoretically to differentiate between the two types of action. Discourse and communication school mainly concentrate on the normative principles’ changes in its ideational dimension, whereas sociological institutionalism focus on the normative changes whether institutionally in terms of rules and regulations or in practices<sup>540</sup>. Regardless of this division, although persuasion can be discernible, it can take a different path of action. Checkel described one category as the move in ideational settings that relate to non-ideational contexts<sup>541</sup>. In another words, the changes in international relations may remove the previous restrictions and creates new opportunities favourable to political reforms. Ideational transformation can be equally important among domestic actors. In this situation, many scholars differentiated between civil society and domestic elites. The latter can be

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<sup>536</sup> Manners, (note 493), p. 57.

<sup>537</sup> Rosemary, F. (2000), *Rights beyond Borders: The Global Community and the Struggle over Human Rights*. Oxford: Oxford University Press, p. 9.

<sup>538</sup> Risse, T. (2004). Social Constructivism and European Integration. “*In European Integration Theory*, eds. Antje Wiener, and Thomas Diez. Oxford: Oxford University Press, pp 162-165

<sup>539</sup> Schimmelfennig and Sedelmeier, (note 440), pp 4-12.

<sup>540</sup> Börzel, T, and Risse, T. (2009). “*The Transformative Power of Europe: The European Union and the Diffusion of Ideas*”. KFG Working Paper (1), May 2009., p9. Berlin: Freie Universität Berlin. URL (cited on 16 July 2012): Available at: [http://www.polsoz.fuberlin.de/en/v/transformeurope/publications/working\\_paper/WP\\_01\\_Juni](http://www.polsoz.fuberlin.de/en/v/transformeurope/publications/working_paper/WP_01_Juni). [Accessed 21/ 2/2017].

<sup>541</sup> Checkel, J, T. (2001). “Why comply? Social Learning and European Identity Change”. *International Organization* 55: 553-588.

persuaded to accept democratic reforms in the transition phase<sup>542</sup>, whether through the persuasion of the civil society or through the communicative transfer of norms and advocacy of internal or external actors<sup>543</sup>. In its ideal form, the theory of communicative action of democracy promotion indicates that if there are certain constraints to create a common ground for communications, there is still a possibility that national actors will foster the foreign actors' persuasive arguments. This form of diffusion can be described as "an innovation which is disseminated through specific information channels and finds acceptance<sup>544</sup>". Research has shown that positive effect is noticeable when imitation occurred not simply due to socialisation but as a product of an assumed superior idea persuasion<sup>545</sup>.

The area of my interest where this effect can be seen is the Southern Mediterranean. For decades, the Southern Neighbours have been characterised by autocratic regimes<sup>546</sup>. Arguably, they were considered to lack any considerable internal precondition for democratisations. In terms of the external factors, they were considered as supporting elements to the autocratic regimes. Indeed, the EU and its member states were more interested in the access to resources and protecting the status quo of a stable and secure region rather than democratisation<sup>547</sup>. Nevertheless, the events of 2011 have shown that the EU as an established mixture of democracies served as a role model in the overthrowing of some Arab regimes. Two elements were central to these changes: Ideational change among domestic elites through persuasion to accept democratic rules and the effective communication of persuasion throughout the rebellions.

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<sup>542</sup> Buzogány, A. (2016). Governance and governmentality of EU neighbourhood policy. Two perspectives on the role of civil society in external democracy promotion. *European Engagement Under Review. Exporting Values, Rules, and Practices to Post-Soviet Space*, Stuttgart, ibidem-Verlag, 59-84.

<sup>543</sup> Schmitter, P. C., & Sika, N. (2017). Democratisation in the Middle East and North Africa: A More Ambidextrous Process? *Mediterranean Politics*, 22(4), 443-463.

<sup>544</sup> Lauth, H.J. Pickel, G. (2009). "Diffusion der Demokratie- Transfer eines erfolgreichen Modells?" In *Externe Faktoren der Demokratisierung*, eds. Gero Erdmann, and Marianne Kneuer. Baden-Baden: Nomos, pp. 37-74.

<sup>545</sup> Ibid, pp; 65, 67

<sup>546</sup> Ovádek, M., & Wouters, J. (2017). *Differentiation in Disguise? EU Instruments of Bilateral Cooperation in the Southern Neighbourhood*. Leuven Centre for Global Governance Studies, Working Paper Np.

<sup>547</sup> Morillas, P., & Lecha, E. S. (2017). *The EU's Framing of the Mediterranean (1990-2002): Building a Euro-Mediterranean Partnership* (No. 2). MEDRESET Working Papers.

In summary, in the diffusion of norms through persuasion, multiple actor groups should be taken into account: external actors which should have access to internal actors, domestic elites which seek to influence the society and constitute a communicative link between the external world and the domestic societies, and finally domestic civil society which represent the area where domestic norms and values take root<sup>548</sup>.

However, the concept of persuasion has little significance without a context for engagement and the ability to differentiate in the attribution of shame or prestige. The engagement process warranting that the EU encourages dialogue and supports participation in its relationship with the neighbours. Initially, the EMP intended to ensure the engagement multilaterally, whether through governments, institutions or civil societies. In contrast with this approach, the ENP has been premeditated more as a bilateral system with the intention to support reforms<sup>549</sup>. Having said that, the ENP did not completely ignore the importance of the multilateral approach. Indeed, some illustration of this approach can be observed through the increasing avenues for engagement and debates between the different participants from EU, Mediterranean and Eastern Europe<sup>550</sup>. What can be observed, anyway, is that the EU has abandoned its regionality approach under the EMP for more differentiated bilateralism under the ENP, based on Action Plans and benchmarking<sup>551</sup>. As the Commissioner Communication stated “the drawing up of an Action Plan and the priorities agreed with each partner will depend on its particular circumstances. These differ with respect to geographic location, the political and economic situation, relations with the European Union and with neighbouring countries, reform programmes, where applicable, needs and capacities, as well as perceived interests in the context of the ENP. Thus, the Action Plans with each partner will be differentiated. Differentiation should at the same time be based on a clear commitment to shared values and be

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<sup>548</sup> Beichelt, T. (2012). The Research Field of Democracy Promotion. Centre for Comparative and International Studies, ETH Zurich and University of Zurich. *Living Reviews in Democracy*, p7. Available at: <http://www.livingreviews.org/lrd-2012-1>. [Accessed on 27/10/2018].

<sup>549</sup> Bremberg, N. (2017). Perspectives on Euro-Mediterranean cooperation. *Routledge Handbook of Mediterranean Politics*. Routledge.

<sup>550</sup> Examples: The Anna Lindh Foundation and the StrataGen programme at the Centre for European Policy Studies.

<sup>551</sup> Dannreuther, R. (2006), ‘Developing the Alternative to Enlargement: The European Neighbourhood Policy’, *European Foreign Affairs Review*, 11, pp. 191–92.

compatible with a coherent regional approach, especially where further regional cooperation can bring clear benefits<sup>552</sup>". The Commissioner reiterated again in 2006 that: "we agree Action Plans with our partners which set out the path to a closer relationship. Differentiation is the key; each country's Action Plan responds to its particular needs and benefits<sup>553</sup>". The differentiation concept indicates that partner countries have the opportunity to participate in the development and reviewing of the Action Plans. The main purpose of this approach was to offer the partners a privileged form of partnership which in turn, would rise the effectiveness of the Action Plans.

#### **2.8.4. The Implementation of Europeanisation through Democracy Promotion: Conditionality and Socialisation**

In this part, we will conceptualise and looks at the impact of the NPE the two main mechanisms of the EU's democracy promotion: conditionality and socialisation, particularly at their meaning and credibility.

The model of Europeanisation or the transfer of norms externally is supported mainly by the conditionality and socialisation. These two mechanisms have been respectively explained through rational and sociological schools. For instance, under the rational explanation, the conditionality approach was conceptualised as a derivative enforced by an influencing actor, and the reforms required were expected to materialise within short/ medium term depending on the costs/ benefits arithmetic<sup>554</sup>. On the other hand, socialisation refers to the "process by which principled ideas held by individuals become norms in the sense of the collective understandings about appropriate behaviour which then leads to change in identities, interests and behaviour<sup>555</sup>". From both perspectives, reforms will be the results of the composition of norms transfers and implementation,

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<sup>552</sup> Commission of the European Communities (2004), Communication from the Commission, European Neighbourhood Policy, Strategy Paper, COM (2004) 373 final, p. 8, Brussels, 12 May 2004. Available at:

[https://ec.europa.eu/neighbourhoodenlargement/sites/near/files/2004\\_communication\\_from\\_the\\_commission\\_-\\_european\\_neighbourhood\\_policy\\_-\\_strategy\\_paper.pdf](https://ec.europa.eu/neighbourhoodenlargement/sites/near/files/2004_communication_from_the_commission_-_european_neighbourhood_policy_-_strategy_paper.pdf). [Accessed 2/8/2017].

<sup>553</sup> Benita F, W. (2006). 'The European Neighbourhood Policy: the EU's Newest Foreign Policy Instrument', *European Foreign Affairs Review*, 11, p. 140.

<sup>554</sup> Sasse, G. (2009). Tracing the construction and effects of EU conditionality. *Minority Rights in Central and Eastern Europe*, 17-31.

<sup>555</sup> Niemann, A., & Bretherton, C. (2013). EU external policy at the crossroads: the challenge of actorness and effectiveness. *International relations*, 27(3), 261-275.

whether through costs/ benefits equation or through the self-identification with a specific norm. The term “norm” becomes a key factor in understanding the two instruments (conditionality and socialisation). While the two concepts are interlinked with the concept of Europeanisation, the rationalisations of their transformative power are robustly contested in International relations academia<sup>556</sup>.

The classical foreign policy analysis centred on the EU’s ability to exert power through political conditionality. This concept is very important for the transfer of normative values identification and exploration. Generally speaking, conditionality can be defined as “entailing the linking, by a state or international organisation, or perceived benefits to another state, to the fulfilment of conditions relating to the protection of human rights and the advancement of democratic principles<sup>557</sup>”. However, this definition has ignored other methods of conditionality. Accordingly, Schmitter indicated that the EU political conditionality “is a mere threat or coercion rather than directly coercing other countries<sup>558</sup>”, while Elbasani defined the concept of conditionality as “persuasion and temptation rather than coercion<sup>559</sup>”. Schmittfinning and Sedelmeier, in turn, combined the two definitions, indicating that conditionality entails “the threat of sanctions or the promise of rewards in exchange for compliance with certain [economic, political] demands<sup>560</sup>”.

In this context, political conditionality can be divided into two main segments: delivering assistance, which varies from political to economic incentives with the intention of political and economic reforms<sup>561</sup>, or enforce a “structural pre-

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<sup>556</sup> Marciacq, F. (2011). The political geographies of Europeanisation: Mapping the contested conceptions of Europeanisation. *Journal of contemporary European research*, 8(1), 57-74.

<sup>557</sup> Smith, K. E. (1998). Use of Political Conditionality in the EU's Relations with Third Countries: How Effective, The. *Eur. Foreign Affair Review.*, 3, 253.

<sup>558</sup> Schmitter, P. C. (1996). The influence of the international context upon the choice of national institutions and policies in neo-democracies. The international dimensions of democratisation: *Europe and the Americas*, 26-54.

<sup>559</sup> Elbasani, A. (2010). Albania in transition: manipulation or appropriation of international norms? *Southeast European Politics*, vol. 4, No.1, June, pp24-44.

<sup>560</sup> Sedelmeier, U., & Schimmelfennig, F. (2005). The politics of EU enlargement: theoretical and comparative perspectives. In *the Politics of European Union Enlargement* (pp. 19-46). Routledge.

<sup>561</sup> Checkel, J. T. (2000). “*Compliance and conditionality*”. Oslo: Arena Working Papers WP 00/18.

accession conditionality<sup>562</sup>". Hence, the concept of conditionality can be divided into "ex-ante conditionality which means that conditions should be satisfied prior to the formalisation of the agreement, and ex-post conditionality which is the norms in the international law<sup>563</sup>", where conditions should be met following the ratification of an agreement.

Conditionality can be applied in a positive manner (the carrot method) or negative manner (the stick method)<sup>564</sup>. Negative conditionality is ex-post in nature, which intends to influence the developing countries political stances through threats or suspension of benefits if it did not comply with specific clauses in the agreements or international norms; positive conditionality, in turn, is an ex-ante in nature. The frameworks of the EU-southern Mediterranean countries applied a benchmark logic where the suspension or termination of benefits does not automatically apply in case of no progress. On the contrary, the policies are designed mainly to reward progress by the neighbouring countries and progressively increase rewards hand in hand with the reforms achieved.

Under this concept, the EU intends to motivate the Southern Mediterranean countries to adopt its policies through incentives such as aid programmes or cooperation agreements. However, "positive conditionality is asymmetric by nature<sup>565</sup>", hence, such instrument can only succeed "in a situation where the awaited benefits of the receiving party are greater than the cost of the adjustments<sup>566</sup>". This instrument involves equally a solid material ground and the capability to organise the resources purposefully. The EU leverage is stemming from its political importance internationally, and the allure of its single market. Nevertheless, the effectiveness of this leverage requires the EU's effective coordination of its foreign policy in order to generate linkages between political

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<sup>562</sup> Santiso, C. (2002). Reforming European foreign aid: Development cooperation as an element of foreign policy. *Eur. Foreign Aff. Rev.*, 7, 401

<sup>563</sup> Mathlouthi, N (2010). "Conditionality in the EU's Bilateral Agreements: An Analysis of the Doctrine and Practice", a Dissertation submitted to the University of Central Lancashire in part satisfaction of LLM, page 15.

<sup>564</sup> Crawford, G. (2000). *Foreign aid and political reform: a comparative analysis of democracy assistance and political conditionality.*, (pp1-20) Springer.

<sup>565</sup> Veebel, V. (2009). European Union's Positive Conditionality Model in Pre-Accession Process. *Trames: A Journal of the Humanities & Social Sciences*, 13(3), p 207.

<sup>566</sup> Grabbe, H. (2002). European Union conditionality and the *acquis Communautaire*. *International political science review*, 23(3), 249-268.

and trade issues, to impose rules and to act consistently<sup>567</sup>. The conditionality concept has become one of the most important mechanisms of the EU's norms implementation in the Mediterranean basin. From a rationalist perspective, conditionality is based on the costs / benefits calculation that ultimately determines the implementation (or not) of the norms<sup>568</sup>.

International socialisation follows the logic of appropriateness, which defined as the process of inducement of some states to adopt normative rules of the international community<sup>569</sup>. The process of socialisation occurs through learning and rationalism, by which the behaviour of the state reformed to conform with international values-based norms. From rationalist perspective, the states' behavioural conformity with the international norms tends to be based on the hope of reaping the benefits of legitimisation by the international community, also, as an attempt to minimise the disadvantages of non-conformity<sup>570</sup>. From sociological constructivism perspective, socialisation can be clarified without relying on the assumption of the actors' international identity or the individual norm internalization, instead, it can be explained through the old conceptualisation of the costs / benefits symmetry of norms fostering. Here's where conditionality returns to the scene, as financial and political incentives, in addition to the actor domestic costs, can be deemed as most important conditions which can effectively impact on the socializing actor<sup>571</sup>.

Hence, in this context, socialization could be understood to be a part of an open-ended process the EU thinks echoes the impact of its policies with the Southern Neighbours, particularly through encouraging local ownership and actively supporting positive conditionality. Joint ownership is an important factor in the empowerment of the partners rather than replicating some of the self-

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<sup>567</sup> Lavenex, S. (2014). The power of functionalist extension: how EU rules travel. *Journal of European Public Policy*, 21(6), 885-903.

<sup>568</sup> Öniş, Z., & Kutlay, M. (2017). Global Shifts and the Limits of the EU's Transformative Power in the European Periphery: Comparative Perspectives from Hungary and Turkey. *Government and Opposition*, 1-28.

<sup>569</sup> Checkel, J.T. (2005) 'International institutions and socialization in Europe: introduction and framework', *International Organization* 59(4): page 804.

<sup>570</sup> Schmimmelfinger, F. Scholtz, H. (2010), 'Legacies and Leverage: EU Political Conditionality and Democracy Promotion in Historical Perspective', *Europe-Asia Studies* 62(3):443-60.

<sup>571</sup> Shimmelfennig, F., Engert, S., & Knobel, H. (2006). *International socialisation in Europe: European organisations, political conditionality and democratic change*. Basingstoke: Palgrave. page 6.

empowering incentives of the EU foreign policy<sup>572</sup>. Del Sarto and Schmacker suggested that “the introduction of the principle of joint-ownership is certainly a positive development in encouraging partner involvement and consultation in the formulation of priorities<sup>573</sup>”. Dannreuther also argued that “local ownership ... fits in with the increasing recognition that economic reform and democracy cannot be imposed from outside but must be nurtured from within<sup>574</sup>”. However, from a critical perspective, we should highlight the dilemma expressed by Nicolaidis “when normative power aims at changing deep-seated patterns of governance, framing the one-way imposition of certain norms as an exercise in ‘partnership’, as this raises major dilemmas of potential disempowerment in partner societies. While one may argue that normative power is not neo-colonial if it is meant to empower local actors, it may, in fact, rob them of their autonomy in defining the substance of empowerment; for example, activists do not share with Europeans the same appreciation of pluralism and point to a European secular bias<sup>575</sup>”.

Indeed, two questions can be raised in terms of the socialisation and ownership impact. Socialisation, as already explained, is a long-term process under which the ENP showed us that Southern partners’ autocratic regimes are not keen to take ownership of a normative process which may challenge their grip on power. The history of the EU-Southern Neighbours relationship illustrated in a non-coercion climate that the Southern partners could easily manipulate the EU to avoid any real progress. Hence, this part illustrated how NPE would be manifested in the democratisation of the Southern Neighbours by analysing conditionality, socialisation and ownership. But we would be seeking to identify and analyses certain concerns in these processes and whether they live up to the theoretical principles identified in this stage.

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<sup>572</sup> Manners, I. (2010). As You Like It: European Union Normative Power in the European Neighbourhood Policy. In R. Whitman, & S. Wolff (Eds.), *The European Neighbourhood Policy in Perspective: Context, Implementation and Impact* (pp. 29-50). Basingstoke: Palgrave Macmillan.

<sup>573</sup> Del Sarto, R and Schumacher, T. (2005), ‘From EMP to ENP: What’s at Stake with the European Neighbourhood Policy towards the Southern Mediterranean?’ *European Foreign Affairs Review*, 10, p. 29.

<sup>574</sup> Dannreuther, note 551, p. 192.

<sup>575</sup> Nicolaidis, K and Nicolaidis, D. (2006), ‘The EuroMed beyond Civilisational Paradigms’, in Emanuel Adler, Federica Bicchì, Beverly Crawford and Raffaella Del Sarto (eds), *The Convergence of Civilisations: Constructing a Mediterranean Region*. Toronto: University of Toronto Press, pp. 349–50.

### 2.8.5. Conclusion

This part has outlined a theoretical and analytical framework which can be applied to assess the EU's Europeanisation of the Southern neighbourhood through the democratisation process and mechanisms in the pursue of its normative power agenda.

The general idea in this part is to unveil the approach and the impact of the EU democratisation process in the Southern Mediterranean. The democracy promotion may only become effective when logics of action for different modes of action are recognized and consistently followed by the EU and the partners<sup>576</sup>. The modes of democratisation set out in this chapter, namely: persuasion, engagement and differentiation were applied to the manner in which the EU has developed to engage with the Southern Neighbours effectively. Certainly, the EU intended to increase the sense of joint ownership in order to encourage the partners' involvement in the process and subsequently legitimize and enhance the effectiveness of its approach<sup>577</sup>. However, these are the characters of the EU method, hence we further discussed the implementation and the underlying mechanisms of the EU's attributed approach. The EU democratisation process relies on conditionality and socialisation. Democracy promotion by conditionality is divided into a combination of positive and negative measures. The positive conditionality is a mixture of empowering factors which include financial and political support<sup>578</sup>. Democracy promotion effectiveness in this context depends on the calculation of costs and benefits, hence the weight of the incentives is the most relevant factor in this approach<sup>579</sup>. Negative conditionality, on the other hand, is ex-post in nature, which intends to influence the developing countries political stances through threats or suspension of benefits<sup>580</sup>. The other mechanism of democratisation is socialisation which is the process of transferring normative ideas through social and political interactions between civil society and

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<sup>576</sup> Beichelt, (note 548), p; 9.

<sup>577</sup> Schumacher, T. (2016). *Back to the Future: The 'New'ENP towards the Southern Neighbourhood and the End of Ambition*. College of Europe Policy Brief# 1.16, January 2016.

<sup>578</sup> Theuns, note 37, pp. 287-302.

<sup>579</sup> Kochenov, D., & Basheska, E. (2016). ENP's Values Conditionality from Enlargements to Post-Crimea. *The EU and Its Values in the Neighbourhood*, Routledge, 145-166.

<sup>580</sup> Delcour, L., & i Lecha, E. S. (2017). European Neighbourhood Policy mechanisms: Conditionality, socialisation and differentiation. In *The Routledge Handbook on the European Neighbourhood Policy* (pp. 445-455). Routledge.

domestic political elites<sup>581</sup>. Overall, democracy promotion only becomes sufficiently effective if the instruments are adequately implemented.

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<sup>581</sup> Furness, M., & Schäfer, I. (2015). The 2015 European Neighbourhood Policy Review: more realism, less ambition. *The current column*.

## Chapter 3: THE EVOLUTION OF THE EU-SOUTHERN MEDITERRANEAN RELATIONSHIP: THE NORMATIVE AGENDA

### 3.1. Introduction

In his initial argument regarding the concept of normative power, Ian Manner suggested that the concept was an attempt to clarify that the EU “not only constructed on a normative basis, but importantly that this predisposes it to act in a normative way in world politics<sup>582</sup>”. Subsequently, this new idea had a deep and profound impact on the EU. The new concept created a new debate regarding the identity of the European Union, as to whether it is a normative power internally and at the world stage, and what are the elements of this normative identity. This compelled the scholars to distinguish between the different EU perceptions, such as normative, civilian and military power<sup>583</sup>. This concept was initially criticized for being utopian and unrealistic in relation to the real and materialistic aspects of the EU’s identity and role at the international sphere<sup>584</sup>, nonetheless, this idea became an important framework which can provide us with valuable concepts, by which we can assess the role of the EU in the world and the Southern Mediterranean in particular.

Indeed, for decades, the EU has played a pivotal role in the MENA area and the Southern Mediterranean in particular. Although it never yielded a hard power such as the USA<sup>585</sup>, the EU relied on its soft power and its considerable economic, political and social ties with southern neighbours to develop packages of policies which intended to transform the neighbourhood in line with its values such as democracy, human rights and the rule of law.

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<sup>582</sup> Manners, (note 41), p. 252.

<sup>583</sup> Orbie, J. (2016). A civilian power in the world? Instruments and objectives in European Union external policies. In *Europe's Global Role* (pp. 17-50). Routledge.

<sup>584</sup> Huber, D., & Paciello, M. C. (2015). Overhauling EU Policy in the Mediterranean. Towards More Inclusive, Responsive and Flexible Policies (No. 35, pp. 1-13). *IAI Working Papers*.

<sup>585</sup> Wohlforth, W. C., & Brooks, S. G. (2015). American primacy in perspective. In *Paradoxes of Power* (pp. 29-38). Routledge.

Certainly, “The EU is enjoying an unprecedentedly high standard of living, and longest peace in its history-but what about the states just outside its borders<sup>586?</sup>”, asked the Commissioner Benita Ferrero Waldner. This important question has re-emerged especially following 2004 enlargement, as the new geographical neighbourhood highlighted the instability of the EU’s near abroad. Hence, creating suitable mechanisms to deal with the neighbouring countries, whether unilaterally or bilaterally turned out to be a very challenging task, and an unavoidable issue on the EU’s foreign policy agenda.

How the EU can deal with its frontier issues? The creation of the ENP served to address this dilemma. Following the enlargement process of 2004, the EU aimed to reduce the dividing lines between the European Community and its Eastern and Southern Neighbours in the Mediterranean. The ENP newsletter described the policy as “mutual commitment to common values, to move beyond existing cooperation to deeper economic and political, cultural and security cooperation-strengthening stability, security and well-being for all concerned<sup>587</sup>”. In other words, the policy is an attempt to respond to the challenges, as well as to take advantages of the opportunities created by the latest enlargement.

This chapter intends to outline the evolution of the EU policies towards the Southern neighbours. The issue of how to engage with the near-abroad in the Mediterranean is not a new topic, or simply following the EU enlargement of 2004. Indeed, EU relations with the southern neighbours have a long history. The EMP which was established at the Barcelona conference in 1995 had identified three baskets for bilateral and multilateral cooperation between the EU and its Southern neighbours which are political and security basket, economic and financial basket and social and cultural basket<sup>588</sup>. To pursue its vision of cooperation and

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<sup>586</sup> Tinas, M. (2009) *The European Union as A Normative Power and The European Neighbourhood Policy: Cases of Morocco and Egypt* a Thesis Submitted to The Graduate School of Social Sciences of Middle East Technical University. Communication of the Commissioner Benita Ferrero Waldner. Available at: [http://ec.europa.eu/world/enp/welcome\\_en.htm](http://ec.europa.eu/world/enp/welcome_en.htm). [Accessed on 8/01/2019].

<sup>587</sup> Communication from The Commission European Neighbourhood Policy Strategy Paper (2003)104 final, 11.3.2003. Available at: [http://ec.europa.eu/world/enp/index\\_en.htm](http://ec.europa.eu/world/enp/index_en.htm). [Accessed on 8/01/2019].

<sup>588</sup> Mahjoub, A., & Zaafrane, H. (2014). *The Euro-Mediterranean Free Trade Zone: Economic Challenges and Social Impacts on the Countries of the South and East Mediterranean*. In *the Barcelona Process* (pp. 17-40). Routledge.

partnership, the EU relied on a number of mechanisms appropriated from its enlargement process which was repeatedly adjusted and refined by introducing more intrusive normative goals. Yet, the result was a stability partnership that served both the EU's interests in a stable and Western orientated Mediterranean and the need of the Arab regimes to garner external rents and legitimacy<sup>589</sup>. Hence, this chapter will try to analyse the different policies and mechanisms of the Barcelona Process which intended to strengthen the Euro-Mediterranean relations. This will be followed by an overview of the reasons behind the creation of the ENP policy. In this context, a comprehensive analysis of this policy will be provided including an examination of the EU attempts to strengthen the policy in 2008. This Chapter will be divided into three main sections. The first section will examine the legal basis of the EU special relationship with the neighbourhood. The second part will examine the scope of the EU's cooperative approach before the Barcelona process and following the Barcelona Declaration. This part will discuss the Association Agreements as the main instrument of the EMP. The last part will discuss the Reasons Behind the Creation of the ENP before given an overview of this policy. Finally, an assessment of the ENP will be provided before discussing the compatibility of the two policies.

### 3.2. The Legal Basis of the EU-MED Relationship

The Treaty of Lisbon<sup>590</sup> granted particular importance to the EU relations with the neighbouring countries by introduced a new legal basis for the EU "special relationship<sup>591</sup>" with its neighbours, under the provisions of Art 8 TEU<sup>592</sup>:

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<sup>589</sup> Durac, V., & Cavatorta, F. (2009). Strengthening authoritarian rule through democracy promotion? Examining the paradox of the US and EU security strategies: the case of Bin Ali's Tunisia. *British journal of Middle Eastern studies*, 36(1), 3-19.

<sup>590</sup> European Union, Treaty of Lisbon Amending the Treaty on European Union and the Treaty Establishing the European Community, 13 December 2007, 2007/C 306/01, available at: <https://www.refworld.org/docid/476258d32.html>. [Accessed on 6/01/2019].

<sup>591</sup> Hillion, C. (2013). *The EU Neighbourhood Competence Under Article 8 TEU*, This Policy Paper is part of a series entitled "How to make out of the EU's vicinity an opportunity for the EU itself?" It is a contribution to the project "Think Global – Act European (TGAE). Thinking strategically about the EU's external action".

<sup>592</sup> Treaty of Lisbon Art 8 cross reference stated that: "1. The Union shall develop a special relationship with neighboring countries, aiming to establish an area of prosperity and good neighbourliness, founded on the values of the Union and characterized by close and peaceful relations based on cooperation. 2. For the purposes of paragraph 1, the Union may conclude specific agreements with the countries concerned. These agreements may contain reciprocal rights and obligations as well as the possibility of undertaking activities jointly. Their implementation shall be the subject of periodic consultation".

While, the wording of Art 8 TEU may be similar to its previous version under Art I-57 of the Treaty Establishing a Constitution for Europe (TCE), the importance of the new article rises with the adoption of specific provisions to deal with the neighbouring countries under the Title “the union and its Neighbours<sup>593</sup>”.

The new legal basis, and in contrast with the previous one, which was related to the Union membership, was inserted in the common provisions of the Treaty of the European Union<sup>594</sup>. Hence, legally speaking, the European Union relationship with the neighbouring countries is no longer based on the enlargement provisions, which remains part of the provision of Art 49 TEU<sup>595</sup>. Nor it is part of the Title V TEU or VTFEU which deals with the European Union external relation in general. The importance of the Art 8 new location remains debatable, as to whether it has any significance in the echelon of the European Union external relations importance. Many scholars such as Hanf indicated that the relocation of Art 8 outside the sphere of the common and Security Policy is important since it entails it to be unaffected by the “pillar –politics deriving from the recurrent distinction between the CFSP<sup>596</sup> and non CFSP powers of the Union<sup>597</sup>”. It thereby strengthens the European policy cohesion towards the European vicinity, as considered and developed throughout the history of the European treaties.

The importance of this development has been highlighted by the European commissioner who stipulated that the relationship with the neighbouring countries subject to “a comprehensive policy integrating related components from all three pillars of the Union present structure<sup>598</sup>”, which allows the European union to develop enhanced relations with the neighbouring countries, “bringing together

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<sup>593</sup> Blockmans, S. (2011). “Friend or Foe? Reviewing EU Relations with its Neighbours Post Lisbon”, in P. Koutrakos (ed.), *The European Union’s External Relations A Year After Lisbon*, CLEER Working Papers 2011/3, 113.

<sup>594</sup> Ibid p;37.

<sup>595</sup> Petrov, R & Van Elsuwege, P. (2011). Article 8 TEU: Towards a New Generation of Agreements with the Neighbouring Countries of the European Union? *European law review*. 36.

<sup>596</sup> Hanf, D. (2011). “The ENP in the light of the new “neighbourhood clause” (Article 8 TEU)”, College of Europe, Research Paper in Law - Cahiers juridiques, No. 2/2011; Elsuwege, P,V & Petrov,R.(2011) “Article 8 TEU: Towards a New Generation of Agreements with the Countries of the European Union?”, *European Law Review*, Vol. 36, p. 688, 2011.

<sup>597</sup> Ibid, hanf, page 37.

<sup>598</sup> European Commission, Communication on the European Neighbourhood Policy – Strategy Paper; COM (2004) 373 at 6. Available at: [https://ec.europa.eu/neighbourhoodenlargement/sites/near/files/2004\\_communication\\_from\\_the\\_commission\\_-\\_european\\_neighbourhood\\_policy\\_-\\_strategy\\_paper.pdf](https://ec.europa.eu/neighbourhoodenlargement/sites/near/files/2004_communication_from_the_commission_-_european_neighbourhood_policy_-_strategy_paper.pdf). [Accessed on 12/10/2018].

the principal instruments at the disposal of the Union and its member states. It was also conceived to further advancing any supporting the EU'S foreign policy objectives<sup>599</sup>. Subsequently, the Commissioner stressed the importance of the strong legal basis between the European Union and the neighbouring countries from European Union perspective whereby the EU'S "task is to promote a ring of well governed countries to the east of the European Union and the borders of the Mediterranean with whom we can enjoy close and cooperative relations<sup>600</sup>". Furthermore, the relocation of Art 8 outside the sphere of the provisions which deals with the external relations, as well as the severance between these relations and the question of European Union expansion indicates that the relationship between the Union and countries in the vicinity has an inter-related internal and external aspects, which may explain the position of Art 8 within the overall structure of the Lisbon Treaty<sup>601</sup>.

Theoretically, the objective of Art 8 is to Allow for a high level of flexibility, which is a prerequisite to warrant adequate differentiation in the relations with the different neighbours. As can be derived from the EU's practice of Association Agreements with southern neighbours, the established relationships can take several forms, ranging from a simple free trade agreement to a privileged partnership which consists of integration measures that come close to full membership<sup>602</sup>. The actual scope of the Association Agreements will be value driven and depends on the partners' commitment to these common values. The intended flexibility applies with respect to the envisaged new generation of agreements under art.8 TEU. While this may have positive consequences in terms of substantive coherence of the EU policies towards the Southern Neighbours, it may also entail a degree of formalism in policy-making that may

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<sup>599</sup> Cremona, M & Hillion, C. (2006) "*L'Union fait la force ? Potential and limits of the European Neighbourhood Policy as an integrated EU foreign and security policy*", European University Institute, Law Working Paper, No 39/2006.

<sup>600</sup> High Representative of CFSP, *A secure Europe in a better world – European Security Strategy*, 12.12.2003.

<sup>601</sup> Vooren, B, V. (2009). "The European Neighbourhood Policy as a Case-Study for Soft Law in EU External Relations", *European Law Review*, Vol. 34, No. 5, October 2009, p. 696.

<sup>602</sup> Walter Hallstein, former Commission president, declared that "association can be anything between full membership minus 1% and a trade and co-operation agreement plus 1%". Cited in Phinmore, D. (1999) *Association: Stepping-Stone or Alternative to EU Membership?* (Sheffield: Sheffield Academic Press), p.23.

challenge coordination between various institutional actors<sup>603</sup>. In practice, it ensures a higher degree of compliance in the exercise of the EU neighbourhood competence with the measures thereby adopted, and a mutual duty of cooperation to ensure the fulfilment of the Union objectives thereof<sup>604</sup>. Hence, Art 8 may significantly help the EU to integrate the neighbouring countries, even indirectly in the policy making, which may impact positively on the aims of the EU, to establish an area of prosperity and good neighbourliness and enjoy close and cooperative relationship<sup>605</sup>.

The significance of Art 8 to develop a special relation with the neighbouring countries can be observed by its mandatory obligation by the use of “shall” which differ significantly from other external policies or that of the EU membership. The eligibility to the EU membership is determined by full compliance with Art 49 TEU<sup>606</sup> known as the “Copenhagen Criteria<sup>607</sup>”. However, the EU is not obliged to trigger the accession procedures yet may decide to do so if the applicant state is deemed to comply with the requirements stipulated by Art 49 TEU<sup>608</sup>. By contrast to Art 49 TEU, Art 8 TEU does not require any specific conditions, other than the geographical one, and even the notion of “founded on the values of the Union” seems to be vague and ambiguous, and not even remotely close to the stringent requirements for EU accession<sup>609</sup>. Only the future action and behaviour of the neighbouring country could be a parameter of the EU engagement with it. As a legal basis for the EU relations with the Mediterranean countries, Art 8 TEU may have succeeded in promoting the institutional cooperation between the two parties. However, while this has a positive impact in terms of coherence between the parties, it may also introduce “a degree of formalism in policy making

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<sup>603</sup> Hillion, C. (2007). “Mapping-Out the New Contractual Relations between the European Union and its Neighbours: Learning from the EU-Ukraine ‘Enhanced Agreement’” (2007) 12 *E.F.A. Rev.* 170.

<sup>604</sup> de Bruycker, Philippe (2000); “Regularisations of illegal immigrants in the European Union”, Academic network for legal studies on immigration and asylum law in Europe, under the supervision Collection of the Law Faculty, Free University of Brussels

<sup>605</sup> Bechev, D and Nicolaïdis, K. (2010) “From Policy to Polity: Can the EU’s Special Relations with its ‘Neighbourhood’ be Decentred?” (2010) 48 *J.C.M.S.* 477.

<sup>606</sup> Ramses A. (2013) Wessel and Robert Böttner published in H.-J. Blanke and S. Mangiameli (Eds.), *The Treaty on European Union (TEU): A Commentary*, Berlin/Heidelberg: Springer.

<sup>607</sup> Saatçioğlu, B. (2009). How closely does the European Union’s membership conditionality reflect the Copenhagen criteria? Insights from Turkey. *Turkish Studies*, 10(4), 559-576.

<sup>608</sup> Ibid, p562

<sup>609</sup> Rumford, C. (2008). *Cosmopolitan spaces: Europe, globalization, theory*. New York: Routledge.

that may challenge coordination between various institutional actors<sup>610</sup>. For instance, the Court of Justice accepted that also certain provisions of a Partnership Agreement are eligible to have direct effect<sup>611</sup>.

The inclusion of a specific legal basis in the TEU may have thereby consolidated the comprehensive character of the ENP. In this sense, the Commissioner strategic document of 2004 indicated that the ENP is “a comprehensive policy integrating related components from all three pillars of the Union’s present structure<sup>612</sup>”, which represents “a means for an enhanced and focused policy approach of the EU towards its neighbourhood<sup>613</sup>”

### **3.2.1. The Meaning of “Special Relationship” Under Art 8 TEU**

By explicitly reference to the values of the Union as the main foundation for the relationship between the parties, Art 8 TEU has set aside the language used in previous agreements which usually refer to the shared values<sup>614</sup>. It seems that Art 8 TEU summarises the normative approach of the EU in its relations with the neighbours, which affirms the views that the European Union is acting as a normative power in the region<sup>615</sup>. This approach coincides with strategic interest in the region<sup>616</sup>. Yet, the special relationship has not been defined within the Treaty, which led many scholars to rely on the Court of justice interpretation of privileged links retained in Art 217 TFEU to find a legal definition of this relationship<sup>617</sup>.

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<sup>610</sup> Smith, M. E., & Webber, M. (2008). Political Dialogue and Security in the European Neighbourhood: The Virtues and Limits of 'New Partnership Perspectives'. *European Foreign Affairs Review*, 13, 73-95.

<sup>611</sup> *Simutenkov v Ministerio de Educaciony Cultura*(C-265/03) [2005]E.C.R.I-2579;[2005]2C.M.L.R.11at[28].

<sup>612</sup> Communication on the European Neighbourhood Policy – Strategy Paper, (note 538).

<sup>613</sup> European Security Strategy, A secure Europe in a better world, Brussels, 12 December 2003, at 8. Available at: <https://www.consilium.europa.eu/en/documents-publications/publications/european-security-strategy-secure-europe-better-world/>. [Accessed on 15/9/2018].

<sup>614</sup> See: A. Fimister, (2008): *Robert Schuman, neo scholastic humanism and the re-unification of Europe*, Brussels, oxford.

<sup>615</sup> Balfour, R. (2006) 'Principles of democracy and human rights' in Lucarelli, S. and Manners, I. (eds.). *Values and Principles in European Union Foreign Policy*. London: Routledge, pp.114-29.

<sup>616</sup> M. Cremona & C. Hillion, (note 539).

<sup>617</sup> *Meryem Demirel v Stadt Schwäbisch Gmünd* (12/86) [1987] E.C.R. 3719 at [9].

Article 217 TFEU parallels with the previous provisions regarding the conclusion of Association Agreements are striking. The vague and indeterminate concept of a “special relationship” is virtually identical to the “special privileged links” which typify the Association Agreements according to the Court of Justice<sup>618</sup>.

The European Court of Justice in the case of *Dimirel*<sup>619</sup> stated that: “an association agreement creates special, privileged links with a non- member country which must at least to a certain extent, take part in the Community system<sup>620</sup>”. This interpretation has been endorsed by the Commission<sup>i</sup>, as well as the Council<sup>621</sup>, which referred explicitly to the privileged relationship with MENA Countries and the EU<sup>622</sup>. The Commission suggested that the privileged relationship may go beyond mere cooperation to a “significant measure of economic and political integration<sup>623</sup>”, and even the progressive opportunity to participate in the EU programmes<sup>624</sup>, including the possibility to participate in EU agencies external programmes<sup>625</sup>. This approach perceived as an alternative to accession, where the EU benefits from the neighbours’ cooperation in the different fields without offering a member states privilege<sup>626</sup>. This view has been reinforced by the Council statements<sup>627</sup>, as Hillion explained the Association

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<sup>618</sup> *Ibid*, para.9

<sup>619</sup> Hillion, C. (2011). Integrating an outsider. *An EU Perspective on Relations with Norway, Europautredningen, Rapport*, 16.

<sup>620</sup> Case 12/86 *Meryem Demirel v. Stadt Schwäbisch Gmünd*, (note 557), p7

<sup>621</sup> GAERC conclusions, 14 June 2004 [10189/04; Presse 195], p. 11.

<sup>622</sup> The ENPI Regulation includes in its Preamble the notion of ‘privileged relationship’ between the EU and its neighbours; while the Resolution of the European Parliament on the European Neighbourhood Policy [P6\_TA(2006)0028] talks about ‘privileged relations’.(ed) Hillion, C (2007) Mapping-Out the New Contractual Relations between the European Union and Its Neighbours: Learning from the EU–Ukraine ‘Enhanced Agreement’. *European Foreign Affairs Review* 12: 169–182, 2007. © 2007 Kluwer Law International BV.

<sup>623</sup> Communication from The Commission European Neighbourhood Policy, (note 587), p. 5.

<sup>624</sup> *Ibid*, p. 8

<sup>625</sup> Communication from The Commission to The Council and To The European Parliament on the general approach to enable ENP partner countries to participate in Community agencies and Community programmes COM (2006) 724 final. Available at: <http://ec.europa.eu/transparency/regdoc/rep/1/2006/EN/1-2006-724-EN-F1-1.Pdf>. Accessed on 4/3/2019.

<sup>626</sup> Hillion, C. (2014) *The Copenhagen Criteria and Their Progeny* (March 6, 2014). C. Hillion (ed), EU enlargement (Oxford, Hart Publishing, 2004). Available at SSRN: <http://ssrn.com/abstract=2405368>. [Accessed on 27/7/2013].

<sup>627</sup> Sasse, G. (2010). The ENP and the EU’s Eastern Neighbours: Ukraine and Moldova as Test Cases. In *The European Neighbourhood Policy in Perspective* (pp. 181-205). Palgrave Macmillan, London.

Agreements could take the form of cross-pillar framework, which symbolises the EU objective to go “beyond and above the existing relationship<sup>628</sup>”.

The Association Agreements give a privileged status to the MENA countries partners in their relations with the EU especially in the financial and economical spheres with the ambition to create a free trade zone<sup>629</sup>. The existing relationship at the time has been established on the basis of cooperation agreements<sup>630</sup> as well as the GATT international agreement<sup>631</sup> and the TRIPS Agreements<sup>632</sup>. Yet, the Association Agreements, even though may not be as ambitious as the relevant EU Treaties, may be succeeded in developing the relationship between the parties substantially further than the previous bilateral and international agreements<sup>633</sup>.

For example, the Association Agreement provisions signed with Tunisia<sup>634</sup> and Morocco<sup>635</sup> which deals with development aid and competition law almost a replication of the relevant provisions within the EC Treaty<sup>636</sup>. Furthermore, the Association Agreements requirement may go beyond the legal provisions of the international agreements, as certain Association Agreements requires the party to the agreement to apply some provisions of the EC law within their jurisdiction.

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<sup>628</sup> Hillion, note 686, p 17.

<sup>629</sup> Attinà, F. (2003). Euro-Mediterranean Partnership Assessed: The Realist and Liberal Views, *The. Eur. Foreign Aff. Rev.*, 8, 181.

<sup>630</sup> Ibid.

<sup>631</sup> General Agreement on Tariffs and Trade (GATT) was a legal agreement between many countries, whose overall purpose was to promote international trade by reducing or eliminating trade barriers such as tariffs or quotas. GATT was signed by 23 nations in Geneva on 30 October 1947 and took effect on 1 January 1948. It remained in effect until the signature by 123 nations in Marrakesh on 14 April 1994, of the Uruguay Round Agreements, which established the World Trade Organization (WTO) on 1 January 1995. The WTO is a successor to GATT, and the original GATT text (GATT 1947).

<sup>632</sup> Treaty on Intellectual Property in Respect of Integrated Circuits” (IPIC Treaty) refers to the Treaty on Intellectual Property in Respect of Integrated Circuits, adopted at Washington on 26 May 1989. Available at: [https://www.wto.org/english/docs\\_e/legal\\_e/27-trips.pdf](https://www.wto.org/english/docs_e/legal_e/27-trips.pdf). Accessed on 1/10/2018.

<sup>633</sup> Fernandez, H. A., & Youngs, R. (2005). *The Euro-Mediterranean Partnership: Assessing the First Decade*. Real Instituto Elcano de Estudios Internacionales y Estrategicos.

<sup>634</sup> EU-Tunisia Association Agreement. Official Journal L 097, 30/03/1998 P. 0002 – 0183. Available at: <https://library.euneighbours.eu/content/eu-tunisia-association-agreement>. [Accessed on 1/2/2019].

<sup>635</sup> EU-Morocco Association Agreement. L 70/2 EN Official Journal of the European Communities 18.3.2000. Available at <https://library.euneighbours.eu/content/eu-morocco-association-agreement>. [Accessed on 10/2/2019].

<sup>636</sup> *Treaty Establishing the European Community (Consolidated Version)*, Rome Treaty, 25 March 1957, Art81, 82. Available at: <https://www.refworld.org/docid/3ae6b39c0.html>. [accessed 20 April 2019].

As an example, the Association Agreement with Morocco stated, “any practices contrary to this Article shall be assessed on the basis of the criteria arising from the application ...Articles 81, 82 and 87 EC Treaty.<sup>637</sup>”. This type of provisions may be the norm to conclude with CEEC to achieve accession criteria, but the assertion of these provisions with neighbouring countries which they do not expect to join the EC may rise the question as to the real objectives behind the Association Agreements. Taking into consideration, these provisions, although explicitly, create supremacy of the EU Treaties over the national legal system<sup>638</sup>. It seems that the EU is applying its normative power through these agreements, as it intends to reform and transform the legal provisions of the neighbouring countries in line with the EU through the Association Agreements. The MENA governments acknowledged the importance of the Association Agreements, especially as the EU is the main trading partner with these countries, as well as the main economic aid donor. Therefore, privileged access to the EU market and good political relationship was always a matter of opportunity, despite certain concerns<sup>639</sup>.

For instance, the peculiar nature of the state aid approach which goes beyond the GATT requirements on subsidies<sup>640</sup>. It basically prohibits MENA countries from providing financial support for the production of any goods exported to the EU market<sup>641</sup>. These requirements may distort the effectiveness of the Association Agreements, mainly for two reasons. Firstly, the removal of the trade barriers, as well as the exclusion of financial support, render the MENA companies’ incapable of competing with EU companies. Secondly, the MENA governments may become subject to the anger of Brussels if they offer tax and investments incentives to investors, which may be seen against the aid rules<sup>642</sup>.

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<sup>637</sup> EU-Morocco Association Agreement, (note 635).

<sup>638</sup> Forsberg, T., & Haukkala, H. (2018). An Empire Without an Emperor? The EU and Its Eastern Neighbourhood. In *Policy Design in the European Union* (pp. 253-275). Palgrave Macmillan, Cham.

<sup>639</sup> Bosse, G. (2007). Values in the EU’s Neighbourhood Policy: Political Rhetoric or Reflection of a Coherent Policy?. *European Political Economy Review*, 7(2), 38-62.

<sup>640</sup> Rubini, L. (2009). *The definition of subsidy and state aid: WTO and EC law in comparative perspective*. Oxford University Press.

<sup>641</sup> Laïdi, Z. (2008). European preferences and their reception. In *EU Foreign Policy in a Globalized World* (pp. 11-30). Routledge.

<sup>642</sup> Grabbe, H. (2004). How the EU should help its neighbours (p. 4) . Brussels: *Centre for European Reform*.

These provisions apply to the contracting party as well as the EU member states, but they cannot be invoked before the Court of Justice by a member state or a private party at the community level as they do not enjoy a direct effect<sup>643</sup>. Yet, this will be different in the cases where the Association Agreement provisions have a direct effect providing “that they are unconditional, sufficiently precise and their direct application is within the purpose of the agreement<sup>644</sup>”. The issue here which was raised by many scholars; what is the point of the EU’s aid if it cannot be used to support the small and medium sized local enterprises<sup>645</sup>? Despite these criticisms, the evolvement of the Association Agreements between the EU and the Southern Mediterranean countries represents a significant stride in the direction of creating a privileged relationship by bridging the socio- economic space between the two shores of the Mediterranean.

Arguably, the multiplicity of the EU’s Association Agreements with partners in different regions in the world, which has resulted in an amalgamation of agreements, could explain the inclusion of specific provisions for the EU neighbours<sup>646</sup>. This once again highlights the symbolic representation of Article 8 TEU as a label of positioning and distinguishing the EU’s special relations with its neighbouring partners from the rest of Association Agreements. In comparison to other Association Agreements, the EU’s agreements with neighbouring countries which are based on Article 8 TEU have a clear mandate, “to establish an area of prosperity and good neighbourliness characterised by close and peaceful relations based on cooperation”.

Bear in mind that the idea to introduce a specific Treaty provision regarding the relations between the EU and its vicinity was launched during the travaux préparatoires of a Draft Treaty establishing a Constitution for Europe. According to the committee, a separate provision on “the Union and its immediate

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<sup>643</sup> Kellermann, A. E. (2008). The rights of non-member state nationals under the EU association agreements. *Eur. JL Reform*, 10, 339.

<sup>644</sup> Semertzi, A. (2014). The preclusion of direct effect in the recently concluded EU free trade agreements. *Common Market Law Review*, 51(4), 1125-1158.

<sup>645</sup> Kourtelis, C. (2015). Assessing EU Aid to the ‘Southern Partners’ of the European Neighbourhood Policy: Who Benefits from the Reforms in the Agricultural and Industrial Sector?. *Journal of Intervention and State building*, 9(2), 190-211.

<sup>646</sup> Van Elsuwege, P., & Petrov, R. (2011). Article 8 TEU: towards a new generation of agreements with the neighbouring countries of the European Union?. *European Law Review*, 36(5), 688-703.

environment” was deemed necessary to articulate the importance to the EU’s privileged relations with its neighbours<sup>647</sup>. The context of this provision, hence, is very important from a political point of view. Article 8 TEU, not only differentiate the neighbours’ Association Agreements with the rest of the world<sup>648</sup>, but also leaves no doubt about the disconnection between ENP and enlargement despite the absence of any explicit reference to the ENP in Article 8 TEU <sup>649</sup>.

### 3.2.2. The Application of Art 8 TEU

Even though Art 8 seems to be a declaration of intent of the EU to improve the relationship with the neighbouring countries, including the MENA area, it remains ambiguous as to the added value in comparison with the previous Association Agreements legal provisions. Hence, the question arose as to whether the new legal basis can be an efficient foundation to develop the relationship with the Mediterranean area and can it be also the ultimate legal basis for the Association Agreements in the near future.

It seems that Art 8 (2) TEU became the main legal foundation of the Association Agreements with MENA countries and other neighbouring states, taking into consideration Art 216(1) TFEU which refer to the provisions of TEU as the legal basis to conclude the agreements with the external world<sup>650</sup>. Moreover, Art 8 TEU is modelled upon the wording of ART 217 TFEU<sup>651</sup> which considered the main legal provision to conclude the Association Agreements. Yet, we cannot ignore the difference between the two provisions, mainly due to the fact that the new Article 8 TEU does not explicitly provide for “special procedures”, instead it stipulates an obligation to monitor the agreements by “periodic consultation<sup>652</sup>”.

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<sup>647</sup> Convention 649/03, “Title IX: The Union and its immediate environment”, 2 April 2003, available at: <http://european-convention.eu.int>. [Accessed on 12/01/2018].

<sup>648</sup> Walter Hallstein, former Commission president, declared that “association can be anything between full membership minus 1% and a trade and co-operation agreement plus 1%”. Cited in D. Phinnemore, *Association: Stepping-Stone or Alternative to EU Membership?* (Sheffield: Sheffield Academic Press, 1999), p.23.

<sup>649</sup> Peter Van Elsuwege, Roman Petrov (2011) Article 8 TEU: Towards a New Generation of Agreements with the Neighboring Countries of the European Union? *2011 European Law Review*.

<sup>650</sup> Hanf, (note 596), p. 688.

<sup>651</sup> Ex-Article 310 TEC. The TEC has been modified and renamed into Treaty on the Functioning of the European Union (TFEU) by Treaty of Lisbon. The TFEU is cited according to the consolidated version published in the Official Journal of the European Union 2010, p. C 83/1

<sup>652</sup> Hanf, (note 596), p 689.

The imposition of periodic consultation may imply that the Association Agreements with the neighbouring countries are a special form of association which can be subject to “close and frequent inspection”<sup>653</sup>. This interpretation does not exclude the possibility of applying Art 217 TFEU understanding and subsequently Art 218 TFEU<sup>654</sup> as a procedural basis which requires the unanimity decision by the Council<sup>655</sup> in addition to the European Union parliament consent<sup>656</sup>. Consequently, Art 8 TEU may not be sufficient and autonomous legal basis to enact special Association Agreements with the MENA countries which render Art 8 TEU a mere political instrument to focus on the special relations with the neighbouring countries<sup>657</sup>

Yet, some scholars disagreed with this interpretation arguing that Art 8 TEU was the main legal instrument for the modification of the existing Association Agreements with countries which meet the criteria set up by Art 8 TEU<sup>658</sup>. The procedural requirements under Art 217 TFEU should not be interpreted as an “enabling clause since special procedures are part of many agreements which do not qualify as Association Agreements<sup>659</sup>”. Consequently, Art 8 TEU can be viewed as a “catch up provision” which does not need further procedural requirements but, can be considered a sufficient legal basis for the conclusion of EU agreements<sup>660</sup>.

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<sup>653</sup> Waldemar Hummer, “Artikel I-57 EVV”, in: Christoph Vedder/Wolff Heintschel von Heinegg (eds.), *Europäischer Verfassungsvertrag. Kommentar* (Nomos, Baden-Baden 2007), p. 243 (at 21): “Manuduktionscharakter”.

<sup>654</sup> Consolidated version of the Treaty on the Functioning of the European Union - Part Five: External Action by The Union - Title Iv: Restrictive Measures - Article 218 (ex Article 300 TEC), *Official Journal* 115 , 09/05/2008 P. 0144 – 0146.

<sup>655</sup> Van Elsuwege, P. and Petrov, R. (2011) Article 8 TEU: Towards a New Generation of Agreements with the Neighbouring Countries of the European Union? *Revised version of this article, published in issue 5, 2011, European Law Review*. See Mattila M., Lane J.-E. (2011). Why Unanimity in the Council: A Roll Call Analysis of Council Voting (2001) *European Union Politics*, 2 (1), pp. 31-52.

<sup>656</sup> D. Thym, “Artikel 8 EUV”, in: E. Grabitz/M. Hilf/M. Nettesheim (eds.), *Das Recht der Europäischen Union: Kommentar* (Beck, Munich 2010) 19.

<sup>657</sup> Van Elsuwege and Petrov, (note 655).

<sup>658</sup> Van Elsuwege and Petrov, R. (2011) “Article 8 TEU: Towards a New Generation of Agreements with the Neighbouring Countries of the European Union?” in *European Law Review*.

<sup>659</sup> Hanf, D and Dengler, P. (2004). “Accords d’Association”, in: *Commentaire Mégret* (Publications de l’Institut d’études européennes de l’Université Libre de Bruxelles, Bruxelles 2004), 293.

<sup>660</sup> Maresceau, M. (2004) “Bilateral Agreements Concluded by the European Community”, 309 *Recueil des cours de l’académie de droit international* 411.

It seems that that Article 8 TEU is establishing an expressed mandate for the EU to engage with its near-abroad, through the formal integration of the neighbourhood policies in the constitutional framework. As suggested above, while this may have a positive impact in terms of the policies coherence, it may also entail a degree of formalisation in the policy making process which on the other hand, may challenge coordination between various institutional actors<sup>661</sup>. Indeed, by constitutionalising the EU competences in the neighbourhood, few restraints were added on the policies development, which up until then, had enjoyed progressive flexibility, due to the fact that it was developed outside the sphere of the treaties framework, on the basis of soft law mechanisms<sup>662</sup>. The expressed competences rendered its application more constrained “in that it should fully comply with the structural and procedural principles of the EU legal order; such as conferral, subsidiarity, proportionality, and consistency<sup>663</sup>”.

The fact that the new express competence has been constrained should not obscure the EU’s neighbourhood envisaged special relationship development. The EU aimed to establish an area of peace and prosperity founded on the Union values, norms and principles and based on a cooperative approach. In another words, Article 8 TEU appeared to redefine the ultimate purpose of the EU policies in near-abroad by stipulating the foundation of this relationship, as well as the methodology it intends to tread to achieve its ultimate aim<sup>664</sup>.

Article 8 TEU explicitly referred to the “values of the Union” as the main foundation of the EU relations with its neighbouring countries. It seems that the latter has set aside the previous language used in the EU’s strategic documents Which continuously referred to the “common values” or “shared values”. This gives the impression that Article 8 TEU summarises a normative shift in the EU policies towards its near-abroad. What can be concluded from this change is that Article 8 TEU not only confirming the EU should act as a normative power in the

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<sup>661</sup> Hillion, (note 591), p 22.

<sup>662</sup> B Van Vooren, B. (2009). ‘The European Neighbourhood Policy as a Case-Study for Soft Law in EU External Relations’ 34 *European Law Review* 696.

<sup>663</sup> Hillion, (note591), p 22.

<sup>664</sup> Hanf, D (2011). “The ENP in the light of the new neighbourhood clause”, in: E. Lannon (ed.), *Challenges of the European Neighbourhood Policy* (Brussels-Berlin: Peter Lang Publishers, 2011), in press.

neighbourhood, but also should act in coherence with its own founded principles and in line with general recommendations of Article 3(5) TEU<sup>665</sup>.

In addition to the normative shift which centred around the reflection of the EU principles, it appears at first glance that Article 8 envisages a partial rejection of the conditionality principle. As some scholars have argued that Article 8 provisions “impedes the union from entering into a special relationship with neighbouring countries refusing to commit themselves to the values of the Union<sup>666</sup>”, however, such interpretation does not entirely echo the terminology of the provision. As discussed earlier, the treaty compels the EU to engage with its neighbourhood, with the intension to assert its values and norms. In another words, the EU should not stand idle until its neighbours comply with the economic and political conditions before eventually engaging, especially when other interests are at stake, such as security<sup>667</sup>. The treaty provision refers to the development of active policies of reforms of the near-abroad.

What can be concluded is that Article 8 TEU while making it compulsory for the EU to engage with its neighbours, it does not entirely exclude conditionality from the EU policies in the neighbourhood. Having said this, the manner in which the EU engages with any particular country in the vicinity is subject to different political variations<sup>668</sup>. The treaty provision, while it did not specify the form of ‘special relationship’, it was formulated to accommodate the different neighbours’ relationships dynamics, as well as the variety of mechanisms so far been developed whether multilateral (EMP), bilateral (Association Agreements) and (ENP).

### **3.3. The Development of the EU-MED Partnership**

The EU-Southern Mediterranean relationship went through multiple stages until it reached the multilateral partnership agreement. This part will discuss the EU

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<sup>665</sup> According to Article 3(5) TEU, “In its relations with the wider world, the Union shall uphold and promote its values and interests...”.

<sup>666</sup> Hanf, (note 664), p 20.

<sup>667</sup> Lazowski, A. (2008) “Enhanced Multilateralism and Enhanced Bilateralism: Integration without Membership in the European Union” *45 C.M.L. Rev.* 1433.

<sup>668</sup> Petrov, R and P. Leino, (2009) “Between ‘Common Values’ and Competing Universals: The Promotion of the EU’s Common Values through the European Neighbourhood Policy” (2009) *15 E.L.J.* 654, 667–670.

and the Mediterranean countries cooperative approach, The Barcelona Declaration: The Euro-Mediterranean Partnership, Scope of Action of this partnership.

### **3.3.1. The EU and the Mediterranean Countries: The Cooperative Approach**

Arguably, the EU openness towards the developing countries was included within the European vision and objective from the outset<sup>669</sup>. However, the reference to such objective did not exist within the European Coal and Steel Treaty<sup>670</sup>. The EC overcame this shortage under the 1957 European Economic Community (EEC), listing “the association of the overseas countries and territories in order in increase trade and to promote jointly economic and social development<sup>671</sup>” as one of the Community approaches.

By 1978 some member states, especially France and Italy, two founders of the Community, encouraged the new institution to have a Mediterranean dimension. This mainly serves the objective of preserving the privileged political and financial relations with its former colonies, which resulted in the agreements of the “Association of the Overseas Countries and Territories<sup>672</sup>”. Although, they were separate from other agreements it concurred with sub-Saharan countries, mainly the Yaoundé Agreement<sup>673</sup>. As a coherent development policy towards the Mediterranean region for this to take shape.

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<sup>669</sup> Bartels, L. (2007) The Trade and Development Policy of the European Union, *The European Journal of International Law* Vol. 18 no. 4 © EJIL 2007. Available AT: <http://ejil.oxfordjournals.org/>. [Accessed on 2/4/2017]

<sup>670</sup> Treaty establishing the European Coal and Steel Community (Paris, 18April 1951), available at; [http://www.cvce.eu/obj/treaty\\_establishing\\_the\\_european\\_coal\\_and\\_steel\\_community\\_paris\\_18\\_april\\_1951-en-11a21305-941e-49d7-a171-ed5be548cd58.html](http://www.cvce.eu/obj/treaty_establishing_the_european_coal_and_steel_community_paris_18_april_1951-en-11a21305-941e-49d7-a171-ed5be548cd58.html). [Accessed on 15/4/2017].

<sup>671</sup> Art. 3(k) EEC Treaty; now Art. 3(s) EC. See the changes in EU approach; Lesage and Kerremans, (2007). ‘The Political Dynamics Behind US and EU Trade Initiatives Towards the Least Developed Countries’, in Faber, G., & Orbie, J. (Eds.). (2007). *European Union trade politics and development: 'Everything but Arms' unravelled*. Routledge

<sup>672</sup> Articles (131–136) of the Treaty Establishing the European Community, ROME, 25 March 1957, as Amended by Subsequent Treaties [hereinafter Treaty of Rome]. For more on this see Gerhard, P. and Sorsa, P. (1992)

*European Integration and Trade with Developing World*, Washington DC, World Bank.

<sup>673</sup> Zarrouk, J., & Zallio, F. (2001). Integrating Free Trade Agreements in the Middle East and North Africa. *The Journal of World Investment & Trade*, 2(2), 403-423.

The Global Mediterranean Policy (GMP)<sup>674</sup> was enacted to develop and harmonise the relationship with some Mediterranean Countries, as well as European ones which still were not part of the community<sup>675</sup>. This development inspired by ongoing conflicts and instability in the region. The EU realised the importance of this region to its security, especially following the oil prices spike<sup>676</sup>. The initiation of the relationship took the form of bilateral cooperation Agreements with multiple North African Countries<sup>677</sup>, followed by some of the Mashreg Countries in 1977<sup>678</sup>, which provided trade concessions and some access to the EC market<sup>679</sup>, as well as some financial assistance. This further promoted the already developed economic ties between Europe and Mediterranean countries. However, this policy has failed, mainly due to the cold war and disunity among the member states, in addition to the accession of Portugal and Spain to the Community<sup>680</sup>. The EC Policy intended to support the MENA Countries development including agricultural production; however, this became unfeasible, especially after the accession of two major agriculture producers.

The trade concessions and market access has been developed mainly through tariff wavers. Yet, the main agricultural products of the Med countries have been excluded from such preference, also the quotas system imposed by the EU hit the important industrial products<sup>681</sup>. The limitation of access to the EU market, which coincided with EU enlargement by new countries trading in competitive

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<sup>674</sup> Commission of the European Communities (1994) 'Europe and the Mediterranean' Background Report ISEC/B21 December 1994.

<sup>675</sup> Holden, P. (2008). Development Through Integration? EU Aid Reform and The Evolution of Mediterranean Aid Policy. *Journal of International Development J. Int. Dev.* 20, 230–244.

<sup>676</sup> EL Said, M, K. (2007). The European Trips-Plus Model and The Arab World: From Co-Operation to Association—A New Era In The Global IPRS Regime? *Liverpool Law Review* (2007) 28:143–174, Spring 2007.

<sup>677</sup> Euro-Mediterranean Agreement establishing an association between the European Communities and their Member States, of the one part, and the Republic of Tunisia, of the other part Official Journal L 097, 30/03/1998 P. 0002 – 0183. The EFTA States signed a Free Trade Agreement with Morocco in Geneva, Switzerland, on 19 June 1997. The Agreement entered into force on 1 July 1999.

<sup>678</sup> The EFTA States signed a Free Trade Agreement with Egypt in Davos, Switzerland, on 27 January 2007. The Agreement entered into force on 1 August 2007. The EFTA States signed a Free Trade Agreement with Jordan in Vaduz, Liechtenstein, on 21 June 2001. The Agreement entered into force on 1 September 2002.

<sup>679</sup> Fontagne L, Pe'ridy N. (1997). The EU and the Maghreb. *OECD*: Paris.

<sup>680</sup> Manuel, P. C., & Royo, S. (2004). *Spain and Portugal in the European Union: The first fifteen years*. Routledge.

<sup>681</sup> Pace, M. (2004). The Euro-Mediterranean Partnership and the Common Mediterranean Strategy? European Union Policy from a Discursive Perspective. *Geopolitics*, 9(2), 292-309.

rather than complementary products, rendered the Mediterranean countries incapable of competing with the EU member states<sup>682</sup>.

In addition to these difficulties, the development aid was relatively inadequate<sup>683</sup> and disbursed in accordance with the EU priorities and policies, rather than the southern neighbours' needs. Hence, the EU approach was insufficient to address the Mediterranean countries economic complexity needs. The development in the EU south vicinity in practice contributed to a succession of economic crises that threatened to have an impact upon the EU. Realising the danger of economic collapse in some countries, the EU considerably increased its intervention in the economic reform agenda<sup>684</sup>. Consequently, by the 1990, the EU introduced the new Mediterranean policy, which intended to encourage the MENA Countries to take some steps in liberalising their economy and introducing some democratisation course of action<sup>685</sup>.

The assessment of this policy was not encouraging. For instance, the Commission criticised it for increasing partial dependency upon the Community agricultural exports, the collaboration between the EU and the partners remained insufficient, and the promised aid from the EC represented a mere fraction from the overall aid budget<sup>686</sup>. All these hindered rather than helped the MENA Countries efforts in the liberalisation process<sup>687</sup>. For example, in Tunisia whilst in theory, there have been some legal reforms concerning investment protection, in reality, the situation remained oblique<sup>688</sup>. A similar problem occurred in Morocco, as the patrimonial governance was hindered by corruption and linkages to the political power<sup>689</sup>. Hence, the EU internal issues combined with the MED

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<sup>682</sup> Dodini, M., & Fantini, M. (2006). The EU Neighbourhood Policy: implications for economic growth and stability. *JCMS: Journal of Common Market Studies*, 44(3), 507-532.

<sup>683</sup> Holden, P. (2005). Partnership lost? The European Union's Mediterranean aid programmes. *Mediterranean Politics* 10(1): 19–39.

<sup>684</sup> Gillespie, R. (2000). *Spain and the Mediterranean*. MacMillan: Basingstoke.

<sup>685</sup> European Commission (1999). Redirecting the Community's Mediterranean Policy SEC (89) 1961 final. 23 November 1989 & SEC (90) 812 final 1 June 1990

<sup>686</sup> Anderson, K., Dimaranan, B., Francois, J., Hertel, T., Hoekman, B., & Martin, W. (2002). The costs of rich (and poor) country protection to developing countries. *Journal of African Economies*, 10(3), 227–257.

<sup>687</sup> Owen R. 2000. *State, Power, and Politics in the Making of the Modern Middle East*. Routledge: London.

<sup>688</sup> Joffe G. 2000. *Foreign investment and the rule of law*. In *The Euro-Mediterranean Partnership: Building a Regional Community*, G. Joffe (ed.). Frank Cass: London, pp. 33–53.

<sup>689</sup> Philippart, E. (2003). "The Euro-Mediterranean Partnership: A Critical Evaluation of an Ambitious Scheme", *European Foreign Affairs Review* 8, pp.201-220.

countries difficulties reduced the success rate of the reform approach. The disappointment of the new policy coupled with new failure in the field of security precipitated the Italian and the Spanish government call for a Conference on Security and Cooperation in the Mediterranean (CSCM)<sup>690</sup>. The EU came to the conclusion, that their security is heavily dependent on the development of the political, social and economic situation in MENA area, taking into consideration the increased threats of illegal immigration, drugs and terrorism<sup>691</sup>. Indeed, from this point of time, the security agenda became the cornerstone of the EU-Mediterranean countries relationship.

However, their efforts were not successful, mainly due to the reluctance of the Arab Countries to include Israel<sup>692</sup>. The Arab-Israeli conflict was the main stumbling block in developing an umbrella agenda which may have included security and political cooperation in addition to the financial and economic policy. Some Arab countries with the support of the Arab League insisted on discussing and resolving the Palestinian issues before agreeing on any security cooperation with Israel. This conditional approach was refused by Israel, stating the unsuitability of the format to discuss these issues<sup>693</sup>. Nevertheless, these efforts illustrate the attention of the European Union to create a cooperative security programme in the region, which was to be based on strong believes that cooperation between the Mediterranean states with the aim to reduce the tension between them, which in turn may have helped to avoid any future military conflict<sup>694</sup>.

This failure of CSCM did not deter the EU from revisiting the security policy, by creating the Euro-Maghreb which became 5+5 dialogue<sup>695</sup>. Yet, again this project

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<sup>690</sup> During Mallorca meeting of the conference on security and Cooperation in Europe in 1990.

<sup>691</sup> Burç YILDIZ, U. (2012). The Union For the Mediterranean: Why Did it Fail and How Should it be Effective?. *Review of International Law & Politics*, 8(32).

<sup>692</sup> Missiroli, A (2002). "The European Union and Its Changing Periphery: Stabilisation, Integration, Partnership", Geneva Centre for Security Policy Occasional Paper Series, no.32, August, pp.1-9.

<sup>693</sup> Gillespie, R. (2010). 'European Union Responses to Conflict in the Western Mediterranean'. *The Journal of North African Studies*, Vol. 15, No. 1, 2010.

<sup>694</sup> Costanza, M. (2010). *European Union Policy towards the Arab- Israeli Peace Process*, (New York: Pelgrave Macmillan).

<sup>695</sup> 5+5 Dialogue was initiated by France at the beginning of the 1980s and then relaunched by Italy and Spain in the late 1980s. The first meeting took place in 1990. First it was called five plus four encompassing the five Mediterranean countries of Algeria, Libya, Mauritania, Morocco

was born with a death certificate, as it coincided with the Gulf war, which created tension between the NATO and some Arab Countries<sup>696</sup>. The attempts to create Mediterranean cooperation were not only European agenda, as some MENA Countries became less reluctant to enter into agreements with the EU, especially with the promises of financial support. The Egyptian sponsored Mediterranean Forum in 1991 provided an opportunity for the Mediterranean countries to express their development and security concerns. While the EU was expecting to strengthen its foreign policy by the ratification of the Maastricht Treaty<sup>697</sup>, the relationship with the Mediterranean area from a security perspective, mainly under Common Foreign and Security Policy (CFSP)<sup>698</sup> was a hot topic on the EU agenda. The EU realised the opportunity to widen the relations with the Southern neighbours, especially after the forum, where the MENA Countries expressed their interest to enter with the EU into a more comprehensive agreement. These views came on the ground of an optimistic atmosphere for peace between the Israeli and the Palestinian following Oslo Accords<sup>699</sup> which encouraged the EU to initiate a new and comprehensive Mediterranean policy. Hence, In June 1994 the European Council in Corfu mandated the Council of Ministers and the Commission to evaluate “the global policy of the European Union in the Mediterranean region and possible initiatives to strengthen this policy in the short and medium term<sup>700</sup>”.

Some conceptual explanations are required at this point. The normative analysis, at this stage, allows suggesting that the EU approach towards the Mediterranean countries is rather self-preservation-based approach. Even if the economic

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and Tunisia and the European countries of France, Italy, Portugal and Spain. With the accession of Malta, the project became five plus five.

<sup>696</sup> Spencer, C. (1998). Rethinking or Reorienting Europe's Mediterranean Security Focus? in Parks, William, and G. Wyn Rees (eds.), *Rethinking Security in Post-Cold War Europe*, London: Addison Wesley Longman Ltd.

<sup>697</sup> European Union, Treaty on European Union (Consolidated Version), Treaty of Maastricht , 7 February 1992, Official Journal of the European Communities C 325/5; 24 December 2002, available at: <https://www.refworld.org/docid/3ae6b39218.html>. Accessed on 12/10/2018

<sup>698</sup> Conclusions of the Presidency Lisbon, 26-27 July 1992, Commission of the European Communities, London, BIO/92/166 2. The report on the development of the CFSP was contained in Annex I and Declarations on the Middle East Peace Process and relations with the Maghreb in Annexes III & IV respectively.

<sup>699</sup> Edward W. (2000). “*The End of the Peace Process: Oslo and After*”, (New York: Pantheon).

<sup>700</sup> European Council Presidency Conclusions 24-25 June 1994, European Council at Corfu, Commission of the European Communities, London, SN150/94.

reform had been on the agenda for some time<sup>701</sup>, however, the EU liberalisation approach was founded on the member states previous practise which did not take into account the economic and political complexity of the region<sup>702</sup>. While, the European reforms combined with great regional integration, the Mediterranean Countries economy integration was in its infancy and incapable of re-structuring without negative effects. The public assistance<sup>703</sup> for re-structuring EU member state was available to reduce the negative impact, yet such option was not to be possible for the countries outside the EU sphere, even with EU financial assistance, as it is significantly smaller than EU internal support<sup>704</sup>.

Moreover, some scholars criticised the EU agenda towards its agricultural protection policy and subsidies<sup>705</sup> questioning whether the EU market access policy was really benefiting the Mediterranean countries. The exclusion of certain agricultural products highlights the structural disadvantage that the Mediterranean countries were facing, considering that agricultural products are the main export commodity<sup>706</sup>. The EU calls for Liberalisation of the Mediterranean countries' economy combined with a protectionist attitude of its own market<sup>707</sup>, puts the EU in a privileged position, as it benefits from tariffs elimination of their products<sup>708</sup> which may explain the liberalisation reverse trends in the southern neighbours<sup>709</sup>.

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<sup>701</sup> Owen R. (2000). *“State, Power, and Politics in the Making of the Modern Middle East”*. Routledge: London.

<sup>702</sup> Bolle, M (coord.). (2007). *“The Political Economy of Governance in the Euro-Mediterranean Partnership”*. GoEuroMed.

<sup>703</sup> Martin, I. (2003). *The Euro-Mediterranean partnership and Inward FDI in Maghreb Countries*. Universidad Carlos III de Madrid.

<sup>704</sup> Bouris, D. (2011). “The limits of normative power Europe: Evaluating the third pillar of the Euro-Mediterranean Partnership”. *Political Perspectives*, Vol. 5, No. 2, pp. 80-106.

<sup>705</sup> Abbasi, N. (2005). Euro-Mediterranean Dialogue, The Institute of Strategic Studies, Islamabad. Available at: [http://www.issi.org.pk/old-site/ss\\_Detail.php?dataId=335](http://www.issi.org.pk/old-site/ss_Detail.php?dataId=335) [25.05.2012]. [Accessed on 29/10/2017].

<sup>706</sup> García-Alvarez-Coque, J. M. (2002). Agricultural trade and the Barcelona Process: is full liberalisation possible? *European Review of Agricultural Economics*, 29(3), 399-422.

<sup>707</sup> Attina, F. (2003). “The Euro-Mediterranean Partnership Assessed: The Realist and Liberal Views”. *European Foreign Affairs Review*, Vol. 8, No. 2, pp. 181-200.

<sup>708</sup> CHIŪ, A. (2012). EU Democracy Promotion in the Mediterranean: What are the Main Challenges? The Egyptian Case, *Romanian Journal of International Relations and European Studies* (ROJIRES) 2012.

<sup>709</sup> Pomfret, R. (1992). *The European Community's relations with the Mediterranean countries*. In *The external relations of the European Community* (pp. 77-92). Palgrave Macmillan, London.

Moreover, we should distinguish between the official declarations of the government's political rhetoric and how liberalisation works in practice<sup>710</sup>. Liberalisation does not produce democratisation by contagion<sup>711</sup>. In fact, the relationships between liberalisation and democratisation maybe somewhat confusing. The EU approach concentrated on the economic liberalisation process, which does not correspond with Huntington<sup>712</sup> and Linz<sup>713</sup> definitions of the liberalisation process. These scholars neatly define liberalisation as the transition process from an authoritarian regime to a democratic government, while the democratic process is the consolidation of democratic institutions. However, they failed to take into considerations other complicated meaning of liberalisation<sup>714</sup>. The fact is, relating economic liberalisation to democratic transitions is somewhat misleading. China is a prime example of this misleading presumption<sup>715</sup>. At the time, the EU approach was economical, the political question, especially human rights and democratic development were not at the top of the EU political agenda. This maybe, due to the principle of no interference<sup>716</sup> within the states internal affairs or the EU focuses on the enlargement process. However, this shortfall would be addressed at the next stage of the EU-MED relationship development.

### **3.3.2. The Barcelona Declaration: The Euro-Mediterranean Partnership**

There is no doubt that EMP is the most vital and comprehensive political process in existence in the Mediterranean, as it brings all together, the EU member states and 12 countries of the Middle East and North Africa<sup>717</sup>. The process was initiated

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<sup>710</sup>Whitehead, L (1996), 'The International Dimensions of Democratization', in Laurence Whitehead (ed), *The International Dimensions of Democratization*, Oxford University Press, Oxford, 3-25.

<sup>711</sup> Ibid, p 134.

<sup>712</sup> Huntington, S. (1991). *The Third Wave. Democratization in the Late Twentieth Century*, Norman, University of Oklahoma Press.

<sup>713</sup> Linz J, J. and Stepan A. (1996). *Problems of Democratic Transition and Consolidation*. Southern Europe, South America, and Post-Communist Europe, Baltimore, Johns Hopkins University Press, 1996.

<sup>714</sup> Panebianco, S and Rossi, R. (2004). *EU attempts to export norms of good governance to the Mediterranean and Western Balkan countries*, Jean Monnet Working Papers in Comparative and International Politics, Jean Monnet Centre EuroMed, Department of Political Studies - University of Catania.

<sup>715</sup> Wang, Y. (2017). *China's Economic Development and Democratization*. Routledge.

<sup>716</sup> Ibid

<sup>717</sup> Barcelona Declaration, 28 Nov. 1995, [http://eeas.europa.eu/euromed/docs/bd\\_en.pdf](http://eeas.europa.eu/euromed/docs/bd_en.pdf), [accessed 12-01-2014].

in 1995 with the main objective to enhance peace and stability in the Area. Some scholars argued that “the effects of Arab-Israeli conflict on the Barcelona Process can be best illustrated by the impossibility of reaching a consensus on a Euro-Mediterranean Charter for Peace and Stability...the partners of the Barcelona Process thus opted for a more pragmatic approach. Not only was an attempt to operate in the framework of regional conflicts ruled out, but expectations were also lowered. Hence, bilateral cooperation channels were given priority<sup>718</sup>”.

The formulation of the Barcelona process has been regarded as a great EU foreign policy achievement. The fact is, by bringing all parties, including the Israeli and Palestinian to the table with all the conflicted agenda and the historical conflict- and succeeding in creating regional cooperation was, without doubt, a major step forward. By accepting the Barcelona declaration, all the parties agreed a collective and proactive ambitious agenda of democratisation, security and economic cooperation<sup>719</sup>. Hence, the Barcelona declaration became the cornerstone of EU-Mediterranean relations<sup>720</sup>. The Barcelona Declaration developed with intent of “turning the Mediterranean basin into an area of dialogue, exchange and cooperation, guaranteeing peace, stability and prosperity<sup>721</sup>”. Although the parties to the EMP agreed on a new cooperative strategy in a multilateral form, the new agreement did not completely set aside the previous bilateral approach under the Association Agreements, but rather intended to reinforce it<sup>722</sup>.

The Barcelona strategy can be described as an ambitious programme in comparison with the previous attempts, to encourage development not only from an economic perspective but also through social dialogue and trade<sup>723</sup>. Hence, the Euro-Mediterranean conference adopted a declaration and work programme

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<sup>718</sup> Soler E, I, I & García, I. (2009), *The Union of the Mediterranean and What has it changed and what can be changed in the domain of security?* (Center for European Policy studies, 2009).

<sup>719</sup> Fontelles B, J. (2010). ‘Yes, the Barcelona Process was “mission impossible”, but the EU can learn from that’ (Europes world, autumn 2010)

<sup>720</sup> Asli, S. (2008). “From the Euro-Mediterranean Partnership to the Union for the Mediterranean”, *Perceptions*, Winter 2008, p. 90.

<sup>721</sup> Postolache, A. (2012). New Challenges in the Relation between the European Union and the Mediterranean. *Analytical*, (08), 17-29.

<sup>722</sup> Nsouli, S, M. Bisat, A. (1996). “The European Union's new Mediterranean strategy”, *Finance and Development*, September 1996, Vol. 33, No. 3, pp. 18-19.

<sup>723</sup> Ibid, p 141.

that contained three complementary facets<sup>724</sup>. Chapter I of the agreement adopted the political and security cooperation, aiming to establish an area of peace and stability<sup>725</sup>. Chapter II adopted the economic and financial cooperation aiming at establishing an area of shared prosperity, primarily through the establishment of Free Trade Area<sup>726</sup>. Chapter III adopted the development of the social and cultural ties aiming at a better understanding between the different Mediterranean and European cultures.

It seems, then, that the EMP was a comprehensive initiative with intention to re-envision the Mediterranean as a common region with shared economic and social space<sup>727</sup> through the regional integration process<sup>728</sup>. To facilitate this, the Barcelona process was based on three principles: “equality in the partnership, complementing rather than displacing bilateral activities, comprehensiveness and decentralisation in the approach<sup>729</sup>”. The implementation of these principles through the Barcelona Agreement decisions are monitored by the Euro-Mediterranean Conference of Ministers of Foreign Affairs and the Euro-Mediterranean Committee for the Barcelona process with the EU presidency as the chair<sup>730</sup>. A Committee consists of the EU Troika<sup>731</sup>, and a representative from each Mediterranean member state in addition to some senior EU officials appointed by the Commission to provide an assessment of the previous work

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<sup>724</sup> Barcelona declaration, (note 717).

<sup>725</sup> Hollis, R. (2000). ‘Barcelona’s first pillar: an appropriate concept for security relations?’, in Sven Behrendt and Christian Peter Hanelt, eds, *Bound to cooperate: Europe and the Middle East* (Gütersloh: Bertelsmann Foundation).

<sup>726</sup> Philippart, E. (2003) *The Euro-Mediterranean Partnership: Unique Features, First Results and Future Challenges*, Centre for European Policy Studies, Working Paper No. 10 APRIL 2003. Available at: the CEPS website (<http://www.ceps.be>). [Accessed on 2-1-2017].

<sup>727</sup> Murphy, E. (2002), ‘Navigating the Economic Reform in the Arab World: Social Responses, Political Structures and Dilemmas for the European Union’, in Hanelt, C,P, Neugart, F & Peitz, M (eds), *Europe’s Emerging Foreign Policy and the Middle East Challenge*, Bertelsmann Foundation, Munich, pp. 37-57; *the special issue of Mediterranean Politics* (2002, Vol. 6, No. 2).

<sup>728</sup> Chourou, B. (2003). Arab regional integration as a prerequisite for a successful Euro-Mediterranean partnership. *Mediterranean Politics*, 8(2-3), 194-213.

<sup>729</sup> Philippart, E. (2003). ‘*Reinventing Integration in the Mediterranean – The Euro-Mediterranean Partnership and Beyond*’, *CEPS report*, forthcoming., p19.

<sup>730</sup> Ibid

<sup>731</sup> Calleya, S, C. (2005) *Evaluating Euro-Mediterranean Relations*, Routledge, USA and Canada.

programme and to setup the agenda for the partnership<sup>732</sup>. Hence, no “Barcelona secretariat” as such was established.

The structural composition of the EMP may have failed to consider the institutional composition that would hamper the success of the policy. While the EU member states were already joined in a structural political union, the Mediterranean countries are far away from such unity. Thus, instead of a balanced partnership between the EU and the Mediterranean countries bloc, what materialised was a “hub and spokes<sup>733</sup>” agreement between the EU as one entity and the rest of the Mediterranean countries individually represented, with the EU setting the agenda and the Southern Mediterranean states reacting bilaterally<sup>734</sup>. The lack of shared identity between the Barcelona process members’ states remains the biggest challenge to the success of this policy. Moreover, the conflicting interests, which range from EU full membership<sup>735</sup> to some countries and mere economic cooperation to others, renders the success of the partnership difficult task, especially where the Arab member states may not cooperate unless there is shared a common interest<sup>736</sup>.

The Barcelona declaration second basket promised the development of full free trade in the Mediterranean area by the end of 2010 which failed to materialise<sup>737</sup>. However, despite the failure of this objective, economic cooperation is considered the most tangible development of the Mediterranean partnership with important economic implications<sup>738</sup>. The developments have been brought about due to a

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<sup>732</sup> Brenton, P and Manchin, M. (2003). *Trade Policy Issues for the Barcelona Process*, CEPS Working Papers – CEPS Middle East & Euro-Med Project, forthcoming.

<sup>733</sup> Hollis, R. (2012). No friend of democratization: Europe’s role in the genesis of the ‘Arab Spring’, *International Affairs* 88: 1 (2012) 81–94 © 2012 The Author(s). International Affairs © 2012 The Royal Institute of International Affairs. Published by Blackwell Publishing.

<sup>734</sup> Joffé, G. (2005). Perspectives on development: The Euro-Mediterranean Partnership (London: Frank Cass, 1999); Samir Radwan and Jean-Louis Reiffers, *The Euro-Mediterranean Partnership, 10 years after Barcelona: achievements and perspectives* (Marseille: FEMISE, Institut de la Méditerranée, 2005).

<sup>735</sup> Fontelles, B, J. (2010). Yes, the Barcelona Process was “mission impossible”, but the EU can learn from that (Europes world, autumn 2010).

<sup>736</sup> Ilievska, F. (2011). Restarting the Mediterranean Union?! *Analytical Journal* | Vol.4 Issue 2, Vol.4 No.2 December 2011.

<sup>737</sup> Zerrin, T. (2012). The European Union and Change in the Middle East and North Africa: Is the EU Closing Its Theory-Practice Gap? *Ortadoğu Etütleri*, Volume 4, No 1, July 2012, pp.79-97.

<sup>738</sup> Martin, I. (2004). “The Social Impact of Euro-Mediterranean Free Trade Areas: A first approach with special reference to the case of Morocco”, *Mediterranean Politics*, Vol. 9, No. 3 (Autumn 2004), p. 442.

number of funding programs by MEDA. The aim was to support the Mediterranean member states “to reform their economic and social structures, improve conditions for the underprivileged and mitigate any social or environmental consequences that may result from development<sup>739</sup>”. However, the MEDA Funds have also been used to finance projects of political and cultural nature<sup>740</sup>. Yet, despite the support, several commentators concluded that the partnership was a vehicle for European countries to promote their interests<sup>741</sup>. Indeed, contrary to the expectations, the EU’s economic liberalisation failed to produce an equitable distribution of benefits. While member states gained a considerable advantage in terms of financial opportunities, the policies failed to increase the economic performance of the southern Mediterranean countries<sup>742</sup>. At the political level, the EMP developed to become the most vital policy especially in terms of security and stability. The EMP provided an essential contribution to the stability of the countries concerned and of the entire Mediterranean basin<sup>743</sup>.

### 3.3.3. The EMP Scope of Action

The EMP basic premise was to constitute a common space with common values and interests. Hence, the Barcelona Declaration established a partnership with a comprehensive agenda<sup>744</sup>. Thus, the Barcelona declaration which reflects the member states desire to create an area of stability, peace and prosperity<sup>745</sup> divided the scope of action into three complimentary baskets<sup>746</sup>, with the intention

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<sup>739</sup> Art 1 Council Regulation NO 2698/ 2000. Available at: <https://publications.europa.eu/en/publication-detail/-/publication/9253d569-0584-4e51-873f-045951947a42/language-en>. [Accessed on 1/9/2017].

<sup>740</sup> Eberhard, R. (2001). ‘*The Mediterranean needs more regional cooperation*’, Background paper for the working group on Sub-regional cooperation within the EMP, *Euromesco*.

<sup>741</sup> Hamzawy, A. (2005). Euro-Mediterranean Partnership and democratic reform in Egypt: contemporary policy debates. *The Euro-Mediterranean Partnership: Assessing the First Decade*, 131-142.

<sup>742</sup> Khader, B. (2001). The economic, social and political impact of the Euro-Mediterranean Partnership. In *The EU’s Enlargement and Mediterranean Strategies* (pp. 269-282). Palgrave Macmillan, London.

<sup>743</sup> Ibid.

<sup>744</sup> Crawford, B. (2004) “Why the Euro-Med Partnership? Explaining EU’s Strategies in the Mediterranean Region.” In *EU Trade Strategies: Between Regionalism and Globalism*. Edited by V. K. Aggarwal and E. A. Fogarty. New York: Palgrave Macmillan.

<sup>745</sup> Ramsay, A. (2001). “The European Union and North Africa”, *Contemporary Review*, vol. 278, no.1624, pp:264-272.

<sup>746</sup> Philippart, E (2003). “The Euro-Mediterranean Partnership: A Critical Evaluation of an Ambitious Scheme”, *European Foreign Affairs Review* 8, pp.201-220.

to improve democratic structure within the member states borders, developing liberalised free market and avoiding military conflict through regional cooperation and cultural dialogue<sup>747</sup>.

The political basket of the Barcelona Declaration imitates Helsinki Final Act<sup>748</sup> by adopting a “code of peace<sup>749</sup>” with a set of normative principles envisaging the relationship guidelines between the member states. The principles contained adherence to the international human rights values, non-member state intervention in the internal affairs, collective measures to counter terrorism and reducing the tension between the member states through political dialogues, trust building measures and crisis management<sup>750</sup>. In an effort to materialise these objectives, and in light with the success of the “European stability Pact<sup>751</sup>” in central and Eastern Europe, the EMP instigated the Charter for peace and stability<sup>752</sup> as an institutional framework which capable of setting in motion the relationship between the different parties.

Understanding that the Mediterranean vicinity is a Mosaic of cultures, the cultural basket intended to break the barriers between the different Mediterranean cultures. Hence, they established the “foundation for the dialogue and cultures<sup>753</sup>”. Its role will be based primarily on networking between the national civil societies. Considerable effort, therefore, has gone into supporting non-governmental organisations under the MEDA programs. The Commissioner

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<sup>747</sup> Serfaty, S. (2000). “Europe, the Mediterranean and the Middle East”, *Joint Force Quarterly*, Spring 2000, no.24, pp.56-61.

<sup>748</sup> Helsinki final act 1975; The Helsinki Final Act was an agreement signed by 35 nations that concluded the Conference on Security and Cooperation in Europe, held in Helsinki, Finland. The multifaceted Act addressed a range of prominent global issues and in so doing had a far-reaching effect on the Cold War and U.S.-Soviet relations. Available at: [www.osce.org/who/43960](http://www.osce.org/who/43960). [Accessed on 12/2/2017].

<sup>749</sup> Jentelson B, W. and Dalia D, K. (1997) “*Explaining the Scope and Limits of Regional Security Cooperation: The Middle East ACRS Case*,” Paper prepared for the Annual Conference of the American Political Science Association, Washington, D. C., August 28-31, 1997.

<sup>750</sup> Crawford, (note 744), p 15.

<sup>751</sup> Resolution of the European Council on the Stability and Growth Pact Amsterdam, 17 June 1997 Official Journal C 236, 02/08/1997.

<sup>752</sup> Aliboni, R. (2000). ‘*Building Blocks for the EURO-Med Charter on Peace and Stability*’, EuroMESCO, Papers N7, January 2000.

<sup>753</sup> The Anna Lindh Euro-Mediterranean Foundation for the Dialogue between Cultures sponsors activities that promote intellectual, cultural, and civil society exchanges among European Union member states and their “Partners of the Southern Mediterranean.” Based in Alexandria, Egypt, the foundation was established in 2005 as part of the process set in motion by the 1995 Barcelona Declaration of the Euro-Mediterranean Conference of Ministers of Foreign Affairs. Currently, this partnership has 43 members; it also has a “Memorandum of Understanding” with the Alliance of Civilizations High Level Group of the United Nations.

comments on supporting civil societies<sup>754</sup> seem to reflect the EU commitment to support the south Mediterranean social and political reforms through political participation and social justice<sup>755</sup>.

The cultural issue has taken massive importance, especially the role of political Islam and the question of its compatibility with the western norms<sup>756</sup>. Some European politicians' views on political Islam may not change substantively since Huntington wrote: "Islam has not been hospitable to democracy<sup>757</sup>". Yet, despite the EU official claims that there is no objection to political Islam providing that it accepts the rules of the democratic game. The EU approach appears to contradict with the official claims, as the EU on many occasions seems to prefer secular governments instead of Islamic governments<sup>758</sup>. However, the success of the Islamic movements in the last elections may force the EU to re-assess its approach, as secularism does not necessarily mean democracy<sup>759</sup>. In fact, the new reality in the Arab world forced the EU to change its attitude which was both offensive and defensive<sup>760</sup>. The new approach has gained ground over the last few years, so instead the rejection and tendency to use the political Islam in a negative manner, the EU begun to respond to the issue through cooperation and cultural dialogue, recognising that the acceptance of the "other<sup>761</sup>" identity is the best way forward for the region and could be vital in improving mutual understanding and bringing the two shores together.

The Barcelona agreement embraced an approach which intended to break the barriers between the Christian west and the Muslim south and to promote a

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<sup>754</sup> Commission of the European Communities (2005c). Communication from the Commission to the European Parliament and the Council Concerning Terrorist Recruitment: Addressing the Factors Contributing to Violent Radicalization. Brussels, 21 September, COM (2005) 313 final.

<sup>755</sup> Egeberg, M. (2003). 'The European Commission', in Michelle Cini (ed.), *European Union Politics*. Oxford: Oxford University Press, 131–47.

<sup>756</sup> Muñoz, G. M. (1997). Cultural perceptions in the Mediterranean region. How Islam and the West see each other, *International Dialogue: Basis for Euro-Mediterranean Partnership Dialogue*, chapter 2 Religion and secularism, the North-South Centre used the Euromed Civil Forum that took place in Malta before the inter-ministerial conference as the framework for an international colloquy (11 to 13 April 1997)

<sup>757</sup> Huntington S, (1992). «Will more countries become democratic? » *Political Science Quarterly* 1999.2. p. 99.

<sup>758</sup> Wolff, S. (2018). EU religious engagement in the Southern Mediterranean: Much ado about nothing? *Mediterranean Politics*, 23(1), 161-181.

<sup>759</sup> This point will be discussed in detail in the Third part (Tunisia).

<sup>760</sup> Wolff, (note 758), pp. 165-170.

<sup>761</sup> Barakat, H., (1991), '*The Modern Arab Society: An Experimental, Social Research*', Fourth Edition, Centre for Arab Unity Studies, Beirut-Lebanon.

dialogue between the two civilisations<sup>762</sup>. The approach was based primarily on encouraging the civil societies of the two shores of the Mediterranean interaction. The EU envisaged that by supporting the sense of understanding between the different parties, in the long run, it may help these parties to adopt a new vision for the Mediterranean region and overcome the cultural and political obstacles which based on intolerance and misunderstanding<sup>763</sup>. Based on this rational, the Barcelona process created “the establishment of a Foundation for the Dialogue of Cultures” to encourage the cultural, religious institutions, the universities, civil society network of academicians and media organisations to exchange programs and cooperation<sup>764</sup>.

Beside the political and cultural basket, the economic one was regarded as the central focus of the EMP, as success of this pillar may affect passively or positively the other pillars. As Tovias has suggested, two main objectives were the reason behind the creation of the economic pillar. Firstly, the MENA countries economic improvement is crucial for the decrease of migration to the EU. Secondly, the MENA countries cooperation will depend on the economic support and interdependence with the EU economy<sup>765</sup>. Hence, the economic pillar contained the creation of free trade zone, and increased EU financial assistance<sup>766</sup>. The creation of free trade zone was a tool to lessen the costs of the MENA countries’ economic adjustment and development<sup>767</sup>.

The economic adjustment may have had a negative impact, by eroding the tariff revenues, increase unemployment and budget deficit in the short run. To ease this transition into more competitive economic, the Barcelona Declaration contained a financial assistance component, hence, the EC Council approved a

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<sup>762</sup> Gillespie, R. (2004). ‘A political agenda for region-building? The EMP and democracy promotion in North Africa’. escholarship.org.

<sup>763</sup> Janjar, M, S. (1997) Inter-faith dialogue and the ethics of tolerance, Intercultural Dialogue: Basis for Euro-Mediterranean, chapter 2 Religion and secularism, the North-South Centre used the Euromed Civil Forum that took place in Malta before the inter-ministerial conference as the framework for an international colloquy (11 to 13 April 1997).

<sup>764</sup> Malmvig, H. (2005). Security through intercultural dialogue? Implications of the securitization of Euro-Mediterranean dialogue between cultures. *Mediterranean Politics*, 10(3), 349-364.

<sup>765</sup> Tovias A, (2002). ‘The Political Economy of the Partnership in Comparative Perspective’, Paper prepared for the Conference; The Convergence of Civilizations, Constructing A Mediterranean Region, Lisbon6-9 June.

<sup>766</sup> Marks, J. (1996) “High Hopes and Low Motives: The New Euro-Mediterranean Partnership Initiative,” *Mediterranean Politics* 1/1 (Summer 1996).

<sup>767</sup> Tovias, (note 765), p 22.

regulation called MEDA which deals with the MENA countries under a unified framework<sup>768</sup>. The MEDA program distributed one Billion Euros each year on a bilateral basis to the MENA countries<sup>769</sup>, however, the support is subject to economic liberalisation and other political reforms of the country.

The scope of the economic pillar in addition to the political and cultural pillars has been criticised for either too constricted or too vast incapable of implementing<sup>770</sup>. Indeed, many scholars argued that the EMP should refocus its approach. The inclusion of many “irrelevant” issues have hindered the speedy implementation of more important elements of the Barcelona process and should, therefore, be excluded from the program<sup>771</sup>. However, this proposition may not reflect the Barcelona process, as the three pillars are closely interrelated and the progress of all fronts may not be satisfactory, yet still needed. Joel Peters, for example, argued for the abandonment of the security pillar for the purpose of focusing on the other two pillars. This is mainly due to the Middle East peace process difficulties which limited the development of the security regional cooperation<sup>772</sup>. Moreover, the majority of the issues are dealt with on a bilateral basis; hence, Arab countries are not required to cooperate with Israel and vice versa. Hence, abandoning the security pillar would not result in any significant gains. In fact, it would only result in the loss of an opportunity for all parties to engage in difficult topics and create the possibility to reach a peaceful agreement<sup>773</sup>. Furthermore, the main objective of the Barcelona agreement was the creation of peaceful

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<sup>768</sup> The MEDA programme is the main financial instrument for the implementation of the Euro-Mediterranean Partnership which was established at the Barcelona Conference in November 1995. MEDA was initially introduced in 1996, modified and renamed MEDA II in 2000, before being finally abandoned in 2006 following a set of community aid reforms of and the creation of the European Neighbourhood and Partnership Instrument (ENPI) put into place on January 1st 2007. (Council Regulation (EC) No 2698/2000 of 27 November 2000), published on 12 December 2000.

<sup>769</sup> Tovas, (note 765), p. 23.

<sup>770</sup> Gstöhl, S. (2008), “A Neighbourhood Economic Community – Finalité Economique for the ENP?”, EU Diplomacy Paper No. 3/2008, College of Europe, Department of EU International Relations and Diplomacy Studies, Bruges.

<sup>771</sup> Philippart, E. (2003), ‘*The Euro-Mediterranean Partnership: Unique Features, First Results and Future Challenges*’, Centre for European Policy Studies (CEPS) Middle East & Euro-Med Project, Working Paper NO. 10 APRIL 2003.

<sup>772</sup> Peters, J. (2002), ‘*The future of the Arab-Israeli peace process and the Barcelona process*’, paper presented at Halki 2002 International Seminar on Forging Regional Cooperation, Greece, 8-12 September 2002.

<sup>773</sup> Ibid, p 13.

region in the Mediterranean, hence, by abandoning the security pillar, is a declaration of the EU failure to achieve the purpose of the agreement<sup>774</sup>.

Apart from this crucial omission, in comparison with other EU partnerships, it seems that the EMP is inward looking<sup>775</sup>. It may be argued that the EU foreign policy cannot compete with the USA; hence, its impact may be relatively limited. From the MENA countries perspective, the Barcelona process keeps the door open to advance their interests in the USA or the World Bank with the support of the EU. This approach has not explicitly adopted by the signatory parties, but it has not been excluded either<sup>776</sup>. The Barcelona agreement endorsed the principles of “partnership” and open political dialogue. This approach may indeed have lowered the danger of derailing or jeopardising the possibility of creating the EMP by introducing extremely controversial issues, such as the peace process<sup>777</sup>.

Furthermore, the implementation process has been described as grossly inadequate. For example, the Mediterranean countries suffer from immense debt, mainly to the EU and its member states, yet, despite the Barcelona Declaration promise to tackle the problem not much has been achieved. This is largely due to the lack of a framework for alternative management approaches of this debt<sup>778</sup>. Another important issue which raised many criticisms is the agricultural products trade which the EU failed to commit to any kind of liberalisation. This is mainly, as discussed above, due to the member states interests in the field in the name of subsidiarity<sup>779</sup>, and little possibility for the EMP to challenge the “status Quo”.

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<sup>774</sup> Toje, M. (2005), ‘The 2003 European Union Security Strategy: A Critical Appraisal’, 10 *EFA Rev.* 117 at 119.

<sup>775</sup> Bojinovic, A. (2007), ‘*Domestic and external states’ foreign policies towards the Mediterranean region; disturbances in social construction of the Mediterranean regionness*’, Paper presented at: The Euro-Mediterranean Partnership (EMP): Perspectives from the Mediterranean EU countries, 25-27 October 2007, Rethimnon, Crete.

<sup>776</sup> Athanasios, M. (2005), ‘The Mediterranean Region: Reality, Delusion, or Euro-Mediterranean Project’, *Mediterranean Quarterly* 16(2): 11-38.

<sup>777</sup> Peters, (note 772), p. 22.

<sup>778</sup> Ayadi, R. (2011), ‘*Macro and financial crisis management in the south Mediterranean countries: Lessons and Prospects?*’ CEPS, Paper prepared for FEMISE Annual Conference 16 December 2011.

<sup>779</sup> Panizzon, M. (2012), ‘*Readmission Agreements of EU Member States: A Case for EU Subsidiarity or Dualism?*’ by the Swiss National Science Foundation, Working Paper No 2012/35| September 2012. Paper on the principles of Subsidiarity.

There is no doubt that the EMP has revolutionised the relationship between the EU and Southern Mediterranean countries by upgrading the scope of action and developed mutual commitments between all parties. The EMP was a very ambitious project which combined political, economic and social features, in practice the achievements of this project fell short except in certain economic objectives. As stated by Kahraman, “Barcelona partners, including the EU countries have adhered to conditionality at a declaratory level and conceived it mainly in economic and governance terms rather than as a democratic principle<sup>780</sup>”. Hence, when considered the EU as transformative or normative power intending to reconstruct the Southern Mediterranean countries economically and politically, the EMP could not be considered as successful. Many scholars indicated that the failure of the partnership is due to not being among equals, as “it reflects the asymmetry of dependence and power distribution among parties<sup>781</sup>”. The EU set the scope of the partnership with little influence by the MENA countries.

### **3.4. The European Neighbourhood Policy: The Normative Agenda**

After a decade since the creation of the EMP, the economic and political conditions of the world, including the EU have changed dramatically. These changes forced the EU to adjust its perspective towards the world and especially its near abroad<sup>782</sup>. Leading to the creation of the ENP, this part will discuss the reasons behind the creation of the European Neighbourhood Policy, an overview of the main principles and objectives of this policy. In the next part, an assessment of this policy will be provided, then an evaluation of the EMP and ENP compatibility will be attempted.

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<sup>780</sup>Kahraman, S. (2005), “*The European Neighbourhood Policy: The European Union’s New Engagement Towards Wider Europe*”, *Perceptions*, Vol. 10, Winter 2005, pp.1-28. Available at; <<http://www.sam.gov.tr/perceptions/Volume10/winter2005/SevilayKahraman.pdf>> .[Accessed on 20/2/2016]

<sup>781</sup> Joffé, G, H.(2001), ‘The European Union and the Mediterranean’, in Telo Mario (ed.), *European Union and New Regionalism: Regional Actors and Global Governance in a Post Hegemonic Era*, Ashgate Publishers., Aldershot, pp. 207-225.

<sup>782</sup> Koenig, N. (2016). ‘*Taking the ENP Beyond the Conception-Performance Gap*’. Policy Paper, 160.

### 3.4.1. The Reasons Behind the Creation of the European Neighbourhood Policy

With each new enlargement, the EU neighbourhood map would be altered by new neighbouring countries. The latest enlargements by 12 new member states carried out in 2004 and 2007 was the cornerstone for new thinking about the relations with the old neighbours in the south as well as the new neighbours in the East<sup>783</sup>.

The new thinking about the relationship with the neighbours was part of the overall debate on the future strategy of the EU enlargement which intensified throughout the latest enlargement which revolved around the capacity of the EU to integrate further and welcome new member states<sup>784</sup>. The Commission's views regarding the enlargement strategy were based on the European Council consensus to integrate new members<sup>785</sup>, stating that "enlargement is an ongoing process and that the Union is open to any European country which is democratic, runs a market economy and can handle the rights and obligations of membership<sup>786</sup>". However, neither the Council nor the Commission has signalled the extent to which the EU should expand. Rather, this was a mere indication of the EU commitment in the internal conflict about the EU enlargement, in particular with regard to Turkey<sup>787</sup>.

However, a consensus has been achieved that in order to maintain its influence over the new outer border, the EU should create a new policy to deal with its Eastern and Southern neighbours, subsequently, the ENP has been introduced<sup>788</sup>. In contrast to the EMP which based on multilateral agreement, the

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<sup>783</sup> Lavenex, S. and Schimmelfennig, F. (2007) 'Relations with the Wider Europe'. *JCMS*, Vol. 45, s1, pp. 143–62.

<sup>784</sup> Ibid.

<sup>785</sup> Commission of the European Communities (2007a) 'Enlargement Strategy and Main Challenges, 2007–2008'. COM (2007)663, 6 November, p 2. Available at: [https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/pdf/key\\_documents/2007/nov/strategy\\_paper\\_en.pdf](https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/pdf/key_documents/2007/nov/strategy_paper_en.pdf). [Accessed 29/7/2016].

<sup>786</sup> European Communities. (2007). The EU in the world- The foreign policy of the European Union. In European Union (Ed.), *Europe on the Move*. European External Action Service.

<sup>787</sup> Sjursen, H. (2002), Why expand? The question of legitimacy and justification in the EU's enlargement policy, *JCMS: Journal of Common Market Studies*, 2002 - Wiley Online Library.

<sup>788</sup> Hollis, R. (2012), No friend of democratization: Europe's role in the genesis of the 'Arab Spring', *International Affairs* © 2012 The Royal Institute of International Affairs. Published by Blackwell Publishing Ltd, *International Affairs* 88: 1 (2012) 81–94.

ENP then was an EU initiative due to its “enlargement fatigue<sup>789</sup>”. As some scholars argued, the EU’s new borders were “the most important of all the foreign policy implications of enlargement<sup>790</sup>”. The latest enlargement created a new reality by dividing between the EU insiders and new outsiders. Bear in mind the strong historical connection between the Eastern European countries’ new insiders and outsiders which include race extension or through immigration, the EU was aware of this conundrum, which may have a potential negative impact, especially on the new members though contagion<sup>791</sup>. Hence, the Commission has noted: “Exiting differences in living standards across the Union’s borders with its neighbours may be accentuated as a result of faster growth in the new member states than in their external neighbours; common challenges... will have to be addressed<sup>792</sup>”.

Hence, in 2003 the Commission presented a communication titled: The Wider Europe Neighbourhood, A New Framework for Relations with our Eastern and Southern Neighbours<sup>793</sup>. The Communication proposed a new range of unified EU policies towards the neighbouring countries whether in the East (Armenia, Azerbaijan, Belarus<sup>794</sup>, Georgia, Moldova, Ukraine) or the south (Algeria, Egypt, Israel, Jordan, Lebanon, Libya<sup>795</sup>, Morocco, Palestinian Authority, Syria and Tunisia). The main objective of the ENP was to create a ring of friends, stable and prosperous countries around the EU outer border without the need to fully

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<sup>789</sup> Smith, M. E., & Webber, M. (2008). Political Dialogue and Security in the European Neighbourhood: The Virtues and Limits of 'New Partnership Perspectives'. *European Foreign Affairs Review*, 13, 73-95.

<sup>790</sup> Hill, C. (2002), 'The geopolitical implications of enlargement', in Jan Zielonka, ed., *Europe Unbound: Enlarging and Reshaping the Boundaries of the European Union* (London: Routledge, 2002), p. 97.

<sup>791</sup> Korosteleva, E. A., Van Gils, E., & Merheim-Eyre, I. (2017). The Political” and the ENP: Rethinking EU relations with the Eastern Region’. *Theorizing the European Neighbourhood Policy*, 227-42.

<sup>792</sup> European Commission, 'Paving the way for a new neighbourhood instrument', COM (2003) 393 final. Available at:

[https://ec.europa.eu/regional\\_policy/sources/docoffic/official/communic/wider/wider\\_en.pdf](https://ec.europa.eu/regional_policy/sources/docoffic/official/communic/wider/wider_en.pdf). [Accessed on 29/7/2016]. Grabbe, H. (2000), 'The sharp edges of Europe: extending Schengen eastwards', *International Affairs* 76: 3, p. 528.

<sup>793</sup> Ibid, p 4.

<sup>794</sup> Belarus at the time was not part of the ENP but benefited from some programmes that carried out in the framework of this policy.

<sup>795</sup> Libya ENP membership; By Fraser, C and Balfour, R (2006), The European Neighbourhood Policy as a conflict prevention tool, *EPC Issue Paper* No.47 June 2006, A European Policy Centre — Conflict Prevention Partnership Publication.

integrate them within the EU<sup>796</sup>. This new “ring of friends was defined by the Commission<sup>797</sup> as adjacent countries to the EU, whether in the south or the Eastern periphery which were capable and willing to develop their economic and political ties with the EU to the point “of sharing everything [with the EU] but not the institutions<sup>798</sup>”.

Historically the EU adopted different approaches towards the close neighbours<sup>799</sup> aimed mainly at stabilisation through regional cooperation and partnerships. For example, in 1992 the commission called for the creation of “European political area” with association with the central and Eastern European Countries where they can participate in specific policies regarding the trans-European matters<sup>800</sup>. This policy has been transformed into a more “structured relationship” in 1993 by the Copenhagen Council<sup>801</sup> to discuss all issues whether political or economic. However, the new policy was based on the ground of cooperation, which would prepare these countries for the membership criteria, not to keep them in the periphery of the EU. With the EU accession development, the structured relationship was replaced in 1997 by the European Conference, by the Luxembourg European Council in order to develop the relationship with the new 13 applicant countries<sup>802</sup>.

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<sup>796</sup> Comelli, M. (2005), The Approach Of The European Neighbourhood Policy (Enp): ‘*Distinctive Features And Differences With The Euromediterranean Partnership*’ Paper presented at the IGC Net conference “The European Union as an International Actor Challenges and Options for the Future”, organized by the European Network of Jean Monnet Centers of Excellence (IGC Net) in cooperation with IEP Paris and TEPESA Brussels, 17 November 2005 published at © Istituto Affari Internazionali.

<sup>797</sup> Communication From The Commission, (note 787), p 3.

<sup>798</sup> Prodi, R. (2002), A Wider Europe – A Proximity Policy as the key to stability, speech given at the Sixth ECSA

World Conference on peace, stability and security, Brussels, 5 December 2002.

<sup>799</sup> Missiroli, A. (2003), “The EU and its changing neighbourhoods: stabilisation, integration and partnership” in Batt, J. Lynch, D. Missiroli, A. Ortega, M and Triantaphyllou, D. (2003): a CFSP for a wider Europe, Chaillot Paper 64, Institute of Security Studies of the European Union, Paris, p.11. Available at <http://www.iss-eu.org/chaillot/chai64e.pdf>. [Accessed on 28/12/2016].

<sup>800</sup> Smith, E. k. (2005), The Outsiders: The European Neighbourhood Policy International Affairs (Royal Institute of International Affairs 1944-), Vol. 81, No. 4, (Jul., 2005), pp. 757-773. Published by: Blackwell Publishing on behalf of the Royal Institute of International Affairs. Available at: URL: <http://www.jstor.org/stable/3569673>. Accessed on 27/8/2016].

<sup>801</sup> Copenhagen European Council 12-13 December 2002. Presidency conclusions and annexes. Revised version. 15917/02, 29 January 2003. Available at URI: <http://aei.pitt.edu/id/eprint/43349>. [Accessed on 1/9/2016].

<sup>802</sup> Luxembourg council meeting 1977 European Community (Meeting of Council of Ministers) HC Deb 19 January 1977, vol 924 cc325-36. Available at: [blogs.ec.europa.eu/malmstrom/council-meeting-in-luxembourg/](https://blogs.ec.europa.eu/malmstrom/council-meeting-in-luxembourg/). [Accessed on 22/5/2015].

What is evident in these schemes is that the EU approach towards the neighbouring countries is based on accession intention. That was why despite regular meetings, no decision-making process has been set up. At best these frameworks are consultative in nature without concrete benefits for the participants other than full EU membership<sup>803</sup> to those eligible to be part of the EU. However, there is no doubt that EU enlargement and the accession process proved to be the most effective stabilisation instrument in Central and Eastern Europe in the 1990s, due to the prospect of being part of the EU and thus profiting from EU membership led these states to develop and reform their political and financial systems in line with the EU norms. Therefore, through the accession criteria, the EU succeeded in the transition of some Central and Eastern Countries from Communist-authoritarian regimes to a democratic, free market economy<sup>804</sup>.

However, due to the political and economic status of the EU by 2004, where the EU further enlargement became a controversial subject, the EU had to extract new stabilisation framework without the resort to its old successful approach. Hence, in 2003 the Commission pledged in the Communication “wide Europe Neighbourhood” that in return for their political and financial progress in line with the EU standards, neighbouring States could “be offered the prospect of a stake in the EU’S internal market and further integration and liberalisation to promote the free movement of persons, goods, services and capitals<sup>805</sup>”. However, this approach has not been accepted by many EU Countries especially the newly admitted Countries. Hence the EU Council or the Commission Communication “European Neighbourhood Policy Strategy Paper<sup>806</sup>” did not mention the promised rewards. Instead, the rewards became more generic and lacked real incentives, such as WTO accession, EU support to get financing from international financial bodies or the possibility to participate in some EU programmes. However, the main reward for the neighbouring countries, which is

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<sup>803</sup> Smith, (note 800), p. 760.

<sup>804</sup> Missiroli, (note799), p 12.

<sup>805</sup> Communication from The Commission, (note 797).

<sup>806</sup> Communication from the Commission European Neighbourhood Policy. Strategy Paper, COM (2004), 373 final, Brussels, 12 May 2004. The document is available at [http://europa.eu.int/comm/world/enp/pdf/strategy/Strategy\\_Paper\\_EN.pdf](http://europa.eu.int/comm/world/enp/pdf/strategy/Strategy_Paper_EN.pdf). [Accessed on 12/4/2016].

the free movement of people, was not offered, mainly due to the EU Member States reluctance to accept an ever-greater number of immigrants<sup>807</sup>.

The ENP contrary to the previous examples does not grant full integration within the EU political and financial institutions as a reward for the partner's good political or economic reforms, as the "wider Europe Neighbourhood Communication" intended. In fact, the new policy does not offer a relationship with EU membership perspective whether in the short or medium term at least<sup>808</sup>. Instead, the ENP policy declared that cooperation within this policy "should be seen as separate from the question of EU accession<sup>809</sup>". This new approach was applicable not only to Mediterranean Countries but as well to the Central and Eastern European Countries where the Commission indicated that the European Countries which aspire to become part of the EU should keep the issue of accession completely separate from the cooperation under the ENP policy<sup>810</sup>.

As result, the instigation of the ENP created a degree of frustration in some European Countries willing to be part of the EU, such as Ukraine which pushed it into a broader policy that includes states *priori* disqualified from EU membership possibility<sup>811</sup>. As for the Southern Mediterranean States, the EU membership is not an option, due to the geographical situation. Despite that, the Wide Europe Communication unequivocally pronounced that "accession has been ruled out ... for non-European Mediterranean Countries<sup>812</sup>". Some scholars argued this is a reflection on the EU paranoia regarding the question of new member's accession<sup>813</sup>. However, it may be a warning to "non-European" countries to not consider applying for EU membership. Noticeably, any application will be rejected

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<sup>807</sup> Grabbe, H. (2004), '*How the EU should help its neighbours*', Centre for European Reform Policy Brief, London, p.2.

<sup>808</sup> Van Elsuwege, P., & Van der Loo, G. (2017). *Continuity and change in the legal relations between the EU and its neighbours: A result of path dependency and spill-over effects*. In *the Revised European Neighbourhood Policy* (pp. 97-116). Palgrave Macmillan, London.

<sup>809</sup> Comelli, M. (2005). The approach of the European Neighbourhood Policy (ENP): distinctive features and differences with the Euro-Mediterranean Partnership. In *IGC Net Conference in Brussels* (Vol. 17).

<sup>810</sup> Sedelmeier, U. (2005), Eastern Enlargement, in H. Wallace, W. Wallace and M. A. Pollack, *Policy-Making in the European Union*, Oxford University Press, 2005, p. 410.

<sup>811</sup> Comelli, Cfr. M. (2004) "The Challenges of the European Neighbourhood Policy", in *The International Spectator*, Vol. 39, no. 3, July-September 2004, p.107.

<sup>812</sup> Communication from The Commission, (note 787), p. 5.

<sup>813</sup> Wallace, W. (2003), Looking after the neighbourhood: responsibilities for the EU-25, Groupement d'études et de recherches Notre Europe.

on the ground of “European-ness” which was used by the Commission’s rejection of Morocco’s application for EU membership in 1987<sup>814</sup>.

In fact, there is currently no Mediterranean Country aspiring to become an EU member. These states are more interested in ameliorating their trade cooperation and in the access to the EU market, rather than in entering into a new political venture where they are required to make political reforms under the Copenhagen Criteria<sup>815</sup>.

### **3.4.2. The European Neighbourhood Policy Substance**

The Commission declared in 2003 that “we have to be prepared to offer more than partnership and less than membership, without precluding the latter<sup>816</sup>”. In this policy, the EU attempted to unify a wide range of policies towards the Eastern and Southern Neighbours in order to create “ring of friends” and stable Countries in order to guarantee stability along the EU outer borders. This objective is coherent with the overall objectives of the European Security Strategy<sup>817</sup>, which endeavour to secure the EU inner space by enhancing the security and stability of the neighbouring countries. However, such stability could only be achieved through enhancing cooperation with the neighbouring countries on the basis of shared values. Having introduced the main incentives of the ENP, the EU presented three important principles which should determine the relationship between the parties: conditionality, progressive socialisation and differentiated approach.

In terms of the latter, while the neighbourhood is considered as a single umbrella assembling different countries from different background, the EU institutions were aware of the fact that not all neighbouring countries are at the same level in the process of Europeanisation. In another words, neighbouring countries do not start from the same point in their relationship with the EU. Some Partners already have Free Trade Agreements which differ in scope and depth; others have begun the

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<sup>814</sup> Pelham, N. (2000) Morocco's quest to be European available at: [news.bbc.co.uk/2/hi/Africa/699760.stm](http://news.bbc.co.uk/2/hi/Africa/699760.stm).

<sup>815</sup> Hillion, (note 626), p 14.

<sup>816</sup> Romano Prodi, 'A wider Europe: a proximity policy as the key to stability', speech to the Sixth ECSA- World Conference, Brussels, 5-6 Dec. 2002, SPEECH/02/619, p. 3.

<sup>817</sup> Wesselink, E and Boschma, R. (2012), *Overview of the European Neighbourhood Policy: Its History, Structure, and Implemented Policy Measures*. SEARCH WP01/04.

process of developing a strategic partnership with the EU<sup>818</sup>". Hence, although the ENP created equal opportunities for the neighbouring countries to develop their relationships with EU, differentiation became an important principle, which meant that each partner will be treated separately, although under the same policy.

Another change was that the ENP departed from the multilateralism approach<sup>819</sup>, in contrast to the Euro-Mediterranean Partnership, as it did not set any framework where all parties take decisions on the way forward. Theoretically, while there is no formal voting process, the decision-making process of the new policies under the EMP is based on consensus, as long as, and there is no veto by any member state<sup>820</sup>. In reality, the decision and the position of the EU member states may have been already coordinated by the commission which leaves no leeway to other partners to influence the overall decision<sup>821</sup>. The ENP has abandoned this multilateral approach and applied bilateralism by focusing on intensifying the relationship with the ENP individual member states on a bilateral basis, as an attempt to use the relationship with the EU as leverage in order to alter their internal or external agenda whether politically or financially. Thus, the Central instruments of the ENP are bilateral and are based on the Association Agreements<sup>822</sup>.

The EU did not offer full cooperation without stipulating a set of conditions attached, which means that from the outset of the ENP, the conditionality was an important principle of this policy. Hence, the neighbouring countries which are part of the policy, while they may be treated preferably in comparison with other countries in the world, their legal and economic reform progress are essential for

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<sup>818</sup> Communication From the Commission, (note 797).

<sup>819</sup> Ruggie, J. G. (1992) 'Multilateralism: the anatomy of an institution', *International Organization* 46: 3.

<sup>820</sup> Lannon, E., & Van Elsuwege, P. (2004). The EU's Northern Dimension and the EMP-ENP: Institutional Frameworks and Decision-Making Processes Compared. *The European Union and the Mediterranean: The Mediterranean's European challenge*, 5, 25.

<sup>821</sup> Tovas, A. (2002). 'The Political Economy of the Partnership in Comparative Perspective', paper presented for the Conference: The Convergence of Civilizations? Constructing A Mediterranean Region, Lisbon, 6<sup>th</sup>-9<sup>th</sup> June.

<sup>822</sup> Demmelhuber, T. (2007). 'The European Neighbourhood Policy (ENP) and its Implementation in the Southern Mediterranean. The Case of Egypt'. Centre for European Integration Studies, discussion Paper C170/2007, available at <http://www.zei.de>. [Accessed on 4/5/2013].

the establishment and advancement of fruitful neighbourhood relation<sup>823</sup>. This conditionality clause is well summarised by the Commission which stated that “in return for concrete progress demonstrating shared values and effective implementation of political, economic and institutional reforms, including aligning legislation with the *acquis*, the EU’s neighbourhood should benefit from the prospect of closer economic integration with the EU<sup>824</sup>”. This meant that the ENP is promoting close economic integration with favourable EU market access and close political cooperation aimed at improving human rights and expanding democracy <sup>825</sup>. The EU expressly acknowledged that the cooperative relationships with the neighbouring countries would be a long-term approach, therefore, an ongoing incentive mechanism should be set from the beginning<sup>826</sup>.

To facilitate this agenda, The EU created multiple mechanisms to incentivise the ENP Countries reforms, namely TAIEX, SIGMA or TWINNING. The latter entails the institutional collaboration between governance structure in the ENP countries and the EU especially in the implementation of legislation projects carried out to align ENP member states economical legislation with the EU<sup>827</sup>. Meanwhile, TAIEX’s (Technical Assistance and Information Exchange) main role was to provide short term technical assistance to ENP countries<sup>828</sup>. Finally, SIGMA (Support for the Improvement of Government and Management) which was founded in 1992 but included ENP countries in 2008 main roles was to assist in strengthening governance and management structures<sup>829</sup>.

These mechanisms offered support to ENP countries at the political and economic level, but improving economic ties remains the main feature of this policy. Hence, favourable EU market access is the most important component of

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<sup>823</sup> Korosteleva, E. A., Van Gils, E., & Merheim-Eyre, I. (2017). The Political” and the ENP: Rethinking EU relations with the Eastern Region’. *Theorizing the European Neighbourhood Policy*, 227-42.

<sup>824</sup> Communication from The Commission, (note787), p 4.

<sup>825</sup> Ibid,

<sup>826</sup> Lavenex, S. (2004). EU external governance in 'wider Europe'. *Journal of European public policy*, 11(4), 680-700.

<sup>827</sup> European Commission, 2011. Boosting Twinning Co-operation in the Neighbouring Countries? Retrieved from [http://ec.europa.eu/enlargement/taieux/what-istaieux/index\\_en.htm](http://ec.europa.eu/enlargement/taieux/what-istaieux/index_en.htm) on 9/2/2013.

<sup>828</sup> European Commission, 2011. What is TAIEX? Retrieved from [http://ec.europa.eu/enlargement/taieux/what-is-taieux/index\\_en.htm](http://ec.europa.eu/enlargement/taieux/what-is-taieux/index_en.htm) on 12/9/2013.

<sup>829</sup> Ibid.

the ENP. For example, under the Barcelona Agreement, some tariff barriers for manufactured products and some agricultural goods have been reduced<sup>830</sup>. Yet, the ENP goes beyond this reduction by offering access to the manufactured goods in ENP country without further testing, which basically remove the non – tariff barriers<sup>831</sup>. The importance of this policy is it has offered the ENP countries similar rights to the countries of the European Economic area. In fact, this policy offers the ENP countries “anything but accession in economic issues<sup>832</sup>”. Since the integration between the EU and its neighbours is the main objective of the ENP, trade liberalisation and open markets principles became the cornerstone of the EU approach<sup>833</sup>.

At the political level, the ENP relied on the positive conditionality approach and benchmarking which intension to exert some influence on the neighbours’ political reforms. According to the Wider Europe communication: “key benchmarks should include the ratification and implementation of international commitments which demonstrate respect for shared values, in particular, the values codified in the UN Human Rights Declaration, the OSCE and the Council of Europe standards<sup>834</sup>”.

Besides, member states offered to enhance their relationship with the EU through the Common Foreign and Security Policy (CFSP) where the ENP members can be invited to support the EU Action Plan on a case by case basis, which is a sign of significant political cooperation<sup>835</sup>. Whether, at these levels or other thematic themes such as environment protection or combating illegal immigration, the EU

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<sup>830</sup> Buysse, J., Van Huylenbroeck, G., & Lauwers, L. (2007). Normative, positive and econometric mathematical programming as tools for incorporation of multifunctionality in agricultural policy modelling. *Agriculture, ecosystems & environment*, 120(1), 70-81.

<sup>831</sup> SEC 512/2, 2009. ‘Implementation of the European Neighbourhood Policy in 2008’ Progress Report Azerbaijan. Commission Staff Working Document, Commission of the European Communities.

<sup>832</sup> Communication from The Commission, (note 787), p 6.

<sup>833</sup> Gänzle, S. (2009). EU governance and the European neighbourhood policy: a framework for analysis. *Europe-Asia Studies*, 61(10), 1715-1734.

<sup>834</sup> Communication from The Commission to The Council and The European Parliament Wider Europe — Neighbourhood: A New Framework for Relations with Our Eastern and Southern Neighbours, Brussels, 11.3.2003. COM (2003) 104 final p.16. Available at: [http://eeas.europa.eu/archives/docs/enp/pdf/pdf/com03\\_104\\_en.pdf](http://eeas.europa.eu/archives/docs/enp/pdf/pdf/com03_104_en.pdf). [Accessed on 10/5/2016].

<sup>835</sup> Barbé, E., Costa, O., Herranz, A., Johansson-Nogués, E., Natorski, M., & Sabiote, M. A. (2009). Drawing the neighbours closer... to what? Explaining emerging patterns of policy convergence between the EU and its neighbours. *Cooperation and conflict*, 44(4), 378-399.

set up the Action Plan which the ENP members should adopt with detailed priorities for action<sup>836</sup>. The action plans are the key element of the ENP, which are negotiated and tailor-made for each country<sup>837</sup>, that results in a country specific working programmes that outline short, medium ( 3-5 years periods) and long term agendas<sup>838</sup>. Hence, “take account of the great differences between partner countries situations<sup>839</sup>”, but generally action plans covers political reforms, economic and social cooperation and development, trade and market regulatory issues, information society, energy, transport, liberty and security, environment, justice and home affairs (EUROPOL & EUROJUST), Border control, public health, civil and information societies and education and combating organised crime and drug trafficking<sup>840</sup>.

The ENP policy endorsed joint ownership of the action plans which could encourage the neighbouring states to meet the allocated objectives. However, the EU supports the implementation of action plans mainly through expertise and finance by the European Policy and Partnership Instrument (ENPI) which was setup since 2007 as a merger between MEDA (previous financial instrument of EMP) and TACIS (a financial instrument for Eastern Europe). The financial support is conjoint by monitoring system where the Commission issue progress reports every three years, on its basis the EU could recommend a further Action Plan. In 2006 the Commission drafted an interim progress report on the overall implementation of the ENP<sup>841</sup> and review analysis of the ENP in response to the Arab Spring<sup>842</sup>. The financial issue has been addressed initially by the

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<sup>836</sup> Batt, J. (2003) *The EU's new borderlands, working paper* (London: Centre for European Reform, Oct. 2003), pp. 34-5.

<sup>837</sup> Gould, T. (2003), *The European Economic Area as a Model for the Wider Europe*, background paper prepared for the EFTA meeting of Members of Parliament and Social Partners, Kristiansand, Norway, 26 June 2003.

<sup>838</sup> Demmelhuber, (NOTE 822), p 24.

<sup>839</sup> European Commission, strengthening the European Neighborhood policy, (COM) 2006, p5. Available at:

[http://www.europarl.europa.eu/meetdocs/2004\\_2009/documents/dv/dil070125\\_pev\\_renforce\\_/di070125\\_pev\\_renforce\\_en.pdf](http://www.europarl.europa.eu/meetdocs/2004_2009/documents/dv/dil070125_pev_renforce_/di070125_pev_renforce_en.pdf). [Accessed on 29/7/2017].

<sup>840</sup> Commission of the European Communities, (Note 492), p 4.

<sup>841</sup> European Commission, 2006, strengthening the European Neighbourhood policy, Brussels, 4.12.2006

COM (2006)726 final. Available at:

<https://eurlex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2006:0726:FIN:EN:PDF>. [Accessed 12/9/2017].

<sup>842</sup> European Commission. (2011). *The EU's response to the 'Arab Spring'*. Press release, MEMO/11/918.

Commission in 2003, outlining how the EU will allocate the resources for the ENP projects<sup>843</sup>. However, following the Arab spring, the EU came to the conclusion that its financial and political support is in dire need for reforms. This conclusion reiterated by the Commission Communication and ENP reform in 2011<sup>844</sup>. Nowadays the ENPI proposed funding has reached 18 billion EURO for the period of 2014-2020<sup>845</sup>.

To conclude, the ENP policy was introduced to deal with challenges of the latest enlargement process of 2004. While the EU had a long relationship with the southern neighbours, the ENP was formulated in response to the shortcomings of the EMP. Hence, it removed the multilateral approach in favour of more practical bilateral approach. Although this style of governance has been criticised, as it seems to abolish one of the original normative goal under the Barcelona process, which is the building of the Mediterranean region<sup>846</sup>. Nevertheless, the new approach may have injected more effectiveness in comparison with the previous efforts, especially as the ENP was further aligned the principles of conditionality and socialisation. This approach seems to be more appropriate to the application and monitoring of the Action Plans as well as the financial and political support provided by the EU. It seems that the ENP Action Plans are the main mechanisms to implement the EU's normative agenda in the neighbourhood, through what is labelled as "joint ownership"<sup>847</sup>. In line with this conclusion, in the next part of this chapter, an overall analysis of the ENP will be provided.

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<sup>843</sup> Commission of the European Communities. Paving the way for a New Neighbourhood Instrument. Brussels, 1.7.2003 COM (2003) 393 final. Available at: [https://ec.europa.eu/regional\\_policy/sources/docoffic/official/communic/wider/wider\\_en.pdf](https://ec.europa.eu/regional_policy/sources/docoffic/official/communic/wider/wider_en.pdf). [Accessed on 29/7/2017].

<sup>844</sup> Commission of the European Communities. (2004b). Proposal for A Regulation of the European Parliament and of the Council laying down general provisions establishing a European Neighbourhood and Partnership Instrument. COM/2004/0628 final - COD 2004/0219. Available at: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex:52004PC0628>. [Accessed on 29/7/2017].

<sup>845</sup> European Commission. (2011c). Proposal for A Regulation of the European Parliament and Of The Council establishing a European Neighbourhood Instrument. EuropeAid/132–261/L/ACT/AZ, 08 December 2011, Brussels., p8.

<sup>846</sup> Volpi, F. (2004). Regional community building and the transformation of international relations: the case of the Euro-Mediterranean Partnership. *Mediterranean Politics*, 9(2), 145-164.

<sup>847</sup> Orbie, J. (2016). 'Everybody Needs Good Neighbours': *The EU and its Neighbourhood. In Europe's Global Role* (pp. 233-254). Routledge.

### 3.4.3. The European Neighbourhood Partnership Analysis

By 2004, the Commission drafted multiple Action Plans for Mediterranean Countries including Jordan, Morocco, Moldova, the Palestinian Authority and Tunisia<sup>848</sup> aimed to reflect the Council recommendation where “action plans should be comprehensive but at the same time identify clearly a limited number of key priorities and offer a real incentive for reforms<sup>849</sup>”. There is no doubt that the action plans drafted by the Commission were comprehensive and contained an extensive list which was labelled as priorities across range of fields, from implementing internal laws compatible with the EU legislation in the financial and economic fields to political cooperation<sup>850</sup>. For example, there are almost 300 priorities in the Action Plan with Ukraine, while with Tunisia they almost 220 which reflects the number of things that ENP countries should adhere to. The unlimited number of priorities under the Action Plans raised many criticisms, due to the fact that they were all given an equal footing, which renders any prioritisation an impossible task<sup>851</sup>. While this may give the EU flexibility to manoeuvre, it renders ENP member states incapable of assessing their development which in turn will render the evaluation of the action plans more subjective, resulting in the alienation of the ENP states<sup>852</sup>.

With regard to peace, stability and security which are important objectives of the Action Plans, the EU is trying to repeat its experience in a wider sphere “given the EU’s history of peace and stability through regional integration. The EU has added value to bring to the efforts of individual member states and must be prepared to assume a greater role in the resolution of conflicts in the neighbourhood<sup>853</sup>”. The EU placed the spotlight on the peace and stability as

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<sup>848</sup> the European Commission's ENP website: [http://europa.eu.int/comm/world/enp/document\\_en.htm](http://europa.eu.int/comm/world/enp/document_en.htm). [Accessed on 17/3/2017].

<sup>849</sup> General Affairs and External Relations Council, 'European Neighbourhood Policy-Council conclusions', 14 June 2004, press release IO189/04 (press I95).

<sup>850</sup> Sasse, S. (2008), The European Neighbourhood Policy: Conditionality Revisited for the EU's Eastern Neighbours, *Europe-Asia Studies* Vol. 60, Iss. 2.

<sup>851</sup> Jones, A. (2016). Making Regions for EU Action: The EU and the Mediterranean. In *Europe in the World* (pp. 41-58). Routledge.

<sup>852</sup> Orbie, J. (2009), *Europe's Global Role: External Policies of the European Union*, Ashgate Publishing, Ltd., p 220.

<sup>853</sup> Commission of the European Communities. (2007). Communication from The Commission A Strong European Neighbourhood Policy. Brussels: Commission of the European Communities, COM/2007/0774 final., p7. Available at: <https://eur-lex.europa.eu/legal-content/EN/ALL/?uri=CELEX%3A52007DC0774>. [Accessed 7/8/2017].

major EU achievement which the ENP members can achieve if they set aside their differences. However, one major obstacle to this normative objective in the Mediterranean area is the ongoing conflict between Israel and some Arab States<sup>854</sup>. Therefore, regional cooperation is a complicated issue when it comes to cooperation for peace and stability. Besides this major obstacle, the central instrument of the ENP is bilateral Action Plans which are associated with the individual partner's Association Agreements. Hence, they lacked an effective mechanism to support the regional cooperation between the neighbouring countries<sup>855</sup>.

Some political objectives stipulated by the ENP such as combating terrorism and non-proliferation of Weapons of mass destruction<sup>856</sup>, may highlight the cross-pillar nature of the ENP, yet, it can be argued in essence, it reflects the European Union internal security agenda<sup>857</sup>. The aspects of the ENP which reflect the EU self-interest is more obvious under the goal combating illegal immigration where the action plans compelled Tunisia, Morocco, Moldova and Ukraine to accept the principle of readmitting not only its own nationals expelled from the EU but alien individuals who have passed their territory on the way to the EU. Hence, the EU consigns the onus on the ENP countries to control the movement of people towards the EU<sup>858</sup>. Unsurprisingly, many countries, including Morocco, have not welcomed these Action Plans, despite the financial incentives offered by the EU<sup>859</sup>.

Moreover, despite the notion of "joint ownership", the bilateral approach based on the Action Plan renders the EU relatively in control of the political or the economic agenda. According to the EU, this approach has the advantage of presenting the ENP member states with more involvement, thereby; endorsing

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<sup>854</sup> Emerson, M (2004) *European Neighborhood Policy: Strategy or Placebo*, CEPS, working Document, November.

<sup>855</sup> Tulmets, E. (2008). The European Neighborhood Policy: A Flavor of Coherence in the EU's External Relations?1. *hamburg review of social sciences*, 3(Special Issue on Revisiting Coherence in EU Foreign Policy), 107-141.

<sup>856</sup> Diab, K. (2005) 'Commission wants closer EU-Israeli ties', *European Voice*, 16 Dec. 2004-12 Jan. 2005.

<sup>857</sup> Dannreuther, R. (2004). 'Introduction: setting the framework', in Roland Dannreuther, ed., *European Union foreign and security policy: towards a neighbourhood strategy* (London: Routledge, 2004), p. 3.

<sup>858</sup> Smith, (note 800), pp. 722-723.

<sup>859</sup> Smith, (note 800), p. 765

joint ownership, yet, many scholars including Smith argued this approach is rather imposing from the EU side<sup>860</sup>. These views agreed by many research groups, pointing to the fact that the ENP agenda is predominately EU led<sup>861</sup>.

This EU led approach is striking for a few reasons. The eminence of the political objectives, which incorporate -most notably- the development of democracy and respect for human rights principles. The EU insistence in inserting these principles reflect the overall new thinking, as no EU political and economic support may subsist without real progress in human rights and democracy. This could harbinger a new era, especially in the relationship with the southern Mediterranean states, which these principles, despite being part of the EMP Agreement, have not been generally the most important feature<sup>862</sup>. This seems to reflect, at the time, the international dialogue about spreading human rights and democracy in the Middle East and North Africa, which initiated by the US administration “great Middle East initiative<sup>863</sup>”.

Some argued the EU “is presenting itself a possible big brother for their immediate surroundings, which is not per se older<sup>864</sup>”. However, an inner coherence for the EU approach is required in order to be able to present itself as “the big brother”. Therefore, the Commission indicated that a coherent ENP programme “will enhance the image of the Union as whole<sup>865</sup>” as a normative power. The ENP documents may not reveal the EU anxiousness about its image, but circuitously this image is a centre piece of the EU approach towards the neighbouring countries. For example, many cooperation documents indicate that

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<sup>860</sup> Smith, (note 800), p.766,

<sup>861</sup> International Crisis Group (2006), Conflict Resolution in the South Caucasus, *Europe Report* v173, p 9.

<sup>862</sup> Panebianco, S. (2003). 'Constraints to the EU as a "norm exporter" in the Mediterranean', CFSP Forum 2: 2004 ([www.fornet.info](http://www.fornet.info)); and the revealingly titled European Commission communication, 'Reinvigorating EU actions on human rights and democratization with Mediterranean partners: strategic guidelines', COM (2003) 294 final, 21 May 2003.

<sup>863</sup> Baroudi, S. (2007). Arab intellectuals and the Bush administration's campaign for democracy: The case of the Greater Middle East initiative, *The Middle East Journal*, JSTOR.

<sup>864</sup> Anna-Lena Hoh, Constructing the European Neighbourhood, A study on the European Neighbourhood Policy and its ideology towards the development of the Arab spring in Tunisia and Algeria, the faculty of Social Sciences Radboud University Nijmegen August 2012.

<sup>865</sup> Commission of the European Communities, (note 841)., p 2.

ENP members should cooperate to work closely based on EU's principles<sup>866</sup>, such as human rights and democracy.

The self-image creation by the EU, subsequently creates the notion of "other", where an indication of the EU superiority over the ENP member states is perceptible<sup>867</sup>. For example, on many occasions, the Commission called for the reduction of the "development gap<sup>868</sup>" or the "prosperity gap<sup>869</sup>", between the EU and its neighbours. The ENP documents may have used Different phrasing; nevertheless, the term "gap" is ever present to illustrate the contrast between the ENP members and the EU, which reveals them as less developed partners and legitimise the EU efforts to develop their policies<sup>870</sup>. The idea of the EU superiority is also referred to by the level of asymmetry in the relationship between the EU and the ENP states<sup>871</sup>. This is more apparent in the Free Trade Agreements<sup>872</sup> (FTA) where the Commission dealt with the question of asymmetry as inherent to its policy stating, "Such deep and comprehensive FTA's will need to be tailored and sequenced carefully to take account of each partner country's economic circumstances and state of development, including a certain level of asymmetry if appropriate<sup>873</sup>". Actually, the Commission communication represents the ENP member states as inferior to the EU and in need for some support. This superiority or at least self-perception of supremacy can be observed in the obligation on the ENP members to adjust to the EU standards<sup>874</sup>". The reforms of the norms are the cornerstone for any ENP member state to have access to the EU market which raises concerns over EU intrusion in the internal affairs<sup>875</sup>. However, the EU sets these obligations as a normative duty "to reduce poverty and create an

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<sup>866</sup> Commission of the European Communities., (note 853), p 11.

<sup>867</sup> Marchetti, A. (2006). «The European Neighbourhood Policy: Foreign Policy at the EU's Periphery», in: ZEI Discussion Paper, C158, Bonn 2006.

<sup>868</sup> Commission of the European Communities, (note 853), p. 10.

<sup>869</sup> Commission of the European Communities, (note 792), pp. 13-19.

<sup>870</sup> Anna-Lena Hoh, (note 864), pp 22.

<sup>871</sup> Diez, T. (2004), 'Europe's Others and the Return of Geopolitics', *Cambridge Review of International Affairs*, 17 (2), 319-335.

<sup>872</sup> Caporale, G, M. Rault, C. Sova, R. Sova, A. (2008) On the Bilateral Trade Effects of Free Trade Agreements between the EU-15 and the CEEC-4Countries. CESIFO Working Paper No. 2419. Category 7: Trade Policy October 2008. Available at [www.CESifo-group.org/wpT](http://www.CESifo-group.org/wpT). [Accessed on 19/8/2013].

<sup>873</sup> Communication from the Commission, (note 841), p5

<sup>874</sup> Commission of the European Communities, (note 806), p15

<sup>875</sup> Zielonka, J. (2006) *Europe as Empire: The Nature of Enlarged European Union*. Oxford: Oxford University Press.

area of shared prosperity...hence...the EU should act to reinforce and unite its existing neighbourhood policy<sup>876</sup>.

In order to be able to attain these objectives, numerous mechanisms have been developed which based on inter-connected, socialisation, incentives and conditions<sup>877</sup>. The EU normative agenda, while it may have legitimised this approach, the way these mechanisms are applied remained subject of criticisms. In the 2003 strategy paper, the Commission stressed the opportunities without ignoring the challenges ahead, which the geographical proximity providing, arguing “that the EU shares an important set of mutual interest with each of its neighbours<sup>878</sup>”.

Even though, the proximity further satisfies the idea of legitimatisation of the ENP significance, yet, in order to achieve the necessary results required from this partnership, the EU incentives which are the rudder required to steer and promote the policies should be equivalent and capable of recompense the ENP member states for the loss resulted from the modification required<sup>879</sup>. For instance, the most important incentive under the ENP is the “Common regulatory basis and a similar degree of market access<sup>880</sup>”, bounded by the economic, legal and political reforms conditionality. Yet, at the instigation of the ENP, any project participation can only be on a voluntary basis. The Commission even declared that “The Union does not seek to impose priorities or conditions to its partners<sup>881</sup>”, but within the same declaration, the Commission indicated the importance of respecting the principles of the policies stipulated by the Action Plans. It is interesting to observe the discrepancies between the two statements, as in one side the EU does not

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<sup>876</sup> Commission of the European Communities. (2003a). Communication from The Commission To The Council and The European Parliament, Wider Europe— Neighbourhood: A New Framework for Relations with our Eastern and Southern Neighbours. Brussels: Commission of the European Communities, pp3-9.

<sup>877</sup> Smith, M. E., & Webber, M. (2008). Political Dialogue and Security in the European Neighbourhood: The Virtues and Limits of 'New Partnership Perspectives'. *European Foreign Affairs Review*, 13, 73-95.

<sup>878</sup> Commission of the European Communities. (2003a). Communication from The Commission To The Council and The European Parliament, Wider Europe— Neighbourhood: A New Framework for Relations with our Eastern and Southern Neighbours. Brussels: Commission of the European Communities., p. 6.

<sup>879</sup> Noutcheva, G., & Aydin-Düzgıt, S. (2012). Lost in Europeanization: The Western Balkans and Turkey. *West European Politics*, 35(1), 59-78.

<sup>880</sup> Communication from the Commission, (note 841), p 5.

<sup>881</sup> Communication from the Commission, (note 834) ,p 8.

impose any obligation on the ENP members, but on the other side, any EU commitment is bound by the EU offer under the Action Plans<sup>882</sup>. In this context, the commission attached a strict conditionality regarding the subject of mobility and border control. The EU offered the ENP citizens more mobility, by simplifying the Visas requirements and procedures, However, this offer is bound by more fighting against illegal immigration and reinforcement of border security<sup>883</sup>. The Commission stated “Obviously mobility can only develop in a secure environment, and security improvements will help to create the conditions for greater mobility. The promotion of mobility will go hand in hand with the commitment of our partners to increase security and justice and fight illegal immigration<sup>884</sup>”. Hence, the incentives and conditions are the manifestations of the relationship between the EU and the ENP member states.

Over the last decade, the ENP became subject to many assessments which lead to constant modifications of the policy or the mechanisms applied to achieve the objectives of this policy. For example, in 2005 the evaluation report stipulated the success of the reforms mainly in the economic and the trade fields<sup>885</sup>. However, the Mediterranean countries had already FTA’s which phased out these reforms. The success of these reforms in the said fields reaffirmed by the 2006 evaluation, but human rights and democratic development were found to lacked much real development. The evaluation held the structure of the ENP culpable for this failure, namely the lack of strong motivation<sup>886</sup>. The access to the EU market is the main motivation for the ENP Countries, yet, such access would not be negotiated unless a large part of the Action Plans has taken place. Which means the ENP member states will bear the costs, whilst the reward is always back loaded<sup>887</sup>. On the basis of this evaluation, the Commission initiated a series of

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<sup>882</sup> Nawrot, M. (2015). The ‘Real’ Dimension of the ENP: Dynamics of Cooperation and Change in the ENP Framework. *Rocznik Instytutu Europy Środkowo-Wschodniej*, 13, *European Neighbourhood Policy after the Arab Spring and Russia-Ukraine Hybrid War*, 159-175.

<sup>883</sup> Seeberg, P. (2017). Mobility Partnerships and Security Subcomplexes in the Mediterranean: The Strategic Role of Migration and the European Union’s Foreign and Security Policies Towards the MENA Region. *European Foreign Affairs Review*, 22(1), 91-110.

<sup>884</sup> Communication from the Commission , (note 785), p.5.

<sup>885</sup> SEC 1512/2, 2005. Sectoral Progress Report. Commission of the European Communities. Commission Staff Working Document.

<sup>886</sup> Communication from the Commission, (note 841).

<sup>887</sup> Avery, G., Nasshoven, Y. (2008) the European Neighbourhood Policy: Challenges and Prospects. *Trans European Policy Studies*. Association, Brussels

discussions on the status of the ENP, which resulted in a final communication setting up a range of suggestions to enhance the ENP effectiveness<sup>888</sup>. The main proposed change is the creation of Deep and Comprehensive Free Trade Agreements (DCFTA) which incorporate Services and agricultural products, in addition to the removal of non-tariff barriers. The reforms should offer more incentives to the ENP partners<sup>889</sup>. We should note here that following the Arab Spring the ENP went through a comprehensive reform which will be discussed at length in the second part of this thesis.

#### **3.4.4. The EU Policies Compatibility: From EMP TO ENP**

In 2004, the Commission claimed the ENP main objective is “to share the benefits of the EU’S 2004 enlargement with neighbouring countries in strengthening stability, security and well-being<sup>890</sup>”. It also declared that the ENP is setup and “designed to prevent the emergence of new dividing lines between the enlarged EU and its neighbours, while offering them the chance to participate in various EU activities, through greater political, security, economic and cultural cooperation<sup>891</sup>”. Accordingly, it seems the ENP approach agreement is in conformity with the overall EU external policy principles, as it endeavours to boost the security and stability of the region through cooperation in a range of policies. Nevertheless, the variety and the extent of the foreseen cooperation, which relies on considerable integration measures, whether on the economic field or the political agenda, as the Commission describe it “somewhat represents a novelty-together with the geopolitical vision of a creating a “ring of friends”, ranging from Ukraine to Morocco<sup>892</sup>”.

Regarding the Mediterranean region, the Commission has reiterated that the new ENP policy is not only compatible with the EMP agenda but complementary to

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<sup>888</sup> European Commission (2006a). A Path Towards Further Economic Integration. Non-Paper expanding on the Proposals Containing in the Communication “Strengthening the ENP” (Com 2006) 736 Final.

<sup>889</sup> Manoli, P. (2013). Political economy aspects of deep and comprehensive free trade agreements. *Eastern Journal of European Studies*, 4(2), 51-73.

<sup>890</sup> COM, (note 806), p 2.

<sup>891</sup> Ibid.

<sup>892</sup> Del Sarto, R, A. Schumacher, T. (2005)" From EMP to ENP: What's at Stake with the European Neighbourhood Policy towards the Southern Mediterranean? *European Foreign Affairs Review* 10: 17-38, 2005. © 2005 Kluwer Law International.

each other<sup>893</sup>. This declaration has been emphasised by the Council, stating that the ENP “should not override the existing framework of the EU relations with the southern Mediterranean Partners. Instead, a wider Europe would supplement and build on existing policies and arrangements<sup>894</sup>”. Moreover, the ENP strategy Paper announced that regarding the Mediterranean region, the ENP will be implemented through the Bilateral Association Agreements with each partner country<sup>895</sup>. Hence, the Action Plans negotiated under the ENP framework which includes political reforms, development of trade measures, Justice and Home Affairs, environment protection, transport, energy and social policies are to some extent, the same policies negotiated under the terms of the Euro-Mediterranean Association Agreements, within the framework of the EMP.

Yet, the real question is how compatible in practice the two policy approaches with regard to the Med region? Many scholars argued, the ENP represents an entirely different political animal, grounded on different theory and adopted in different circumstances. In fact, initially, the Mediterranean countries were not intended to be part of the ENP, but included at a late stage, due to the Southern Member States, such as France, Spain and Italy concern over neglecting the Mediterranean region, in favour of the Northern and Eastern neighbours<sup>896</sup>.

The first aspect of discontinuity is the shift from the principle of “regionalism” which was inherent under the Barcelona Agreement, to the bilateralism approach<sup>897</sup>. On one side, the regionalism was regarded as the key innovative approach brought about by the EMP<sup>898</sup>, exhibiting a regional building approach to the MED region<sup>899</sup> which, motivated by 1990’s positive developments in the Middle East peace process, to the extent by which the Commission considered it

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<sup>893</sup> Ibid.

<sup>894</sup> The Northern Initiative and the Barcelona Process.” General Affairs and External Relations Council, Presidency Conclusions, June 2003. The document is available at [http://europa.eu.int/comm/world/enp/pdf/cc06\\_03.pdf](http://europa.eu.int/comm/world/enp/pdf/cc06_03.pdf). [Accessed on 1/9/2017].

<sup>895</sup> Communication OF the European Commission, (note 492), p. 6.

<sup>896</sup> Comelli, note 811, p.107.

<sup>897</sup> Aliboni, R. (2003). *The Euro-Mediterranean Partnership: Regional and Transatlantic Challenges*, Opinions Working Paper, Center for Transatlantic Relations, SAIS, Johns Hopkins University (Washington, 2003),p.8

<sup>898</sup> European Commission, *Europe and the Mediterranean: Towards a Closer Partnership. An Overview over the Barcelona Process in 2002*, Office for Official Publications of the European Communities, Luxembourg, 2004.

<sup>899</sup> Del Sarto, R. (2003) 'Israel's Contested Identity and the Mediterranean', *Mediterranean Politics*, pp. 27-58;

as “one of the most innovative aspects<sup>900</sup>”. The main objectives of the EMP were at the multilateral level: starting from the establishment of free trade region to the “creation of area of peace and stability in the Mediterranean”. In contrast with this approach, the “wider Europe” initiative is mainly based on a bilateral approach. Although the ENP refers to the creation of secure and stable regions, whether in the Southern or Eastern sphere, it ends up operating on a bilateral basis, where it recommends to the ENP member states developed relations subject to stern economic and political reforms<sup>901</sup>. The development of differentiated bilateralism became the core approach of the ENP.

The bilateralism has effectively eliminated the cooperative approach through regional multilateralism framework. The EMP was based on the concept of pluralistic integration or region building which intended to achieve the normative goal of the pacification of near abroad in the Southern Mediterranean<sup>902</sup>. However, the sense of togetherness which has been created through the regionalism of the EMP may have been lost due to the new bilateralism approach. For example, EMP second basket purported the creation of “an area of peace and shared prosperity”, such an objective cannot be reinvigorated under the ENP<sup>903</sup>. As we not only referring to the obstacles due to the different areas or region but also due to the different mechanisms of the EMP and ENP. Indeed, the EMP created measures to promote dialogue between multiple parties, while ENP is a bilateral based policy.

Moreover, the EU policies evolution from EMP to ENP seems to alter the approach regarding the principle of conditionality. The principle of conditionality requires the fulfilment of certain requirements, whether economic or political, such as democracy reforms, in return for some benefits<sup>904</sup>. The Barcelona Agreement has introduced this positive conditionality; however, it joined it with the negative conditionality as a deterrent against any human rights abuse, as an

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<sup>900</sup> European Commission,(note 898), p. 5.

<sup>901</sup> Kelly, J. (2006) New Wine in Old Wineskins: Promoting Political Reforms through the New European Neighborhood Policy, *JCMS* 2006 Volume 44. Number 1. pp. 29–55.

<sup>902</sup> Bicchi, note 49, p 18.

<sup>903</sup> Morillas, P., & i Lecha, E. S. (2017). The EU’s Framing of the Mediterranean (1990-2002): Building a Euro-Mediterranean Partnership (No. 2). MEDRESET Working Papers.

<sup>904</sup> Smith, K. (2003). “The Use of Political Conditionality in the EU’s relations with Third Countries: How effective?”, *European Foreign Affairs Review*, Vol. 3, No. 1, pp. 256.

example<sup>905</sup>. Yet, the ENP decided to set aside the negative conditionality and relied entirely on the positive conditionality<sup>906</sup>. In fact, it endorsed it stating, “in return for concrete progress demonstrating shared values and effective implementation of political, economic and institutional reforms, including aligning legislation with the *acquis*, the EU’S neighbours should benefit from the prospect of closer integration with the EU<sup>907</sup>”.

On this ground, some scholars argued that positive conditionality is the foundation of the ENP, while under the Barcelona Process, negative conditionality is merely a present principle<sup>908</sup>. Indeed, the European Mediterranean Partnership Agreement contained a suspension clause, by which the cooperation with the EU may be suspended if the member state committed a violation of human rights or democratic principle<sup>909</sup>. However; the suspension clause has never been applied even when despicable violations have been committed<sup>910</sup>. The EU indifference to these abuses has been subject to widespread criticism<sup>911</sup>. Similarly, the substantive EMP countries reforms did not converted into added incentives in order to continue the reform process. However, as discussed above, irrespective of the Commission argument that no conditions were imposed on ENP member states to reform their political policies<sup>912</sup>. The ENP assessment of the member states policies development relies on a “benchmarking approach<sup>913</sup>”. The respect of the Action Plan reforms is the basis for any EU benefits, as the Commission reiterated, that EU commitment is subject to explicit conditions agreed for reforms. This may “indicate that the EU intends to move from a passive engagement which characterises the EMP, to active engagement with the ENP<sup>914</sup>”.

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<sup>905</sup> Ibid.

<sup>906</sup> Schmid, D.(2003) 'Linking Economic, Institutional and Political Reform: Conditionality within the Euro-Mediterranean Partnership', EuroMeSCo Paper 27, Lisbon, 2003.

<sup>907</sup> Communication from The Commission, (note 737), p. 10.

<sup>908</sup> Del Sarto and Schumacherpp, note 573, pp.17-38.

<sup>909</sup> See R. A. Del Sarto and T. Schumacher, Ibid, that quote M.A. Weaver, “Egypt on trial”, New York Times Magazine, 17 June 2001, pp. 46-55.

<sup>910</sup> Weaver, M.A. (2003)'Egypt on Trial', New York Times Magazine, 17 June 2001, pp. 46-55.

<sup>911</sup> Junemann, A (2001). 'Die EU und der Barcelona-Prozess, Bewertung und Perspektiven' 1 *Integration*, pp. 42-57; F. Attina and S. Stavridis (2001)(eds). *The Barcelona Process and Euro-Mediterranean Issues from Stuttgart to Marseille* (Giuffre, Milan, 2001);

<sup>912</sup> Communication OF the European Commission, (note 552), p. 8.

<sup>913</sup> Raffaella. Del Sarto, Schumacher, (note 906)

<sup>914</sup> Emerson, M.(2004). *The Wider Europe Matrix* (CEPS, Brussels, 2004), pp. 69-75.

Clearly, the ENP contradicts the regional structuring of the EMP and its inherent region building logic. Whilst it reduces the regionalism aspect to complementary, the ENP applied much substantive conditionality, then the EMP, which applicable to country by country basis. This new approach, even though, may have downgraded the Barcelona process regional dimension; it may have strengthened the bilateral relationship between the Union and the individual Mediterranean Countries. Furthermore, the ENP may hinder some of the EMP objectives, especially the regional cooperation; however, it may have positive effects, particularly, it may induce the reform willing Mediterranean partners to advance their reforms, without concern over the unwilling countries progress<sup>915</sup>.

### 3.5. Conclusion

While we analysed the EU's normative power in the first chapter, this chapter attempted to clarify how the policies of this normative power have developed to promote European values in the neighbourhood. In the first part, we examined the legal basis of the EU-neighbours' relationship and indicated that such relationship is deemed to be special in terms of the EU legal provisions. The Treaty provision requisite the EU to develop a special relationship based on the EU's values and norms. The practical importance of the new Art 8 TEU is that agreements with neighbouring countries may have a direct effect<sup>916</sup>. The second part discussed the EMP as the first normative instrument towards the Southern Neighbours. This policy, while it was security and stability orientated, developed a comprehensive scope of action ranging from political, cultural to economic<sup>917</sup>. The third part of this chapter underlined the motives behind the creation of the ENP, namely the enlargement fatigue of 2004, which created a new conjuncture in the EU's approach towards its neighbours<sup>918</sup>. This part has been followed by an analysis of the ENP mechanisms based on the policy official documents, followed by an overall assessment of this policy and the compatibility between

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<sup>915</sup> Emerson, M and G. Noutcheva (2005), *From Barcelona Process to Neighbourhood Policy*, CEPS Working document n. 220, Centre for European Policy Studies, Brussels, p.1.

<sup>916</sup> Hillion, C. (2014). Anatomy of EU norm export towards the neighbourhood: The impact of Article 8 TEU. In *Legislative Approximation and Application of EU Law in the Eastern Neighbourhood of the European Union* (pp. 43-50). Routledge.

<sup>917</sup> Youngs, R. (2003). European approaches to security in the Mediterranean. *The Middle East Journal*, 414-431.

<sup>918</sup> Kelley, note 901, pp; 29-55.

the EMP and the ENP. The ENP was a crucial policy in terms of the conditions, normative objectives, geographical scope and methods of implementation<sup>919</sup>.

However, the analytical framework theoretical analysis of the policy may not be enough to enlighten us about the normative approach of the EU in the southern Mediterranean. Therefore, the next part of this thesis will attempt to analyse the EU's democracy promotion effectiveness in the region, which considered important normative principle. The analysis will be organised chronologically, from the beginning to the EMP to the EU effort under the ENP. However, we will concentrate on the ENP reforms after the Arab Spring. This will be followed by a case study of Tunisia.

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<sup>919</sup> Boedeltje, F., & Van Houtum, H. (2011). Brussels is speaking: The adverse speech geopolitics of the European Union towards its neighbours. *Geopolitics*, 16(1), 130-145.

## CHAPTER 4: THE EUROPEANISATION OF THE SOUTHERN NEIGHBOURS: THE EFFECTIVENESS OF DEMOCRACY PROMOTION

### 4.1. Introduction

For many decades the EU has relied on its profound economic, social, and political ties with the Southern Mediterranean states to influence their stances on democracy. The establishment of democratisation as a major objective within the framework of the agreements between the EU and the Southern Mediterranean states was a further step in the EU's normative power approach, which intended to guide its complicated relationship with its Southern Neighbours<sup>920</sup>. To pursue its normative vision, the EU relied on different measures that is adopted under the EU-accession process.

Since the Barcelona Declaration (1995), the EU has extensively refined its approach and repeatedly adjusted the outline and substance of its policies relating to extra-European relations. Since the mid-1990's the EU has certainly succeeded in creating a European-orientated cooperative relationship with many of the region's autocratic regimes, which endorsed the EU's idea of a "ring of friends", with the stability agenda as the main force behind this new formed community<sup>921</sup>. Over the years, both parties were able to harvest the fruits of this "stable partnership", which served the interests of the EU (i.e. stability) and of the Southern Mediterranean (socio-economic development support for its people, and financial support and political legitimacy for its autocratic regimes)<sup>922</sup>.

However, the Arab uprisings and conflicts following the proliferation of the Arab Spring since 2010 has changed the status quo. Some longstanding and relatively new EU partners were toppled, while all regimes were forced to alter their agenda regarding democracy, at least in terms of lip-service to reform. Overall, the

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<sup>920</sup> Jonasson, A. K. (2013). *The EU's democracy promotion and the Mediterranean neighbours: Orientation, ownership and dialogue in Jordan and Turkey*. (p. 5) Routledge.

<sup>921</sup> Hyde-Price, A. (2017). *Realism and the European Neighbourhood Policy*. In *The Routledge Handbook on the European Neighbourhood Policy* (pp. 60-69). Routledge.

<sup>922</sup> Dekanozishvili, M. (2017). *The European Neighborhood Policy*. *The Routledge Handbook of European Public Policy*, 228. Routledge.

uprisings have effectively ended the comfortable configuration of EU policy with the Southern neighbours since the mid-1990's, galvanising the EU to adopt a more active approach to democracy promotion, rather than prioritising “stability” above the democratic aspirations of the oppressed masses<sup>923</sup>. The EU has responded to the changes by sponsoring radical modifications to its approach towards the region, hoping to improve stability and subsequently security, and to recover its normative identity as a people-friendly force for positive change, through its support for the transition process<sup>924</sup>.

This reconfiguration of the EU democratisation process reflects an acknowledgement of the limited impact of previous reform efforts. The Arab Spring to some degree evidenced that EU was neither sufficiently ambitious nor effective in its promotion of democracy, despite its constant rhetoric. The EU advocated gradual democratic transition as part of broad-brush platitudes about socio-economic development, as in the Barcelona Declaration (1995), but without any benchmarks or quantifiable measurements of progress in this regard. Indeed, its preoccupation with regional stability had a counterproductive impact, empowering authoritarian regimes, based on the rationale that further destabilisation in the region would undermine socio-economic development anyway, including in the worst case by fomenting civil or international conflicts. The tacit support of autocrats by the EU and by the regimes of Member States was predicated on maintaining stability as an end in its own right, and to avoid negative spill over impacts on EU security, in terms of illegal immigration/ refugee crises, terrorism, food security, and energy supply issues<sup>925</sup>.

This chapter sets out by describing the development of the EU's policies towards democracy from the EMP up to the latest reform in 2011. This approach is then analysed to emphasise the role of security in the EU's approach to democratisation. It describes how the EU relied on the same approach as in accession agreements, using incentives to encourage Mediterranean countries

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<sup>923</sup> Teti, A. (2016) The EU's policy response to the Uprisings, *Global Affairs*, 2:4, 393-396,

<sup>924</sup> Meikle, C. (2017). *Ethical Norm Promotion in European Union Foreign Policy: Responding to the Arab Uprisings in the Southern Neighbourhood* (Doctoral dissertation, University of Otago).

<sup>925</sup> Schumacher, T. (2017). The European Neighbourhood Policy: The challenge of demarcating a complex and contested field of study. In *The Routledge Handbook on the European Neighbourhood Policy* (pp. 3-13). Routledge.

to introduce democratic changes, but these tools were under-utilised. Despite introducing more rigorous conditions, this approach remained ineffective due to multiple interfering factors<sup>926</sup>.

Further analysis of the implementation of the democratisation in the Southern Mediterranean detected many inherited obstructions to the effectiveness of the EU's democracy agenda in the region. These included the contradictory goals of normative EU principles (particularly democratisation) and security; the EU's double standards in applying its conditionality principles; and its liberalisation process.

Section 4.2 critically discusses the development of the EU's democracy agenda under the EMP, including an overall assessment based on the review entitled *The European Union's Role in Promoting Human Rights and Democratisation in Third Countries* (2001).

Section 4.3 critically evaluates EU democracy development under the ENP. It discusses the ENP approach before the Arab Spring, followed by an assessment of the EU's subtle initial reaction to the uprisings in the Southern Mediterranean area. It then discusses the ENP reviews in 2011 and assesses whether the reforms can be described as a quantitative step forward. The reforms emphasised the application of conditionality and socialisation.

Section 4.4 discusses this new strategic development, evaluating the application and limits of conditionality and socialisation before assessing their effectiveness in the promotion of democracy through their interaction and coherence.

Section 4.5 evaluates the EU's response to the Arab Spring so far, including an assessment of the innovative versus the original concepts as well as the new concept of the advanced status partner versus ordinary member state.

Section 4.6 examines the remaining challenges to democracy promotion, despite EU reforms to its approach. This section concludes that the EU democracy discourse, double standards, contradictory objectives, limited positive incentives,

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<sup>926</sup> Ibid, page 8.

and liberalisation without democratisation remain inherent challenges facing the EU's democracy promotion agenda.

Section 4.7 concludes that the post-Arab Spring impasse has now reverted back to the emergence of security-based relationships between the EU and the Southern Neighbours, which is most obviously manifest in the entrenchment of the military regime in Egypt.

## **4.2. Democracy Promotion Under The EMP**

Despite the absolute commitment of the EU to democratisation in its platitudes, in practice the EMP approach seems to be rather limited in this regard. The following subsections evaluate the EU approach based first on the dimension of the EU's democracy promotion dynamics, followed by a review of the EU policy document entitled *The European Union's Role in Promoting Human Rights and Democratisation in Third Countries* (2001) as an example of implementation.

### **4.2.1. Dynamics of The EU Democracy Promotion Under The EMP**

Although the EU has been portrayed as the normative power in its relationship with developing countries, this characterisation can be questioned when it comes to its relationship with MENA states<sup>927</sup>. From the outset, the democracy agenda in the Mediterranean has created a tremendous divergence among EU institutions, as well as within its member states, and indeed many questioned the wisdom of democracy promotion *per se* within the Barcelona process<sup>928</sup>.

The European Union set out to create partnerships with states in the Mediterranean basin that were mainly ruled by dictatorship regimes, thus the democracy issue was hardly a common basis for partnership. Indeed, the democracy agenda was only emphasised in the EMP due to the strong insistence of the EP<sup>929</sup>. While this agenda was welcomed by the Northern European States, it has elicited more deleterious reactions from Southern European Countries,

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<sup>927</sup> Manners, (note 41), p. 235-258.

<sup>928</sup> Pace, M. (2009). Paradoxes and contradictions in EU democracy promotion in the Mediterranean: the limits of EU normative power. *Democratization*, 16(1), 39-58.

<sup>929</sup> Emerson, M., Aydın, S., Noutcheva, G., Tocci, N., Vahl, M., & Youngs, R. (2005). *The Reluctant Debutante: The European Union as Promoter of Democracy in its Neighbourhood*. CEPS Working Documents No. 223, 1 July 2005.

which viewed the experimentation of democracy as a dangerous factor of destabilisation in the region. Additionally, democracy promotion may compete with other priorities; while Northern members tended to use political aid for poverty reduction purposes, Southern Mediterranean members tended to use it as a mechanism to promote commercial interests<sup>930</sup>. As Southern European countries are mainly concerned with security (in the Mediterranean context), the political stability of the region was the main engine behind the preferences and the design of the EMP.

The EP had an enhanced role in external relations under the Treaty of the European Union (1992), thus it pressed for emphasis on the democracy agenda in the Barcelona process, addressing antipathy to this based on two political arguments:

- 1) *The “standardisation” of EU policy*<sup>931</sup>: The EU cannot be regarded as a genuine democracy promoter if it applies the policy selectively in the ACP region, while overlooking identical challenges in other places.
- 2) *Increasing European security*: Academic opinions influenced the EU decision, based on the view that the democratisation of the Mediterranean basin will safeguard the region from armed conflicts, as democratic states tended to resolve their conflicts by dialogues rather than military means.

Arab members of the Barcelona Declaration (1995) expressed their repugnance concerning this political intrusion, although not to the extent of refusing to sign the agreement, as the expectation of the financial support and economic benefits associated with joining the EU common market outweighed any reservations. This implicitly assumes that they did not expect any serious pressure to induce political reform. They were bolstered in this assumption by the Declaration lacking the legal status of an international agreement, and they could reasonably expect that the democracy agenda could easily be neutralised by some friendly member states<sup>932</sup>. However, by the 2000's some democratic policies and expectations had

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<sup>930</sup> Van Hüllen, V. (2015). *EU democracy promotion and the Arab Spring: international cooperation and authoritarianism*. Springer.

<sup>931</sup> Börzel, T. A. (2015). The noble west and the dirty rest? Western democracy promoters and illiberal regional powers. *Democratization*, 22(3), 519-535.

<sup>932</sup> Ibid.

become apparent, which created complications in some Association Agreements and led to extremely protracted negotiations, such as in the case of Egypt and Algeria<sup>933</sup>.

It should be noted that Tunisia and Morocco were the countries' most willing to engage in dialogue with the EU over democracy issues. Yet, Tunisia politically resisted the notion of being mentored on democracy issues in the way envisioned by the EU approach (from a Eurocentric perspective) concerning enlargement procedures. Such resistance to any unwelcomed political interference was based on the sovereignty principle, which in reality concerned the neo-colonial implications of Arab states' regimes being perceived (by their own people) to be capitulating to former colonial masters. Additionally, some civil society organisations were antipathetic to EU collaboration on democracy promotion and social and cultural issues in general due to the widespread belief that the EU's real intention is to undermine the Islamic identity of the region<sup>934</sup>, and EU democracy promotion is frequently criticised in the Arab world for being "too secular"<sup>935</sup>.

The concept of democracy had different meanings for the EU and North African countries. Democracy has been unquestioned as the foundation of European political identity since 1945 (and the implicit rejection of Fascist totalitarianism). Contemporaneously, after colonialism and colonial wars fought in their territories, the countries of the Southern Mediterranean were based on strong centralised regimes, for numerous historical and expedient reasons, which were seen as the only way to hold the newly constituted states together. If these regimes paid lip service to democracy at all, their conception of democratic governance was very narrow and selective, and was calibrated to satisfy international pressure, including that of the EU itself. Democracy was seen as a symbolic appendage of economic favours and integration in the international system, while actual political liberalisation was anathema to the regimes of MENA<sup>936</sup>.

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<sup>933</sup> Emerson, Aydın, Noutcheva, Tocci, Vahl, & Youngs, (note 929).

<sup>934</sup> Gillespie, R. (2004). A political agenda for region-building? The EMP and democracy promotion in North Africa, page 3, [escholarship.org](http://escholarship.org).

<sup>935</sup> Ibid, note (929).

<sup>936</sup> Diamond, L. (2015). *Hybrid regimes. In Search of Democracy* (pp. 163-175). Routledge.

Consequently, the EU democratisation agenda was created by internal political expectations within the EU (particularly among Northern states), and was faced with hostility or antipathy from the regimes and (largely) the civil societies of Arab world. This poses a significant challenge for the EMP, which reflects the difficulties faced by EU strategies for democracy promotion.

The intrinsic challenges to EU democracy promotion are compounded by the “good governance” agenda being continually extended, such as under the Copenhagen criteria<sup>937</sup>. Although the core element of EU democracy promotion was the reinforcement of civil societies (which is nicely vague and unchallenging for political authorities), the EU has failed to engage with many sections of civil societies (CSO’s), including the moderate Islamic ones, due to concern about Mediterranean regimes retaliating by suspending any further cooperation<sup>938</sup>. Hence, the EU relied solely on those CSO’s acknowledged and granted legal status by Mediterranean regimes, which are often hand-in-glove with the political autocracy (and are often led by members of the same families). Similarly, EU support for political parties and independent parliamentarians has been negligible. Whilst the EU intended to support the political reforms among members of the Barcelona process through cooperation with the regimes, it failed to engage and promote actual political democratisation (e.g. the legalisation of opposition political parties and electoral competition), despite the inter-parliamentary cooperation initiative<sup>939</sup>.

EU democracy promotion was designed according to a bottom-up strategy, which had the advantage of avoiding direct confrontation with autocratic regimes. The EU intended to strengthen EMP member states’ democratic capacity through empowering their civil societies, and economic liberalisation, which were expected to positively affect the political sphere in Mediterranean countries. However, the vast majority of the beneficiary civil society organisations tended to be *human rights* promoters rather than *pro-democracy* institutions. Many voices

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<sup>937</sup> De Waele, H. (2017). *Special Relationships in the European Neighbourhood and Beyond. In Legal Dynamics of EU External Relations* (pp. 145-164). Springer, Berlin, Heidelberg.

<sup>938</sup> Reynaert, V. (2015). *Democracy Through the Invisible Hand? Egypt and Tunisia. In the Substance of EU Democracy Promotion* (pp. 149-161). Palgrave Macmillan, London.

<sup>939</sup> Da Silva, C.(2011). *The European Union and Strategies for Counter-Terrorism: Discourse, Development, and Deficiency in Euro-Maghrebi Securitization in a Post-9/11 World. ulty Adv*, 15.

within the EU proposed the use of a negative conditionality principle as a means of diplomatic pressure, but this was continually rejected due to the fact that many member states would not accept this principle in a partnership sphere, which would subsequently damage the building of partnerships and (it was argued) undermine democratisation over the long term<sup>940</sup>.

The EU approach was thus predisposed to avoid confrontation with Southern Mediterranean countries, but other factors played a major role in precluding its democratisation efforts. One underlying factor was the varying prioritisation of security versus democratisation (they two being viewed as mutually exclusive) in the EU itself and among member states. Additionally, there were concerns about the exploitation of the Southern Mediterranean countries under the inter-governmental operation of the EMP<sup>941</sup>. Given the tangle of varied internal and external interests in EU policy with neighbours, and the historical reality of the entrenchment of politically autocratic regimes in MENA, the evidence seems to suggest that the EU could be contented with “partial political liberalisation rather than full democratisation”<sup>942</sup>. Whatever the rationale for the EU’s hands-off approach to democratisation in the Southern Mediterranean, the reality of this policy direction is that it tacitly sanctions the lack of democratisation – *ergo* the political oppression of the general populations of the affected countries.

The EU’s democracy promotion under the EMP gives the impression that it has been subject to many limitations. Terrorism has increased markedly since the mid-1990’s, although this is largely due to factors outside the EU’s control (e.g. the US-led invasion of Iraq). Nevertheless, by failing to tackle democratisation in the name of “stability”, the EU has not protected its member states in terms of security and illegal immigration<sup>943</sup>. The War on Terror after 9/11 did not help the cause of democracy, as Western (particularly US) rhetoric gave *carte blanche* to every authoritarian regime in the world to persecute those deemed “terrorist”. Immune from US and international criticism due to the “War on Terror” narrative,

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<sup>940</sup> Ibid.

<sup>941</sup> Tagliapietra, S. (2017). *The Political Economy of the Euro-Med Energy Relations*. In *Energy Relations in the Euro-Mediterranean* (pp. 9-42). Palgrave Macmillan, Cham.

<sup>942</sup> Ibid.

<sup>943</sup> Selim, G. M. (2015). *The Western Democracy Promotion Agenda in Egypt: The Persistence of the Democracy-Stability Dilemma*. In *The International Dimensions of Democratization in Egypt* (pp. 75-103). Springer, Cham.

Southern Mediterranean states curtailed CSO's not aligned with the local political regimes by introducing further stringent association laws, rendering civil society engagement almost impossible unless registered by the state, and implicitly subservient to the regime<sup>944</sup>.

Even the CSO's that were the main focus of EU democracy promotion saw a major curb in their financial support due to the abolition of MEDA Democracy in 2001 and the creation of the EIDHR. The EU signalled that it was less willing to invest in democracy in Mediterranean countries which choose to fully participate in the economic liberalisation process, which was mainly in order to focus on countries which showed less potential in terms of economic liberalisation, such as Algeria<sup>945</sup>. Hence, it seemed that democracy promotion and the support of CSO's is fully related to countries' willingness to accept economic liberalisation; consequently, democracy became an ancillary tool to reach other objectives, rather than an objective in its own right.

However, away from the blunt edge of political suppression, the Association Agreements signed by the Southern Mediterranean states with the EU included standard references to democracy, which to some extent instigated discussion regarding democracy. Indeed, the democracy clause became the cornerstone of any political discussion within association committees or sub-committees, despite many EU members not being particularly excited about potential changes in the region. There was also a burgeoning potential in the discourse of democracy leading Southern Mediterranean governments to "perceive a greater need to legitimise their actions in terms of the idea of the norm of democracy"<sup>946</sup>. This torpid impasse was basically the optimum scenario of the EU's timid policy until the Arab Spring, which created the reality of uncontrolled scenarios and regime changes in the Southern Mediterranean region<sup>947</sup>. Prior to this, given the broad

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<sup>944</sup> Nagel, C., & Staeheli, L. (2015). International donors, NGOs, and the geopolitics of youth citizenship in contemporary Lebanon. *Geopolitics*, 20(2), 223-247.

<sup>945</sup> Katsaris, A. (2016). Europeanization Through Policy Networks in the Southern Neighbourhood: Advancing Renewable Energy Rules in Morocco and Algeria. *JCMS: Journal of Common Market Studies*, 54(3), 656-673.

<sup>946</sup> Gillespie, R. (2004). *A Political Agenda for Region-building? The EMP and Democracy Promotion in North Africa*. UC Berkeley: Institute of European Studies. Retrieved from <https://escholarship.org/uc/item/3gr3m8sh>. [Accessed on 20/08/2018]

<sup>947</sup> Dandashly, A. (2015). The EU response to regime change in the wake of the Arab revolt: differential implementation. *Journal of European Integration*, 37(1), 37-56.

focus of the EMP, the EU reached some socialisation without real democratisation.

Despite financial support to the Southern Neighbours, the countless forums, workshops, and conferences where people from different backgrounds engaged in debates, democracy in the Southern Mediterranean states remained theoretical. However, even though the EU's efforts may seem to have been indecisive for democratisation in the Southern Mediterranean region, they may have had more potent impacts on the citizens of those countries, as intended, due to the pervasive affirmations of liberal democracy in the EU's programmes, including the EMP, which may have emboldened popular mobilisation in the Arab Spring. Viewed dispassionately, the EU's long-term strategic approach was both wholly appropriate – given that it was dealing with sovereign states in no way under its jurisdiction – and effective in contributing to democratisation currents within the societies of Southern Mediterranean states.

The EMP contained many serious instruments in order to engage in and stimulate political, economic, and social reforms in the region that created fertile ground for democratisation, but its actual democratisation initiative contained major defects if assessed on its own terms. The EU firmly believed that pursuing liberal democracy in the Southern Mediterranean would lead automatically to a zone of peace and stability, but its main focus on economic liberalisation and vague socio-economic development served to entrench the political status quo of authoritarian regimes, and the violence and chaos of the Arab Spring (particularly in Libya and Syria) cannot be hailed as a success of EU policy. The only tentatively successful Southern Mediterranean countries in terms of democratisation are Tunisia, which achieved regime change without a civil conflict during the Arab Spring, and Morocco, which initiated a successful democratic reform process on its own initiative<sup>948</sup>. Aside from the provisional democratisation seen in these countries, the majority of the region lacks democratic governance, with ever-increasing internal tensions, and violent civil

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<sup>948</sup> Ibid.

conflicts in some cases. The whole MENA area seems to remain immune from any real political reforms<sup>949</sup>.

#### **4.2.2. “The European Union’s Role in Promoting Human Rights and Democratisation in Third Countries” (2001)**

The analysis of the EU democracy promotion prior to 2011 delivers a picture of the nature of the EU response to the Arab uprisings. The review entitled *The European Union’s Role in Promoting Human Rights and Democratisation in Third Countries* (2001)<sup>950</sup> is a representative sample that can be used as a basis to analyse EU democracy promotion. The European Initiative for Democracy and Human Rights (EIDHR-1)<sup>951</sup> was created to improve institutional coordination and remove obstacles that can be created by the uncooperative recipient states: “as a thematic instrument, it could be able to coordinate policies across the geographical boundaries, and with the ability to fund projects directly, it had the flexibility to bypass uncooperative regimes”<sup>952</sup>. The overriding feature of democracy promotion found in the review is its constant linking of democracy and socio-economic rights. In fact, the relationship between the two components not only accepted, but presented as organic, such as the statement that the EU: “seeks to uphold the universality and indivisibility of human rights... together with the promotion of pluralistic democracy and effective guarantees for the rule of law and the fights against poverty, are among the European Union’s essential objectives”<sup>953</sup>.

The introduction of the review envisages sustainability and inclusivity it claims follow from the Arab revolutions, then it goes on to unambiguously associate democracy promotion with poverty reduction, stating that “poverty reduction ... will only be sustainably achieved where there are functioning participatory

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<sup>949</sup> Brownlee, J., Masoud, T. E., & Reynolds, A. (2015). *The Arab Spring: Pathways of repression and reform*. Oxford University Press, USA.

<sup>950</sup> EC–European Commission. (2001). *The European Union’s Role in Promoting Human Rights and Democratisation in Third Countries*, Communication from the Commission to the Council and the European Parliament, COM (2001) 252 final. Brussels: European Commission.

<sup>951</sup> High Representative of the Union for Foreign Affairs and Security Policy and the European Commission, Joint Staff Working Document Partnership for Democracy and Shared Prosperity: Report on activities in 2011 and Roadmap for future action, Brussels, 15 May 2012.

<sup>952</sup> Teti, A. (2012) The EU’s First Response to the ‘Arab Spring’: A Critical Discourse Analysis of the Partnership for Democracy and Shared Prosperity, *Mediterranean Politics*, 17:3, 266-284

<sup>953</sup> *Ibid*, p. 3.

democracies and accountable governments”<sup>954</sup>. However, the subsequent strategy papers that developed the findings into policies only mentioned economic and social rights intermittently. Furthermore, they do not play any meaningful part in the democracy promotion agenda stipulated by the official papers. Additionally, there is far less emphasis on how to deal with economic and social rights in comparison with other variables in democratic development<sup>955</sup>.

The marginalisation of socio-economic rights commenced as soon as the EU articulated their association with democracy. The review declared that: “economic and social rights as well as civil and political rights, and relevant cultural and social factors have a direct impact on the political process and on the potential for conflicts and stability”<sup>956</sup>. Moreover, it identifies the important role of trade unions in manifesting and protecting the freedom of association principle, which has generally been under attack at the nation-state level since the 1970s, under neoliberal political economy.

The EU genuinely considers that economic development is linked to social rights, which is reflected in its view of socio-economic rights as a basic element of democracy, despite the existential independence of socio-economic rights from political democracy. Yet despite the articulation on the principle of indivisibility<sup>957</sup>, the EU failed to connect these matters to its democratisation agenda other than to support development in general (indeed, unspecified) terms, which in turn tacitly delegitimises the normative or causal links between socio-economic development indicators and democratisation.

The marginalisation of the relationship between democracy and socio-economic rights in the democracy promotion approaches argued in the review was even more noticeable. For example, EIDHR 4 scheduled priorities include general democratic principles provisions, while the other three respective provisions were particularly specific to the death penalty, anti-discrimination, and torture. Hence, despite the principle of indivisibility, socio-economic rights remained outside the

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<sup>954</sup> Ibid, p. 4

<sup>955</sup> Ibid.

<sup>956</sup> Ibid, p. 10.

<sup>957</sup> Georgiou, M. N., Kyriazis, N., & Economou, E. M. (2015). Democracy, Political Stability and Economic Performance. A Panel Data Analysis. *Journal of Risk & Control*, 2(1), 1-18.

close circles of EU interests. Some scholars emphasised that the marginalisation point of view should not be understood as a criticism of the principles of indivisibility and interdependence of rights<sup>958</sup>, rather it relatively reflects the fact that the EU efforts in promoting socio-economic rights are rather limited. This is true whether socio-economic rights are viewed as normative rights for their own sake, intrinsically entitled to support, as well as their ancillary association with democracy development<sup>959</sup>, which would be eligible for support through the EU's assistance programmes<sup>960</sup>.

It could be argued that the socio-economic rights could not be framed under the democracy promotion approach because they are already parts of the development assistance framework. This explanation is at best debateable and it is unconvincing for many reasons. First of all, the document reviews democracy promotion efforts, with no intention to incorporate democracy and human rights initiatives with development supports. Moreover, such formations could result in the relegation of rights-based frameworks to development initiatives instead of democracy promotion schemes, hence reformulating the institutional and programmes division in the EU's democracy and human rights activities, which the EIDHR is intended to span by delivering a strategic, thematic channel across these interests<sup>961</sup>. Politically, there is a fundamental dissimilarity between engaging on political democratisation and socio-economic issues, the latter of which is more related to general development than to rights-related issues, and ordinary related economic activities are controlled and regulated by the EU's financial and economic institutions<sup>962</sup>. Subsequently, despite the elevated preamble of the report, the EU has ultimately sanctioned a division between the discursive structure of democracy promotion and the socio-economic development agendas.

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<sup>958</sup> Baxi, U. (2017). Voices of suffering, fragmented universality, and the future of human rights. In *Human Rights* (pp. 159-214). Routledge.

<sup>959</sup> Teti, note 952, p. 10.

<sup>960</sup> Teti, note 952, p.11.

<sup>961</sup> Benedek, W. (2018). The contribution of the European Instrument for Democracy and Human Rights (EIDHR) to the implementation of the EU Human Rights Agenda. In *EU Human Rights and Democratization Policies* (pp. 115-126). Routledge.

<sup>962</sup> *Ibid.*

The democracy promotion review identifies a sequence of issues that can hinder the effectiveness of the policy, such as the coherence and consistency in the design and implementation, which is a serious and well-known problem in EU policy. For example, the duplicated division between thematic and geographical mechanisms, and the split between the Council and the Commission decision-making processes, may reduce the effectiveness of the EU's democracy promotion policy<sup>963</sup>. Furthermore, EU agencies require improvement in resources management, which ought to be much more rigorous and efficient, and well-directed. The report also identified the significance of developing the agenda's priorities, not only on a geographical basis, but also on thematic foundations. It implicitly acknowledged that difficulties are created by relying mainly on bilateralism, and it advocated the creation of further initiatives based on multilateralism, which can enhance the flexibility of the EU policies<sup>964</sup>.

In the end, the review suggested one of the most broadcasted initiatives of the EU 's innovative response to the "Arab Spring" which is the "more-for- more" conditionality approach, emphasising on the importance of activating the "essential element clause"<sup>965</sup>. However, it recognises that "the most effective way of achieving the change is, therefore, a positive and constructive partnership with governments, based on dialogue, support and encouragement rather than negative conditionality<sup>966</sup>. Hence, The Commission acknowledged that social development can only be achieved through positive conditionality and, however, negative conditionality can be applied as the last resort where all other measures have failed<sup>967</sup>.

Overall, under this review, the Commission articulated various concepts of democracy and democratisation. The most important idea seems to be the: "shifts from what could be called a more social-democratic articulation of civil-political rights as inseparable from socio-economic rights, to a more liberal articulation, in which the former is foregrounded, while the latter are relegated to the realm of

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<sup>963</sup> Balfour, R., Fabbri, F., & Youngs, R. (2016). Report on democracy assistance from the European Union to the Middle East and North Africa. *EUSPRING Report*, 7.

<sup>964</sup> Ibid, p. 9.

<sup>965</sup> Ibid page 11-13

<sup>966</sup> Börzel, T. A., & Lebanidze, B. (2015). European Neighbourhood Policy at the crossroads. Evaluating the past to shape the future.

<sup>967</sup> Ibid.

development and economic growth<sup>968</sup>. This reclassification is significant as it rearranges the socio-economic matters from issues of *rights* to issues of *aid*. This philosophy was echoed again following the Arab Uprisings Commission's response<sup>969</sup>.

### **4.3. Democracy Promotion Under The ENP**

This section assesses the EU's approach under the ENP will be provided. The first part examines the ENP approach before the Arab Spring, then the democracy promotion following the uprisings. This section discusses the EU's initial reaction to the upheavals in the region, before considering the development of its role orientation from being focused on stability to promoting change. It can be seen that the EU was forced to alter its role towards its Southern Neighbours in the aftermath of the Arab Spring, hence the final part of this section discusses the ENP reviews and assesses whether it is a quantitative step forward.

#### **4.3.1. ENP Approach Before Arab Spring**

In the context of the ENP, the democracy promotion discourse was part of the framed approach under the CEEC's and Mediterranean countries, in consonance with its principle of normative power. Despite the fact that the substance of the EU policy lacked membership agreement at the negotiation table, is still more relevant and sumptuous in comparison with the discourse the EU used to promote democracy with other developing regions in the world. This stems from the attached importance of this relationship with neighbouring states, as stipulated by the treaty provisions or the ENP agreement documents. The latter qualify the Southern Mediterranean states as essential partners<sup>970</sup>.

Generally speaking, the EU intended to create a ring of friends which could share the benefits of a peaceful neighbourhood and mitigate any potential conflict in the region<sup>971</sup>. Hence, the EU envisaged a ring of democratic, well-governed neighbours, sharing normative principles and values, enjoying a close, cooperating relationship evolving into increasing economic and political

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<sup>968</sup> Ibid, p. 18.

<sup>969</sup> Noutcheva, note 398, pp 19-36.

<sup>970</sup> Blockmans, S. (2015). *The 2015 ENP Review: A policy in suspended animation*. Centre for European Policy Studies., pp 3-4.

<sup>971</sup> Ibid, p. 7.

integration<sup>972</sup>. The manner in which this can be realised is only through cultural, political, and economic cooperation, however these are conceptualised and operationalised. The ENP documents stipulated that democracy, in addition to some other normative principles such as human rights and the rule of law, are essential elements in the long road to stability, security, and prosperity in the region, and the foundation for long and prosper relationship between the EU and its neighbours<sup>973</sup>. EU institutions habitually make ample references to “shared values” as the basis of norms in order to enhance political and economic relations with ENP member states, deciphered into the terms of respecting human rights, the rule of law, and democracy principles, as stipulated by the EU treaties as well as the Charter of Fundamental Rights<sup>974</sup>. Hence, the EU intended to strengthen the importance of shared values as essential elements governing the relationship with neighbouring countries<sup>975</sup>.

Part of this approach, the ENP Action Plans reiterated this principle part of the parties’ commitment to the security and prosperity of the region, maintaining the paramount importance of the democracy principles in the ENP relationship. For example, the Action Plan concluded with Tunisia and Morocco in 2004<sup>976</sup> outlined a few priorities, including “strengthening democratic institutions, the rule of law and the respect for human rights and fundamental freedoms”<sup>977</sup>. Each principle is outlined by scheduled actions to be followed in specific priority areas.

Paradoxically, the Commission communications in the following years, including on strengthening the ENP, were less focused on democracy-related issues, with the exception of small references to human rights and the rule of law<sup>978</sup>, even though some additional funding for good governance was promised, mainly

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<sup>972</sup> European Commission (2004), European Neighbourhood Policy Strategy Paper, COM(2004) 373 final, Internet web site for the European Commission. Available at: [http://ec.europa.eu/world/enp/pdf/strategy/strategy\\_paper\\_en.pdf](http://ec.europa.eu/world/enp/pdf/strategy/strategy_paper_en.pdf). [accessed 20th July 2018].

<sup>973</sup> Ibid

<sup>974</sup> European Commission (2003b), Paving the Way for a New Neighbourhood Instrument, COM(2003) 393 final, page 4, Internet web site for the European Commission, available at: [http://ec.europa.eu/comm/world/enp/pdf/com03\\_393\\_en.pdf](http://ec.europa.eu/comm/world/enp/pdf/com03_393_en.pdf). [accessed 20th July 2018].

<sup>975</sup> Ibid.

<sup>976</sup> Fontana, I. (2017). *EU Neighbourhood Policy in the Maghreb: Implementing the ENP in Tunisia and Morocco Before and After the Arab Uprisings*. Routledge, 16.

<sup>977</sup> Ibid, p 3.

<sup>978</sup> Bosse, G. (2016). European Union policy towards Belarus and Libya: old and new double standards? *The European Union Neighbourhood: Challenges and Opportunities*, 83.

earmarked for human rights and democracy. Further communications such as 'A Strong ENP' reiterated the importance of democracy in EU external policy with neighbouring countries<sup>979</sup>, which stipulated that the sustained promotion of democracy, human rights, and the rule of law throughout the neighbourhood would inevitably reduce tension in the region and promote stability<sup>980</sup>.

A similar emphasis was made by the Council and the Commission on multiple occasions, including in 2011 following the Arab uprisings, when EU assistance increased resources allocation to support democracy movements in the region, especially under the EIDHR and the European Endowment for Democracy (EED), created to support organisations that promote democracy. Hence, despite the world financial crisis, democracy assistance has grown since 2009, and especially since 2011, representing 18% of total funding under the ENP<sup>981</sup>. This financial support was the result of several initiatives adopted by the EU to redress previous failures and shift emphasis on building-up democracy.

Overall, EU democracy promotion was based on the equilibrium of security and stability. The EU initiated advanced status negotiation with the Tunisian regime, despite its democracy shortfalls and human rights abuses record<sup>982</sup>, while the relationship with the Libyan government was fast-tracked, reflecting the more serious conflict situation there (from an EU perspective) and the NATO interests of the UK and France. On the Egyptian front, the EU turned a blind eye to the rigged parliamentary elections, despite many observers' criticisms, indicating they were "anything but free and fair"<sup>983</sup>. There is no doubt that the shift from its normative agenda has been forced upon EU leaders in order to strike a balance between the priorities of regional stability and human rights development, which

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<sup>979</sup> European Commission (2007), A Strong European Neighbourhood Policy, COM (2007) 774 final, Internet web site for the European Commission, accessed 20th October 2018, [http://ec.europa.eu/world/enp/documents\\_en.htm#1](http://ec.europa.eu/world/enp/documents_en.htm#1).

<sup>980</sup> Ibid.

<sup>981</sup> Balfour, Fabbri & Youngs, note 963, p. 7.

<sup>982</sup> Cassarino, J. P. (2014). Channelled policy transfers: EU-Tunisia interactions on migration matters. *European Journal of Migration and Law*, 16(1), 97-123.

<sup>983</sup> Seeberg, P. (2016). EU Policies in the Mashreq: Between Integration and Security Partnership. *Middle East Policy*, 23(4), 103-113.

have historically been viewed as dichotomous in EU discourse, and Western politics in general. Hence, political realism prevailed<sup>984</sup>.

While the EU foreign policy purports to be value-led, its security and commercial interests are generally prioritised over democracy concerns<sup>985</sup>. Southern Mediterranean regimes exploited this anomaly, constantly claiming any sudden political change would unavoidably set the region into commotion. Anxious of regime collapses and the unpredictable consequences any abrupt changes might bring, European policymakers hoped to acquire gradual political change through economic reforms and good governance. For instance, a review of the ENP and human rights policy launched in 2010 ultimately proposed a programme of intergovernmental bureaucratic exercises<sup>986</sup>, which it argued would ultimately lay the path for real and sustainable political changes in the region, while circumventing the destructive nature of sudden political collapse<sup>987</sup>. However, instead of being power for reforms, the EU policies unwittingly reinforced the status quo through political and financial support<sup>988</sup>. Indeed, the ENP became a *de facto* stability policy, reverting to the historic model of the EU financially supporting dictators' regimes in exchange for their cooperation on security, terrorism, and illegal migration issues, while paying lip service to gradual, vague, unquantifiable progress on human rights and democratisation; clearly this was not apt following the Arab Spring.

In response to the uprisings, the EU hastily issued a reassessed approach in 2011 in *Partnership for Democracy and Shared Prosperity*<sup>989</sup> and the ENP review *A New Response for a Changing Neighbourhood*<sup>990</sup>. Under this new approach, the EU committed itself to set democracy at the forefront of its agenda.

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<sup>984</sup> Seeberg, P. (2009). The EU as a realist actor in normative clothes: EU democracy promotion in Lebanon and the European Neighbourhood Policy. *Democratization*, 16(1), 81-99.

<sup>985</sup> Ibid

<sup>986</sup> S. Füle, 'European Neighbourhood Policy Review', speech to the European Parliament's AFET Committee, 26 October 2010, Brussels.

<sup>987</sup> İşleyen, B. (2015). The European Union and neoliberal governmentality: twinning in Tunisia and Egypt. *European Journal of International Relations*, 21(3), 672-690.

<sup>988</sup> Jones, note 791, pp. 41-58.

<sup>989</sup> High Representative of the Union for Foreign Affairs and Security Policy and Commission, note 22.

<sup>990</sup> Commission of the Communities, note 23.

Aware of the major changes in the region, the EU committed to the implementation of the *Communications of the ENP Reviews* in 2011, stipulating the road map for future action<sup>991</sup>. In 2012 it adopted the ENP country Progress Reports, based on an assessment format<sup>992</sup>. In parallel, it adopted the new *Strategic Framework on Human Rights and Democracy and Action Plan for its Implementation*<sup>993</sup>, which created further opportunities to reinforce its coherent engagement on democracy and human rights in the region. A further implementation review was conducted in 2015<sup>994</sup>, and was published in 2017<sup>995</sup>. Whether the new policy could be argued as a quantitative step forward is discussed in the following subsection.

#### **4.3.2. Democracy Promotion Development Following the Arab Spring: A Qualitative Step Forward?**

In this part, an empirical assessment of the EU's approach following the Arab Spring uprisings and throughout the ENP reviews is provided, considering whether the reforms can be stated to be a quantitative step forward towards democratisation.

##### **4.3.2.1. EU Initial Reaction to Arab Spring**

The revolts sweeping across the MENA region from late 2010 caught the world by surprise. Watching the fast-paced events with a mixture of astonishment and concerns, the Tunisian 'Jasmine Revolution'<sup>996</sup> and the subsequent revolts spread like wildfire throughout the North Africa and the Middle East, upsetting the international community's apple cart of long-cherished "stability" in just a few months. The general pattern was for mass street protests to emerge, followed by conventional repression by the government (i.e. the security apparatus),

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<sup>991</sup> Ibid.

<sup>992</sup> European Commission Website, European Neighbourhood Policy – Note documents, [http://ec.europa.eu/world/enp/documents\\_en.htm](http://ec.europa.eu/world/enp/documents_en.htm). [Accessed on the 20th of July 2018].

<sup>993</sup> Ibid.

<sup>994</sup> Joint Communication to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions, "Review of the European Neighbourhood Policy", JOIN (2015) 50 final, Brussels, 18 November 2015.

<sup>995</sup> European Commission - Press Release Revised European Neighbourhood Policy: supporting stabilisation, resilience, security, Brussels, 18 May 2017. Available at [http://europa.eu/rapid/press-release\\_IP-17-1334\\_en.htm](http://europa.eu/rapid/press-release_IP-17-1334_en.htm). [Accessed on 20<sup>th</sup> July 2018].

<sup>996</sup> Saidin, M. I. S. (2018). Rethinking the 'Arab Spring': The Root Causes of the Tunisian Jasmine Revolution and Egyptian January 25 Revolution. *International Journal of Islamic Thought*, 13, 69-79.

promises of change, and appeals to patriotism, followed in some cases by a generally peaceful revolution (as in Tunisia and Egypt), a protracted civil conflict (Libya and Syria), or a gradual simmering down (as in the GCC, such as the occupation of Bahrain by the Saudi armed forces).

Contemporaneously, the Eurozone was in a period of adjustment and relative instability following the latest expansion and the financial crisis<sup>997</sup>. The European External Action Service (EEAS) composition was still evolving throughout 2010, while the foreign policy makers were ill-prepared to deal with fast-evolving events, mainly due to the EU intra-institutional competencies conflicts<sup>998</sup>. Hence, the EU was unprepared to deal with rapid changes and upheaval in the region, and subsequently it could not position itself in this volatile regional context<sup>999</sup>, taking into account the latently supportive EU tendencies towards the Mediterranean regimes at the time. Consequently, it was unavoidable that the EU institutional approach during the initial phase of the revolutions was incoherent and perplexing, mainly due to its inability to develop a common policy, and its regular marginalisation by member states<sup>1000</sup>. Furthermore, based on the EU's loathing of any possible instability in its neighbourhood sphere, its initial response to the revolutions in the Arab world can only be described as hesitant, and the member states that preserved strong bilateral relationships with Southern Mediterranean regimes remained extremely cautious.

In the initial phase of the Jasmine Revolution, the EU's inadequate response was most evident. The protests started on the 17<sup>th</sup> of December 2010 and met with heavy handed police intervention, yet the EU only called for restraint and the release of protesters, through a very subtly worded statement, toward mid-January<sup>1001</sup>; after Ben Ali fled on the 14<sup>th</sup> the EU cynically articulated its undying support for the Tunisian democratic revolution and pledged some financial and

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<sup>997</sup> Ilieva, J., Dashtevski, A., & Ristovska, N. (2017). EU Enlargement and Financial Crisis. *International Journal of Academic Research in Business and Social Sciences*, 7(1), 153-163.

<sup>998</sup> Behr, T. (2012). The European Union's Mediterranean Policies after the Arab Spring: Can the Leopard Change Its Spots. *Amsterdam LF*, 4, 76.

<sup>999</sup> Echagüe, A., Michou, H., & Mikail, B. (2011). Europe and the Arab uprisings: EU vision versus member state action. *Mediterranean Politics*, 16(2), 329-335.

<sup>1000</sup> Del Sarto, note 68, pp. 215-232.

<sup>1001</sup> European Union, 'Statement by EU High Representative Catherine Ashton and European Commissioner for Enlargement on the situation in Tunisia', 10 January 2011, A010/11.

political support<sup>1002</sup>. While the EU stance remained ambiguous during the uprising, some member states were overtly supportive of the Tunisian dictator, particularly France, which offered to dispatch some police equipment to assist in suppressing the uprising, stating that Ben Ali is “someone who is often misjudged”<sup>1003</sup>. Unwilling to change its stance towards the events and worried about open gate illegal immigration, many Southern member states remained opposed to any EU sanctions or even criticism of the Tunisian regime<sup>1004</sup>.

Dissatisfied with the shortcomings of the EU role, the press and many democratic and human rights civil society organisations criticised its subdued approach and called for a substantive change in EU policy regarding the Arab revolutions. By the beginning of the Tahrir Square protests in Egypt, the change of the EU position was already noticeable. The EU High Representative Catherine Ashton condemned the violence towards the protesters<sup>1005</sup>. The European Council went further by calling for a peaceful transition by free and fair elections means<sup>1006</sup>. Despite the fact that the EU approach continued to be reactive, it no longer intended to quell or suppress the public uprisings in the Southern Mediterranean.

Nevertheless, the endorsement of the North African protesters’ demands did not translate into the fully-fledged new strategy, nor did it reflect the EU approach towards other Arab democracy uprisings. In Morocco and Jordan, the EU stipulated the necessity of the internal reforms, while in Yemen and Bahrain the EU remained an absent international player and refrained from intervening diplomatically in the events. In the case of Libya, the EU only started to play an active role in supporting the opposition after Colonel Gaddafi threatened to raze Benghazi (and implicitly to kill thousands of civilians)<sup>1007</sup>.

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<sup>1002</sup> European Union, ‘Joint Statement by EU High Representative Catherine Ashton and Commissioner on the event in Tunisia’, 14 January 2011, A016/11.

<sup>1003</sup> Krüger, L. T., & Stahl, B. (2018). The French foreign policy U-turn in the Arab Spring—the case of Tunisia. *Mediterranean Politics*, 23(2), 197-222.

<sup>1004</sup> Aras, B., & Falk, R. (2015). Authoritarian ‘geopolitics’ of survival in the Arab Spring. *Third World Quarterly*, 36(2), 322-336.

<sup>1005</sup> European Union, ‘Statement by the EU High Representative Catherine Ashton on events in Egypt’, 27 January 2011, A 032/11.

<sup>1006</sup> Börzel, T. A., Dandashly, A., & Risse, T. (2015). *Responses to the ‘Arabellions’: The EU in comparative perspective—Introduction*. Taylor & Francis.

<sup>1007</sup> Koenig, N. (2017). Libya and Syria: Inserting the European Neighbourhood Policy in the European Union’s Crisis Response Cycle. *European Foreign Affairs Review*, 22(1), 19-38.

However, by the time the region was engulfed in full-scale revolutions, the EU realised that a new policy was required. Accordingly, the European Council issued a statement declaring “it’s full support for the transition processes towards democratic governance; pluralism improved opportunities for economic prosperity and social inclusion, and strengthened regional stability”<sup>1008</sup>. Furthermore, the European Council called on all EU institutions to support the changes in the region and adjust the Barcelona Process to manage the change. Meanwhile, Catherine Ashton, the EU’s High representative, acknowledged the need to change the old stability policy of the EU, and develop a new “sustainable” stability approach in the aftermath of the Arab Spring<sup>1009</sup>.

The new declarations intended to revive the long-declared EU normative approach in the region<sup>1010</sup>, by conferring a more centralising role to EU institutions in the process. However, they did not remove the long lasting intra-European division regarding the Arab revolutions, and significant variation remained between the EU new approach and the individual priorities of EU member states, manifest in their foreign policy. The disagreement between the two parties featured in the format of funding of the new role of the ENP. Southern European member states, including Malta, Greece, Spain, and France, recommended the transfer of the extra resources towards the Southern Mediterranean countries through the ENP programmes and the application of more flexibility towards the region<sup>1011</sup>. However, the Northern member states rejected the redistribution of funds from the north to the south, suggesting the redirection within the ENP funds to support the Southern Mediterranean states’ causes in democracy and human rights development<sup>1012</sup>.

The intra-European division further developed with regard to military intervention in Libya. Initially, the EU tried to present a unified position supporting UNSC

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<sup>1008</sup> European Council, 2011 ‘Declaration on Egypt and the Region’, 4 February, PCE 027/11.

<sup>1009</sup> European Union, ‘Remarks by the EU High Representative Catherine Ashton at the Senior officials’ meeting on Egypt and Tunisia’, Brussels, 23 February 2011, A 069/11.

<sup>1010</sup> Volpi, F., & Gillespie, R. (2017). Introduction: the growing international relevance of Mediterranean politics. In Routledge *Handbook of Mediterranean Politics* (pp. 17-26). Routledge.

<sup>1011</sup> Bremberg, N. (2016). Making sense of the EU’s response to the Arab uprisings: foreign policy practice at times of crisis. *European security*, 25(4), 423-441.

<sup>1012</sup> Börzel & Lebanidze, note 966, pp12-26.

Resolution 1970<sup>1013</sup> on sanctions against the Libyan regime, but divergence quickly developed over the EU legality of fostering regime change. By the 10<sup>th</sup> of March 2011, the French government recognised the National Transitional Council as the sole representative of Libya, effectively ruining any possible collective approach. Following the French decision, the UK government announced its support for the French approach and campaigned internationally in sponsoring UNSC Resolution 1973 on a no-fly zone<sup>1014</sup>. However, Germany refused to be part of any military intervention in Libya, based on opposition to the subject of regime change as such, which inevitably highlighted the intra-European division when it comes to international issues<sup>1015</sup>. Germany's opposition to military intervention was supported by other European countries, such as Poland. Ultimately, only 11 EU member states contributed to the military intervention<sup>1016</sup>. Further divisions within the EU member states emerged over the covert military operations conducted by the French and the British military forces in support of the rebels<sup>1017</sup>.

Even after the collapse of Gaddafi regime, such divisions persisted, with different countries supporting different sections of the emerging groups<sup>1018</sup>. Ultimately Libya was left in a fragmented chaotic state, with military groups showing no intention of being part of the government or acknowledging the authority of the central government. The member states support for different groups and militias may indirectly create a failed state in Libya. The case of Libya could be argued to be a case study of the success of the traditional, cautious EU policy on democratisation. Colonel Gaddafi, the longest standing despot in North Africa, was brutally murdered by a Libyan mob in October 2011; the civil war that continued after he was overthrown evidences that Gaddafi had indeed brought stability with his despotism. However, the very experience of the Arab Spring led

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<sup>1013</sup> Ulfstein, G., & Christiansen, H. F. (2013). The legality of the NATO bombing in Libya. *International & Comparative Law Quarterly*, 62(1), 159-171.

<sup>1014</sup> Ibid

<sup>1015</sup> Müller, P., & Mühlberger, W. (2016). The EU's comprehensive approach to security in the MENA region: what lessons for CSDP from Libya? In *The EU, Strategy and Security Policy* (pp. 63-79). Routledge.

<sup>1016</sup> The intervention was NATO led operation and not part of the EU's external action.

<sup>1017</sup> Müller & Mühlberger, note 1015, p. 64.

<sup>1018</sup> Van Genugten, S. (2016). Libya: A By-Product of Great Power Politics. In *Libya in Western Foreign Policies, 1911-2011* (pp. 45-58). Palgrave Macmillan, London.

to a more active EU policy to induce political reform in the Southern Mediterranean.

The responses of the EU and its member states to the revolutions varied, including support for the Tunisian and Egyptian regimes until support was no longer possible; support for Bahrain's regime, covered up by docile criticism, and indifference to the Saudi military intervention there; and strong criticism of Yemen's President Saleh, but no proposal for military intervention or a no-fly zone. Unsurprisingly, only Libya's human rights records breaches were deemed worthy of armed intervention<sup>1019</sup>. The European countries for a long period were sworn enemies of the Gaddafi regime and had long standing grievances against its agenda in Africa. There had been rapprochement with Gaddafi during the 2000's, after the 2003 invasion of Iraq (which the Colonel evidently saw as a harbinger of what could be in store for him), but the opportunity to eliminate his regime on human rights grounds was too good to miss for France and the UK.

Contrary to the swift and decisive involvement of EU members in Libya, the EU failed to respond with equal determination and speedy fashion to the crackdown on protesters that occurred in Syria in 2011<sup>1020</sup>. For many months, some European countries, including Cyprus and Estonia, and with less henotheism Germany, opposed any sanctions directly targeting the Syrian regime. Eventually their opposition faded, but only when the civil war became inevitable. Consequently, the EU response came under fierce criticism from the European Parliament's Human Rights Committee, which accused the EU of applying double standards, with strong support for military intervention in Libya and indifference to human rights abuses in Syria<sup>1021</sup>. Naturally member states' responses were conditioned by their self-interest<sup>1022</sup>. Consequently, the lack of a unified strategic approach in the region among the intra-European sections confirmed the barriers to a united and cohesive EU role in the region.

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<sup>1019</sup> Ibid, p 57.

<sup>1020</sup> Koenig, N. (2017). Libya and Syria: Inserting the European Neighbourhood Policy in the European Union's Crisis Response Cycle. *European Foreign Affairs Review*, 22(1), 19-38.

<sup>1021</sup> Schumacher, note 127, pp. 107-119.

<sup>1022</sup> Börzel, T. A., Risse, T., & Dandashly, A. (2015). The EU, external actors, and the Arabellions: much ado about (almost) nothing. *Journal of European Integration*, 37(1), 135-153.

It seems that the EU initial reaction to the Arab Spring was based on ad hoc considerations. There was no collective and coherent response to the fast-moving events. Considering the EU's normative power is more effective due to the cooperative and cooperative policies approach, the Arab Spring has highlighted the limits of this normative power<sup>1023</sup>.

#### **4.3.2.2. The EU's New Role: From Stability to Change**

Despite the continuous differences over the particulars of the EU role in the Arab Spring, a consensus rapidly emerged supporting political transition in the region. Many EU member states, including the Southern ones, recognised that the outer sphere of the EU stability may no longer be possible by relying on authoritarian regimes<sup>1024</sup>. In fact, supporting these regimes became part of the problem, as many revolutionists blamed the West, and especially the EU, for the long duration of dictatorships, highlighting that EU political and financial support was used by the Arab regimes to stigmatise and repress any political transformation. Moreover, the EU realised that the revolutionary power could not be stopped, thus the best available option was to join it, especially when the restoration of stability in the region became subject to peaceful political transitions. Hence, the long-lasting dilemma between political stability and democratisation-human rights development seemed to conclude, allowing the EU in the last resort to align itself with its own values. This alignment was announced by the EU Commission, which stated that "it is our duty to say to the Arab peoples that we are in their side! From Brussels, I want to specifically say this to the young Arabs that we are fighting for freedom and democracy: we are on your side"<sup>1025</sup>.

This statement became the basis for the EU revised approach towards the Arab revolutions. Subsequently, two documents emerged by the Commission and the EU High Representative to highlight the new EU policy. The first document, *Partnership for Democracy and Shared Prosperity with the Southern Mediterranean*<sup>1026</sup>, called for a review of ENP in light of the changes in the region.

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<sup>1023</sup> Schumacher, note 1021, p. 112.

<sup>1024</sup> Hollis, R. (2012). No friend of democratization: Europe's role in the genesis of the 'Arab Spring'. *International Affairs*, 88(1), 81-94.

<sup>1025</sup> J. M. Barroso, 'Statement by President Barroso on the situation in North Africa', speech to the European Parliament, 2 March 2011, Point Press, Speech 11/137.

<sup>1026</sup> European Commission and High Representative, note 22.

The second, *A New Response to a Changing Neighbourhood*<sup>1027</sup>, explained the new strategy and measures to support countries that had experienced revolutionary upheavals. A further review in 2015 assessed the effectiveness of the reforms stipulated by the 2011 review.

#### 4.3.3. ENP Review: Reforming The EU Approach

In 2011, in the light of the upheavals in the MENA region and the EU's failure to develop a coherent position on its policy towards its Southern Neighbours, the ENP was revised for the first time. This review was conducted in the mist of the Arab Spring and was clearly inspired by and responsive to the uprisings. The Communication called *A Partnership for Democracy and Shared Prosperity with the Southern Mediterranean* stressed the need to outline new future dialogues with both regional platforms and to respond to a changing neighbourhood<sup>1028</sup>. This was followed by *A New Response to A Changing Neighbourhood: A Review of European Neighbourhood Policy*<sup>1029</sup>.

The Communication started with the asserted mutual beneficial of the partnership between the EU and its neighbours<sup>1030</sup>. The EU stipulated five bases for its new approach namely: "mutual accountability<sup>1031</sup>, shared commitment to the universal values, a higher degree of differentiation<sup>1032</sup>, comprehensive institution building imperative and deep democracy"<sup>1033</sup>, adding that "the EU does not seek to impose a model or ready-made recipe for political reforms"<sup>1034</sup>. In order to attain these goals, the European Endowment for Democracy (EED)<sup>1035</sup> and Civil Society Facility<sup>1036</sup> instituted. The EED, a private law foundation, was established

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<sup>1027</sup> A new response to a changing neighbourhood, note 23.

<sup>1028</sup> "A Partnership for Democracy and Shared Prosperity", note 23.

<sup>1029</sup> Ibid.

<sup>1030</sup> Ibid, page 2-3.

<sup>1031</sup> Stroetges, F. (2013) 'More for More' but 'More of the Same', too: *A Review of the New European Neighbourhood Policy*, E-International Relations Students. Accessed on 21th July 2018 at: <http://www.e-ir.info/2013/04/22/a-review-of-the-new-european-neighbourhood-policy/>,

<sup>1032</sup> Ibid page 8.

<sup>1033</sup> Ibid page 12.

<sup>1034</sup>: Declaration on the Establishment of a European Endowment for Democracy, 18764/1; PESC 1677, COEST 508, COMAG 138, at [www.democracyendowment.eu](http://www.democracyendowment.eu) □

<sup>1035</sup> The Communication on "A new response to a changing Neighbourhood" (2011), EU response to the Arab Spring: the Civil Society Facility, Accessed on 21th July 2018 at [http://europa.eu/rapid/press-release\\_MEMO-11-638\\_en.htm](http://europa.eu/rapid/press-release_MEMO-11-638_en.htm).

<sup>1036</sup> the European Commission press release (2012), The European Endowment for Democracy – Support for the unsupported, accessed on 21th July 2018 at [http://europa.eu/rapid/press-release\\_IP-12-1199\\_en.htm](http://europa.eu/rapid/press-release_IP-12-1199_en.htm).

in Belgium in 2013 and governed by its own statute, with the aim of supporting political parties, non-registered CSO's, trade unions, and others in order to promote deep and sustainable democracy, the rule of law, and respect for human rights. The EED was created mainly to support the unsupported<sup>1037</sup> and emerging players who face obstacles in access to EU funding. The main characteristic of this organisation is to offer rapid and flexible funding's opportunities for the unsupported or insufficiently supported organisations, particularly when they are operating in an adverse or uncertain political context <sup>1038</sup>. The initial fund of €6 million was divided between the Eastern and Southern parts of the EU neighbourhood, the geographical area which the policy is focusing on exclusively, with the intention to subsequently spread its application into other parts of the world. Regarding this new mechanism, Catherine Ashton stated: "I am delighted to see the European Endowment for democracy becoming a reality... The EED sends a concrete signal to our neighbours and beyond, that we are 100% committed to supporting democracy and the values upon which the EU was founded"<sup>1039</sup>.

Similarly, the Civil Society Facility was tasked with promoting participation in social and political rights and enhancing civil society actors' involvement in policy dialogues. Their brief included engaging with governments (i.e. the regimes of the Southern Mediterranean and elsewhere) to stimulate favourable attitudes towards them and the EU democratisation agenda, through participatory approaches and consultations<sup>1040</sup>. These initiatives reiterated the fundamental importance of economic partnership, proposing a "Deep and Comprehensive Free Trade Area"<sup>1041</sup>, ultimately leading to removing all the trade barriers in the region, as a step forward toward economic integration.

The EU tried to formulate a strategic response in its *Partnership for Democracy and Shared Prosperity*<sup>1042</sup>, whose provisions clearly distinguish between its introductory principles and core provisions. Socio-economic rights were

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<sup>1037</sup> Ibid, p 14.

<sup>1038</sup> Ibid, p 22.

<sup>1039</sup> Ibid, p 25.

<sup>1040</sup> Ibid, p 17.

<sup>1041</sup> Noutcheva, note 398, pp. 19-36.

<sup>1042</sup> Ibid, p 22.

emphasised in the introduction, while its connections to democracy promotion were only acknowledged implicitly. The Commission reference to the partners' transition to democracy has been fashioned into parallel categories, which include socio-economic and political scopes of action, whilst the latter are described as the end point for all dimensions<sup>1043</sup>. The EU implicitly affirmed the connection between socio-economic issues and the Arab Spring, and the Commission declared that the hope in the region for social justice requires a full commitment to human rights, democracy, and good governance<sup>1044</sup>.

The new approach concentrates on three main elements: democracy, socio-economic development, and instruments required to effectively deliver the policy. Firstly, the democratisation approach reflects the Commission's new attitude, as it gives relatively more importance to the role of the civil society and the impact of socio-economic rights. The basis of the EU's agenda is mainly motivated by the liberal approach, as it emphasises on the link between the partners and their civil societies, which is considered crucial for effective democratisation results<sup>1045</sup>. The relationship between the socio-economic elements and democracy were not overlooked but were separated for structural purposes. Similarly, in relation to economic development, this policy recognises the prominence role of social issues in development and democratisation objectives<sup>1046</sup>.

Basically, the new policy reproduced the main argument in relation to democratisation. From one perspective, it stresses the importance of institution building, with specific attention to the "fundamental freedoms, constitutional reforms, reform of the judiciary and the fight against corruption"<sup>1047</sup>. Institution building is intended to enhance internal capacities, which generates the resources for democracy from within partners, which to some extent circumvents the difficulties of the EU exerting direct pressure on political regimes while maintaining a practical commitment to democratisation. Numerous indications suggest the significance of the internal development of democratisation. For

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<sup>1043</sup> Teti, A. (2012). The EU's first response to the 'Arab Spring': a critical discourse analysis of the partnership for democracy and shared prosperity. *Mediterranean Politics*, 17(3), 266-284.

<sup>1044</sup> Ibid, page 4.

<sup>1045</sup> Ibid.

<sup>1046</sup> Ibid page 5.

<sup>1047</sup> Noutcheva, G. (2015). Institutional governance of European neighbourhood policy in the wake of the Arab Spring. *Journal of European Integration*, 37(1), 19-36.

example, the policy emphasised on “capacity building”, which it referred to in numerous sections of the document, including its relation to civil societies<sup>1048</sup>, as well as relationships with partners<sup>1049</sup>. The importance of capacity building is also highlighted in the section entitled “democracy and institutional building”<sup>1050</sup>.

The policy emphasised the important role of civil societies in the development of democracies, which was mentioned multiple times. For instance, the EU intended to craft a more robust relationship with the citizens of its partners through support for civil societies and enhancing the chances of citizen-to-citizen discussions, giving particular attention to young people<sup>1051</sup>. Civil societies capacity building exercises aim to enhance internal reform abilities through effective participation in policy dialogues. The main motivation behind this approach is to energise the inadequate local civil societies, which the document emphasised in a liberal manner, indicating that civil societies are the main armament in the fight against authoritarianism<sup>1052</sup>. Other than this general, long-term role, civil societies can deliver much required support for direct political reforms. However, with regard to this point of direct democratisation in the political sphere, the document seems to represent civil societies as auxiliary to governments<sup>1053</sup>.

It is noteworthy that the relationship with civil societies could be created with no complications. However, many literature reviews, as well as policy makers, indicated that quasi-governmental NGO infiltrations of civil society organisations remaining a well-known issue<sup>1054</sup>. Moreover, the restrictions to civil societies discussed previously (especially since 9/11), such as registration or financial controls, have been disgracefully applied in order to exclude many genuine civil society organisations not endorsed by regimes, or to undermine their independence. Indeed, EU policy remained silent on this point, including with

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<sup>1048</sup> Partnership for democracy and shared Prosperity, note 22, page 6.

<sup>1049</sup> Ibid, note 22, page 5, 6, 7, 10, 14.

<sup>1050</sup> Ibid, note 22, page 5, 6.

<sup>1051</sup> Natorski, M. (2016). Epistemic (un) certainty in times of crisis: The role of coherence as a social convention in the European Neighborhood Policy after the Arab Spring. *European journal of international relations*, 22(3), 646-670.

<sup>1052</sup> Irrera, D., & Attinà, F. (2017). *Civil Society in Action: The Use of Non-governmental SAR Operations in the Mediterranean as a "new" Security Tool*. Universitätsbibliothek Johann Christian Senckenberg.

<sup>1053</sup> Ibid, page 6.

<sup>1054</sup> Cavatorta, F. & Durac, V. (2011). *Civil Society and Democratization in the Arab World* (Routledge: London).

regard to trade unions, which played an essential role in the uprisings, particularly in Egypt, aside from their customary roles in supporting workers' rights<sup>1055</sup>. The EU purported to address a changed Southern Mediterranean political and social landscape following the Arab Spring, yet many civil society groups fundamental in the uprisings were clearly side-lined by the Commission. This was despite them having been a wholly desirable moderating force (e.g. discouraging violence and affirming the right to peaceful protest). Their centrality to the uprisings as well as to the multidimensional nature of the transitional process was identified by the document itself.

It could be argued that the omission of trade unions was a mere continuation to the EU's negligence concerning socio-economic issues in general, as well as the sustained restriction of trade union rights within EU member states. The document mentioned socio-economic development as one of the most important issues among partners' citizens, but it referred to these issues from a development perspective, and not as rights; this seemed to marginalise socio-economic issues in comparison to the "rights" adumbrated at the beginning of the document.

Another objective stipulated by the democratisation approach is the "support for Social Dialogue Forum"<sup>1056</sup>, which is indicative of previous expressions used by the Commission such as "social partners"<sup>1057</sup>. The EU intended under these provisions to enhance the effectiveness of the social dialogue with the support of civil society organisations, including trade unions<sup>1058</sup>. The expressions related to trade unions, in particular the terms "dialogue" and "partners", suggested a further supportive part to play, contrary to the "civil society", which was barely cited in a supportive role, or as a significant partner in "policy dialogue". The civil society roles are outlined frequently in an assertive manner, in terms of "monitoring", "advocating", and "participating effectively"<sup>1059</sup>. This differentiation is particularly significant, given the passive role allocated to trade unions in the construction of

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<sup>1055</sup> Kutay, A. (2017). How Does the European Commission Create a European Civil Society with Words? A Discourse Theoretical Inquiry. *JCMS: Journal of Common Market Studies*, 55(5), 1094-1109.

<sup>1056</sup> Ibid, page 6.

<sup>1057</sup> Ibid.

<sup>1058</sup> Caporaso, J. A. (2018). *The European Union: Dilemmas of Regional Integration*. Routledge.

<sup>1059</sup> Ibid, page 45.

this “partnership” in the long road of democratisation, unlike civil society, in plain contrast to the natural roles played during the revolutions, in which all the CSO’s took part<sup>1060</sup>. The role of the trade unions in Tunisia was crucial in toppling the regime<sup>1061</sup>, and a similar role was played by the Egyptian trade unions, as the orchestration of the general strike was a crucial factor in the removal of Mubarak’s regime<sup>1062</sup>.

Moreover, the EU’s “social partners” support will not be interpreted into concrete financial backing, similar to the funds delivered within the scopes of EIDHR or even under the ENP’s “Civil Society Facility”<sup>1063</sup>, which was created under this policy<sup>1064</sup>. The Commission referred to the partners’ financial assistance rather than to that of the EU or its member states, indicating that “the Euro-Mediterranean Social Dialogue Forum” should support, although not financially, the capacity building approach<sup>1065</sup>. However, since the creation of the Forum, it seems that its action has been limited to educational activities related to labour issues, with no noticeable impact within the overall structure of the EU-Mediterranean relationship<sup>1066</sup>. The bureaucratic nature of this Forum seemed to condemn it to dilapidation from the beginning.

The EU response to the Arab Spring largely appears to reformulate the links between democratisation, partner states, and civil societies based on two segments:

- The symmetry concerning “civil societies” and “partner states”, two ontologically different but undistinguishable domains that remain generally unproblematised.

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<sup>1060</sup> Hartshorn, I. M. (2018). Global Labor and the Arab Uprisings: Picking Winners in Tunisia and Egypt. *Global Governance: A Review of Multilateralism and International Organizations*, 24(1), 119-138.

<sup>1061</sup> Yousfi, H. (2017). *Trade Unions and Arab Revolutions: The Tunisian Case of UGTT*. Routledge.

<sup>1062</sup> Hinnebusch, R. (2018). Understanding regime divergence in the post-uprising Arab states. *Journal of Historical Sociology*, 31(1), 39-52.

<sup>1063</sup> Ibid, page 6

<sup>1064</sup> Ibid, page 7.

<sup>1065</sup> Should note Social Partners never mentioned in connection to democracy. Annual Reports are available at [http://ec.europa.eu/europeaid/multimedia/publications/index\\_en.htm](http://ec.europa.eu/europeaid/multimedia/publications/index_en.htm). [Accessed on 21th July 2018].

<sup>1066</sup> Hurt, S. R. (2017). *Civil society and European Union development policy. In New pathways in international development* (pp. 119-132). Routledge.

- The EU separated between the roles of trade unions and civil society. This division “is compatible with the distinction between political and socio-economic rights characteristic of minimalist neo-liberal definitions of democracy”<sup>1067</sup>.

The second part of the Communication concentrated on economic mobility. However, for the purposes of this research, only the relationship between democracy and economic development deserves to be mentioned here. The EU acknowledged the strong relationship between socio-economic matters and the aspiration for democratic changes in the Arab Spring uprisings of 2011. Hence, the policy recognised that the uprisings were mainly motivated by the lack of social justice and aspirations for democracy and respect for human rights<sup>1068</sup>. Hence, it posited a casual relationship between democratisation and socio-economic rights, stating that “the uprisings were a demand for political participation, dignity, freedom and employment opportunities<sup>1069</sup>”.

This causal relationship between democracy and socio-economic issues always remained implicit, and EU policy never stated this explicitly. However, the Commission stated that “political and economic reforms must go hand-in-hand”<sup>1070</sup>, and that political reforms could only be achieved through quicker economic development. Following this section, the EU acknowledged that the uprisings in the Arab world were mainly interrelated with economic difficulties<sup>1071</sup>, which tacitly evaded engaging with the possible relationship between the uprisings and the EU’s partner authoritarian regimes, or the sole hope for democratic changes. Meanwhile, economic development was connected entirely to the sound business environment, which in turn pertained to the need for stability in terms of the rule of law, freedom of the judiciary from political interference, and less corruption, but again democracy was not mentioned or

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<sup>1067</sup> Ibid, p 201.

<sup>1068</sup> Heydemann, S. (2018). *Explaining the Arab uprisings: transformations in comparative perspective*. In *Dynamics of Transformation, Elite Change and New Social Mobilization* (pp. 192-204). Routledge.

<sup>1069</sup> Ibid, p 194.

<sup>1070</sup> Ibid.

<sup>1071</sup> Abbott, P., Teti, A., & Sapsford, R. (2017). *The Myth of the Youth Revolution: The Role of Young People in the 2011 Arab Uprisings.*, papers.ssrn.com.

connected to economic development<sup>1072</sup>; instead, political stability was stipulated as the main requirement of development<sup>1073</sup>.

Overall, socio-economic problems in the region were not be dealt with in terms of *rights* or democratisation, rather this collection of Arab Spring factors were relegated to mere “aspirations” for the region. The EU conceptualisation of democracy presupposed difficulties in weak economies, and its solution to this was more economic liberalisation. By its narrow economic priorities, the EU sees political problems in technical terms, such as a lack of skills or inadequate economic reforms. However, the Arab uprisings seem to have provoked no adequate assessment of the economic reforms themselves. In this sense, the EU failed to recognise that the liberalisation approach encouraged under the Southern Mediterranean policy efforts were unsuccessful in delivering inclusive development, which was intended to be the main goal of the reforms<sup>1074</sup>.

The EU approach seems to reduplicate its own experience, without real evaluation of the negative impact of liberalisation on Southern Mediterranean societies. Even the measures stipulated in this policy, such as accelerating the liberalisation of trade in services<sup>1075</sup>, may have a further negative impact on partners’ economies, especially as there are no concrete safety nets for small enterprises, which undoubtedly struggle to compete with more astute and developed European companies. Overall, the EU supports the dynamic of liberalisation in order to increase prosperity and decrease poverty, thus contributing to political stability and creating a more germane environment for political changes.

Thirdly, the last section of the policy dealt with the delivery mechanisms of the new approach. The *Partnership for Democracy and Shared Prosperity* review emphasises two innovative provisions of positive and negative conditionality. The “more for more” mechanism has taken the majority of the attention, despite the

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<sup>1072</sup> Ibid, p 8.

<sup>1073</sup> Ibid, p 7.

<sup>1074</sup> Abbott, P., Teti, A., Sapsford, R. J., & Tsourapas, G. (2017). *Arab Transformations: Have Expectations Been Met?* papers.ssrn.com.

<sup>1075</sup> Ibid, pp. 7-8.

fact that the innovative composition of this policy is debatable<sup>1076</sup>. For instance, the EIDHR review declared that “the EU’s insistence on including essential element clauses is not intended to signify a negative or punitive approach”<sup>1077</sup>, it is rather a positive incentive approach, based on more differentiation.

From a technical perspective, the policy presented the EU with a novel decision-making process generally and benchmarking criteria specifically. The review stated that future financial support will be dependent on the specific amount of progress achieved, however benchmarks against which the Commission can assess progress remain challenging. Democracy promotion was conceptualised in terms of a multi-dimensional structure, including socio-economic indicators as well as the political process, and the policy described the new approach as developing the norms through a benchmarking process and political dialogue. However, the criteria for assessing the democratisation process were only reflected through civil and political rights<sup>1078</sup>, with no details on how the benchmarking process could overcome the political interests of the member states. Based on the record of the EU in democracy promotion, despite many democratic setbacks in the Southern Mediterranean states, financial assistance remained constant, or increased. In other words, democracy offenders in the Southern Mediterranean continued to receive EU funding and other forms of support, mainly due to member states’ other priorities and interests<sup>1079</sup>.

Additionally, the EU’s decision-making process remained unbalanced. This was due to the Commission’s interpretation of progress, especially as it considers democratisation to be a long-term policy, or due to unwillingness to apply negative conditionality<sup>1080</sup>. The new policy does not consider these issues; hence, the ad hoc decision-making process will remain inadequate in applying the

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<sup>1076</sup> Rivetti, P., & Di Peri, R. (Eds.). (2017). *Continuity and change before and after the Arab uprisings: Morocco, Tunisia, and Egypt*. Routledge.

<sup>1077</sup> Benedek, W. (2018). The contribution of the European Instrument for Democracy and Human Rights (EIDHR) to the implementation of the EU Human Rights Agenda. In *EU Human Rights and Democratization Policies* (pp. 115-126). Routledge.

<sup>1078</sup> Ibid.

<sup>1079</sup> Gylfason, T., & Wijkman, P. M. (2017). *Which conflicts can the European Neighbourhood Policy help resolve? In Globalization* (pp. 363-395). Springer, Berlin, Heidelberg.

<sup>1080</sup> Roccu, R., & Voltolini, B. (2018). *Framing and reframing the EU’s engagement with the Mediterranean: Examining the security-stability nexus before and after the Arab uprisings*. Taylor & Francis.

conditionality principle effectively. This inadequacy could be cited to discredit the EU's genuine commitment as a normative power supporting democratisation in the region.

The *New Response to A Changing Neighbourhood: A Review of European Neighbourhood Policy*, while it reiterated the principles of the Communication, neither created a complete renovation of the ENP, nor a fully-fledged strategic revision of the EU's relationship with the Southern Mediterranean neighbours. Although it continued the process of the separation between the "European Neighbours" and the Southern Mediterranean, presented in the initial Communication, whereby the artificial "ring of friends" notion was dissolved to stabilise the "ring of fire" surrounding the EU now.

Overall, the Commission acknowledged "the events taking place in our Southern Neighbourhood" as being "of historical proportions" that will have lasting consequences. Therefore, the EU must not be "a passive spectator" and should "support the wishes of the people in our neighbourhood" through a "qualitative step forward"<sup>1081</sup>, in "a joint commitment to common values: democracy, human rights, social justice, good governance and the rule of law"<sup>1082</sup>. The partnership must be based on concrete progress in these areas, through differentiated approach, conditionality, and mutual accountability. The communications proceeded to identify the three elements of the new approach:

1. Democratic transformation and institution-building.
2. Strong partnership with the peoples (and not just governments).
3. Sustainable and inclusive economic growth.

The EU outlined the new approach which revolves around the promotion of "deep democracy"<sup>1083</sup>. In order to achieve this objective, the MENA countries not only required having free and fair elections, but they also should respect pre-set conditions that include freedom of expression, the rule of law, and the fight

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<sup>1081</sup> A New Response to a Changing Neighbourhood, note 23, p 3

<sup>1082</sup> Ibid

<sup>1083</sup> Teti, A., Thompson, D., & Noble, C. (2013). EU democracy assistance discourse in its new response to a changing neighbourhood. *Democracy and Security*, 9(1-2), 61-79.

against corruption<sup>1084</sup>. In order to entice reforms addressing this range of subjects, the EU created an incentive-based approach that relies on refined conditionality, greater differentiation among countries, and new tools to support democracy-building. Branded with “more for more”, this incentive approach implies that those countries which are willing to take further steps towards the named objectives can count on more European financial support<sup>1085</sup>. Put simply, the EU offers incentives that can be described as the “three M’s”:

- More money
- More market accesses
- More mobility.

Accordingly, the EU offered more financial assistance and political cooperation with individual countries that made progress in ameliorating their human rights and governance issues. The measurement of such progress is based on benchmarks established under the ENP Action Plans<sup>1086</sup>, but there is no information regarding the evaluation of such benchmarks. In fact, the entire system is vague, and its enforcement procedures or contents are subject to political wrangling and interpretation. Hence, the emphasis on engagement with the MENA countries does not represent a significant shift in the EU policy, which since the Barcelona Agreement has favoured the cooperation approach<sup>1087</sup>. The distinction, at least theoretically this time, is that democratic and human rights commitments appear to be the main condition for any additional financial support.

In terms of financial support, the new SPRING programme allocated more than €2.5 billion of extra funding available during the period 2011-2015 through the ENP instruments, in accordance with the “more for more” principle<sup>1088</sup>. Adding to these direct support measures, the EU enhanced the lending funding of the European Investment Bank (EIB) by €1 billion per year. However, rather than the

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<sup>1084</sup> Ibid

<sup>1085</sup> Teti, A. (2016). The EU's policy response to the Uprisings. *Global Affairs*, 2(4), 393-396.

<sup>1086</sup> Schumacher, T., & Bouris, D. (2017). The 2011 revised European Neighbourhood policy: continuity and change in EU Foreign policy. In *The Revised European Neighbourhood Policy* (pp. 1-33). Palgrave Macmillan, London.

<sup>1087</sup> Gómez Isa, F., & Muñoz Nogal, E. (2016). EU promotion of deep democracy in the Southern Mediterranean: a missed opportunity? *FRAME*.

<sup>1088</sup> Balfour, Fabbri & Youngs, note 963, p. 7.

previous one-size-fits-all approach, the EU attempted to preferentially differentiate Southern Mediterranean countries, given the major diversity in the region<sup>1089</sup>. In fact, the ENP Action Plans, did contain some conditionality and differentiation clauses, which offer the possibility of further integration with the EU, providing they respect the agreed targets. The difference is that the Commission is more willing to respect the principles, hence the delivery of the incentives is (purportedly) rigidly assessed throughout the MENA countries in terms respect for human rights and democratic principles<sup>1090</sup>.

However, due to financial hardship and unemployment (which were major factors in the Arab Spring uprisings), the EU is more cautious with regard to further market liberalisation. While offering neighbours more financial support, the EU is stretching the phase of reforms in a few sectors, allowing especially the neighbours who were part of the uprisings to recover their financial and economic position and stability<sup>1091</sup>. The document also mentions some structural support for job creation; however, the aspects of this policy remain vague, contrary to the areas that are important to the EU, such as energy or technical innovation<sup>1092</sup>.

In this regard, the EU Communications proposed greater market access for the MENA countries. At this stage, the EU emphasised the Deep and Comprehensive Free Trade Areas (DCFTA) that go “beyond the elimination of import duties, but foster closer market integration and regulatory convergence”<sup>1093</sup>. However, a few years after the DCFTA, the Commission is still in search of member states’ support, as they are hostile to the liberalisation of agriculture, which is the most important domain for North African countries in relation to European economic integration, hence progress on this issue is expected to remain slow.

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<sup>1089</sup> Mari, A. (2017). Democracy promotion and stability in Egypt and Tunisia: Discursive configurations of the European Neighbourhood Policy after the Arab uprisings (Master's thesis).

<sup>1090</sup> Ibid, page 42.

<sup>1091</sup> Wesselink, E., & Boschma, R. A. (2012). *Overview Of The European Neighbourhood Policy: Its History, Structure, And Implemented Policy Measures*. dspace.library.uu.nl.

<sup>1092</sup> Khalifa Isaac, S. (2013). Rethinking the new ENP: A vision for an enhanced European role in the Arab revolutions. *Democracy and Security*, 9(1-2), 40-60.

<sup>1093</sup> Muravska, T., & Berlin, A. (2016). Towards a New European Neighbourhood Policy (ENP): What Benefits of the Deep and Comprehensive Free Trade Agreements (DCFTAs) for Shared Prosperity and Security? In *Political and Legal Perspectives of the EU Eastern Partnership Policy* (pp. 23-37). Springer, Cham.

The EU documents are most concerned with the policies' implementation throughout a variety of forms and frameworks, emphasising the differentiated approach. Evidently, the EU is hoping for fast progress for those countries in the midst of the democratic reform process, which might benefit from such an approach.

#### **4.3.4. Subsequent EU Democracy Promotion : Quantitative Progress ?**

The initial EU response to the Arab Spring was timid, reticent, and disappointing<sup>1094</sup>. This can only be explained by the lack of EU authority in the region, particularly in terms of the tools of financial funding. The global recession after 2008 and slow recovery hamstrung the EU response to the Arab Spring, and despite promised access to more funding, “member states have so far failed to deliver much: budget constraints limited the money they were prepared to offer to the €5.8 billion in direct funding”<sup>1095</sup>. This difficulty has been acknowledged by the EU, as stated by the European External Action Service (EEAS) in its first-year report: “The global economic crisis and the tensions within the euro zone, together with the Arab Spring, have dominated the international agenda. At the same time, public administrations across Europe are under acute budget pressure”<sup>1096</sup>. In addition, the member states' different agendas have significantly undermined the EU role in the region, as they struggled to generate an appropriate response. For example, several EU High Representative declarations, such as concerning humanitarian support in Libya, failed to materialise<sup>1097</sup>.

At the EU level, the ENP design was undoubtedly the main culprit for such failures. The flawed policy design, as well as the mismatch between the resources available and its ambiguous targets, created an impasse. Moreover, the ENP was not created as a crisis management system, but rather as a long-

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<sup>1094</sup> Van Hüllen, V. (2015). EU democracy promotion and the Arab Spring: international cooperation and authoritarianism. Springer.

<sup>1095</sup> Vaïsse, J. (2012) 'The Sick Man of Europe is Europe'. *Foreign Policy*, 16 February. Available at:

«[http://www.foreignpolicy.com/articles/2012/02/16/the\\_sick\\_man\\_of\\_europe\\_is\\_europe?page=full](http://www.foreignpolicy.com/articles/2012/02/16/the_sick_man_of_europe_is_europe?page=full)». [Accessed on 29/2/2019].

<sup>1096</sup> European External Action Service (EEAS) (2011) 'Report by the High Representative to the European Parliament, the Council and the Commission'. Brussels, 22 December. PP, 1-2.

<sup>1097</sup> Whitman, R. G., & Juncos, A. E. (2012). The Arab Spring, the Eurozone crisis and the neighbourhood: A region in flux. *JCMS: Journal of Common Market Studies*, 50, 147-161.

term system of governance<sup>1098</sup>. Consequently, at an early stage of the Arab Spring, neither the architecture of the ENP nor the EU's objectives changed; unsurprisingly, after the first proposal for a new policy approach to reinvigorate the ENP, the European Commissioner for Enlargement and Neighbourhood Policy and the High Representative of the Union for Foreign Affairs engaged in reorganising the ENP policy. The Response Communication announced the need to set-up a new approach in order to “build and consolidate healthy democracies, pursue sustainable economic growth and manage cross border links”<sup>1099</sup>. Significantly, the Communication reiterated the principles in previous communications, indicating that “the new approach must be based on mutual accountability and a shared commitment to the universal values of human rights, democracy and the rule of law”<sup>1100</sup>, and it emphasised the significance of conditionality.

Despite the EU response being clearly and blatantly assembled in response to the Arab Spring, the Communications lacked any clear reference to the Arab World or Arab Identity; they merely mentioned the “Southern Mediterranean” or “Southern Neighbourhood”, and only Tunisia and Egypt were mentioned by name, with the omission of other countries – particularly Libya – being far from trivial<sup>1101</sup>. Besides, the Communications concentrated on three main issues; positive conditionality, mobility, flexibility, differentiation, “mutual accountability”, and security (stabilisation). Does this establish a “new response” based on a new ontology? The common response to this question among researchers “is rather limited”<sup>1102</sup>. Among the delivery instruments, the flow of financial support would ordinarily be the easiest to deliver. However, as explained previously, the potency of the EU's financial reserves has been diminished since 2008. Concerning Common Market access, the EU is still negotiating the lifting of barriers on neighbours' agricultural products, however the Common Agricultural Policy<sup>1103</sup>,

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<sup>1098</sup> Bolle, M., & Flaeschner, O. (2016). Resilience of the EU and leverage of the ENP Good News and Bad News. *jmc-berlin.org*.

<sup>1099</sup> A New Response to Changing Neighbourhood, note 23, p 12.

<sup>1100</sup> Ibid.

<sup>1101</sup> Cavatorta, F., & Rivetti, P. (2014). EU–MENA Relations from the Barcelona process to the Arab Uprisings: A new research agenda. *Journal of European Integration*, 36(6), 619-625.

<sup>1102</sup> Cianciara, A. K. (2017). Stability, security, democracy: explaining shifts in the narrative of the European Neighbourhood Policy. *Journal of European Integration*, 39(1), 49-62.

<sup>1103</sup> Roccu & Voltolini, reference 21, pp. 182-195.

as well as the refusal of some member states, remained unbending obstacles in the face of this policy<sup>1104</sup>.

Meanwhile, the “more-for-more” approach is linking rewards to political reforms. This “carrot” approach intended to create an enhanced inducement, rather than the negative conditionality or “stick” approach, which can have adverse results<sup>1105</sup>. Hence, based on these Communications, the neighbouring partners who are willing to engage in “deep and sustainable democracy” will be rewarded with “advanced status”, in addition to enhanced financial support. Curiously enough, Morocco<sup>1106</sup> and Jordan<sup>1107</sup>, despite their abysmal democratic status, have become “advanced partners” in the Mediterranean region. Implicitly, this approach is based on “differentiation, compliance and positive conditionality”<sup>1108</sup>. Understandably, this approach could be more effective than negative conditionality, yet it remained ambiguous in terms of benchmarking and responsibility for assessment. If these roles are carried out by the Commission’s officials, then this is not partnership (i.e. a relationship of equals), rather it is a donor-suppliant relationship.

From another perspective, the EU included “mutual accountability”<sup>1109</sup> as a new principle that the two parties’ relations should be based on. However, the Communications failed to define or stipulate the manner in which this new notion will be applied. For example, will the Southern Mediterranean states hold the EU accountable for its shortcomings, whether on the question of financial support, the impact of liberalisation on the Southern societies, or even the EU’s foreign

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<sup>1104</sup> Ibid.

<sup>1105</sup> Furness, M., & Gänzle, S. (2016). The European Union’s development policy: a balancing act between ‘A more comprehensive approach’ and creeping securitization. In *The Securitization of Foreign Aid* (pp. 138-162). Palgrave Macmillan, London.

<sup>1106</sup> Martín, I. (2009). EU–Morocco Relations: How Advanced is the ‘Advanced Status’? Profile. *Mediterranean Politics*, 14(2), 239-245.

<sup>1107</sup> Bremberg, N., & Rieker, P. (2016). Security community-building in times of crisis: Morocco, the ENP, and practices of mutual responsiveness. In *External Governance as Security Community Building* (pp. 107-134). Palgrave Macmillan, London. Seeberg, P. (2016). Jordan, the European Neighbourhood Policy, and Commonalities of Interest: Building a Security Partnership rather than a Security Community. In *External Governance as Security Community Building* (pp. 163-186). Palgrave Macmillan, London.

<sup>1108</sup> On the occasion of the ninth EU-Jordan Association Council’s meeting of 26 October 2010, the first ever European Neighbourhood Policy (ENP) Action Plan incorporating the “advanced status” partnership was agreed by the two parties.

<sup>1109</sup> Bremberg & Rieker, note 1107, p. 174.

policy, as well as the double standards in assessing the political reforms required under the Action Plans.

Even after a decade of these communications, other troubling questions remain unanswered. Whilst the “more-for-more” approach and “mutual accountability” principles have become new staples of the EU nomenclature, their acceptance among Mediterranean partners remains questionable, among both governments and civil society organisations. Governments are sceptical because they were not consulted during the formative approach, or even the announcing of the approach<sup>1110</sup>, while civil society groups consider it a “non-consensus response”<sup>1111</sup>. Hence, an Oxfam report stated that the new approach suffers from “lack of local ownership... and the shift to carrots from sticks is not altogether new”<sup>1112</sup>. However, the new approach under the 2015 review emphasises the joint-ownership notion, yet this appears to be the same old EU rhetoric, as the variation between “partnership” and “co-ownership” is rather limited.

Meanwhile, the EU’s main solution to economic problems and mobility in the region is through more liberalisation and privatisation. Hence, it seems that the EU was trying to replicate its liberal approach in a democratic environment concerning authoritarian regimes. This approach was not novel; the EU was trying to increase the privatisation process even before the Arab Spring, and the results were not often positive<sup>1113</sup>. In Tunisia for example, economic power became concentrated in the hands of a few individuals close to the regime<sup>1114</sup>, which impeded growth and stopped the possibility of eco-social mobility, which in turn created a suitable environment to foment unrest<sup>1115</sup>. Hence, liberalisation maybe more suitable in the developed economies, meanwhile under authoritarian

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<sup>1110</sup>Freyburg, T., Lavenex, S., Schimmelfennig, F., Skripka, T., & Wetzels, A. (2015). *Democratic Governance Promotion. In Democracy Promotion by Functional Cooperation* (pp. 42-62). Palgrave Macmillan, London.

<sup>1111</sup> Youngs, R. (2017). *A New Era in Euro-Mediterranean relations. In Routledge Handbook of Mediterranean Politics* (pp. 72-82). Routledge.

<sup>1112</sup> Oxfam : Power to people : reactions to the EU’s response to the Arab Spring , Oxfam Briefing Note, November 14,2011, p.5

<sup>1113</sup> Diez, T., & Tocci, N. (Eds.). (2017). *The EU, promoting regional integration, and conflict resolution*. Palgrave Macmillan.

<sup>1114</sup> Beinin, J. (2016). Political economy and social movement theory perspectives on the Tunisian and Egyptian uprisings of 2011., (pp. 12-45), eprints.lse.ac.uk.

<sup>1115</sup> Ibid.

regimes, imposed privatisation will transform “plan economies into clan economies”<sup>1116</sup>.

Hence, instead of imposing economic conditions such as privatisation, the EU should endorse an approach rooted in the people’s best interests, and suitable for the political and economic status of the countries involved, instead of applying a rigid and doctrinaire neo-liberal approach<sup>1117</sup>. In addition, the EU demands for Southern Mediterranean states to cut deeper with liberalisation and privatisation are undermined by the fact that it meets great resistance to such demands in member states, including Greece, France, Spain, and Italy.

Furthermore, some countries such as Tunisia and Egypt are just going through a democratic transition and faced by enormous financial and economic difficulties. Hence, the *Deep and Comprehensive Free Trade Area* may not be within their pressing priorities at the moment, as reducing poverty and tackling financial constraints are more urgent issues. It could be argued by neoliberals that such policies would enhance the trade and consequently develop the economy, but such development generally requires some level of political and economic stability that does not exist at the moment in many MENA states, whether due to the consequences of the revolutions or the results of mismanaged economies under the authoritarian regimes<sup>1118</sup>.

It seems that the EU is applying the same approach it developed concerning Eastern European countries’ accession to the EU, despite the different circumstances, and hitherto many commentators have argued that the EU may have abandoned its enlargement methodology following the 2015 review<sup>1119</sup>. This is unsurprising, as the EU is required to apply more flexibility and adapt its policies to alleviate poverty and empower young people in order to achieve a suitable environment for economic and political development. Overall, equitable economic

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<sup>1116</sup> Rijkers, B., Baghdadi, L., & Raballand, G. (2015). Political connections and tariff evasion evidence from Tunisia. *The World Bank Economic Review*, 31(2), 459-482.

<sup>1117</sup> İşleyen, B. (2015). The European Union and neoliberal governmentality: twinning in Tunisia and Egypt. *European Journal of International Relations*, 21(3), 672-690.

<sup>1118</sup> Ibid, pp. 672-690.

<sup>1119</sup> Furness, M., & Schäfer, I. (2015). The 2015 *European Neighbourhood Policy Review: more realism, less ambition*. (pp7- 15) The Current Column.

relations are best suited for political and economic development rather than conditionality.

Moreover, the EU's democracy strategy communications are idiosyncratic, with their preambles declaring the importance of a holistic political approach to democratisation<sup>1120</sup>, while the substance of the publications hone in on narrower criteria for policy priorities. For instance, the EU democracy promotion communications agree on an outline definition of democracy, with some relation to the discourse of the Arab Spring, yet the framework of the policies seems to be narrowly focussed on procedural priorities, such as elections and political rights, over and beyond socio-economic dynamics<sup>1121</sup>. This restrictive characterisation of democratisation, or at least its operationalisation, will have negative effects with respect to democracy activities, as well as the methods with which they are pursued<sup>1122</sup>. The prioritisation of minimalist objectives marginalises other potential manifestations of democratisation, in relation to socio-economic issues, as well as other, different characteristics of liberal democracy, such as secularism<sup>1123</sup>. More significantly, it downgrades the pursuit of further features of democratisation, such as socio-economic rights, to the territory of aid, failing to recognise these basic rights have implications on the political arena, and subsequently democracy development, in particular for countries which are in transition from authoritarianism to democracy.

The Communications showed an unprecedented emphasis on what it labelled a new "widened security concept"<sup>1124</sup>, which included democracy promotion and security in the region. However, this reiterated conventional bilateral patterns and divisional orientated cooperation, in terms of the issues and technical levels<sup>1125</sup>. The meaning of this concept in relation to regional security or democratisation is

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<sup>1120</sup> Ibid, p 12.

<sup>1121</sup> Pace, M. (2011) Liberal or social democracy? Aspect dawning in the EU's democracy promotion agenda in the Middle East, *International Journal of Human Rights*, 15(6), pp. 801-812.

<sup>1122</sup> Ibid, pp. 801-812.

<sup>1123</sup> Ibid.

<sup>1124</sup> Biscop, S. (2016). *The European security strategy: a global agenda for positive power*. Routledge.

<sup>1125</sup> Delegation of the European Commission on December 18, 2010, March 23, 2011, April 14, 2011, June 18, 2011, March 7, 2011, March 22, 2011 and interviews with former EU officials on May 24 2011 and January 5, 2012.

unclear. The emphasis on democracy development as a new component of the security concept in the Mediterranean region, which is not multilateral. It is based on a bilateral approach, combining pre-existing and revitalised, value-orientated tools. It reinforces the direct approach to local CSO's and the reinforcement of the bottom-up initiatives<sup>1126</sup>, while concentrating on sector-orientated economic cooperation. Thus, the approach is two-pronged: the "new" notion includes normative values demanded by those sympathetic to democratisation *per se* (e.g. as a right), and the Arab Spring; while the EU protects its fundamental interests, including security, immigration, and energy priorities<sup>1127</sup>.

Concerning the question of whether the communications are a quantitative step forward in enhancing political change in the region, in light of the Arab Spring, the answer seems to be that there is a strong feature of the EU's continued methodology before the uprisings. A particular concern is that the EU is continuing to maintain support for strategies which are causative in the grievances underpinning the Arab Spring, such as inequitable political economy. Throughout the review, the Commission highlighted the EU commitment to political conditionality. This differentiated policy means that any EU political and financial support depends on positive progress in political and human rights reforms<sup>1128</sup>. The document further announced the possibility to use negative conditionality, and hence the deduction of the financial assistance if the member state violated democratic or human rights principles<sup>1129</sup>. Regarding the objectives, the typical EU index of expected measures is adumbrated, albeit in a detailed manner<sup>1130</sup>. Accordingly, the EU focus continues to support and assist civil society in different fields, while exerting minimal effective pressure on governments and their funding.

In addition, in the larger part of the Communications, the EU proposed closer cooperation in security matters and conflict resolution. The EU recognised the

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<sup>1126</sup> Litsas, S. N., & Tziampiris, A. (2016). *The eastern Mediterranean in transition: Multipolarity, politics and power*. Routledge.

<sup>1127</sup> Ibid, p 26.

<sup>1128</sup> A New Response to Changing neighbourhood, note 23, p 11.

<sup>1129</sup> Börzel, T. A., & Lebanidze, B. (2017). "The transformative power of Europe" beyond enlargement: the EU's performance in promoting democracy in its neighbourhood. *East European Politics*, 33(1), 17-35.

<sup>1130</sup> A New Response to Changing Neighbourhood, note 23, pp 2-14.

threats to stability in the region, shared with Southern Neighbour regimes, although it implicitly makes the connection between human rights abuses and democratic deficit as a main cause of security threats in its periphery<sup>1131</sup>. Hence, to some degree, terrorism, organised crime, and other threats to the region are partially symptoms of these problems, thus human rights and economic development in the Southern Mediterranean states can be addressed through a range of policies, including institution-building and economic cooperation<sup>1132</sup>. However, reflecting back on the track record of the ENP policies in the last decade seems to be less than satisfactory. Among all the Mediterranean member states, only two countries have fully implemented the original Action Plans – Morocco and Jordan, which were subsequently granted “advanced status” in 2008<sup>1133</sup> and 2010<sup>1134</sup>. This is despite the Moroccan failure to resolve the Western Sahara conflict, which is one of the security challenges in the Mediterranean Basin referred to in EU documents. In fact, the conflict is nowhere closer to a resolution than it was in 2008, when Morocco was granted advanced status<sup>1135</sup>.

Does the EU change its approach to support the resolution of such conflicts? The New Response documents indicate the continuous and full commitment of the EU to democracy and sub-regional cooperation in order to reduce the tension in the region. This approach, while not new, emphasises more explicitly the issues of conditionality and political cooperation. The “more-for-more” strategy proposes further political and trade support in return for more political and economic reforms, under which the EU will also increase its participation in conflict resolution<sup>1136</sup>. However, instead of outlining specific tiers that may create further bureaucracy and go outside the remit of the implementation of the ENP, the Commission emphasised continuing what the EU is already doing, even though arguably such an approach has not been very effective:

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<sup>1131</sup> Roccu & Voltolini, note 21, pp. 182-195.

<sup>1132</sup> Ibid.

<sup>1133</sup> Rieker, P., & Bremberg, N. (2014). *The ENP as an instrument for building a security community: The Case of Morocco*. brage.bibsys.no.

<sup>1134</sup> Seeberg, P. (2016). Jordan, the European Neighbourhood Policy, and Commonalities of Interest: Building a Security Partnership Rather Than a Security Community. In *External Governance as Security Community Building* (pp. 163-186). Palgrave Macmillan, London.

<sup>1135</sup> Fernández-Molina, I. (2015). Protests under occupation: The spring inside Western Sahara. *Mediterranean Politics*, 20(2), 235-254.

<sup>1136</sup> Commission, note 32, p 4.

- Relying on operational missions to support democratic and economic reforms.
- Supporting regional economic integration.
- Creating and supporting confidence-building measures between conflict parties.
- Further support for the Middle East Quartet efforts<sup>1137</sup>.

Most of these initiatives are parts of the original ENP, except the initiative which intends to: “enhance its support for confidence building and outreach to breakaway territories, for international efforts and structures related to the conflicts, and, once that stage is reached, for the implementation of settlements”<sup>1138</sup>.

Nonetheless, the EU may still effectively contribute to stability in the Southern Mediterranean region through the mechanisms designed by the ENP. For example, even though the UN authorised military intervention in Libya following the regime crack down on the revolution, the EU has failed so far to play any role, despite the fact that key EU members (i.e. France and UK) were the leaders of the NATO military intervention. Obviously financial constraints played a role; however, the main obstacle in unified EU action was the German abstention during the UN Security Council resolution 1973 on a no-fly zone<sup>1139</sup>. Prior to this, the EU was supportive of the sanctions against the Libyan regime. In fact, the EU High Representative Catherine Ashton and the President of the European Council Herman Van Rompuy, in a joint statement on the day of the resolution, noted “readiness to implement this resolution within its mandate and competences”<sup>1140</sup>. However, following the resolution, the European Council only offered humanitarian assistance under the coordination of the UN<sup>1141</sup>. The contrast is almost unimaginable given that the military operation was carried out predominately by EU member states. In fact, the activation request for EU military

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<sup>1137</sup> Ibid, page 4-5.

<sup>1138</sup> Ibid, page 5.

<sup>1139</sup> UN Security Council (2011). record of the 6498th Meeting of the UN Security Council.

<sup>1140</sup> Ashton, C. (2011) ‘Statement by High Representative Catherine Ashton on the fall of Sirte and reports of the death of Colonel Gaddafi’ (Brussels: European Union).

<sup>1141</sup> European Council (2011a) Council Conclusions on Libya (3076th Foreign Affairs Council Meeting) (Brussels: European Council).

assistance was never put on the table. Although EU military staff members were on the ground, they were only involved in the humanitarian evacuation of EU citizens, and refugees from third countries.

However, while the EU did not become a military player during the Libyan crisis, despite having the military capacity to do so, it played an important role in the humanitarian dimension. By 2011 EU humanitarian assistance to Libya reached €150 million, in addition to €60 million available to support the transition process. These funds and some other measures were offered to rebuild state institutions that had disappeared after the fall of the regime, to support the democratisation process and human rights development, as well as to assist the new government in its border management<sup>1142</sup>.

There is no doubt that the ENP member states' stability is crucial to the EU security, and the case of Libya demonstrates in an excellent way this complicated relationship. The MED countries are going through a challenging time, a transitional process, in which they need each other for a more secure Mediterranean Basin, which is exactly where the ENP should prove its worthiness. Hence, the main part of the *New Response to Changing Neighbourhood* is dedicated to economic and social development. It includes structured measures such as the support for foreign direct investment, agricultural modernisation, and internal regional development programs. Furthermore, the EU invited the member states to enter into further trade negotiations (Deep and Comprehensive Free Trade Areas). However, the negotiations are noticeably limited to able and willing member states, which have to fulfil further requirements<sup>1143</sup>, while other states can benefit from the lessons learnt through regional cooperation<sup>1144</sup>, only relying on trade concessions in the meantime<sup>1145</sup>. The EU proposals expectedly emphasised a differentiated approach.

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<sup>1142</sup> Commission of the European Communities (2011b) EU Support to Libya (Brussels: Commission of the European Communities).

<sup>1143</sup> A New Response to changing Neighbourhood, note 23, page 8.

<sup>1144</sup> Ibid, p 21.

<sup>1145</sup> Ibid pp 8-9.

Moreover, some directions for cooperation in certain sectors have been detailed. For example, the communication pointed out the need for further cooperation in the fields of climate change, transport and technology, energy, and knowledge and information<sup>1146</sup>. Finally, migration and mobility concerns became a subject matter in the document. The Commission promised a similar system to that existing with some Eastern European countries and pledged to establish long-lasting mobility partnerships with some Southern Mediterranean countries (it particularly indicated that only Morocco and Egypt would be beneficiaries of such a scheme)<sup>1147</sup>.

The document closed with specific, tangible suggestions for the implementation of the policies. At this point, contrary to the previous Action Plans, the Commission proposed a small number of priorities “backed with more precise benchmarks”<sup>1148</sup> on comprehensive political dialogues with member states, and further short- and long-term schemes. In order to achieve the required objectives, the Commission promised increased funding under the ENP and the creation of the European Neighbourhood Instrument (ENI) to implement the new proposals.

Overall, the Communication clearly stipulated further tangible proposals, which indicate that the EU is more aware of the path of small and precise steps it wants to follow, but most of the proposals are already parts of earlier ENP Action Plans. In fact, some of these proposals that seem new, such as those concerning conflict resolution and political dialogue, were previously part of the EMP, before they were abandoned. Meanwhile, other principles relevant to the ENP approach are reinforced, particularly concerning the principles of conditionality and differentiated approach. The conditionality benchmark is well defined, and even negative conditionality, which was abandoned in earlier stages of the ENP, is re-introduced. In addition to these principles, a potential effective implementation body is sketched out.

Hence, in the end, we can state that the review was not a mere revision of the ENP, but rather a strengthening of the policy. The Commission took the

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<sup>1146</sup> Ibid, pp 9-10.

<sup>1147</sup> Tömmel, I. (2013). The new neighbourhood policy of the EU: an appropriate response to the Arab Spring? *Democracy and security*, 9(1-2), 19-39.

<sup>1148</sup> A New Response to Changing Neighbourhood, note 23, p 17.

opportunity of the Arab Spring to legitimise a stronger conditionality approach; even the concept of negative conditionality, which seems contrary to the notion of partnership, is reintroduced. However, by the introduction of such principles, the EU is intending to speed up the Action Plans' implementation. The Southern Mediterranean member states are obviously divided between countries generally considered to be on the right path to democracy, and others which are still lagging behind<sup>1149</sup>. Clearly, the EU not only expects that this approach will encourage and improve policies' implementation in various sections, such as economic reforms, but will also encourage member states to brace human rights and democratic reforms.

#### **4.4. ENP Strategic Development: Conditionality and Socialisation**

EU democracy promotion under the ENP has been developed immensely since its slow beginning under the EMP. The EU demonstrated more willingness to advocate for democracy through multiple instruments. The main one has been the incentives whether "more for more" or "everything but institutions"<sup>1150</sup>, as well as financial support, as discussed previously. However, under the ENP review, the EU further introduced negative conditionality and stronger socialisation to enhance its normative objectives. This section assesses the conditionality instrument in terms of the legal perspective and its application and limits, and evaluates the socialisation instrument, and the effectiveness of these tools in promoting democracy.

##### **4.4.1. Conditionality Issue**

The 'Wider Europe' Communication offered the neighbouring countries a *quid pro quo* similar to the European accession: "in return for concrete progressed demonstrating shared values and effective implementation of political, economic and institutional reforms... the countries... should be offered the prospect of a

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<sup>1149</sup> Davis, J. (2016). *The Arab Spring and Arab thaw: Unfinished revolutions and the quest for democracy*. Routledge.

<sup>1150</sup> Celata, F., & Coletti, R. (2015). Beyond fortress 'EU' rope? Bordering and cross-bordering along the European external frontiers. In *Neighbourhood Policy and the construction of the European external borders* (pp. 1-25). Springer, Cham.

stake in the EU's internal market and further integration and liberalisation to promote the free movement of persons, goods, services and capital"<sup>1151</sup>.

The EU enlargement approach is based on progression of the relationship between parties' subject to the respect of the principles stipulated by the Action Plans. The strategy paper stated that "the ambition and the pace of development of the EU's relationship with each partner country will depend on its degree of commitment to common values, as well as its will and capacity to implement agreed priorities"<sup>1152</sup>. Although the EU already relied on conditionality with developing countries under other policies, such as the Cotonou Agreement<sup>1153</sup>, this approach resembled the conditionality principle created under the Copenhagen Criteria for EU accession. The conditionality principle is far from perfect, and its successful application is contingent on member states' acceptance<sup>1154</sup>.

Even under accession criteria, such as in Poland and other Eastern European countries<sup>1155</sup>, when potential EU member states enjoyed optimum EU financial support, the EU could not develop its normative policy based solely on political conditionality. Differentiated accession criteria emerged that reflected multiple competing interests and agendas, and the necessity to assess candidate states individually compromised the conditionality principle's credibility<sup>1156</sup>. Despite the difficulties experienced under the accession, the EU also intended to replicate the successful sections of accession conditionality. Initially, the EU institutions deliberated extensively on how to model and apply conditionality. The UK for example proposed the use of strict conditionality, including disciplinary measures

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<sup>1151</sup> Commission of the European Communities (2003) 'Communication from the Commission to the Council and the European Parliament, Wider Europe – Neighbourhood: A New Framework for Relations with our Eastern and Southern Neighbours'. COM (2003) 104 Final, page 4.

<sup>1152</sup> Commission of the European Communities (2004a) 'Communication from the Commission, European Neighbourhood Policy Strategy Paper'. COM (2004), 373 Final, page 8.

<sup>1153</sup> Donno, D., & Neureiter, M. (2017). Can human rights conditionality reduce repression? Examining the European Union's economic agreements. *The Review of International Organizations*, 1-23.

<sup>1154</sup> Kelley, J. (2004) 'International Actors on the Domestic Scene: Membership Conditionality and Socialization by International Institutions'. *International Organization*, Vol. 58, No. 3, pp. 425-58.

<sup>1155</sup> Börzel, T. A. (2016). Building Member States: How the EU Promotes Political Change in Its New Members, Accession Candidates, And Eastern Neighbours. *Geopolitics, History & International Relations*, 8(1).

<sup>1156</sup> Ibid.

and enhanced rewards for political reforms. However, the Commission regarded this approach inflexible, stating that: “ENP consistency is very problematic because we do not have a uniform *acquis*. It is much more complicated... One conclusion we drew was that we couldn’t just take a line of strict conditionality. We started like that with the ENP design: We wanted to set very precise benchmarks which would moderate the ambition of the relationship... But you cannot get most partners to accept this logic within the concept of joint ownership. The new policy is that the overall level of shared values will affect the degree to which ambitions are shared. The countries that push more shared values will get priority in financial support, and greater and speedier access to the internal market. We realise that we will have a gradual approach...”<sup>1157</sup>.

From the time when the Wider Europe Communication emphasised conditionality, it seems that the benchmarking approach has been toned down. The Commission initially declared that political reform engagements would be inserted progressively, and would be subject to approved targets for reforms, as stipulated by strict benchmarking objectives<sup>1158</sup>. It further announced that “the full implementation of the provisions in the existing agreements remains a necessary precondition for any new agreements”<sup>1159</sup>. However, the final strategy paper set aside all these rhetorical announcements and posited more modest language, noting that “the ambition of the EU in forging cooperation would be based on the ‘degree’ to which values are shared”<sup>1160</sup>. Hence, while the initial Wider Europe Communication declared that benchmarking would be the cornerstone of the EU approach, studiously using the word “benchmark” 14 times, the strategy paper itself failed to live up to this concept, and used “benchmark” only once, preferring less committal synonyms such as “incentives”.

The conditionality principle was expressed under the principle of “differentiation”, which means connecting financial support and benefits to the extent of the

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<sup>1157</sup> Commission of the European Communities (2003) Communication from the Commission to the Council and the European Parliament, Wider Europe –Neighbourhood: A New Framework for Relations with our Eastern and Southern Neighbours’. COM (2003) 104 Final.

<sup>1158</sup> Ibid, p 16.

<sup>1159</sup> Ibid, p 17.

<sup>1160</sup> Pace, M. (2004). The Euro-Mediterranean Partnership and the Common Mediterranean Strategy? European Union Policy from a Discursive Perspective. *Geopolitics*, 9(2), 292-309.

political reforms undertaken<sup>1161</sup>. Simultaneously, the strategy paper referred to “shared values” as a basis for differentiated strategy<sup>1162</sup>. Financial and political support incentives should be introduced progressively, subject to concrete progress. In the event of accomplishing agreed reforms, the strategy paper indicates that incentives should be augmented along with concrete sectoral integration<sup>1163</sup>. The EU indicated that in return for the partner states’ progress in establishing: “shared values and effective implementation of political reforms, including in aligning legislation with the *acquis*... neighbouring countries should be offered the prospect of a stake in the EU’s internal market and further integration and liberalisation, to promote the free movement of persons, goods, service and capital”<sup>1164</sup>.

Furthermore, the Commission identified democratic reforms as a main component of “shared values”, and hence the main condition for any improved political relationship<sup>1165</sup>. The differentiation principle reappears all over the proposal that the EU is willing to accompany reforms with boosted support. This approach is referred to by the Strategy Paper, which added that: “whenever financial assistance is negotiated with the ENP partner countries, the conditionality element should draw on the economic priorities and measures of the ENP Action Plans, ensuring assistance is an additional incentive to pursue political and economic reforms”<sup>1166</sup>.

Similarly, the ENP Action Plans insisted that the degree to which the EU develops a relationship with member countries depends on each of them displaying an acceptable degree of commitment to “common values”, as well as their willingness to implement the Agreed Action Plans priorities. Moreover, the Action Plans assessing the degree of development will recognise the accomplishments of each member state. Even the Partnership and Cooperation Agreements reiterated the Strategy Paper, indicating that the fulfilment of the objectives

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<sup>1161</sup> Commission of the Communities, note 1151, page 9.

<sup>1162</sup> Commission of the European Communities (2004a) ‘Communication from the Commission, European Neighbourhood Policy Strategy Paper’. COM (2004), 373 Final. Page 8.

<sup>1163</sup> *Ibid*, p 14.

<sup>1164</sup> Commission of the Communities, note 1151, p 12.

<sup>1165</sup> *Ibid*.

<sup>1166</sup> Commission, note 1152, p 25.

stipulated by the Action Plans is the basis of any possible new bilateral agreement<sup>1167</sup>.

*Strengthening the ENP* (2006) further emphasised the differentiation principle and insisted that it should remain the cornerstone of future policies, and that the EU should deliver more incentives to member states whose reforms are encouraging, in terms of achieving tangible progress<sup>1168</sup>. In subsequent Communications such as *A Strong ENP* the Commission reiterated the “more for more” concept.

#### **4.4.2. The Conditionality Instrument: A Frail Design of Shared Values**

This section assesses the normative basis of conditionality, before evaluating the application of this instrument. The last part discusses the political barriers to this policy.

##### **4.4.2.1. Normative Basis of Conditionality**

The EU declared on many occasions that the ENP relationship is based on “shared values”. This notion maintained a rhetorical narrative that portrayed the ENP as a tool of “commonly held aspirations, values, and enlightened self-interest”<sup>1169</sup>. In fact, the normative values are: “actually those shaping EU identity, but the policy presupposes their Universality. Their implementation is thus implicitly considered to be dependent upon capability rather than ideology, legitimising cooperation to create better conditions”<sup>1170</sup>. Hence, the EU strategy under the ENP was intended to enhance its values through the Action Plans’ conditionality<sup>1171</sup>, and to rely on socialisation methodology from the accession approach in order to generate a sense of joint ownership of values. This broad political rationale was the basis of the vision of mutual agreement between the EU and the Southern Mediterranean states under the ENP, but the actual

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<sup>1167</sup> Dandashly, A. (2015). The EU response to regime change in the wake of the Arab revolt: differential Implementation. *Journal of European Integration*, 37(1), 37-56.

<sup>1168</sup> Börzel, T. A. (2015). The noble west and the dirty rest? Western democracy promoters and illiberal regional powers. *Democratization*, 22(3), 519-535.

<sup>1169</sup> Schumacher, note 74, pp.381-401.

<sup>1170</sup> Tocci, N. (2007). “*Can the EU promote Democracy and Human Rights through the ENP?*”, in M. Cremona and G. Meloni (eds.), *The ENP: a framework for modernization*, EUI Working Papers, no. 21, Florence, European University Institute, p. 26.

<sup>1171</sup> Theuns, T. (2017). Promoting democracy through economic conditionality in the ENP: a normative critique. *Journal of European Integration*, 39(3), 287-302.

relationships between the two parties are constituted in the Association Agreements signed by the parties prior to 2004, thus preceding the ENP. Consequently, the Association Agreements remain the legal basis for bilateral relations with the Southern Mediterranean states, therefore the notion of shared values does not contain a bilateral legal foundation.

Subsequently, legally speaking, the Conditionality principle cannot rely on the Action Plans, but only on the non-execution clauses stipulated by the Association Agreements<sup>1172</sup>. The democracy clauses that validate the relationship between the parties require compliance from the Southern Mediterranean states, and the delivery of assistance by the EU. Any breach of this clause would be considered as a violation of the whole agreement, which could subsequently be suspended by either party<sup>1173</sup>.

Despite the fact that the EU relies heavily on incentives, it appears that the conditionality approach has a prominent place within its bilateral agreements with the Southern Mediterranean states with regard to democracy considerations. In the case of democratic deficits, the EU can threaten to or actually withhold customary financial assistance, as stipulated by the European Council Resolution on Democracy and Human Rights (1991): in the case of “grave and persistent human rights violations or serious interruption of democratic processes... appropriate measures in light of the circumstances will be considered”<sup>1174</sup>. Overall, the negative measures “must be based on objective and equitable criteria and be suited to the situation on the ground. At the same time, care must be taken to keep open the avenue of dialogue”<sup>1175</sup>. Therefore, negative conditionality is only to be applied as a last resort, when all other measures have failed, thus the Commission is required to attain the support of a qualified majority vote from the Council in order to suspend financial or other assistance, while an almost inconceivable unanimous vote is required to suspend an Agreement<sup>1176</sup>.

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<sup>1172</sup> Sasse, G. (2008). The European neighbourhood policy: Conditionality revisited for the EU's Eastern neighbours. *Europe-Asia Studies*, 60(2), 295-316.

<sup>1173</sup> Hill, C., Smith, M., & Vanhoonacker, S. (Eds.). (2017). *International relations and the European Union*. Oxford University Press.

<sup>1174</sup> Burnell, P. (2017). *Promoting democracy abroad: Policy and performance*. Routledge.

<sup>1175</sup> Ibid, p 42.

<sup>1176</sup> Ibid.

This mechanism implies that conditionality requires a significant degree of consensus, and the EU customarily attempts to avoid this situation by threatening partner states, rather than actually attempting to impose sanctions, thus they are in reality blunt political tools<sup>1177</sup>. Indeed, this measure has only been used once by the EU. This was against Syria in 2011 (due to its alleged human rights abuses), which critics might view as part of an appeasement policy (given that the US and UK governments were keen to take military action), but it has never used it against any other country for democratic breaches.

Given this rigidity, the EU prefers the use of positive rather than negative conditionality. Contingent on states' willingness to reform, the EU is usually willing to withhold or increase its support rather than withdrawing it completely, which may reduce the chance of further negotiation<sup>1178</sup>. Indeed, by not confiscating its own bargaining power, the EU gives member states an incentive to comply with its required reforms, whereas actually withdrawing the assistance is considered a sanction<sup>1179</sup>. Taking into account the long-term goal of political reform under the EU's normative power, the Union is not willing to act hastily. The implementation or reform of democracy or human rights in exchange for supports in different arenas requires a steady, gradual, and especially flexible approach, with incentives in order to attain leverage by providing or withholding appreciated elements to member states.

Ultimately, the effectiveness of the conditionality principle depends on the Action Plans and the programmes specified by the legal documents in terms of what states are expected to achieve. Moreover, economic and political values are of the utmost importance for the effectiveness of this approach.

#### **4.4.2.2. Application of Conditionality**

The ENP is based on principle ownership. Accordingly, the EU and each Southern Mediterranean country should identify the Action Plans required by the

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<sup>1177</sup> Papadimitriou, D., Baltag, D., & Surubaru, N. C. (2017). *Assessing the Performance of the European Union in Central and Eastern Europe and in its Neighbourhood*. Taylor & Francis.

<sup>1178</sup> Del Sarto, R. Schumacher, T and Lannon, E. (2010). Benchmarking Human Rights and Democratic Development within the Euro-Mediterranean Partnership, Annual Report 2006, Lisbon, *EuroMesco*, p. 26.

<sup>1179</sup> *Ibid.*

country report<sup>1180</sup>. The Action Plan is based on the programming cycle, including a short-medium term National Indicative Papers<sup>1181</sup>, and long-term Country Strategy Papers<sup>1182</sup>. The implementation of policies is negotiated and agreed through Annual Progress Reports. Many studies highlighted the limitations of political conditionality in this process, including in the programming for Morocco. Historically, Country Reports and Annual Progress Reports have been very lenient and rather limited<sup>1183</sup>. Political objectives, which are the main target of conditionality, are frequently cited only broadly, in terms of the “development of civil society” and “freedom of association”, without any emphasis on what this means practically<sup>1184</sup>. In fact, on many occasions, the Progress Report failed to mention any political objective, including in the case of Morocco, for which the National Indicative Papers between 2011 until 2013 did not list political reforms, including democracy, among the identified priorities<sup>1185</sup>. The Action Plans lacked any substantive form of evaluation and assessment mechanisms, and a tangible timeframe<sup>1186</sup>. Even when the Action Plan made a distinction between short- and long-term goals, this was not in the context of any required reforms, implementation sequencing, or adoption of political norms.

The programme process failed to mention the potential values of progress. Consequently, the Action Plans are viewed as “inspirational”<sup>1187</sup> rather than as practical blueprints for tangible programmes of political reform. Meanwhile, the National Indicative Papers failed constantly to provide substantial implementation guides to complement the political priorities identified in the Action Plans; they

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<sup>1180</sup> Leino, P., & Petrov, R. (2009). Between ‘Common Values’ and Competing Universals—The Promotion of the EU’s Common Values through the European Neighbourhood Policy. *European Law Journal*, 15(5), 654-671.

<sup>1181</sup> Wesselink, E., & Boschma, R. (2017). European Neighborhood Policy: history, structure, and implemented policy measures. *Tijdschrift voor economische en sociale geografie*, 108(1), 4-20.

<sup>1182</sup> Ibid

<sup>1183</sup> Franco, M. (2016). 11 The effectiveness of institutional arrangements in the European Union’s relations with its neighbours. *The European Neighbourhood Policy in a Comparative Perspective: Models, challenges, lessons*, 183.

<sup>1184</sup> Schumacher, T., & Bouris, D. (2017). The 2011 revised European Neighborhood policy: continuity and change in EU Foreign policy. In *The Revised European Neighborhood Policy* (pp. 1-33). Palgrave Macmillan, London.

<sup>1185</sup> Morocco: National Indicative Programme (2011-2013). Accessed on 2/1/2019 at: <https://library.euneighbours.eu/content/morocco-national-indicative-programme-2011-2013>.

<sup>1186</sup> Saidin, note 996, pp 69-79.

<sup>1187</sup> Cebeci, M., & Schumacher, T. (2017). *The EU’s Constructions of the Mediterranean* (2003-2017) (No. 3). MEDRESET Working Papers.

simply kept reiterating these priorities. Moreover, each period of cooperation should be based on the previous one, but an inconsistency arose in connecting the cooperation periods. For example, the objectives stipulated previously are rarely mentioned, if not ignored, such as in the Tunisian Country Strategy Paper 2015-2018, and the political impacts of initiatives pursued under the National Indicative Papers during 2011-2014<sup>1188</sup>.

Moreover, the EU's financial assistance and the development of the process of the programme on which conditionality should be based does not have a real dynamic link. The allocation of financial support under the ENPI, which is based on the framework of the Country Strategy Paper, decided on a seven-year period, which prevents any possible flexibility subsequent to the allocation of funds<sup>1189</sup>. The financial plan provisions are very rigid, which precludes the possibility of imposing financial threats on the member state, since the allocated financial support is not associated with their actions or inactions during that timeframe<sup>1190</sup>.

Consequently, the conditionality principle cannot be used in relation to financial support, which leaves the total suspension of assistance as the only remaining disciplinary device available, which is provided for in Article 28 of the ENPI<sup>1191</sup>. However, this article is considered no less rigid than democracy and human rights clauses under the Association Agreements. Hence, despite its rhetoric, the EU may not be able to withhold or even reduce the allocated funds due to democratic delinquency, as a decision at this altitude may stymie the whole process and prove exorbitant in long-term political, socio-economic, and even democratic costs<sup>1192</sup>.

Generally, the whole process lacked consistency and value-based operationalisation. The different elements of the process remained rigid and lacked real sequencing, as it did not support a gradual approach on how the

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<sup>1188</sup> van Hüllen, V. (2017). Resistance to international democracy promotion in Morocco and Tunisia. *Third World Thematics: A TWQ Journal*, 2(5), 637-657.

<sup>1189</sup> Theuns, note 37, pp. 287-302.

<sup>1190</sup> Dekanozishvili, M. (2017). The European Neighborhood Policy. The Routledge *Handbook of European Public Policy*, 228. Routledge.

<sup>1191</sup> Sinay, F. T. (2017). The Neighbourhood Competence: on How Article 8 TEU Affects the Role of Soft Law in the Relationship Between the EU and Its Neighbourhood (Bachelor's thesis).

<sup>1192</sup> *Ibid*, p 78.

normative values including democracy can be promoted and supported. The EU approach remains incoherent, between its self-idolisation as a harbinger of democratisation and plenty, and the real policies implemented on the ground that serve to oppress and impoverish the populations of the Southern Mediterranean. This can be traced to the vague conceptualisation of democracy and democratisation under the ENP. Needless to say, the concept of “shared values” remains ambiguous and lacking any specific definition, which resulted in a very limited “density of norms”<sup>1193</sup> in the ENP agendas processes, which in turn limits democracy promotion.

The EU’s normative power gives it an ethical background based on which it attempts to promote democracy. However, instead of stipulating the political priorities and developing them by comprehensive measures and procedures, each individual document suffers from a very restricted interpretation of values. For example, the promotion of democracy is referred to often in terms of encouraging “good governance” instead of fundamentally changing the political environment<sup>1194</sup>. Recent European Communications cite democratisation verbiage such as “reforms” or “development”<sup>1195</sup>, but fail to support the actual framework of democratisation, noting the connotation of certain concepts in the MENA region. For example, the concepts of “rule internalisation” or “rule implementation” were lacking specific reference<sup>1196</sup>.

The assessment criteria to evaluate democracy development or setbacks remain variable, as no clear evaluation procedures have been setup. The absence of criteria opens the doors to arbitrary political elucidations which may result in further devaluation of meaningful concepts of democratic principles. Moreover, the lack of such criteria renders the conditionality principle a mere political tool, as any decision will be based on political agendas of the EU, EU member states, and Southern Mediterranean partners, and calibrating policy to be vague enough

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<sup>1193</sup> Echagüe, Michou & Mikail, note 999, pp215-232.

<sup>1194</sup> Ibid.

<sup>1195</sup> Aras & Falk, note 559, pp. 322-336.

<sup>1196</sup> Magen, A and Morlino, L, (2008). “Methods of influence, layers of impacts and cycles of change”, in A. Magen and L. Morlino (eds.), *International Actors, Democratization and the Rule of Law*, p 40, London, Routledge.

to satisfy these disparate interests is the root cause of the incoherence in ENP programmes.

The No Execution Clause stipulated by the Association Agreements Article 2<sup>1197</sup> implementation mechanism cannot be acknowledged outside the sphere of its stern negative dimension. Contrary to the EU's rhetoric, the legitimacy of the ENP value-based approach is very limited, as values are of negligible weight in policy<sup>1198</sup>. The operationalisation of the values is thus very restricted, and the link between economic preferences and political liberalisation is very weak. The EU hoped that these two dimensions would support each other but did not combine them coherently to direct its own MENA policy. Thus, in the final analysis, the EU's emphasis on socialisation dynamics was probably of far greater significance than concrete punitive measures projected by the use of democratic conditionality principles.

#### **4.4.3. Conditionality in the ENP: Political Limits**

In addition to disabling the conditionality principle as a practical policy tool, ENP programmes' deficiencies have created further complications. Even if conditionality was managed properly, as a principle it is still an unsuitable mechanism under the ENP. This is because of the relatively weak bargaining power of the EU, which precludes it from pressurising MENA regimes, as well as because of the nature of the ENP itself, which is an autocratic sphere incongruous with the use of negative conditionality<sup>1199</sup>.

Under the principle of conditionality, successful negotiation is predicated on EU dominance and partner state (i.e. Southern Mediterranean) dependence<sup>1200</sup>. This qualified political equilibrium is vital in the margin of conditionality. However, in practice the EU is not in a strong bargaining position to enforce any related

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<sup>1197</sup> Ghazaryan, N. (2015). A new generation of human rights clauses? The case of Association Agreements in the Eastern neighbourhood. *European Law Review*, 40(3), 391-410.

<sup>1198</sup> Laine, J. (2017). European Civic Neighbourhood: Towards a Bottom-Up Agenda Across Borders. *Tijdschrift voor economische en sociale geografie*, 108(2), 220-233.

<sup>1199</sup> Dercaci, A. (2017). European Neighbourhood Policy: New Models of External Governance. In Democratic Legitimacy in *the European Union and Global Governance* (pp. 287-303). Palgrave Macmillan, Cham.

<sup>1200</sup> Theuns, T. (2017). Promoting democracy through economic conditionality in the ENP: a normative critique. *Journal of European Integration*, 39(3), 287-302.

political value on the Southern Mediterranean regimes. This is mainly due to three important elements:

- Internal deficiencies limiting the EU’s bargaining position (e.g. powerful EU member states’ interests).
- The Eurocentric nature of the ENP (e.g. self-interest concerning economic and security issues).
- A biased approach towards civil society (related to the War on Terror and religious sensitivities).

These elements are discussed below. It can be surmised that they considerably restricted the EU’s possible reliance on conditionality, reducing its leverage capacity to negligible proportions. Hence, sanctions or even threats to pressurise Southern Mediterranean states became impossible or ineffectual.

❖ Internal deficiencies limiting the EU bargaining position

The fissiparous agendas and priorities of EU member states have resulted in an absence of real common political will. As discussed previously, Northern member states generally advocate stricter political conditionality, in line with the actual purported aims of the EU. However, Southern EU member states are more worried about illegal immigration and other security interests, thus they seek to maintain mutual cooperation and ties rather than raising prickly issues such as democracy, which may escalate tensions with Southern Mediterranean regimes<sup>1201</sup>. Hence, negative conditionality is almost unreachable in the European Council, as a consensus between the parties is fairly remote. Additionally, the Southern member states essentially lobby the Commission for the political inertia of Southern Neighbours’ regimes under the Action Plans, due to their fear of deteriorating political relations, which results in the EU’s “self-censorship”<sup>1202</sup>. Hence, various statements on democracy in the EU’s documents seem to be platitudes, rather than policy formulations intended for real, tangible implementation<sup>1203</sup>.

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<sup>1201</sup> Ibid.

<sup>1202</sup> Thépaut, C. (2011). *Can the EU pressure dictators? Reforming ENP Conditionality after the Arab Spring*, p 12. College of Europe.

<sup>1203</sup> Ibid.

#### ❖ Eurocentrism of the ENP

Another part of the EU's policy which damaged its power status was its self-orientated offerings. The EU's doctrinaire commitment to neoliberal economics, in tandem with the IMF and World Bank, preclude it from engaging creatively with the various political economies of the Southern Mediterranean. Its absolute prioritisation of liberalisation and trade facilitation are invariably conditions of financial assistance to the Southern Mediterranean; conversely, it is hostage to the nativist protectionism in terms of its own (intra-EU) economic interests, particularly with regard to agriculture<sup>1204</sup>. The lack of EU concessions on trade undermine ENP commitments<sup>1205</sup>. Additionally, the EU has implicitly acknowledged that long-term stability can be better protected by dictatorships than by democratic governments, thus it "implemented a traditional power-protection security policy... basically outsourcing part of its counter-terrorist agenda as well as immigration management"<sup>1206</sup>.

Indeed, the EU has conferred political legitimacy on autocratic regimes that fundamentally contradict its notion of "shared values" due to security concerns and self-interest. All regimes in MENA were empowered to squash internal "dissent" (including genuine and normative political democratisation) under the banner of the War on Terror. They astutely crafted EU dependency on their rule to prevent the conflagration of terrorism<sup>1207</sup>; while this raises questions about the funding and facilitation of terrorist activities in MENA and elsewhere, the conventional discourse strengthens the credibility of MENA autocrats externally and internally<sup>1208</sup>. This enables inertia and a lack of political development, and ultimately empowers the regimes<sup>1209</sup>.

The security dilemma thus reduced if not eliminated the bargaining power of the EU, and Southern Mediterranean regimes enjoyed strong leverage over the EU, particularly prior to the Arab Spring. The EU's security "dependence" on Southern

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<sup>1204</sup> Tocci & Cassarino, note 57, pp12-12.

<sup>1205</sup> Dessi, A. (2011). Algeria at the Crossroads, between Continuity and Change. *Instituto Affari Internazionali*.

<sup>1206</sup> Ibid, p10.

<sup>1207</sup> Aras & Falk, note 559, pp322-336.

<sup>1208</sup> Ibid, p 326.

<sup>1209</sup> Bicchi, F. (2010). Dilemmas of implementation: EU democracy assistance in the Mediterranean. *Democratization*, 17(5), 976-996.

Mediterranean regimes, compounded by its unwillingness (or inability) to make trade concession, reduces EU leverage to conditional financial assistance (i.e. cash), and it is also hampered in its ability to withhold this, as explained previously. Consequently, this suggests a “subtle denial of its values<sup>1210</sup>” and an obvious “hierarchy of priorities”<sup>1211</sup>.

❖ Civil society

Relating to the previous point about leverage, the EU’s bargaining power is further incapacitated by a lack of meaningful engagement with some sections of civil society. Although the Southern Mediterranean regimes made it very problematic to engage with civil society in general, terrorism fears precluded the EU from engaging with organisations with a religious background<sup>1212</sup>. The majority of religiously identified civil society organisations, most notably the Muslim Brotherhood, which is a political as well as social movement<sup>1213</sup>, were (and largely remain) banned from existing in the region, not to mention participating in political life, including in Tunisia, Algeria, and Libya. Thus, any political relations with them is equivalent to a relation with a terrorist group<sup>1214</sup>, which led the EU to exclude them from any political or financial support<sup>1215</sup>.

The EU had a strong presumption that Islamists are enemies of democracy, hence democracy would never come on the back of Islamists, but only from secular organisations. Based on this approach, the EU, with no real understanding of Southern Mediterranean society, tried to transfer the social and political legitimacy of European civil society to Southern Mediterranean CSO’s who seemed to be their counterparts. In other words, the EU tried to project its own image on the Southern Mediterranean societies<sup>1216</sup>, instead of supporting the organic, grassroots organisations which have real representation in those

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<sup>1210</sup> Van Genugten, note 1018, pp.45-58.

<sup>1211</sup> Biscop, S. (2017). *Euro-Mediterranean Security: A Search for Partnership: A Search for Partnership*. Routledge.

<sup>1212</sup> Silvestri, S. (2005). EU Relations with Islam in the Context of the EMP’s Cultural Dialogue. *Mediterranean Politics*, 10(3), 385-405.

<sup>1213</sup> Ibid, p 397.

<sup>1214</sup> Wolff, S. (2018). EU religious engagement in the Southern Mediterranean: Much ado about nothing? *Mediterranean Politics*, 23(1), 161-181.

<sup>1215</sup> Ibid.

<sup>1216</sup> Zajac, J. (2015). The EU in the Mediterranean: Between its international identity and member states’ interests. *European Foreign Affairs Review*, 20(1), 65-82.

societies. Subsequently, the EU efforts in developing and empowering domestic actors were largely infertile, and it was thus forced to deal almost exclusively with the regimes which could strengthen their positions.

#### 4.4.4. Socialisation Instrument

The socialisation element is another example of the EU's similar approach under the enlargement process. Socialisation is "when actors generate behaviour changes by creating reputational pressures through shaming, persuasion and other efforts to socialise state actors"<sup>1217</sup>. In the transition to democratic governance, external organisations can support opposition parties to escalate their participation and rise their bargaining power<sup>1218</sup>. EU institutions describe themselves as a normative power in the world, deriving influence through the promotion of norms by pacific means. Hence, the majority of the EU's funds for democracy promotion end up with CSO's<sup>1219</sup>.

Socialisation played a major part in the enlargement process, in addition to other measures such as incentives and negative conditionality<sup>1220</sup>. The European representatives in their repeated visits to candidate countries negotiated potential progress in democracy and human rights. They also tried to stimulate domestic debates on the issues, based on a strong conviction that changes cannot be achieved without cooperation with CSO's and civil society. Hence, based on the degree of success in the enlargement, the EU tried to replicate this strategy under the ENP. The ENP documents refer to this agreement as a partnership, and the member states as partners. It could be argued that this is a kind of euphemism<sup>1221</sup>, however it is also an attempt to stipulate the importance of mutual dialogue. The partnership dialogue was further emphasised by the Commission, stressing that the Action Plans are negotiated by both parties, and are bilaterally agreed<sup>1222</sup>. The Commission stressed that the ENP is established

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<sup>1217</sup> Johnston, I. (2001) 'Treating International Institutions as Social Environments'. *International Studies Quarterly*, Vol. 45, No. 4, pp. 487-516.

<sup>1218</sup> Gómez & Muñoz Nogal, note 1087, p. 17.

<sup>1219</sup> Reimann, K. D. (2017). *Up to no good? Recent critics and critiques of NGOs*. In *Subcontracting Peace* (pp. 37-53). Routledge.

<sup>1220</sup> Stivachtis, Y. A. (Ed.). (2016). *The state of European integration*. Routledge.

<sup>1221</sup> Gstöhl, S. (2016). The contestation of values in the European Neighbourhood Policy: challenges of capacity, consistency and competition. In *The European Neighbourhood Policy Values and Principles* (pp. 68-88). Routledge.

<sup>1222</sup> Kelley, note 901, pp. 29-55.

based on “joint ownership” and an “offer made by the EU to its partners”<sup>1223</sup>. This ENP emphasis is very important at multiple levels, as the Commission pointed out: “the process is very important. The medium is the message”<sup>1224</sup>. As the Moldavian Minister of Political Affairs stated: “it wasn’t an easy negotiation process but we managed to make the functioning of the joint ownership principle declared as one of the core principles of the ENP... and we hope the further we will advance in the action plan implementation process the better our relationship will become”<sup>1225</sup>.

This diplomatic language is noticeable in the EU’s efforts in formulating the ENP Action Plans, which comprise a value-based discourse. The Plans highlight the fact that normative principles are the cornerstone of the ENP project, even though the Commission argued that “there can be no question of asking partners to accept a predetermined set of priorities. These will be defined by common consent”<sup>1226</sup>. However, the normative values listed are obviously those fundamental to the EU. As the Commission declared “the aim is to extend to this neighbouring region a set of principles, values and standards which define the very essence of the EU”<sup>1227</sup>. Moreover, the Action Plans references to “international norms” legitimise its considerations within the bilateral debate, and a great section of the platform’s instruments are specialised communications, where low-level political approaches can provide socialising interaction<sup>1228</sup>. Hence, for example, the Commission has created dedicated democracy dialogues with most of the ENP Southern Mediterranean countries.

Throughout the EU enlargement process, the Commission supported the conversion of the candidate countries’ political environments by reaching out to the political actors<sup>1229</sup>. Under the ENP, the EU is trying to re-enact this approach

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<sup>1223</sup> Ibid, p 39.

<sup>1224</sup> Ibid.

<sup>1225</sup> Communication with Daniela Cujba, Director, General Directorate Political Relations with EU Ministry of Foreign Affairs Republic of Moldova, 6 April 2010.

<sup>1226</sup> Commission of the European Communities, note 1092, p 8.

<sup>1227</sup> Romano Prodi President of the European Commission (2002) A Wider Europe - A Proximity Policy as the key to stability "Peace, Security and Stability International Dialogue and the Role of the EU" Sixth ECSA-World Conference. Jean Monnet Project.

<sup>1228</sup> Gstöhl, note 1161, pp. 68-88.

<sup>1229</sup> Butler, E. (2014). *Assessing Accession: Power, Influence and Representation—Central and Eastern Europe in the EU*, pp 353-358. Taylor & Francis

by developing relationships through regular meetings and interactions with political parties and activists. Similarly, the EU cooperates with national political organisations in order to further socialise them with the EU's norms, including democracy. While discussing the Action Plans, the EU officials intended to familiarise EU agencies with reforming individuals and organisations within the ENP member states. As the Commission noted, despite the autocratic nature of the regimes, they still face some constraints from different stakeholders which have interests even within autocratic countries, such as rich individuals, military personnel, or royal families. The EU is hopeful that Action Plan objectives will give these stakeholders the opportunity to place their normative interests on the agenda, and push for changes.

Concerning “social influence” dynamics created under the enlargement process, the Commission is constantly reviewing objectives through the Annual Progress Reports. This approach was re-enacted under the ENP, as the Commission noted: “the key is that this will be systematic. So, it will happen in parallel with a number of other countries... This will force us to maintain a certain standard by pinpointing certain problems”<sup>1230</sup>. Moreover, another objective of the Annual Progress Reports is to shame countries which failed to introduce reforms or praise for progress and development<sup>1231</sup>. The EU was hoping that the publication of the progress reports would generate competitiveness in the interests of reform among the Southern Mediterranean states.

Overall, the EU tailored its approach in the ENP over its experience under the enlargement process, hoping to emulate that success. The ENP policy approach was moulded through the path of adaptation and dependency. The resemblances between the ENP strategy and the enlargement process are countless, however the conditionality principle and socialisation are the salient features. This view is shared by many EU officials, who stated that the ENP “is a diluted version of the enlargement policy”<sup>1232</sup>. However, this does not conceal the differences between the two policies, as an EU official stated: “It is easy for many to see the difference.

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<sup>1230</sup> Kelly, note 1222, pp.29-55.

<sup>1231</sup> Wesselink, E., & Boschma, R. (2017). European Neighbourhood Policy: history, structure, and implemented policy measures. *Tijdschrift voor economische en sociale geografie*, 108(1), 4-20.

<sup>1232</sup> Kelly, note 901, p 35.

But it is fundamental in the official line. This is not the membership truck. ENP is not about enlargement. The EU will always have neighbours. If we don't have developed policy, then there is a danger of copying the policy under enlargement mechanically. We can learn from it, but it is fundamentally different... It is a methodological difference. Before, we could say it is our club, but with the ENP, we cannot impose values unilaterally"<sup>1233</sup>.

The ENP document itself makes reference to the enlargement process, stating that "the incentive for reforms created by the prospect of membership has proved to be strong - enlargement has arguably been the Union's most successful foreign policy instrument"<sup>1234</sup>.

#### **4.4.5. Democracy Promotion Effectiveness Through Conditionality and Socialisation**

In light of the above findings on the EU's approach through conditionality and socialisations dynamics, the question arises of the effectiveness of democracy promotion through conditionality and socialisation. The main focus of the EU was the establishment of "democracy discourse". The EU claimed that the ENP substantially introduced the discourse of democracy to its relationships with Southern Mediterranean states, explicitly identifying democratic norms as the cornerstone that should be the basis of the relations. The ENP's significance in fostering socialisation around democracy was to enhance the features of the ENP, aiming to promote democratic reforms within a comprehensive assortment of institutionalised cooperation.

Hence, the Southern Mediterranean states enjoyed a similar level of cooperation created within the EU accession provisions, although with a major difference: without the possibility of becoming members of the EU. The objective was the creation of some sort of dynamic for the ENP, and to circumvent the prioritisation of specific results over retaining the cooperation process. The dissemination of democratic norms could only be achieved effectively through an institutionalised

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<sup>1233</sup> Ibid.

<sup>1234</sup> Commission of the Communities, note 1151, p 12.

course of action, based on mutual trust and genuine “consent” in Southern Mediterranean states<sup>1235</sup>.

In line with this emphasis on socialisation dynamics, negative conditionality was not applied in relation to democratic deficits. The suspension of funds or even the consideration of such steps on political grounds could not materialise, in contrast with the EU approach which was willing to withhold financial assistance when economic reforms were reversed<sup>1236</sup>. The ostracising of Syria following the uprising was an exceptional case, as there were “no friends of Syria in the EU”<sup>1237</sup>. In fact, one of the main reasons to exclude Syria was concerns about support for terrorism, and not democratic or human rights deficits. Moreover, the removal of the Egyptian President by the army and the subsequent fraudulent elections failed to provoke a substantive response similar to the ones created after such incidents in other regions in the world<sup>1238</sup>. Morocco and Algeria, despite their abysmal democracy records, still enjoy on-going financial support from the EU; in fact, Morocco is one of the biggest aid receivers in North Africa<sup>1239</sup>.

The EU pressure wielded in relation to human rights abuses is much firmer than that deployed for the cause of democracy, and it has been more willing to intervene in human rights abuses cases with a degree of success in Tunisia, Morocco, and Egypt<sup>1240</sup>. The preparedness to develop a firmer policy on human rights further highlighted the lack of such an approach when it comes to breaches of democracy. Hence, it was noteworthy that CSO’s involved in the neighbourhood arena concentrated almost entirely on human rights issues<sup>1241</sup>. In fact, most EIDHR funds in the regional projects were mainly interested in the implementation of human rights instruments, such as torture prevention, ending

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<sup>1235</sup> Del Sarto, note 68, pp. 215-232.

<sup>1236</sup> Ibid.

<sup>1237</sup> Archick, K. (2016). The European Union: current challenges and future prospects. *Congressional Research Service*, 21.

<sup>1238</sup> Boogaerts, A., Portela, C., & Drieskens, E. (2016). One swallow does not make spring: A critical juncture perspective on the EU sanctions in response to the Arab Spring. *Mediterranean Politics*, 21(2), 205-225.

<sup>1239</sup> Maggi, E. M. (2016). Change to Stay the Same: The European Union and the Logics of Institutional Reform in Morocco. In *Euro-Mediterranean Relations after the Arab Spring* (pp. 33-50). Routledge.

<sup>1240</sup> Poli, S. (2016). Promoting EU values in the neighbourhood through EU financial instruments and restrictive measures. In *The European Neighbourhood Policy—Values and Principles* (pp. 43-67). Routledge.

<sup>1241</sup> Ibid.

the death penalty, and support for victims of human rights violations, while democracy promotion funds barely scraped the surface, being mainly confined to election assistance and observance<sup>1242</sup>.

The incentives-based conditionality linkage to democratisation progress is relatively limited to some extent. It is increasingly clear that incentives structures labelled “everything but institutions” and “more for more” have been “over sold”<sup>1243</sup>. Even though some political criteria were apparent, European financial aid in the region remained skewed, as many funds are subject to economic conditionality rather than political reforms. Under the ENP, many countries have secured a substantial amount of funds without specifically targeting democratic reforms<sup>1244</sup>. Despite this confused picture, the ENP remains “the most significant deviation from reward-based conditionality” in comparison with other regional agreements, such as those with Asian and ACP states.

Hence, the emphasis on the socialisation dynamics was of far greater importance, as the incentives which can be used as positive conditionality remained evidently limited, despite the more-for-more policy. Many would probably see this approach as appropriate, taking into account the long-term strategy of democracy promotion, yet many critics of this constructivist approach may argue that this only reflects the reluctance of the EU to opt for genuine democracy promotion strategies. It would appear excessively simplistic to dismiss the democracy discourse as a mere duplicitous façade; aside from realpolitik, the EU has consistently been determined that democratic principles should form a legitimate fragment of the ENP, and it has generally included democratic clauses. The EU Commission reiterated that Southern Mediterranean partners accepted the provisions allowing the EU to create and enhance democratic schemes without their prior consent. The coercive approach, termed as “*a priori* value conditionality”<sup>1245</sup>, established the grounds by which the socialisation dynamics can function. Many partner countries that formally resisted

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<sup>1242</sup> Balfour, Fabbri & Youngs, note 963, p. 7.

<sup>1243</sup> Wesselink & Boschma, note 1171, pp. 4-20.

<sup>1244</sup> Poli, note 1240, pp. 43-67.

<sup>1245</sup> Vanheukelom, J. 2012. Political conditionality in the EU's development cooperation – pointers for a broader debate. GREAT Insights, Volume 1, Issue 2. March-April 2012.

signing Association Agreements, including Algeria, Lebanon, and Egypt<sup>1246</sup>, agreed to ratify them, including their standard human rights and democracy clauses, which had been the main holdups. This can only indicate that democratic principles were not mere words lacking intent; they had applicable content. It can be inferred from this that the regimes modified their stances based on a degree of pressure from the formal codification of democracy promotion under the ENP.

Nonetheless, the criticisms to the EU's approach could be justifiable, as in practice the socialisation dynamics were not entirely followed through. The Commission expressed its eagerness to develop the ENP policy as part of a "mutually reinforcing process in different areas<sup>1247</sup>", however its leverage in negotiated democracy development was dramatically weakened due to its aversion to:

- Trade concessions.
- Readmitting non-citizens and illegal immigrants.
- Harboring individuals accused of violence within the EU.
- Free movement of labour.
- Comprehensive access to the single market<sup>1248</sup>.

It seems that the EU maintains an absolute commitment to its own interests rather than a genuine *quid pro quo* on mutual issues. Moreover, the Peace Process remained the most evident problem in the EU's socialisation dynamics<sup>1249</sup>. In this sense, the EU insisted on the rather artificial separation between the ENP and the Peace Process issue, and even rejected the possibility of using its economic power to pressure Israel into related concessions, which demonstrated to the Southern Mediterranean regimes the EU's double standards in applying the ENP conditionality. Hence, the sense of trust and mutual compromise upon which the ENP was supposedly was further reduced, which inevitably affected the EU's socialisation dynamics. This discrepancy even affected and cooled the

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<sup>1246</sup> Horst, J., Jünemann, A., & Rothe, D. (2016). Euro-Mediterranean relations after the Arab Spring: Persistence in times of change. Routledge.

<sup>1247</sup> Commission of the Communities, note 1152, p 3-7-12.

<sup>1248</sup> Ibid.

<sup>1249</sup> Cichocki, M. (2016). European neighbourhood policy or neighbourhood policies? In *The Black Sea Region and EU Policy* (pp. 31-50). Routledge.

enthusiasm of many CSO's across MENA, which are crucial in the EU's democracy promotion policy. Therefore, the democracy promotion agenda will always be linked to the deterioration of the Peace Process from the Arab perspective.

Moreover, the pursuit of comprehensive dialogue promised by the Commission remained relatively limited<sup>1250</sup>. The Civil Forum initially created under the EMP to enhance links between CSO's from the EU and Southern Mediterranean countries was marginal in the decision-making process<sup>1251</sup>. Several initiatives and programmes intended to create a cooperative environment remained ink on paper, while various decentralised programmes intended to give effect to socialisation dynamics, such as the "Euro-Islam Dialogue Forum"<sup>1252</sup> or "the Euro-Mediterranean news channel", were either abandoned or abridged dramatically due to opposition from Southern Mediterranean countries.

In practice, the EU member states avoided any direct meaningful initiative of norm diffusion, and even the schemes which intended to foster general inter-cultural and religious dialogue were scaled down due to the exclusion of CSO's and political parties with a background in political Islam<sup>1253</sup>. The anticipated engagement with Islamic political parties struggled to materialise even following the Arab uprisings<sup>1254</sup>, which resulted in such parties becoming part of normative democratic processes and even governments, such as in Egypt<sup>1255</sup>. Political factors, such as the stances towards the peace process in the Middle East played an important role in the EU's selective engagement with Islamic political parties. The relationship remained timid, while member states' governments preferred to

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<sup>1250</sup> Smith, M. E. (2016). Implementing the Global Strategy where it matters most: the EU's credibility deficit and the European neighbourhood. *Contemporary Security Policy*, 37(3), 446-460.

<sup>1251</sup> Cavatorta, F. (2016). A Clash of Civilizations inside the MENA Countries? Islamist versus Secular Civil Society and the Failure of Pro-Democracy Policies. In *Clash or Cooperation of Civilizations?* (pp. 41-56). Routledge.

<sup>1252</sup>, Atala, I. (2016). Euro-Med and Intercultural Management. *European Scientific Journal, ESJ*, 12(4).

<sup>1253</sup> Ibid.

<sup>1254</sup> Except in the case of Enahdha in Tunisia and the Islamist conservative democrat party in Morocco. Political conideartions, such as the stance towards the peace process was a major factor.

<sup>1255</sup> Voltolini, B., & Colombo, S. (2018). The EU and Islamist parties in Tunisia and Egypt after the Arab uprisings: A story of selective engagement. *Mediterranean Politics*, 23(1), 83-102.

Molnar, T. (2017). Arab awakening and Islamic revival: the politics of ideas in the Middle East. Routledge.

pursue discreet, bilateral approaches<sup>1256</sup>. This was mainly due to the long-lasting antipathy between the EU and Islamic political parties. The EU was reluctant to engage with Islamic political parties on minimum standards of political pluralism as it did not want to legitimise them as mainstream political forces, and it worried about alienating key allies, such as the governments of Saudi Arabia, the United Arab Emirates, Algeria and Jordan, for whom the Muslim Brotherhood are viewed as a menace. This is in contrast to the EU approach towards Enahdha party in Tunisia<sup>1257</sup>

On their part, the majority of Islamic political parties view the EU as the guarantor of the autocratic regimes that oppressed the countries of the region, and persecuted their members; they are also cynical about EU cultural dialogue, which they view as an attempt to attack Islam<sup>1258</sup>. Hence, they were not attracted to systematic interchange, and the EU approach seems to have failed to convince them that the EU has a genuine intention to create a conciliatory relationship with the MENA region. Also, prior to the uprising, the EU did not undertake any systematic endeavour to differentiate between moderate and reasonable Islamic political parties and less-moderate groups. EU efforts to engage with parties openly committed to democratic principles, such as Movement of Society for Peace in Algeria, remained ambiguous<sup>1259</sup>. Taking into account that the gap between Europe and MENA is precisely what the value-based socialisation was intended to address, this shortcoming in engagement seems to epitomise a serious lacuna.

Civil society relevance to the socialisation approach is well-documented within the EU strategy papers, serving a variety of functions. However, it has received little meaningful support through the ENP<sup>1260</sup>. As Youngs argued, “in many Arab

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<sup>1256</sup> Bremberg, N. (2016). Making sense of the EU's response to the Arab uprisings: foreign policy practice at times of crisis. *European security*, 25(4), 423-441.

<sup>1257</sup> Diwan, K. S. (2017). The future of the Muslim Brotherhood in the Gulf. *The Qatar Crisis*, 60.

<sup>1258</sup> Cardiff, E. D. C. (2016). *Information Guide: Religion and Europe-The religious dimension within the EU and the wider Europe*. aei.pitt.edu.

<sup>1259</sup> Grote, R., & Röder, T. J. (2016). *Constitutionalism, Human rights, and Islam after the Arab spring*. Oxford University Press.

<sup>1260</sup> Bürkner, H. J., & Scott, J. W. (2019). Spatial imaginaries and selective in/visibility: Mediterranean neighbourhood and the European Union's engagement with civil society after the 'Arab Spring'. *European Urban and Regional Studies*, 26(1), 22-36.

States the judiciary, the civil society, media and new reformists movements have spoken out against political repression with little support from the EU”<sup>1261</sup>. The Commission has accepted some limitations in its approach towards CSO’s. The stern bureaucratic nature of the CSO’s financing system and the amount of funds available to them “imposes tight financial control, with auditing rules that are far stricter than the usual standards in both the public and the private sector, and the extensive and complicated reporting requirements pose a further extra burden on the recipients of aid”<sup>1262</sup>.

Moreover, the allocation of funds could take a very long period of time, which could be problematic in countries where circumstances can change very quickly. For example, following the uprising in Tunisia, it took the Commission officials four long months to meet with some democracy CSO’s, and despite reassurances, they were only able to receive financial aid in the following year<sup>1263</sup>. In addition, many small organisations could not apply for EU programmes due to the complicated and time-consuming bureaucratic procedures involved, which severely undermines their scope of operation. As a result, “most organisations prefer to work with other donors, such as the US, that are more flexible and less bureaucratic”<sup>1264</sup>. Even if such hindrances can be overcome, the actual amount of funding remains the principal problematic issue faced by the CSO’s, as it only constitutes a fraction of the overall funding to the partners.

Thus, even if this policy was implemented in full as envisaged by EU experts, its impacts would be far from comprehensive. Essential connexions have been aggravated by typical complications consequential to the EU’s institutional fragmentation. In a sense, it could be easy to overemphasise the quoted denunciations of EU policy-making to develop this holistic approach. Whereas the improvement of institutional coherence became a paramount concern for

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<sup>1261</sup> Young, R. (2006). *Europe’s flawed approach to Arab Democracy*, pp 12-13. Centre for European Reform Essays.

<sup>1262</sup> Raik, K. (2006). *Promoting Democracy through Civil Society: How to Step up the EU’s Policy towards the Eastern Neighbourhood*, CEPS Working Paper NO.237.

<sup>1263</sup> Laine, J. (2017). European Civic Neighbourhood: Towards a Bottom-Up Agenda Across Borders. *Tijdschrift voor economische en sociale geografie*, 108(2), 220-233.

<sup>1264</sup> Roccu & Voltolini, note 21, pp. 182-195.

European officials, the linkages between the different issues remained fractured, especially with regard to the current policy-making structure and direction.

Indeed, within the new structure of the EU Commission's different departments, the democracy promotion agenda was removed from the subdivision dealing with the Southern Mediterranean states, which further aggravated the linkage issue, by disconnecting the regional and global loci of democratisation<sup>1265</sup>. Overall, what is supposed to be a comprehensive policy and holistic approach can actually be considered as a "bolt-on to existing policy of EU enlargement"<sup>1266</sup>, instead of achieving the overall aim of harnessing the entire collection of mechanisms and commitments.

Henceforth, EU democracy development effectiveness will depend on the increased leverage and the determinacy of the conditions. The inherent equilibrium (or inertia) of the Southern Mediterranean states precludes the adoption of democratic principles if unaccompanied by strong conditional rewards. Moreover, the distinction between robust and weak conditionality will depend on the consistency of application and organisational relativity between the rewards and the fulfilment of conditions<sup>1267</sup>. Moreover, the determination of the conditions and the determination of the derived rules increase the possibility of adoption. The determination refers mainly to the lucidity and formality of the rule. The more obvious implications are "the more legalised and binding its status, the higher it is its determinacy"<sup>1268</sup>. With respect to determinacy, its importance can be observed in two important issues.

- 1) Its informational value is not negligible. It assists the Southern Mediterranean states to pinpoint exactly what is required in order to get rewards.
- 2) Determinacy increases the conditionality principle credibility. It gives the neighbouring countries a strong indication that manipulation of the rules

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<sup>1265</sup> Börzel, T. A., & Lebanidze, B. (2017). "The transformative power of Europe" beyond enlargement: the EU's performance in promoting democracy in its neighbourhood. *East European Politics*, 33(1), 17-35.

<sup>1266</sup> Ibid.

<sup>1267</sup> Papadimitriou, D., Baltag, D., & Surubaru, N. C. (2017). *Assessing the Performance of the European Union in Central and Eastern Europe and in its Neighbourhood*. Taylor & Francis

<sup>1268</sup> Del Sarto, note 68, pp. 215-232.

to their advantage, or evading adoption, is not an option. However, from another perspective, it binds the EU to its results. A well determined condition renders it very difficult to overlook fulfilment or to suppress the incentive.

Empirical research on the conditionality principle in Eastern Europe confirmed that “the strength of conditionality has had an impact on how quickly candidate countries adopted EU rules, whereas formality did not matter as long as the conditions were clear and clearly communicated”<sup>1269</sup>.

#### **4.5. The Response to The Arab Spring So Far**

Even before the Arab Spring, the Commission was aware of the brooding danger of chaos in the Southern Mediterranean neighbourhood, and it stressed the need “to be more active, and more present, in regional or multilateral-resolution mechanisms and in peace-monitoring or peace-keeping efforts”<sup>1270</sup>. The document stated that the EU should intervene in conflicts which take place in its perimeters. However, from the eruption of the Arab Spring in late 2010 to the present, including the protracted civil war in Syria, the lack of coherence between EU member states was an obstacle to EU interventionism. This is one of the outstanding features of the EU foreign policy towards the Mediterranean region: the gap between the initiatives and frameworks and the lack of their implementation, leaving the majority of policy substance to bilateral negotiation and relations between individual member states<sup>1271</sup>. Hence, the question is whether new communications reflect a new EU approach and a new thinking towards the relationship with the Southern Mediterranean states, and whether it will lead to a qualitative change in this relationship.

At a glance, the start of the new approach is not encouraging. The EU response has been hesitant and non-committal<sup>1272</sup>. As one contemporary document stated

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<sup>1269</sup> Giannakourou, G. (2005). Transforming spatial planning policy in Mediterranean countries: Europeanization and domestic change. *European Planning Studies*, 13(2), 319-331.

<sup>1270</sup> Commission of the European Communities. (2006a). Communication from the Commission to the Council and the European Parliament on Strengthening the European Neighbourhood Policy. Brussels.

<sup>1271</sup> Lavenex, S., & Schimmelfennig, F. (2006). Relations with the wider Europe. *JCMS: Journal of Common Market Studies*, 44, 137-154.

<sup>1272</sup> Fernandez-Molina, I. (2017). *EU and EU Member States' Responses to the Arab Spring*. Edinburgh University Press.

in 2011, “the EU response to the changes taking place in the region needs to be more focused, innovative and ambitious, addressing the needs of the people and the realities on the ground”<sup>1273</sup>. What is remarkable in this and the previous Communication of the European Commission (2011a) is that despite the fact that the press releases of the Commission referred to the revolutions using the terms “Arab Spring”, the term was not used in official documentation<sup>1274</sup>. Alternative terminology was used that was more politically acceptable to some member states, including “recent events”, “developments”, “momentous changes”<sup>1275</sup> or even “the dramatic events unfolding in the region”<sup>1276</sup>.

The Communications address the revolutions through the lens of political considerations, which seems less mainstream-orientated and more politically correct. From one perspective, the term “Arab Spring” was used to refer to the revolutions in MENA, even in the press releases, while on the other, the term was systematically avoided, along with the more general term “uprisings”. This may be attributable to a policy of wait-and-see with regard to the unpredictably progress of events in different MENA countries<sup>1277</sup>. Nevertheless, there is no doubt that the “Arab Spring” is connoted by all of the pseudonyms used in the Communications, and the avoidance of inflammatory language may be politically unbiased and less emotively burdened, while allowing the EU to deal with the issues *de facto*.

It seems the EU focus will develop to promote “deep democracy”. This term is the most curious idiom mentioned in these documents, as prior to the Arab Spring only the term “democracy” was cited. Currently, the discourse developed towards “deep democracy”. From a political perspective, it seems there is no substantive difference between “democracy” and “deep democracy”. The Communications are merely intended to put additional emphasis on democracy since the Arab Spring, hence it is labelled as “deep democracy”.

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<sup>1273</sup> European Commission. (2011). EU response to the Arab Spring: new package of support for North Africa and Middle East. Press release, IP/11/1083. Page 5.

<sup>1274</sup> Ibid.

<sup>1275</sup> Ibid.

<sup>1276</sup> Ibid, p 11.

<sup>1277</sup> Biscop, S., Balfour, R., & Emerson, M. (2012). An Arab Springboard for EU foreign policy? (Vol. 54): *Academia Press*.

The EU approach towards the MENA countries since the uprisings, according to the Communications, will change the focus towards the building of “deep democracy” through more inclusion of civil society. According to the Commission, this approach is legitimised because a “thriving civil society empowers citizens to express their concerns, contribute to policy-making, and hold governments to account”<sup>1278</sup>. Hence, the Commission posited the Neighbourhood Civil Society Facility, aiming to support political reforms and democratisation in MENA countries<sup>1279</sup>. The Civil Society Facility is intended to support the member states national civil society advocacy ability and capacity to monitor political reforms.

Furthermore, the documents announced the creation of the European Endowment for Democracy<sup>1280</sup>, a monetary tool to provide financial support to political parties and non-registered NGOs. Ultimately, the endowment can be a useful tool to support and maintain pluralism, human rights, and democratic reforms. Although it was created as an autonomous body, the endowment could be castigated as an anti-democratic body in the region if it used its financial influence to exclusively support anti-Islamic parties and CSO’s<sup>1281</sup>. Convergence with the European political system will be impossible in some MENA countries and will require a long path in some others, thus the EU should focus on universal rights, such as human rights, freedom of expression, freedom of assembly, and equality<sup>1282</sup>. It should endeavour to create open channels with popular representatives in order to support democratic practices. In other words, the possible grants to the political parties should be used, contrary to the previous practice, without the intermediary role of regimes, which do not represent the constituents who find expression in civil society organisations<sup>1283</sup>.

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<sup>1278</sup> Commission of the Communities, note 23, page 4

<sup>1279</sup> Boiten, V. J. (2015). The Semantics of ‘Civil’: The EU, Civil Society and the Building of Democracy in Tunisia. *European Foreign Affairs Review*, 20(3), 357-377.

<sup>1280</sup> Schumacher, & Bouris, note 26, p 18.

<sup>1281</sup> Torun, Z. (2012). The European Union and Change in the Middle East and North Africa: Is the EU Closing Its Theory-Practice Gap? *Middle Eastern Studies/Ortadogu Etütleri*, 4(1).

<sup>1282</sup> Dennison, S. and Dworkin, A (2011) *Europe and the Arab Revolutions: A New Vision for Democracy and Human Rights*, European Council on Foreign Relations, Policy Brief, ECFR/41 November 2011, p. 3.

<sup>1283</sup> Cofelice, A. (2016). Parliamentary Diplomacy and the Arab Spring: Evidence from the Parliamentary Assembly of the Mediterranean and the European Parliament. *Mediterranean Quarterly*, 27(4), 100-118.

The EU, based on previous examples in Eastern Europe, has expertise in facilitating and consolidating democracy, through increasing the interaction between parties. Accordingly, instead of setting the bars of democracy, the EU should adapt itself to “the locally produced understandings of democracy”<sup>1284</sup>. This would represent a significant move from the EU’s traditional stance and non-partisanship, which was related to the political dynamics in member states.

Moreover, with the socio-economic development approach of “more for more” the EU has opted for incentives to typify a new form of engagement. The three M’s (more money, more market access, and more mobility) does not represent a significant departure from previous EU policies, which over the last decade have progressively opted for the finding paths of cooperation. The main difference, at least on paper, is that stronger political conditionality is applicable for increasing the incentives. In reality, as stated above, even though the ENP did not stipulate the elements of conditionality and differentiation, the EU will apply the principles by offering more integration and financial support to member states making greater progress (in accordance with the bilaterally agreed benchmarks). The rosy prospects of this reconfiguration of EU engagement was challenged after the Egyptian military coup d’état, which reinstated the status quo of military dictatorship and on-going EU support for autocratic regimes that systematically abuse human rights. The Communications speak of “mutual accountability” when it comes to incentives and should be “increasingly policy-driven and provide for increased differentiation”<sup>1285</sup>.

Furthermore, the new “more for more” approach (and its less pronounced consequence “less for less”) may become the cornerstone to support democratisation in the region. The application of conditionality has not previously been applied rigorously to support the rule of law, human rights, and democratisation, being check-mated by EU security, immigration, and counter-terrorism interests. Hence, “deep democracy” is a kind of recognition of EU shortcomings in this field. This principle covers free and fair elections, the rule of

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<sup>1284</sup> Santini, R (2012). “The Arab Spring and Europaralysis in the Levant and the Gulf”, *Swiss Political Science Review*, Vol. 18, No. 1, 2, p. 123.

<sup>1285</sup> European Commission. (2011). The EU's response to the 'Arab Spring'. Press release, MEMO/11/918.

law administered by an independent judiciary, freedom of association and media, and the control of armed forces. These became benchmarks by which the EU assesses the progress of the member states and indicates the level of support stipulated by “deep democracy”<sup>1286</sup>. In addition, the EU Council, as discussed above, re-calibrated the Action Plans “by focusing on a limited number of priorities with clear sequencing of actions, incorporating clearer objectives and more precise benchmarks”<sup>1287</sup>. Applying this approach involves independent civil society organisations in member states helping achieve results required in the fields of human rights and democracy<sup>1288</sup>. Effective use of methods to implement “more for more” encourage the required reforms and address the economic needs of the member states, rather than searching to prioritise the EU’s interests.

The “more for more” principle in the Southern Mediterranean was intended to create a “ring of friends”, but it was blurred and distorted through the conditionality approach, which may un-intentionally lead to an incoherent “buffer zone”<sup>1289</sup>. On one side, there are countries eager to be part of the EU policies, such as Tunisia and Morocco. On the other side there are other countries, like Libya and Algeria, which have traditionally been less enthusiastic about involvement with EU agendas<sup>1290</sup>. Countries less affected by the Arab Spring may view the EU role as either positive or negative. Consequently, the implementation of “more for more” may create a diverse and chimerical neighbourhood, instead of the ring of friends the EU wanted to achieve.

As for the new promise for more mobility with some Mediterranean countries, there is no doubt that the security-orientated approach to migration is expected to maintain its unconstructive sway in the region. The EU has already signed migration, mobility, and security dialogues with a couple of Mediterranean

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<sup>1286</sup> A New Response to a Changing Neighbourhood, note 23, pp 3-4.

<sup>1287</sup> Council of The European Union, (2011) 310 1st Council meeting, Foreign Affairs, Press Release, 11824/11 PRESSE 181 PR CO 42, Luxembourg, 20 June 2011, p. 10. <http://www.consilium.europa.eu/press/press-releases=122937>.

<sup>1288</sup> Hurt, S. R. (2017). Civil society and European Union development policy. In *New pathways in international development* (pp. 119-132). Routledge.

<sup>1289</sup> Ferrer-Gallardo, X., & Kramsch, O. T. (2016). Revisiting Al-Idrissi: The EU and the (Euro) Mediterranean Archipelago Frontier. *Tijdschrift voor economische en sociale geografie*, 107(2), 162-176.

<sup>1290</sup> Trauner, F. (2014). The EU’s readmission policy in the neighbourhood: a comparative view on the Southern Mediterranean and Eastern Europe. In *The EU, Migration and the Politics of Administrative Detention* (pp. 39-57). Routledge.

countries (Tunisia and Morocco<sup>1291</sup>). The negotiations concluded a final agreement in migration management, which includes readmission agreements.<sup>1292</sup> Many observers are not enthused, especially given the surge of right-wing populism across Europe, and the historic UK referendum decision to leave the EU<sup>1293</sup>. The EU may have taken into consideration this factor and the immigration worries in other member states in concluding such agreement.

The mobility agreement was subject to further conditions, including increased border control and the readmission of alien immigrants by member states<sup>1294</sup>. Some scholars, such as Tocci and Cassarino, proposed an alternative system to this security-orientated approach, which indicated mutual benefits for both parties that combine development and immigration by establishing “effective legal and institutional mechanisms to foster the (temporary or permanent) reintegration of labour migrants in countries of origin”<sup>1295</sup>. Moreover, the most important obstacle in such a scheme is the fact that the mobility agreement is mere political declarations by the Commission, which is not legally binding upon the European member states. Thus, the participation of member states in such a scheme will vary, which may create further pressure on the EU collective visas scheme<sup>1296</sup>. The effectiveness of the previous mobility scheme with Georgia and Moldova is still subject to verification<sup>1297</sup>. Under these circumstances, the EU’s ability to apply its objectives on the grounds of mutual accountability is undermined.

Today, many years after the beginning of the Arab Spring in 2010 and the EU Communications, many observers have characterised the EU “actor and

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<sup>1291</sup> Council of the European Union, Council Conclusions on the EU Response to the Developments in the Southern Mediterranean, 3130th Foreign Affairs Council Meeting, p. 3.

<sup>1292</sup> European Commission, Communication from the Commission to the European Parliament and the Council, Taking Stock of the European Neighbourhood Policy, COM (2010) 207, Brussels, 12 May 2010, p. 5.

<sup>1293</sup> Hix, S. (2018). Brexit: Where is the EU–UK Relationship Heading? *JCMS: Journal of Common Market Studies*, pp. 12-28.

<sup>1294</sup> Seeberg, P. (2017). Mobility Partnerships and Security Sub-complexes in the Mediterranean: The Strategic Role of Migration and the European Union’s Foreign and Security Policies Towards the MENA Region. *European Foreign Affairs Review*, 22(1), 91-110.

<sup>1295</sup> Tocci, N, and Cassarino, JP (2011) “Rethinking Euro-Med Policies in *the Light of the Arab Spring*”, *open Democracy*, 25 March 2011, <http://www.opendemocracy.net/print/58677>. Accessed 10/2/2016.

<sup>1296</sup> Finotelli, C. (2017). twenty-five years of immigration control on the waterfront. The *Routledge Handbook of Justice and Home Affairs Research*.

<sup>1297</sup> Poli, S., & Cinelli, C. (2017). Mobility and legal migration in the context of the European Neighbourhood Policy: what role for the European Union? *Revista de Derecho Comunitario Europeo*, (58).

spectator” response as confused and incoherent, “resorting to both activism and passivism in a seemingly erratic fashion”<sup>1298</sup>. In order to understand this dual-approach more accurately, we should explain the EU antiquated foreign policy in the MENA region in recent years. Basically, we should identify some dichotomies which contributed to this situation, in which the EU became torn between being an important political player in the region and a mere spectator in fast-developing political events beyond its ability to control and shape. The dichotomies consist of innovative versus original concepts, and partner “advanced status” versus ordinary member state, as explained in the following subsections.

#### **4.5.1. Innovative Vs Original Concepts**

Following the Arab Spring, the European Council and the Foreign Affairs Council, followed by European member states, expressed their unequivocal support for the MENA populations in their “uprisings” to achieve long-overdue political reforms, and expressed their full support throughout the transition processes<sup>1299</sup>. Consequently, the European Commission and the High Representative of the Union for Foreign Affairs and Security Policy presented multiple communications in response to the Arab Spring manifestations in the region. As discussed previously, the EU analysis maintained that socioeconomic grievances were a major trigger of the upheavals. Subsequent policy documents thus continued to focus on economic development. This was mainly through targeting rural and urban improvement, enhancing educational and health system capabilities, and ostensibly promoting democratic and human rights progress through people-to-people contact. The documents did not forget to emphasise additional areas necessary to enhance democratic systems, such as judicial and constitutional reforms and anti-corruption efforts, in addition to supporting fundamental freedoms and universal human rights.<sup>1300</sup>

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<sup>1298</sup> Schumacher, note 157, pp. 107-119.

<sup>1299</sup> European Council, “Background document, European Council Conclusions” and Council of the European Union, Extraordinary European Council, Conclusions. In Schumacher, T. (2011). The EU and the Arab Spring: between spectatorship and actorness. *Insight Turkey*, 13(3), 107-119.

<sup>1300</sup> Strazdina, L. (2016). The Reviews of the ENP: Much Ado about Nothing? Path Dependency in the European Neighbourhood Policy (Doctoral dissertation, College of Europe).

The fundamental principle “more for more” posits that more reforms undertaken by MENA countries equate to more financial and political support from the EU. Meanwhile, the documents unambiguously stated that “support will be reallocated or refocused for those who stall or retrench on agreed reform plans”<sup>1301</sup>. The converse of the idiom, “less for less”, is a departure from historical EU practice, which did not apply negative conditionality<sup>1302</sup>. This signals the EU’s categorical fortitude, to no longer disregard partner states’ breaches of democratic standards. The “more for more” principle has already been embedded as an important factor in the Action Plans. Actually, whether the terms “more for more”, “positive conditionality”, “differentiations”, or “incentives” are used, they all have the same connotation, which implies the weakness and deficiency of the historical approach.

The EU approach is premised on the belief that MENA countries fervently wish to pursue the goals crafted by an external force, which is vaguely defined, and the incentives are far greater than the prospect of negative conditionality. For example, Tunisia is always presented as a willing partner within ENP projects, as it wants “to give a new dimension to every aspect of the Association Agreement through the deepening of their political, economic, social, cultural and scientific ties and cooperation on security and environmental questions”<sup>1303</sup>. We have to keep in mind that this statement represents the EU point of view, and therewith how they see Tunisia, and indeed the majority of the MENA area. However, the history of the ENP challenges this.

The majority of the authoritarian regimes that populate the region have never been enticed by the incentives to the degree that they adopted major, fundamental reforms to loosen their tyrannical hold over their populations<sup>1304</sup>. Indeed, in so far as any governmental reforms have been induced by EU policies, they have served to “upgrade authoritarianism”<sup>1305</sup>. Hence, in response to

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<sup>1301</sup> A Partnership for Democracy and Shared Prosperity, note 22, p.5.

<sup>1302</sup> Gstöhl, S. (2016). Theoretical Approaches to the European Neighbourhood Policy. In *Theorizing the European Neighbourhood Policy* (pp. 27-46). Routledge.

<sup>1303</sup> European Commission. (2004b). EU/Tunisia Action Plan. Accessed On 30<sup>th</sup> July 2018 at: [http://ec.europa.eu/world/enp/pdf/action\\_plans/tunisia\\_enp\\_ap\\_final\\_en.pdf](http://ec.europa.eu/world/enp/pdf/action_plans/tunisia_enp_ap_final_en.pdf). Page 4.

<sup>1304</sup> Börzel, T. A., & Hüllen, V. V. (2011). *Good governance and bad neighbors? The limits of the transformative power of Europe.*, pp7-18. ssoar.info.

<sup>1305</sup> Ibid.

increased pressure to adopt human rights and democratic principles since the Arab Spring, and the obligations stipulated by the Action Plans, Arab regimes have employed simultaneously a mixture of inclusion and exclusion practices<sup>1306</sup>. This tactic gives them the opportunity to camouflage their authoritarian practices under a broad range of quasi-democratic concealments and semi-market economy reforms. Failing that, these regimes may take “apparent inclusionary steps” outside the political field, as a domain exclusively of the ruling sub-groups<sup>1307</sup>.

The EU policies calibrated to break this pattern and contribute positively towards real democratic reforms were systematically circumvented. The MENA regimes are unlikely to depart from this approach, which has served them well, due to their own interests and the EU’s inability to enforce its Action Plans by influential punitive mechanisms, given the usual disagreement among member states concerning applying negative enforcement mechanisms<sup>1308</sup>, as well as other political considerations which may help protect them from such mechanisms<sup>1309</sup>. Consequently, over the years, the EU has largely failed to sanction non-compliance with the Action Plans by setting aside the “conditionality principle”, one of the basic principles of the EMP, and focused instead on the cooperation-based project within the framework of the Union for the Mediterranean (UfM)<sup>1310</sup>.

The Arab Spring demonstrated the important role that civil society can play in developing awareness of democratic issues. This is particularly clear in Tunisia and Egypt, where trade unions played important roles in organising street protests<sup>1311</sup>. As a tribute to their engagement in supporting the calls for democratic reforms, the EU proposed the creation of the Civil Society

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<sup>1306</sup> Schumacher, T. (2015). Uncertainty at the EU's borders: narratives of EU external relations in the revised European Neighbourhood Policy towards the Southern borderlands. *European security*, 24(3), 381-401.

<sup>1307</sup> Cianciara, A. K. (2017). Stability, Security, Democracy: Explaining Shifts In The Narrative Of the European Neighbourhood Policy. *Journal of European Integration*, 39(1), 49-62.

<sup>1308</sup> Gstöhl, note 396, pp. 68-88.

<sup>1309</sup> Ibid.

<sup>1310</sup> Emerson, M. (2008). 'Making sense of Sarkozy's Union for the Mediterranean', Centre for European Policy *Studies policy brief* 155 (2008).

Delgado, M. (2011). 'France and the Union for the Mediterranean: Individualism Versus Cooperation', *Mediterranean Politics* 16: 1, pp. 39–57

<sup>1311</sup> Meijer, R. (2016). The Workers' Movement and the Arab Uprisings. *International Review of Social History*, 61(3), 487-503.

Neighbourhood Facility to promote political participation, and advocate for human rights and political progress<sup>1312</sup>. This new entity may continue to support the influential role played by civil society actors in the Arab Spring countries, by shaping the new laws and policies in accordance with the best practices in the fields of human rights and democracy. However, the new EU scheme may have failed to take into consideration the principles of non-interference in internal affairs stipulated by EMP<sup>1313</sup>. For example, in Tunisia, it was a criminal offence to accept financial support from an external entity to develop any political agenda<sup>1314</sup>. Similarly, in Egypt, Parliament rejected all interference in domestic affairs in response to a resolution from the EU Parliament following the death of Giulio Regini, an Italian student believed to have been tortured and executed in Egypt<sup>1315</sup>.

Moreover, despite its shortfalls, the EU remains a strong believer in the ability of the EMP and ENP to deliver the required results, as well as its strong theoretical foundation. This is reflected by its over-reliance on neoliberal capitalism<sup>1316</sup>, believing that privatisation and market liberalisation are panaceas that will create economic growth and subsequently democratic freedom. The EU has refused to acknowledge that the economic grievances in the Arab Spring were directly attributable to the neoliberal paradigm being hoisted on the MENA region by the IMF, the World Bank, and the EU, in addition to the general pressures of global economic trends (e.g. the inflation of food prices during the 2000s). Ahead of political and human rights issues, fundamentally economic problems in the upheavals, such as fair wealth distribution, social justice, economic, and social concerns were of limited concern in the EU approach<sup>1317</sup>. However, the assessment of the new documents reveals that the EU has failed yet again to

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<sup>1312</sup> Wesselink, E., & Boschma, note 1231, pp. 4-20.

<sup>1313</sup> Gsthöhl, note 396, (pp. 68-88).

<sup>1314</sup> GREEN, P., & Ward, T. (2015). Civil society and state crime: Repression, resistance and transition in Burma and Tunisia. In *State Crime: Critical Concepts in Criminology*. Routledge.

<sup>1315</sup> Wahab, N. (2017). Online ideas to offline action: The role of civil society in the Egyptian uprising. In *Reconstructing the Middle East* (pp. 131-144). Routledge.

<sup>1316</sup> O'Dwyer, M. (2016). The Eurozone Crisis and the Transformation of EU Governance: Internal and External Implications, edited by MJ Rodrigues and E. Xiarchogiannopoulou (Farnham: Ashgate, 2014, ISBN 9781472433107). *JCMS: Journal of Common Market Studies*, 54(1), 203-212.

<sup>1317</sup> Robbins, M., & Jamal, A. (2016). The State of Social Justice in The Arab World the Arab Uprisings of 2011 and Beyond. *Contemporary Readings in Law & Social Justice*, 8(1).

take these issues into account, as the new approach still lacks any forward engagement regarding these issues. It does not address the social and economic difficulties that plague the MENA area.

#### **4.5.2. New Advanced Status Vs Ordinary Member State**

The Advanced Status was branded as “a fundamental step towards change in the EU’s relationship with those partners that commit themselves to specific, measurable reforms... towards higher standards of human rights and governance”<sup>1318</sup>. Accordingly, an Advanced Status will be achieved and measured through a set of benchmarks, which can be fascinating for two reasons:

- ❖ The document stipulated only “human rights, democracy and governance”, which simultaneously followed by “benchmark” is significant.

ENP Action Plans in other areas, such as economic reforms, have been subject to benchmarks within the previous framework, with no further prerequisite for advanced status. This impression may have been further corroborated by the stipulation that a “commitment to adequately monitored, free and fair elections should be the entry qualification”<sup>1319</sup>. However, based on this interpretation of the Communication, it can be said that the hazy and relatively ambiguous reference to “commitment” would “enable almost all electoral dictatorships in the Arab Mediterranean to qualify as participants...”<sup>1320</sup>. Incomprehensibly, the next part of the document refers again to the ENP “Action Plans” as the main benchmarks for “Advanced Status”. This reveals that the Commission itself is not fully certain about the relationship between the new mechanisms and the old Action Plans, and (crucially) which assessment criteria the EU should apply. Unquestionably, this confusion reflects the overall EU’s discrepancy between the different elements of the MENA area policies, which subsequently creates some uncertainty among partner states.

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<sup>1318</sup> *A Partnership for Democracy and Shared Prosperity*, note 22, p. 5.

<sup>1319</sup> *Ibid.*

<sup>1320</sup> Schumacher , note 157, p 5.

- ❖ In assessing Advanced Status, the new documents maintain the conceptual defect, pursuing the same ENP practice, and confusing “benchmark” with “policy goals”<sup>1321</sup>

The former principle requires “clear and predefined indicators” serving as: “quantitative and/or qualitative measurement criteria. It must be based on detailed and transparent timetables and on ex-ante decisions with regards to measurement and data collection methods, as well as on a firm commitment by all actors involved”<sup>1322</sup>.

Similar to the ENP, the new document does not respect any of these requirements. Meanwhile, the policy goals such as “development of human rights” or “free and fair elections” are phoney benchmarks<sup>1323</sup>. The deficient EU commitment to enforce human rights and democratic principles is manifest in its own confusion. In the assessment of the benchmarks, political considerations (i.e. realpolitik) will undoubtedly prove to be more instrumental than strict benchmarks (i.e. an ideological commitment to democratisation and human rights etc.). Moreover, the Communications stated that member states which carry out the appropriate reforms specified by the ENP Action Plans and Association Agreements may expect to achieve “advanced status”<sup>1324</sup>. Although the documents refer to the “appropriate or necessary reforms”, their nature remains ambiguous, which corroborates the vague nature of the policy goals. The Commission has yet again failed to actually determine and define the meaning of “Advanced Status”. The document simply stated that the “Advanced Status” will permit partner states to strengthen their political status and boost their relationship with the EU<sup>1325</sup>. The explanation, in comparison with the previous scheme of “everything but institutions”, is rather timid, and lacks any real clarification on practical implications and boundaries.

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<sup>1321</sup> Del Sarto, R and Schumacher, T. (2011). “From Brussels with love: leverage, benchmarking, and the Action Plans with Jordan and Tunisia in the EU’s democratization policy”, *Democratization*, Vol. 18, No. 4 (2011), pp. 932-955.

<sup>1322</sup> Ibid, p 943.

<sup>1323</sup> Ibid, p 944.

<sup>1324</sup> Huber, D. (2015). The EU’s Approach to Democracy Promotion and Its Ups and Downs in the Mediterranean Region. In *Democracy Promotion and Foreign Policy* (pp. 101-120). Palgrave Macmillan, London.

<sup>1325</sup> Ibid, p 108.

From the EU policy perspective, “Advanced Status” is posited as the ultimate incentive for MENA countries to completely fulfil the requirements of the Action Plans or Association Agreements. This does not hold water when it comes to the political relationship between the EU and the “Advanced Status” members, such as Jordan or Morocco. Both did not fully fulfil their obligations under the ENP “Action Plans”; in fact, both countries have abysmal human rights and civil liberties records<sup>1326</sup>. For instance, arbitrary arrest and torture of civil activists remain daily occurrences, human rights abuse by security forces are overlooked, freedom of expression is very restricted, and *lèse-majesté* can result in lengthy prison sentences<sup>1327</sup>. In this surreal scenario, the symbolic “Advanced Status”, which should reflect excellent progress on human rights and the rule of law, was awarded to authoritarian regimes. The ousted Tunisian government, now universally detested as the original cause of the Arab Spring and the apogee of the corrupt *ancien régime*, was had “Privileged Status” with the EU<sup>1328</sup>. Clearly only political considerations and double standards can prevent other authoritarian regimes from joining this exclusive club, regardless of deplorable human rights, rule of law, and civil liberties records.

Such proclamations run against the principles of differentiation enshrined since the establishment of the EMP, and it is detrimental to reduce the distinction between associated majority partners and advanced partners to mere symbolism. The naïve application of this concept may render it an absolute right rather than an objective reward, whereby states have to undertake substantial changes. Consequently, this approach may further jeopardise the EU’s already inadequate leverage, which subsequently may endanger the overall objectives of the scheme, namely political progress, human rights development, and civil liberties protection.

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<sup>1326</sup> Rivetti, & Di Peri, note 1076, p 12.

<sup>1327</sup> Yom, S. (2017). Jordan and Morocco: The Palace Gambit. *Journal of Democracy*, 28(2), 132-146.

<sup>1328</sup> Anbarani, A. (2013). Typology of Political Regimes in North Africa before Arab Spring Case Study of Egypt, Tunisia and Libya. *International Journal of Asian Social Science*, 3(5), 1089-1096.

#### **4.6. Further Challenges to Mediterranean Area Democracy Promotion**

This section critically examines the challenges to the notion of democracy promotion in the EU relationship with the Southern Mediterranean states through conditionality, as well as the other political and legal constraints. Overall, it seems that the EU approach is not effective enough, due to the incoherence and the multiplicities of its objectives, and the tension between values and interests. The EU was trying to replicate its reforming success under the enlargement procedures, yet there is a fair consensus that the EU has failed in this regard<sup>1329</sup>. One of the main reasons is that the EU replication of its approach is missing the key ingredient, which is the prospect (however distant) of EU membership, which induced major and sweeping reforms in the Turkish legal system for instance.

Taking into account the financial constraints of the EU since 2008, positive conditionality is no longer sufficient to alter the status quo. In addition to these suggested reasons for the EU “failure” to promote democracy in the region, this section suggests two other reasons which further reduced the effectiveness of the EU approach: there may be conflicts between normative power and democracy<sup>1330</sup>, and between conditionality and democracy<sup>1331</sup>. In addition, the EU approach seems to have removed the religion of Islam and “Islamists” from its way of thinking when attempting to introduce Western norms into Arab-Islamic societies. The tension between the EU and some receptive Islamic political organisations could be better managed.

##### **4.6.1. EU Democracy Discourse: The Source for an Inherent Critique**

The objective in this section is to establish that there are contradictory internal normative principles in the EU approach to Mediterranean Neighbours democratisation. Consequently, it is imperative to discuss the evolution of the democracy concept in EU Communications.

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<sup>1329</sup> Schimmelfennig, F. (2017). Beyond enlargement: Conceptualizing the study of the European Neighbourhood Policy. In *The Routledge Handbook on the European Neighbourhood Policy* (pp. 17-27). Routledge.

<sup>1330</sup> Habermas, J. (2015). *Between facts and norms: Contributions to a discourse theory of law and democracy*. John Wiley & Sons.

<sup>1331</sup> Molenaers, N., Dellepiane, S., & Faust, J. (2015). Political conditionality and foreign aid. *World Development*, 75, 2-12.

The notion of democracy is bundled into a cluster of normative principles from the beginning, rendering it sometimes inseparable from the diversified goals analytically. The EU sees the governance of EU-Southern Mediterranean relations as highly variable, with no singular institutional model. Hence, it affirmed its approach which included: “respect for human rights and fundamental freedoms... support for democratisation process... respect for the rule of law... access to for all to an independent justice system... and a government that governs transparently and is accountable to the relevant institutions and to the electorate”<sup>1332</sup>.

The convergence of these concepts is generally typical throughout EU documentation. For example, the Barcelona Declaration stated that “the parties agreed to develop the rule of law and democracy in their political systems”<sup>1333</sup>. Meanwhile, the ENP financial instrument stated that: “the Union offers European neighbourhood countries privileged relationship, building upon a mutual commitment to, and promotion of, the values of democracy and human rights, the rule of law, good governance and the principles of a market economy and sustainable and inclusive development”<sup>1334</sup>.

Moreover, the Commission Country Strategy Papers now include an assessment of the normative principles as an integral element in the EU’s assistance strategy. This clustering of “democracy governance” indicates that the EU approach seems to promote a general, homogenised “liberal democracy”<sup>1335</sup>. This is not by any means a suggestion that the EU has developed a uniform opinion of what democracy is. Indeed, the EU is not forthcoming in providing a definition of democracy. Kurki stipulated that “one aspect of EU democracy promotion that is unusual, is that the EU has not actively defined democracy”<sup>1336</sup>.

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<sup>1332</sup> Whitman, R. G., & Juncos, A. E. (2012). The Arab Spring, the Eurozone crisis and the neighbourhood: A region in flux. *JCMS: Journal of Common Market Studies*, 50, 147-161.

<sup>1333</sup> EMP declaration, note 657.

<sup>1334</sup> Regulation (EU) No 232/2014 Of The European Parliament And Of The Council of 11 March 2014 establishing a European Neighborhood Instrument. at: [https://eeas.europa.eu/sites/eeas/files/european\\_neighbourhood\\_instrument\\_en.pdf](https://eeas.europa.eu/sites/eeas/files/european_neighbourhood_instrument_en.pdf). [Accessed on the 20<sup>th</sup> July 2018].

<sup>1335</sup> Verbeek, J. (2016). The Liberal Democracy and Human Rights (Master's thesis).

<sup>1336</sup> Kurki, M. (2015). “Political Economy Perspective: Fuzzy Liberalism and EU Democracy Promotion.” In: Wetzels, A., and J. Orbie. 2015. *The Substance of EU Democracy Promotion*. Houndmills: Palgrave Macmillan. page 35-36.

The lack of a comprehensive approach to democracy reflects the reality of different interpretations of democracy, including within the EU. Some scholars have noted that political changes in Eastern Europe, including Hungary and Poland, point toward political systems characterised by “non-liberal democracy”. This idiosyncrasy in the EU is manifest in two sectors of democracy promotion: “the support for the democracy partial regimes” and “the support for the external conditions” supposed to enhance the stabilisation of governments. Promotion of the latter “does not necessarily further democratisation”<sup>1337</sup>. Additional indications suggesting that the EU is promoting liberal democracy can be observed in the progress reports dealing with liberal political rights and institutional development. For instance, following the democratic Tunisian elections in 2014, the Strategy Paper reiterated concerns regarding freedom of expression, media, and assembly<sup>1338</sup>.

Technically speaking, these are ancillary rights relevant to the democratic environment, but they are not strictly democratically apparatuses in themselves. In terms of democracy policy, the EU generally concentrates on electoral observations and assistance, in which they represent the essential components of EU initiatives on democracy promotion. These mechanisms are adjoined with the reinforcement of civil society, enhancing confidence in the electoral process, and the corroboration of regional frameworks for democracy promotion<sup>1339</sup>. Overall, EU policy documents tend to engage with how to develop democracy and the instruments at its disposal, rather than specifically stipulating what democratisation intends to achieve<sup>1340</sup>. The EU comprehensive approach lacks the main ingredient of “a comprehensive, coherent, and consistent definition of democracy”<sup>1341</sup>.

Furthermore, following the Arab Spring uprisings, the EU reformulated its notion of democracy promotion through the revision of the ENP in 2011. The

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<sup>1337</sup>Wetzel, A. and Orbie, J. (2015). *The Substance of EU Democracy Promotion*. Houndmills: Palgrave Macmillan., page 7.

<sup>1338</sup> Balfour, Fabbri & Youngs, note 963, p. 7.

<sup>1339</sup> Börzel & Lebanidze, note 2020, 17-35.

<sup>1340</sup> Mansouri, F., & Armillei, R. (2016). The democratic ‘transition’ in post-revolution Tunisia: conditions for successful ‘consolidation’ and future prospects. *Revolutions: global trends & regional issues*, 4(1), 156-181.

<sup>1341</sup> Ibid.

reassessment of the EU approach created the new notion of “deep and sustainable democracy”<sup>1342</sup>, and served as a foundation for subsequent ENP reviews of democracy<sup>1343</sup>. The notion of “deep and sustainable democracy” can be assumed to be based on the liberal principle of democracy, as most of its components (e.g. political rights, division of power, representative government, and freedom of association) are the basic ingredients of liberal democracy. However, we should not take this for granted, “since there is no definite conception of democracy used in EU democracy promotion it is important not to conduct too rigid and ideal-type...”<sup>1344</sup>.

The EU democracy concept is based mainly on the notion of “citizens’ political control”<sup>1345</sup>, over political institutions, the security apparatus, and the armed forces. Therefore, it appears that the EU is aware of what Casier called “the distinction between formal and substantive democracy” in its effort to promote democracy in Ukraine<sup>1346</sup>. The difference between the two aspects is very important, since the loss of democratic political control is in contradiction with the normative goals formulated by the EU.

Despite the “shared values” and “co-ownership” discourse, it is evident that democracy promotion is serving as a model of EU norms. Some parties even described the EU approach as neo-imperialism (the “new-colonisation method”<sup>1347</sup>, with the ENP is its “civilising mission”<sup>1348</sup>). According to this view, democracy idealism was being used as an excuse to pursue the political and financial interests of the EU and its member states over their former colonial possession in the MENA region, rather than creating a normative political arena. Hence, it used an idealist concept of democracy that does not exist even in many

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<sup>1342</sup> James, C. (2016). The European Union Development Policies Are Based on European Values, Democracy, Respect for the Rule of Law and Human Rights. In *Democracy and Rule of Law in the European Union* (pp. 109-126). TMC Asser Press, The Hague.

<sup>1343</sup> EC and HR. 2013a. “ENP: Working Towards a Stronger Partnership.” COM (2013)4. EC and HR. 2014a. “Implementation of the ENP in 2013, Regional Report: Eastern Partnership.” SWD (2014)99.

<sup>1344</sup> Mansouri & Armillei, note 1340, p. 282.

<sup>1345</sup> Ibid, p 289.

<sup>1346</sup> Casier, T. (2011). “The EU’s Two-Track Approach to Democracy Promotion: The Case of Ukraine.” *Democratization* 18 (4): 956-977.

<sup>1347</sup> Salvati, E. (2015). Political Representation in the European Union: Still Democratic in Times of Crisis? by Sandra Kröger (ed.). Abingdon: Routledge, 2014. 252pp. ISBN 978 0 4158 3514 5. *Political Studies Review*, 13(4), 613-614.

<sup>1348</sup> Theuns, note 37, pp. 287-302.

of its member states<sup>1349</sup> as the standard by which MENA regimes' democracy is measured. Moreover, although the EU claimed that the relationship with neighbours is based on joint and shared values, including their mutual commitment to democracy<sup>1350</sup>, there is uncertainty towards non-liberal European style democracy. This can be observed following the Southern Mediterranean regional report of 2013<sup>1351</sup>, which indirectly admitted that the demands for political reforms have impeded the effective implementation of the reforms required by the ENP. In the same context, Islamic political parties' success in democratic elections in Tunisia and Egypt (i.e. Ennahdha and the Muslim Brotherhood, respectively) created some debates within the EU as well as the civil society forums on the role of the political Islam in the post-Arab Spring regional context<sup>1352</sup>. It appears that any political development which does not correspond with the EU's ideal of neoliberal representative democracy falls short.

#### **4.6.2. EU democracy promotion in the Southern Mediterranean: A history of double standards**

EU democracy conditionality principle is applied on an ad-hoc basis, subject to the political bargaining power of the EU institutions, EU member states, and Southern Mediterranean partner states. This is clearly understood in analyses of EU operations, with some arguing that if conditionality was founded: "on rules that are clearly defined... and coherently applied by the Union as a whole, their compliance pull is said to be strong. Alternatively, if double standards became perceptible in the actor state-target-state relationship, conditions will fail to exert the same leverage"<sup>1353</sup>.

Under this rule, the application of democracy conditionality is subject to persistent criticisms, due to EU double standards. A discriminatory approach does not encourage the promotion of democratic principles. The EU's normative

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<sup>1349</sup> Puchalska, B. (2016). *Limits to democratic constitutionalism in Central and Eastern Europe*. Routledge.

<sup>1350</sup> Jones, note 851, pp. 41-58.

<sup>1351</sup> EC and HR. 2013b. "Implementation of the ENP in 2012 Regional Report: Partnership for Democracy and Shared Prosperity with the Southern Mediterranean." *SWD* (2013)86

<sup>1352</sup> Wolff, S. (2018). EU religious engagement in the Southern Mediterranean: Much ado about nothing? *Mediterranean Politics*, 23(1), 161-181.

<sup>1353</sup> Freyburg, Lavenex, Schimmelfennig, Skripka, & Wetzel, note 35, pp. 25-4.

conditionality appears to be “arbitrary and lacks transparency”<sup>1354</sup>. Some “partners” who are more strategically important, politically and economically, are dealt with in a softer manner than others. Egypt is a prime example of this discrepancy. Despite the massive interference of the armed forces in political processes and oppression, the ousting of the democratically elected president, and the subsequent bogus election, the EU response was muted, before congratulating the new dictator on his carefully orchestrated win, with 96.9% of the vote<sup>1355</sup>.

The EU statement prompted immediate and universal criticism from democracy development organisations, including Michele Dune of the Rafik Hariri Centre for the Middle East, who stated that the “EU should be embarrassed by the first sentence of its statement” by declaring that “the holding of the presidential elections marks an important step in the implementation of the constitutional roadmap towards the transition to democracy in Egypt”<sup>1356</sup>. Clearly the EU knew the absurdity of this declaration in relation to its purported identity as a champion of democracy, thus it clearly views its strategic interests in Egypt as being more important than democracy.

This is not to say that the EU is totally indifferent to democratisation. The ideal scenario would be democratically elected governments that conform in all respects with EU interests and objectives. In the absence of such an idyll, the democracy principle is just one of many different considerations that guide EU foreign policy towards the Mediterranean Basin and the world in general, and this simple observation may clarify the inconsistencies of EU democracy conditionality<sup>1357</sup>. Furthermore, EU foreign policy has an inherently complicated structure, with member states (particularly France, the UK, and Germany) continuing to play an essential and formative role in its agenda. Hence, it is not surprising that the degree of conditionality depends to a large degree on the

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<sup>1354</sup> Theuns, note 37, pp. 287-302.

<sup>1355</sup> Moran, J. (2018). Egypt after the presidential election. *CEPS Commentary*, 3 May 2018.

<sup>1356</sup> Dune, Michelle in <https://www.politico.eu/article/eu-congratulates-el-sisi/> accessed on 20<sup>th</sup> July 2018.

<sup>1357</sup> Naturski, M. (2016). Epistemic (un) certainty in times of crisis: The role of coherence as a social convention in the European Neighbourhood Policy after the Arab Spring. *European journal of international relations*, 22(3), 646-670.

status of neighbours' relationships with the EU's member states, as well as its own institutions.

The strongest member states' agendas related to EU foreign policy are French and UK interests in the Francophone and Commonwealth countries, respectively. France and the UK are nuclear powers and NATO signatories with massive military spending, as well as being Permanent United Nations Security Council (UNSC) members, which gives them disproportionate clout in the EU foreign policy context. Furthermore, their foreign policy interests are generally aligned (e.g. the regime change in Libya after 2011)<sup>1358</sup>. For example, during the Tunisian uprising, France was eager to muzzle any strong EU criticisms of the regime<sup>1359</sup>, hence double standards can be noticed not only in relations to different countries but also to a single one, as member states may seem to embrace a policy (e.g. democratisation) publicly, at the European level, while actively opposing it secretly, at the bilateral level<sup>1360</sup>.

The EU double standards in its application of conditionality are universally evident and are not confined to the MENA region. For instance, the EU is not willing to use negative conditionality with its near neighbours, based on its principle of socialisation<sup>1361</sup>, however such measures have been heavily applied when it comes to countries of less economic or political importance to EU member states. For example, citing democratic principles and human rights violations, the EU slapped heavy financial sanctions on Venezuela<sup>1362</sup>, while egregious human rights offenders in North Africa enjoyed increased financial and political support (e.g. Morocco and Jordan receive extensive EU aid)<sup>1363</sup>. These examples appear to confirm the conception of double standards. As Martin Holland indicated: "the

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<sup>1358</sup> Beauregard, P., Brice Bado, A., & Paquin, J. (2017). The boundaries of acceptability: France's positioning and rhetorical strategies during the Arab uprisings. *Mediterranean Politics*, 1-22.

<sup>1359</sup> Cavatorta, F. (2017). *Domestic and international dynamics before and after the Arab uprisings*, pp 47-68. Taylor & Francis

<sup>1360</sup> Ibid, p 53.

<sup>1361</sup> Diez, T., & Tocci, N. (2017). Conclusion: The EU, Regional Integration and Conflict Transformation. In *The EU, Promoting Regional Integration, and Conflict Resolution* (pp. 249-269). Palgrave Macmillan, Cham.

<sup>1362</sup> Council Regulations 2017/2063. Financial sanctions against Venezuela. Accessed on the 21th July at: <https://euroalert.net/oj/66817/council-regulation-eu-2017-2063-of-13-november-2017-concerning-restrictive-measures-in-view-of-the-situation-in-venezuela>.

<sup>1363</sup> Jonasson, A. K., & Mezagopian, M. (2017). The EU and Jordan: Aligning Discourse and Practice on Democracy Promotion? *European Foreign Affairs Review*, 22(4), 551-570.

link between development and democratic principles of good government has become the accepted and inevitable face of North-South relations; the degree to which this conditionality is supervised and sanctioned remains variable, almost idiosyncratic”<sup>1364</sup>.

This contradiction raises questions about the EU democratisation process in relation to foreign policy, and the underlying intentions and objectives of the Union. Numerous countries in MENA area rely on their political and economic power to circumvent the EU’s normative political agenda, and the European Parliament criticised the EU double standards, particularly in regard to democracy, stating that: “Regrettably, it seems easier to achieve agreement on sanctions against a poor and small country... than against a larger and stronger country, such as China or Turkey, where the scale of human rights or democratic violations may be as great or greater”<sup>1365</sup>.

Despite the EU’s rhetoric, its inconsistent approach is clearly visible, whether in the application of positive/ negative measures or within the notion of conditionality itself. For instance, Youngs argued that “the overall distribution of the EU trade and aid provisions did not to any significant extent correlate with democratic criteria”<sup>1366</sup>. Moreover, positive conditionality, the “carrot” to encourage the Southern Mediterranean states to adopt more liberal political changes, was “adopted on an ad hoc basis, and not pursued with any coherence or vigour”<sup>1367</sup>.

The double standards and incoherence are not noticeable in the reward-based approach, but as well in the negative measures, which intended to be used as the “sticks” due to the violations of the normative principles. As Youngs noted, “the EU may overlook persistent autocratic government’s abuses of democratic principles, while it reacts promptly to massive human rights violations... Democratic conditionality has not been systematic”<sup>1368</sup>. Perhaps the reason for

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<sup>1364</sup> Nugent, N. (2017). *The government and politics of the European Union*. Palgrave.

<sup>1365</sup> Berkowitz, P., Rubianes, Á. C., & Pieńkowski, J. (2017, April). *The European Union’s experiences with policy conditionalities*. In Background paper prepared for the seminar “Conditionalities for More Effective Public Investment”, OECD, Paris (Vol. 28).

<sup>1366</sup> Börzel, T. A., & Lebanidze, B. (2017). “The transformative power of Europe” beyond enlargement: the EU’s performance in promoting democracy in its neighbourhood. *East European Politics*, 33(1), 17-35.

<sup>1367</sup> Ibid.

<sup>1368</sup> Youngs, R. (2002). *The European Union and the promotion of democracy: Europe’s Mediterranean and Asian policies*. OUP Oxford.

such double standards towards normative principles is that human rights violations are simply easier to deal with, and they are more attention-grabbing among the press and subsequently European public opinion. Hence, in order to enhance its public image, the EU is eager to be perceived as an exemplary human rights crusader.

Some scholars suggested that the double standard is a permanent feature of the EU approach in its normative quest. Börzel and Lebanidze conducted a statistical analysis of the suspension of development cooperation based on democracy and human rights violations, finding that “the level of respect for human rights or regime type was not significant for the granting of EU development cooperation”<sup>1369</sup>, and that the EU was less likely “to impose sanctions on countries with which it has institutionalised cooperation”<sup>1370</sup>. Such statements confirm the desolate status of normative conditionality. In line with this conclusion, Börzel and Risse stated that post-colonial Mediterranean countries that were formerly colonised by France or the UK, or which are of particular strategic import to the EU, are less likely to be treated severely. Countries that are not part of either category are vulnerable to more stringency from the EU and consistent reprobation<sup>1371</sup>. The latter case is a small caveat in a conditionality approach rigged with double standards, which subsequently may hinder its effectiveness.

The conditionality principle of democracy promotion appears to be patchy, as the EU response to the violations of democratic principles is rarely characterised by any serious degree of consistency or credibility<sup>1372</sup>. Phrased sympathetically, the EU commitment to democratisation in the region is branded as a policy “with considerable variations in focus and intensity”<sup>1373</sup>.

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<sup>1369</sup> Börzel, T. A., & Risse, T. (2009). Venus approaching mars? The European Union’s approaches to democracy promotion in comparative perspective. In *Promoting Democracy and the Rule of Law* (pp. 34-60). Palgrave Macmillan, London.

<sup>1370</sup> Ibid.

<sup>1371</sup> Ibid.

<sup>1372</sup> Pospieszna, Pand Patrick M. Weber. (2017). “Carrots or Sticks: The Choice and Impact of EU Democratic Sanctions and Aid.”, pp 11-12. -v-dem.net.

<sup>1373</sup> Jubulis, M. A. (2018). *The EU’s Democracy Promotion and the Mediterranean Neighbours: Orientation, Ownership and Dialogue in Jordan and Turkey*. Taylor & Francis.

#### 4.6.3. Shooting in The Dark: Multiplicity and Contradictory Objectives

The pursuit of the EU's political agenda through its multiple policies in the Mediterranean region tended to be problematic from the outset. The EU endorses economic liberalisation through practical adjustments and incentives, including additional access to the European common market. Such policies are generally unpopular and onerous for the poor in Southern Mediterranean countries (e.g. reducing food subsidies), increasing the tendency toward political control and oppression. Simultaneously, the EU pursues political normative goals, including support for human rights, democracy, and the rule of law development, contrary to the *modus operandi* of the regimes tasked with implementing its economic agenda. The EU discourse purports to paint a picture of complementary objectives in the quest for "a zone of prosperity and friendly neighbourhood"<sup>1374</sup>, but in reality its overriding priority of "prosperity" (mainly for European interests) trumps all other concerns.

EU promotion of reforms in the Southern Mediterranean region was designed to stimulate simultaneous progress in different areas, but it studiously avoided direct agitation for basic democracy in terms of "one man, one vote"<sup>1375</sup>. Reinvigorating self-determination rights by enhancing the control of citizens over their democratically elected governments has taken a back seat, along with specific political and legal policies. The EU's relentless pursuit of more liberalisation and economic reforms is at odds with the democratic principles the EU is arguing it intends to develop. The nature of the economic regime should be based on citizens' preferences and not be dictated by external institutions based on their philosophical delineation. Otherwise, instead of developing democracy, the EU seems to entrench dictatorship.

Moreover, EU policy goals are erratic. Economic conditionality has mainly been applied to encourage normative reforms in Southern Mediterranean states, including democracy, the rule of law, and human rights. The financial incentives are theoretically instituted to support the EU efforts in promoting this normative

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<sup>1374</sup> European Commission and High Representative, Joint Consultation Paper Towards a new European Neighbourhood Policy Brussels, 4.3.2015 JOIN (2015) 6 final, p. 3.

<sup>1375</sup> George Howell (1880). "One man, one vote". Manchester Selected Pamphlets. JSTOR 60239578.

agenda<sup>1376</sup>. However, it appears that the economic reforms are an end in their own right, as evidenced in the 2011 review policy<sup>1377</sup>, and regional reports. Indeed, the normative democratic reforms were subsidiary to the economic reforms. For example, a Joint Communication in 2011 declared that “in the medium to long term, the common objective... is the establishment of a Deep and Comprehensive Free Trade Area”<sup>1378</sup>. Under this review, economic reform (i.e. liberalisation) appeared to be the main objective, and financial support was predicated on such reforms<sup>1379</sup>.

Taking into account the promotion of democracy as a normative goal, the concurrent objective of economic reforms seems to be in contradiction. The notion of democracy requires full authority by the democratic governments to choose whether or not to be committed into a particular economic model. The decision should be based on different and contrasting variables, including social justice, poverty, and competitiveness, yet the EU appears to be indifferent, as it maintains its own agenda regardless of any disapproval. It may be argued that the EU is fostering an attitude “differentiation and flexibility”<sup>1380</sup> in order to support economic and social development, as well as increasing the sense of co-ownership, as the decision is taken collectively.

Some may welcome the imposition of externally enforced reforms, despite this being in opposition to the concepts of democracy and self-determination<sup>1381</sup>, including the adjudication between contrasting issues. Others will undoubtedly oppose EU-enforced prognoses, given the enormous cost of the liberalisation process paid by many Southern Mediterranean countries (or rather, their peoples) in order to satisfy EU requirements<sup>1382</sup>. It should be noted that the EU has previously denied the enforcement of political and economic reforms without

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<sup>1376</sup> “A New Response to a Changing Neighbourhood”, note 23.

<sup>1377</sup> “A Partnership for Democracy and Shared Prosperity”, note 22.

<sup>1378</sup> Ibid.

<sup>1379</sup> Noutcheva, note 398, pp.19-36.

<sup>1380</sup> European Commission. (2017) Press release. Revised European Neighbourhood Policy: supporting stabilisation, resilience, security Brussels, 18 May 2017. Accessed on 21th July 2018. [http://europa.eu/rapid/press-release\\_IP-17-1334\\_en.htm](http://europa.eu/rapid/press-release_IP-17-1334_en.htm).

<sup>1381</sup> Jubulis, note 1373.

<sup>1382</sup> Zielonka, J. (2008). Europe as a global actor: empire by example?. *International affairs*, 84(3), 471-484.

the acceptance of neighbouring countries<sup>1383</sup>. However, even if we take this claim at face value, the EU is developing its own agenda in conjunction with authoritarian regimes, hence even though it may not be enforcing its agenda on the unelected governments, the result is enforcing it on the un-asked citizens.

In either case, the fact is that the reform objectives are undoubtedly European requirements, in contrast with the EU rhetoric of the co-ownership and mutual decision-making process. For instance, under the ENP review of 2015, “the new generation of Action Plans”<sup>1384</sup> included some essential requirements, such as “the improvement of investment climate and regulatory convergence with the EU acquis”<sup>1385</sup>. Hence, as part of the economic reforms, and in order to commit to the Action Plans, the Southern Mediterranean states were required to introduce further economic liberalisation into their domestic markets and to eliminate trade tariffs in the relations with the EU. However, such commitments were obtained in the absence of any democratic mandate. Considering this anomaly, it seems that the democratic principles are at odds with the economic ones. In this sense, the EU is shooting in the dark by developing conflicting objectives.

#### **4.6.4. Incentives Offered: Outweighing The Costs?**

Other than offering financial support to its Mediterranean partners, the EU also offered them the possibility to partially participate in the EU. This was with the proviso that they reformed their legislation to correspond with the EU, and developed “participation in a number of EU programmes and improved interconnection and physical links with the EU”<sup>1386</sup>, which the Commission previously called “everything but institutions”<sup>1387</sup>. The necessary reforms were mainly economic, and hardly any democratic reform was expected or implemented. Other than internal factors in Southern Mediterranean states, this

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<sup>1383</sup> Magrini, E., Montalbano, P., & Nenci, S. (2017). Are EU trade preferences really effective? An impact evaluation assessment of the Southern Mediterranean Countries' case. *International Review of Applied Economics*, 31(1), 126-144.

<sup>1384</sup> Van Elsuwege & Van der Loo, note 808, (pp. 97-116).

<sup>1385</sup> EC and HR. 2012b. “Partnership for Democracy and Shared Prosperity: Report on Activities in 2011 and Roadmap for Future Action.” SWD (2012)121. Page 11.

<sup>1386</sup> EC and HR. 2014b. “Implementation of the ENP in 2013, Regional Report: Partnership for Democracy and Shared Prosperity with the Southern Mediterranean Partners.” SWD (2014)100.

<sup>1387</sup> Schimmelfennig, F. (2017). Beyond enlargement: Conceptualizing the study of the European Neighbourhood Policy. In *The Routledge Handbook on the European Neighbourhood Policy* (pp. 17-27). Routledge.



most progress in political reforms<sup>1393</sup>. The EU intended to create competition between the Southern Mediterranean neighbours in order to enhance and speedup the reforms, in a similar fashion to the EU approach in the Eastern and Central European enlargement<sup>1394</sup>. However, little of this notion enduring by the end of the planning and the beginning of the implementation phase. The lack of a specific relationship between the nature of the reward attributed and the kind of reforms required created some ambiguity. The EU justification for this anomaly is to maintain some discretion and flexibility<sup>1395</sup>. Nevertheless, it reflected widespread agitation about the notion of conditionality. Hence, many Southern European countries, particularly France, opposed the use of political reforms as criteria to determine aid allocation<sup>1396</sup>.

The ENP reviews enhanced the financial size of the rewards, which could improve the impact of positive conditionality. Under the new plan “the governance facility” would create additional funds in response to reforms<sup>1397</sup>. However, the newly allocated funds are unlikely to be dispersed in relation to genuine democratic reforms, but rather to politically expedient recipients undertaking “anodyne governance reforms”<sup>1398</sup>. Certainly, the change of the plan name from “democracy facility” into “governance facility” adds support to this rationale.

Instead of presenting profound engagement as an incentive for reforms, the EU’s attitude seems to be based on the “philosophy of front-loaded aid”<sup>1399</sup>, cooperation, and diplomatic relations. It subsequently relies on the engagement process to persuade Southern Mediterranean regimes to commit to reforms. The dissimilarity between the EU and USA approaches was observable following the

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<sup>1393</sup> Dandashly, A. (2018). EU democracy promotion and the dominance of the security–stability nexus. *Mediterranean Politics*, 23(1), 62-82.

<sup>1394</sup> Börzel, T. A., & Schimmelfennig, F. (2017). Coming together or drifting apart? The EU’s political integration capacity in Eastern Europe. *Journal of European Public Policy*, 24(2), 278-296.

<sup>1395</sup> Bicchi, F. (2018). The European Cooperation in the Southern Mediterranean: The Multilateralization of Bilateral Relations?. *The Hague Journal of Diplomacy*, 13(1), 117-135.

<sup>1396</sup> Krüger, L. T., & Stahl, B. (2018). The French foreign policy U-turn in the Arab Spring—the case of Tunisia. *Mediterranean Politics*, 23(2), 197-222.

<sup>1397</sup> Simão, L. (2018). The European Neighbourhood Policy and the Expansion of the European Security Community. In *The EU’s Neighbourhood Policy towards the South Caucasus* (pp. 51-93). Palgrave Macmillan, Cham.

<sup>1398</sup> *Ibid*, p 338.

<sup>1399</sup> Fiedschuster, M. (2018). EU Democracy Assistance: Continuity and Conceptual Changes. In *Globalization, EU Democracy Assistance and the World Social Forum* (pp. 39-80). Palgrave Macmillan, Cham.

2008 Kefaya “disturbances” in Egypt<sup>1400</sup>. Following the crackdown on protesters and the imprisonment of political activists, the USA halted negotiations on free trade with the regime, while the EU increased its negotiation of Action Plan cooperation<sup>1401</sup>.

The main remaining challenge to EU policy is that the financial incentives presented are way too small to amend the stance of Southern Mediterranean regimes on democracy. The lion’s share of ENP aid goes to the European continent, and Sub-Saharan Africa receives more than the Southern Mediterranean “neighbours”<sup>1402</sup>. The majority of EU Northern members prefer to allocate aid to poor and least-developed countries rather than rather than middle-income Mediterranean countries, ignoring the fact that not all Southern Mediterranean countries are oil exporters, and poverty still exists in this region<sup>1403</sup>. The EU has little to offer other than cash; the two ultimate incentives of EU membership and free movement are impossible for MENA countries, although the 2015 ENP review introduced some changes to simplify the Schengen Visa process for many countries, including Tunisia, Jordan, and Morocco<sup>1404</sup>.

It seems that the EU has oversold the incentives at its disposal to convince Southern Mediterranean states to adopt democratic principles. Even the more modest goal of EU Common Market access is impossible for the Southern Neighbours, especially in sections where they are on competitive terms with EU member states. In retrospect, many informed EU officials recognised that it might have been an error basing the EU approach on “the notion of offering a scale-down version of enlargement”<sup>1405</sup>. From the outset the EU raised false expectations in the Southern Mediterranean through its self-orientated approach.

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<sup>1400</sup> Bouchet, N. (2016). Long Game, Hard Choices: The Obama Administration and Democracy in Egypt. *E-International Relations*, 6.

<sup>1401</sup> Bremberg, note 1011, pp. 423-441.

<sup>1402</sup> Dunay, P., Ekeke, A., Ghazaryan, N., Gunn, J., Huszka, B., Killander, M., ... & Halász, P. (2016). The role of human rights in the EU’s external action in the Eastern Partnership, the Southern Neighbourhood and in Sub-Saharan Africa. *FRAME*.

<sup>1403</sup> Gasiorowski, M. (2016). *The government and politics of the Middle East and North Africa*. Hachette UK.

<sup>1404</sup> Infantino, F. (2016). State-bound Visa Policies and Europeanized Practices. Comparing EU Visa Policy Implementation in Morocco. *Journal of Borderlands Studies*, 31(2), 171-186.

<sup>1405</sup> Wesselink & Boschma, note 1231, pp. 4-20.

The Director General of the Commission's External Relations stated that "continuing to view our neighbourhood from an enlargement angle is an unhelpful distraction... The real question which we should all be working on instead is how we can support the transition, as a goal in its own right"<sup>1406</sup>. Hence, bilateral application of the EU policy on encouraging democratic development through incentives could be counter-productive, creating a Brussels-orientated "hub and spoke" approach<sup>1407</sup>.

#### 4.6.5. EU Lessons On Liberalisation Without Democratisation

Over recent decades, the EU has claimed to be involved in the democratisation of the Southern Mediterranean neighbours through the liberalisation of their political systems as well as their economies. This approach has attracted a great deal of attention. On the one hand, there is a focus on the concept of political liberalisation and democracy relationships, such as electoral systems, national elections, political movements, and their relationships to the advancement of democracy<sup>1408</sup>, while others have focused on economic liberalisation and its impacts on the dynamics of change<sup>1409</sup>.

The normative analysis of the empirical data shows that the democratic change in the region is not developing as the EU hoped<sup>1410</sup>, and the democratisation policy has achieved negligible progress<sup>1411</sup>. However, the concept of democracy itself requires some explanation to understand the EU approach. EU democratisation policy clashes with the concept of democratisation commonly understood in the literature, which largely differentiates between democratisation processes, such as the establishment and consolidation of democratic

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<sup>1406</sup> Eneko Landaburu Director General, DG External Relations, European Commission (2006) From Neighbourhood to Integration Policy: are there concrete alternatives to enlargement? at; [http://eeas.europa.eu/archives/delegations/georgia/documents/eu\\_georgia/060223\\_el\\_ceps\\_en.pdf](http://eeas.europa.eu/archives/delegations/georgia/documents/eu_georgia/060223_el_ceps_en.pdf). [ Accessed on 20th July 2018]

<sup>1407</sup> Biscop S. (2012) 'The ENP, Security, and Democracy in the Context of the European Security Strategy', in: Whitman, R. G. and Wolff, S. (eds.) *The European Neighbourhood Policy in Perspective*, pp. 73-88. Basingstoke: Palgrave MacMillan,

<sup>1408</sup> Hill, J. N. C. (2018). Global international relations and the Arab Spring: The Maghreb's challenge to the EU. *Third World Quarterly*, 1-16.

<sup>1409</sup> Rothe, D., Maggi, E. M., Kühn, F., Jünemann, A., & Horst, J. (2016). Logics of action in the Euro-Mediterranean political space: An introduction to the analytical framework. In *Euro-Mediterranean Relations after the Arab Spring* (pp. 13-30). Routledge.

<sup>1410</sup> Ibid

<sup>1411</sup> Gstöhl, note 1302, pp. 27-46.

institutions, and the liberalisation process, which generally begins before the democratisation process, through the generalisation of freedoms and rights<sup>1412</sup>. The interval marking the conversion from authoritarianism to democratisation indicates the establishment of normative political foundations vital for the democratic transition. Achieving such a sea change cannot be achieved by a linear process, as the failure to consolidate the democratic settings may lead to the collapse of newly inaugurated democratic institutions and the restoration of authoritarianism, albeit under a new regime. Consequently, only well established and consolidated democratic institutions can effectively lead to democracy<sup>1413</sup>.

The Egyptian case amply demonstrates these concepts in practice. Under international pressure, the EU's former ally Hosni Mubarak stepped down in February 2011, inaugurating a transitional period in Egyptian politics contemporaneous with EU introspection on its foreign policy toward the Southern Mediterranean, as described previously. In June 2012 the first democratic elections resulted in the triumph of the Muslim Brotherhood. Although President Morsi was not a perfect champion for the EU's vision of liberal democratisation, he was clearly a more conventional democratically elected leader than the military junta that administered Egypt from the Nasserite period. However, the powerful military and security apparatus exerted their massive influence in the political arena, engineering disturbances and ultimately toppling the democratically elected president, ultimately replacing him with Al-Sisi, an army officer of the familiar type, through a sham election, and the EU was quick to shamelessly endorse him<sup>1414</sup>.

Despite the EU's constant references to democratisation in its European discourse, the majority of Southern Mediterranean neighbours enjoy perfectly normal relations with the Union and its member states, including extensive aid, despite not meeting the most minimal requirements of democracy, such as free and fair elections, pluralist political parties, as well as the freedom of association<sup>1415</sup>. Following the Barcelona Agreement, many neighbouring

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<sup>1412</sup> Buscaneanu, S. (2016). The External Dimension of Democratisation. In *Regime Dynamics in EU's Eastern Neighbourhood* (pp. 15-42). Palgrave Macmillan, New York.

<sup>1413</sup> Haggard, S., & Kaufman, R. R. (2018). *The political economy of democratic transitions*. Princeton University Press.

<sup>1414</sup> Rutherford, B. K. (2018). Egypt's New Authoritarianism under Sisi. *The Middle East Journal*, 72(2), 185-208.

<sup>1415</sup> Ibid.

countries launched significant improvements in their political arenas, in some cases introducing multiple democratic policies, such as elections and multi-party systems<sup>1416</sup>. However, such advancement was based on technicalities rather than a substantive shift toward genuine or pervasive democratisation<sup>1417</sup>. Hence, despite any tentative progress, the transition to fully fledged democracy is still unattainable, as the road from authoritarianism to democracy remains obstructed. The pace of political liberalisation has been irregular, and on many occasions has been subject to reverse trends. While the region has been successful in sweeping economic liberalisation, it has not produced any substantive democratisation as a consequence of EU policy (some democratisation has been achieved in Tunisia as a result of the Jasmine Revolution, in which the EU played an essentially reactionary role). The empirical analysis of the democratic environment in the Southern Mediterranean leads to one conclusion: “The changes within the authoritarian regime which fall short of bringing about a change of regime” fail to bring about a democratic regime, which would stop being authoritarian and become democratic<sup>1418</sup>.

The democratic picture of the Southern Mediterranean remains unpromising, and the brief flash of hope some saw in the Arab Spring is receding into the darkness of authoritarianisms. Tunisia, the only success story in the Arab uprisings<sup>1419</sup>, with the Islamic party Ennahda Movement creeping into the power, its commitment to democracy is generally questionable. Whilst some remnants of the old regime started to re-infiltrate the political arena through local elections. Many observers criticised the Ennahda and some other parties’ violence during local elections<sup>1420</sup>. In Libya, other than the civil war, the political government was seized by the Libyan National Army loyal to General Kalifa Haftar, which was backed by the

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<sup>1416</sup> Fiedlschuster, M. (2018). EU Democracy Assistance: Continuity and Conceptual Changes. In *Globalization, EU Democracy Assistance and the World Social Forum* (pp. 39-80). Palgrave Macmillan, Cham.

<sup>1417</sup> Gómez Isa, F., & Muñoz Nogal, E. (2016). EU promotion of deep democracy in the Southern Mediterranean: a missed opportunity? *FRAME*.

<sup>1418</sup> Alini, E., & Alini, M. (2018). The effects of the Islamic Revolution on the structure of political power in Iran (1978-2005). *Revista Publicando*, 5(15), 1559-1582.

<sup>1419</sup> Wolf, A. (2018). Former RCD officials stage a comeback in municipal elections in Tunisia. *The Journal of North African Studies*, 1-6.

<sup>1420</sup> Seeberg, P. (2017). First strengthening the centrist political platform in Libya and then holding elections: difficult political processes in a failed state. *Videnscenter Om Det Moderne Mellemøsten*.

new Parliament, as the radical Islamists tried to seize power and impose sharia law. The elections were only conducted in areas under the control of the Libyan army, hence many political parties contested the results<sup>1421</sup>. In Syria the political system is still dominated by one party, and the civil war is still raging. Algeria is still dominated by one party, despite the appearance of multiple political parties, and there is no wish to attempt another democratic experience, following the election win of Islamists in 1991 and the subsequent civil war<sup>1422</sup>.

All these flaws of the liberalisation process have created “electoral authoritarian non-competitive regimes<sup>1423</sup>”. In Egypt, the non-competitive presidential elections, and the ousting of the elected president, has reversed all the registered changes in the country following the uprisings<sup>1424</sup>. In Morocco, the political system is a “pseudo-democracy”, while Jordan has a “liberalised autocracy”<sup>1425</sup>. Despite the changes in the region, while some countries have not tolerated the instauration of liberal democracy, others remained “hybrid regimes”<sup>1426</sup>. This brief overview highlights the ambiguity of democratic concepts in the Southern Mediterranean region. While the countries have some democratic institutions, the regimes remain essentially authoritarian. Indeed, while some neighbours have some political pluralism, serious political participation and accountability to citizens are lacking.

Nowadays, elections are held regularly in most Southern Mediterranean countries, but democratisation is a long way off. The elections, which are a major component of democracy, can be applied artificially and selectively, in order to qualify regimes as democratic. For example, Morocco regularly holds free elections, and has been described as an “electoral competitive authoritarian regime”<sup>1427</sup>, comparing favourably to the “electoral non-competitive” regimes in

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<sup>1421</sup> Ibid.

<sup>1422</sup> Spencer, C. (2018). *The roots and future of Islamism in Algeria*. In *Islamic Fundamentalism* (pp. 93-107). Routledge.

<sup>1423</sup> Panebianco, S., & Rossi, R. (2004). *EU attempts to export norms of good governance to the Mediterranean and Western Balkan countries*. JMWP No. 53.04, October 2004.

<sup>1424</sup> Salloukh, B. F. (2015). The Arab world after the popular uprisings: a spirit restored? In *Transitional Justice and the Arab Spring* (pp. 17-35). Routledge.

<sup>1425</sup> Cruz-del Rosario, T., & Dorsey, J. M. (2016). *Comparative Political Transitions Between Southeast Asia and the Middle East and North Africa: Lost in Transition*. Springer.

<sup>1426</sup> Ibid.

<sup>1427</sup> Khakee, A. (2017). Democracy aid or autocracy aid? Unintended effects of democracy assistance in Morocco. *The Journal of North African Studies*, 22(2), 238-258.

Egypt and Algeria<sup>1428</sup>, which also have regular elections. These countries are considered as non-democratic regimes due to their easily predictable electoral results, which are invariably in favour of the regime candidate. The multiplicity of candidates is typically just to provide a democratic façade for domestic consumption and the external world. Hence, these regimes remain authoritarian, despite some cosmetic features of democracy, such as political elections and selected freedoms. Substantive democracy is still absent, political participation is restricted, political censorship is the norm, real competitiveness is proscribed, and the multiparty system is a mere front.

Other than political liberalisation, economic reforms were the predominant feature of the EU normative approach. Since the Barcelona Agreement, the hope to create a free trade area in the Mediterranean was the most significant aspect, with the substantial expectation that economic reforms spilling over into political liberalisation over the long term<sup>1429</sup>. Indeed, the EU came to the conclusion that Southern Mediterranean countries' retarded path to democratisation is due to their limited engagement in the world economy. Hence, the EU applied a degree of political force in order to encourage its Southern Neighbours to introduce some economic structural adjustments.

Ever since the EU applied constant pressure on the Southern Mediterranean states in order to achieve more far-reaching economic liberalisation, its approach was perceived to be heavy-handed and it attracted harsh criticisms from observers. Even though many recognised the potential positive impact liberalisation can have in the development of the Southern Mediterranean countries' national economies<sup>1430</sup>, the EU has been berated for its approach, which some claimed was self-serving, and neo-colonial. The double standards of

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<sup>1428</sup> Florea, A. (2018). Spatial Rivalry and Coups Against Dictators. *Security Studies*, 27(1), 1-26.

<sup>1429</sup> Khakee, A., & Youngs, R. (2017). 'Geopolitics and democracy' in *the European neighbourhood policy*, pp.3-10.

<sup>1430</sup> Schumacher, T. (2016). Back to the Future: *The 'New'ENP towards the Southern Neighbourhood and the End of Ambition*. College of Europe Policy Brief# 1.16, January 2016

EU economic liberalisation concerning agricultural products are notorious<sup>1431</sup>. The economic reforms were intended to facilitate democratisation by two means:

- Economic growth and the reduction of poverty would reduce the volatility and instability in the region, which is believed to be unfavourable in developing a viable democracy<sup>1432</sup>.
- The free trade agreements would inspire national elites to seek more influence to participate effectively in the process of economic reforms, which would eventually spill over into the political domain.

However, in the latest reviews, the EU has claimed that it is aware of the negative impact of the unbalanced process of economic liberalisation. Hence, it intends to apply a flexibility approach, affirmed under the ENP review in 2015, in order to mitigate the social costs of liberalisation<sup>1433</sup>. Subsequently, some structural reforms in countries going through a transitional period, such as Tunisia, have been granted extensions<sup>1434</sup>. Although the ENI support to neighbourhood partners has been decreased since the 2011 ENP review, concerns over the social costs of liberalisation adjustment still linger. This elicited some European flexibility, including from the Commission, which expressed the intention to enhance the poverty reduction development approach<sup>1435</sup>. However, the lack of EU market access in specific sections of the economy continued to attract criticisms of the EU's liberalisation approach.

The EU's strategic deficiencies must be recognised as encompassing the simple lack of flexibility in the allocation of tariff quotas, and its faithfulness to an exaggerated hypothesis that liberalisation would ultimately lead to democratisation, without any comprehensive engagement to catalyse this

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<sup>1431</sup> Youngs, R. (2017). A new era in Euro-Mediterranean relations. In *Routledge Handbook of Mediterranean Politics* (pp. 72-82). Routledge.

<sup>1432</sup> Corrado, A., & de Castro, C. (2016). Cheap food, cheap labour, high profits: agriculture and mobility in the Mediterranean: introduction. In *Migration and Agriculture* (pp. 25-48). Routledge.

<sup>1433</sup> Mansouri, F., & Armillei, R. (2016). The democratic 'transition' in post-revolution Tunisia: conditions for successful 'consolidation' and future prospects. *Revolutions: global trends & regional issues*, 4(1), 156-181.

<sup>1434</sup> Mari, A. (2017). Democracy promotion and stability in Egypt and Tunisia: Discursive configurations of the European Neighbourhood Policy after the Arab uprisings (Master's thesis).

<sup>1435</sup> Kourtelis, C. (2018). From neglect to selective engagement: The EU approach to rural development in the Arab Mediterranean after the Arab uprisings. *Mediterranean Politics*, 23(1), 23-42.

process. There is little evidence of the intricacies linking political power and the transformation of control over economic assets (i.e. liberal-economic and political reforms). In fact, the evidence suggests the contrary: that liberalisation and economic reforms reinforce the regime-controlled networks of patronage<sup>1436</sup>. Chinese liberalisation without democratisation is an obvious case<sup>1437</sup>. The main argument is that the middle class do not always have a real incentive to push for democracy. The modernisation theory explained the distinction between the “unilinear” and the “contingent” approaches: the former indicates that there is a positive relationship between the middle class and democratisation, implying that “the rising middle class represents the main thrust of the democratisation movement”<sup>1438</sup>; while the latter assumes that the relationship between the two variables is much more complex.

The attitude of the newly created middle class towards democratisation depends on various factors, including national socio-economic status, the degree of dependency, and the possibility of political unrest<sup>1439</sup>. The Chinese middle class are unlikely to rise for political reforms, such as freedom of expression, or for institutional democratisation, such as free and fair elections. This can be explained by the fact they are well dependent on the regime, which is capable of intervening in any economic section, and removing any advantages which they enjoy<sup>1440</sup>. In “stalled democratisation”, if the regime has adopted a strategy “that gives unions financial and organisational support in exchange for political loyalty and self-restraint”<sup>1441</sup>, people tend to reject rebelling against the state due to “fear of biting the hand that feeds” them<sup>1442</sup>. Moreover, the middle class tend to be satisfied with their socio-economic status, hence they may not be strident in demanding political changes for their own sake. Accordingly, as long as the

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<sup>1436</sup> Cassani, A. (2017). Social services to claim legitimacy: comparing autocracies' performance. *Contemporary Politics*, 23(3), 348-368.

<sup>1437</sup> Kingsbury, D. (2017). 25 Political developments. *Handbook of Globalisation and Development*, 444.

<sup>1438</sup> Hattori, Funatsu & Torii (2003), Reforms and Openness: Why China's Economic Reforms Have Delayed Democracy, *World Politics*3, page 129-130

<sup>1439</sup> Ibid

<sup>1440</sup> Chen, J., & Lu, C. (2011). Democratization and the middle class in China: The middle class's attitudes toward democracy. *Political Research Quarterly*, 64(3), 705-719.

<sup>1441</sup> Bellin, E (2011) Stalled Democracy- Capital, Labor and the Paradox of the State-Sponsored Development, Cornell University Press. Page 18.

<sup>1442</sup> Ibid

regime keeps protecting national stability and delivering socio-economic growth (at least for a critical mass of the population), the existing political status quo is unlikely to be changed. The situation in the Southern Mediterranean states is analogous to China in these respects. While the economic liberalisation process has been succeeding to some extent, democracy still lags behind. The economic situation in many neighbouring countries shows that only the elites close to the regimes will benefit from such liberalisation, and only a small amount of wealth is trickling to the rest of the society<sup>1443</sup>. Hence, the result is defeating the purpose.

The conclusion is that the EU's liberalisation process is mainly based on its own liberal philosophy. Political liberalisation may create a sham but not a substantive democracy. The relationship between economic liberalisation and democracy is not evident, but it is questionable whether the EU can move beyond its doctrinaire commitments and adopt a genuinely new and realistic approach.

#### **4.6.6. Democracy V Security: Is This Debate Still Relevant?**

Under the Barcelona Agreement, the EU purported to promote political and economic reforms with the conceived objective of conflict prevention and security building. While democratic principles are an integral part of the EU's approach, there were no explicit measures pertaining to democratic governance and the security sector<sup>1444</sup>. The EU usually refers loosely to "common values" that should govern the EU-Southern Mediterranean relationship. Nevertheless, following the Arab Spring and the ENP reviews, it became clear that there is a clear connection between the two concepts. The ENP allowed neighbouring countries to pursue a differentiated approach, however securitisation and democratisation remained an integral part of tailor-made reform packages, based on joint-ownership<sup>1445</sup>.

In theory, the two concepts are described as complementary, based on the EU's strong conviction that normative principles lead to stabilisation and economic development, which eventually create a secure region. However, an empirical

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<sup>1443</sup> Baumann, H. (2017). A failure of governmentality: Why Transparency International underestimated corruption in Ben Ali's Tunisia. *Third World Quarterly*, 38(2), 467-482.

<sup>1444</sup> Bauer, P. (2016). *Arab Spring Challenges for Democracy and Security in the Mediterranean*. Routledge,

<sup>1445</sup> Gstöhl, note 396, (pp. 68-88).

assessment of the two notions within the EU approach gives a picture of two concepts that are frequently in competition with one another.

The EU's security agenda contiguous to the Mediterranean region has been a constant feature since EMP agreement<sup>1446</sup>. The securitisation feature entrenched in the EU's comprehensive approach seems to be paradoxical. What is holding back democratisation in the region? For instance, there is an interconnection between political liberalisation and security, but the latter is not commonly defined. Security for Southern Mediterranean countries is in principle associated with regime stability and national security, while the EU's definition reaches beyond their understandings, being perceived essentially in terms of regional stability, based on the normative principles of democracy, human rights, and the rule of law<sup>1447</sup>. The EU understanding of security was profoundly shaped by 9/11, the War on Terror, and the Arab Spring. Contemporaneously, Southern Mediterranean regimes used these events to abjure the failing political structure in the region and stressed a "conspiracy theory" orchestrated by foreign regimes in order to eliminate "undesirable regimes"<sup>1448</sup>. While the Arab Spring uprisings generally transported some understanding between the two parties concerning what can constitute a security threat, this does not imply agreement on how to tackle such threats.

The current security threats in the region have largely influenced the democracy discourse in the ENP reviews. The EU intended to create a dynamic of stability through "change within continuity"<sup>1449</sup>, which is labelled as "differentiation"<sup>1450</sup>, which can be understood as restrained, versatile, but ambiguous tactics, in order to promote security and democracy simultaneously. Under this approach, Southern Mediterranean regimes have the flexibility to adopt democratic principles without implanting them beyond the discursive level, and foster the

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<sup>1446</sup> Fawcett, L. (2018). MENA and the EU: contrasting approaches to region, power and order in a shared neighbourhood. *Contemporary Politics*, 24(1), 65-80.

<sup>1447</sup> Horst, J., Jünemann, A., & Rothe, D. (2016). *Euro-Mediterranean relations after the Arab Spring: Persistence in times of change*. Routledge.

<sup>1448</sup> Farha, M. (2016). Searching for sectarianism in the Arab Spring: Colonial conspiracy or indigenous instinct? *The Muslim World*, 106(1), 8-61.

<sup>1449</sup> Pridham, G. (2016). *The New Mediterranean Democracies: Regime Transition in Spain, Greece and Portugal*. Routledge.

<sup>1450</sup> Cebeci, M., & Schumacher, T. (2017). The EU's Constructions of the Mediterranean (2003-2017) (No. 3). *MEDRESET Working Papers*.

political modifications required only to the extent that does not endanger their stability<sup>1451</sup>. The Southern Mediterranean self-managed political reforms may allow some political participation, yet it will remain restricted in order to prevent elements that may cause the destabilisation of the regime. Hence, this ambiguous and delicate approach may be further exploited by the regimes, which can lead to added suppression of political rights and freedoms, and further delays in substantive reforms.

Moreover, there is no doubt that the EU's effort has contributed enormously to the growth of civil society in the region. The political load in the Southern Mediterranean states is too heavy for these entities to carry, as they possess neither the experience nor the financial resources to seriously drive institutional changes. They also lack the political will or interest to attempt such reform, due to regime control and manipulation of formal political processes. The implementation of the ENP process noticeably illustrated the conflict between the stability requirement and democracy promotion, which in due course affects the democratisation process. Indeed, under the Association Agreement, the Egyptian Ministries implement the regulations reforms required by the Action Plans themselves. In addition, due to security concerns, EU funding to national CSO's can only be distributed through the government<sup>1452</sup>. This is essentially how security and stabilisation issues can prevail over democratisation, as governments rely on such mechanisms to eliminate support for CSO's, and subsequently for democratisation.

Thus, the EU's strategy has been marked by democracy versus the stability dilemma, both of which are central objectives<sup>1453</sup>. The EU's practice is flawed in two approaches. Primarily, it gives unprecedented power, in comparison with other agreements, to the authoritarian regimes at the expense of organisations promoting national democracy<sup>1454</sup>. Secondly, it overemphasises the importance

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<sup>1451</sup> Roccu & Voltolini, note 21, pp. 182-195.

<sup>1452</sup> Brechenmacher, S. (2017). Civil Society Under Assault: Repression and Responses in Russia, Egypt, and Ethiopia. (pp. 7-23). *Carnegie Endowment for International Peace*.

<sup>1453</sup> Roccu & Voltolini, note 1080, p 38.

<sup>1454</sup> Buzogány, A. (2016). Governance and governmentality of EU neighbourhood policy. Two perspectives on the role of civil society in external democracy promotion. *European Engagement Under Review. Exporting Values, Rules, and Practices to Post-Soviet Space, Stuttgart, ibidem-Verlag*, 59-84.

and prioritisation of stability and security, to the detriment of democratisation. The long-term democratisation of the Southern Mediterranean has continually been trumped in EU prioritisation by the more attractive short-term stabilisation of dictatorships in the “ring of fires”<sup>1455</sup>. Notwithstanding the EU’s rhetoric on supporting democratic reforms, concerned parties detected “gaps between discourse and practice”<sup>1456</sup>, and highlighted the lack of evidence suggesting that the EU’s discourse can live up to its expectations regarding democratisation. Hence, the security threats (many of which originate from instability related to illegal immigration, terrorism, and energy) and the EU’s discourse seem to undermine the democracy promotion agenda, and subsequently the coveted long-term security and stability desired by the EU.

Moreover, many commentators argued that the democracy promotion agenda has crumbled due to its own consequences. These include the advancement of political Islam and the consequences of conflicts, especially in Libya and Syria<sup>1457</sup>. Hence, security concerns have hindered political reforms and democracy in particular, despite these being a necessity for safeguarding stability and security in the region, according to the EU’s understanding of security<sup>1458</sup>. Indeed, the security issues and democratisation have become “mutually dependent”; the establishment of regional security requires sincere political reforms, yet such reforms can only be achievable when there is no threat to stabilisation<sup>1459</sup>. The implementation of the European policies clearly illustrates how the conflict between the prerequisite for democratisation and the aspiration for peace the region ultimately negatively affected the democratisation process.

Other than ambiguous allusions and rhetoric, the EU’s approach lacked a serious intention purposely conducive to its normative agenda. The EU’s ambiguous discourse aptly reflected its dithering democratic reform agenda, including limited funding for democracy development, and the prioritisation of security issues

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<sup>1455</sup> Schumacher, T. (2016). Back to the Future: The ‘New’ ENP towards the Southern Neighbourhood and the End of Ambition. College of Europe Policy Brief# 1.16, January 2016.

<sup>1456</sup> Jones, note 791, pp. 41-58.

<sup>1457</sup> Dalacoura, K. (2013). The Arab uprisings two years on: Ideology, sectarianism and the changing balance of power in the Middle East. *Insight Turkey*, 15(1), 75.

<sup>1458</sup> Furness & Schäfer, note 521.

<sup>1459</sup> Moore, C. (2015). Four years after the fall of Gaddafi: The role of the international community in stabilising a fractured Libya. *conflict trends*, 2015(1), 50-56.

(such as crisis management) and the ESDP in general under the ENP. In sum, behind “the apparent reformist approach of the EU there is a revisionist trend”<sup>1460</sup>. The EU declared that it is reforming its policies in order to achieve its normative goals and strategies, but this does not help fortify its principles or improve policies.

#### **4.7. Conclusion: The Re-Emergence of Security-Based Relationships**

The most pertinent conclusion of this chapter is that the changes that took place under the ENP, while limited in scope, may have a detrimental effect on the normative principle of democracy. The first part of this chapter described the main features of democracy in the framework of the EMP and the ENP, together with limits to fostering political changes in the authoritarian regimes of the Southern Mediterranean. From the outset, the EMP attached great emphasis to democracy and other normative principles. Despite some member states’ initial rejection, its approach remained timid and cautious, and many Arab members of the Barcelona Agreement expressed their repugnance concerning this unwanted political interference, albeit not to the extent of abstaining from the Agreement; clearly the expectation of financial support outweighed any political reservations.

In the end, the EU may have reached some socialisation but not democratisation, taking into consideration its unscrupulous dealings with the Mediterranean Basin region<sup>1461</sup>. The ENP, which was created following the EU’s enlargement, displays the waning favour of democracy in comparison to other priorities. In practice, the EU relied heavily on socialisation (persuasion) and positive conditionality, whether financial support “more-for-more”, political support, but never used negative conditionality to apply or even threat of sanctions to countries that violate democratic principles<sup>1462</sup>. Meanwhile, the application of positive conditionality remained unclear, as the Action Plans lacked any substantive form of considerable evaluation criteria and assessment mechanisms. The absence of criteria opens the doors to arbitrary political expositions, which may result in

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<sup>1460</sup> Schumacher & Bouris, note 26, p 18.

<sup>1461</sup> Schimmelfennig, F. (2017). Beyond enlargement: Conceptualizing the study of the European Neighbourhood Policy. In *The Routledge Handbook on the European Neighbourhood Policy* (pp. 17-27). Routledge.

<sup>1462</sup> Gstöhl, note 396, (pp. 68-88).

indecisive and vague interpretations of democratic principles<sup>1463</sup>. Moreover, the lack of EU concessions on agricultural products and legal immigration further reduced its bargaining power towards political reforms. In addition, it limited the impact of socialisation due to the exclusion of substantive parts of the political discourse in the Southern Mediterranean, including Islamic political organisations, which further hindered the effectiveness of its approach. Generally, the whole process lacked consistency and value-based operationalisation. The different elements of the process remained rigid and lacked real sequencing, as it does not support a gradual approach on how the normative values including democracy can be promoted and supported.

The marginalisation of the relationship between democracy and socio-economic rights in democracy promotion approaches was noticeable prior to the Arab Spring. ENP reviews not only recognised this relationship but acknowledged that effective democracy promotion depends on such rights<sup>1464</sup>. The Commission proposed a Deep and Comprehensive Free Trade Area, removing trade barriers as a step forward in economic integration and poverty alleviation<sup>1465</sup>. The EU stipulated that it did not seek to impose political reforms, but rather to create a basis for democracy and shared prosperity. The EU stipulated multiple bases for its new approach, namely mutual accountability, shared commitment to universal values, a higher degree of differentiation, comprehensive institution building imperative, deep democracy, and co-ownership<sup>1466</sup>. While most of these principles are not entirely novel in the EU's discursive policies, the differentiation and co-ownership approach seem to create even more problems to democracy rather than resolving them, as the neighbouring countries have the right to choose the extent of the reforms in order to eliminate any threats to their stability<sup>1467</sup>.

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<sup>1463</sup> Cierco, T. (2016). *The European Union neighbourhood: challenges and opportunities*. Routledge.

<sup>1464</sup> Abbott, P., & Teti, A. (2017). Building Decent Societies? Economic Situation and Political Cohesion after the Arab Uprisings, pp 12-22. papers.ssrn.com.

<sup>1465</sup> Zardo, F., & Cavatorta, F. (2018). Friends will be friends? External-domestic interactions in EU-Tunisia and EU-Morocco security cooperation after the uprisings. *International Politics*, 1-19.

<sup>1466</sup> Durac, V. (2018). Counterterrorism and democracy: EU policy in the Middle East and North Africa after the uprisings. *Mediterranean Politics*, 23(1), 103-121.

<sup>1467</sup> MacKenzie, A., Kaunert, C., & Léonard, S. (2013). EU counterterrorism and the southern Mediterranean countries after the Arab Spring: new potential for cooperation? *Democracy and security*, 9(1-2), 137-156.

Simultaneously, the policies emphasised on the important role of civil society in the development of democracy, but despite the EU's generous financial support, Islamic-based CSO's and social partners remained outside the EU's interests in democratisation<sup>1468</sup>. The ENP review *Towards a New European Neighbourhood Policy* mainly focused on security and stability, with the EU declaring that the revised policy aims to build a more effective and stable partnership between the EU and its neighbouring countries.

The democracy process became inextricably bound up with security issues. Indeed, the EU jettisoned democratisation in the interests of stability. While the strategic principles of stability, prosperity, and normative values have remained imperatives, the strategies to develop them have undergone shifts and alterations. Originally, the EU intended to create a "ring of friends" in the region, expecting to promote EU's like the framework of the regional organisation<sup>1469</sup>. Instead, the EU ended up with a highly insecure, authoritarianism-packed region, with exceedingly differentiated relations, and distant horizontal connections through the EU<sup>1470</sup>. Meanwhile, the strategy of political reforms became ever weaker, due to the principle of co-ownership, despite the EU's rhetoric of a tailor-made approach.

Other than these problems, the EU approach remained subject to many more restrictions. The EU's democracy discourse tends to be ambiguous due to the cluster of the normative principles. It ostensibly promotes liberal democracy, which is not by any means a suggestion that the EU has developed a uniform opinion of what democracy is. Indeed, the EU has never been forthcoming in providing a definition of democracy<sup>1471</sup>. Furthermore, it is evident that democracy promotion is serving as a model of the EU norms, but some have described it as a neo-colonial project, especially when the EU applies conditionality. However, such conditionality is rigged with double standards and incoherence. The fact is

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<sup>1468</sup> Cavatorta, F. (2016). A Clash of Civilizations inside the MENA Countries? Islamist versus Secular Civil Society and the Failure of Pro-Democracy Policies. In *Clash or Cooperation of Civilizations?* (pp. 41-56). Routledge.

<sup>1469</sup> Bicchi, note 49, p 20.

<sup>1470</sup> Ovádek, M., & Wouters, J. (2017). Differentiation in Disguise?: EU Instruments of Bilateral Cooperation in the Southern Neighbourhood. *Leuven Centre for Global Governance Studies, Working Paper Np*.

<sup>1471</sup> Bevir, M., & Phillips, R. (2017). EU democracy and the Treaty of Lisbon. *Comparative European Politics*, 15(5), 705-728.

that the democracy principle is just one of many different considerations guiding EU foreign policy in the region, which may explain the inconsistency of democracy conditionality<sup>1472</sup>. While the positive conditionality remains the most important scheme in developing democracy, it remains underused, as it needs to outweigh the perceived costs in order to be effective<sup>1473</sup>. The EU has relied heavily on liberalisation in order to encourage Mediterranean neighbours to foster political reforms. However, political liberalisation may have only created a sham but not substantive democracy, and the relationship between economic liberalisation and democracy is particularly loose in the case of MENA countries. In the end, it seems that the political instability and its consequences in the region have dramatically influenced the ENP review, with regional stability being the overriding priority in the EU's Southern Mediterranean partnerships. The overall change can be summed up by stating that the EU has shifted from its enlargement-like process into a more conventional paradigm of international cooperation<sup>1474</sup>.

Critics argue that EU democracy promotion is ineffectual and empty rhetoric. It could be argued that its approach could acquire more coherence and effectiveness if entrenched in the international perspective, which would make it better able to face existential challenges. Additionally, a dose of realism is necessary to understand the prospects of democratisation in MENA<sup>1475</sup>. It took over seven centuries to get from Magna Carta to universal male suffrage in the UK, and the stabilisation of liberal democracy as we know it today had to go through the tests of Fascism and World War II. Many Southern Mediterranean countries are still recovering from decades or centuries of brutal colonial occupation, extirpation, and impoverishment, with endemic poverty and educational problems<sup>1476</sup>. It is idealistic in the extreme to expect modern

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<sup>1472</sup> Börzel & Lebanidze, note 2020, pp. 17-35.

<sup>1473</sup> Colombo, S. (2016). *Europe in the new Middle East: opportunity or exclusion?* By Richard Youngs; *EU democracy promotion and the Arab Spring: international cooperation and authoritarianism*. academic.oup.com.

<sup>1474</sup> Tulmets, E., & Kratochvíl, P. (2017). Constructivist approaches to the study of the European Neighbourhood Policy. In *The Routledge Handbook on the European Neighbourhood Policy* (pp. 70-80). Routledge.

<sup>1475</sup> Hyde-Price, A. (2017). Realism and the European Neighbourhood Policy. In *The Routledge Handbook on the European Neighbourhood Policy* (pp. 60-69). Routledge.

<sup>1476</sup> Hill, J. N. C. (2018). Global international relations and the Arab Spring: the Maghreb's challenge to the EU. *Third World Quarterly*, 39(10), 2016-2031.

European democratic models to take root in such contexts, but this is not to say that progress is not possible. The EU approach may not have succeeded in the past to develop democracy, but its future may be successful if its efforts can be calibrated with those of citizens convinced of the utility of democracy for political governance.

## Chapter 5: THE EVOLUTION AND IMPACT OF THE EU'S DEMOCRACY PROMOTION IN TUNISIA

### 5.1. Introduction

The EU has always been particularly interested in the political system of Tunisia, due to its geostrategic position in the Southern Mediterranean, and France's particular interest in the country as a former colony. Aiming to maintain peace and stability in the region, and establishing a "ring of friends"<sup>1477</sup>, the EU since the Barcelona Agreement claimed to support democratic progress in Tunisia, which was the first country to sign an Association Agreement with the EU<sup>1478</sup>, signalling keen willingness to develop its relationship with the latter<sup>1479</sup>. Over recent decades, despite its autocratic regime, Tunisia has succeeded in developing a strong relationship with EU member states. During the 2000's, the German Minister of Foreign Affairs hailed Tunisia as "true reliable partner"<sup>1480</sup>, while the French President declared it to be an "extraordinary friend"<sup>1481</sup>. This was despite the popular understanding that the regime was an egregious human rights violator.

The only rationale that explains why European states were prepared to overlook this reality is that they de-prioritised democratisation policy in the Southern Mediterranean in favour of the stability-security nexus. The common understanding among EU member states, and thus within the EU itself, was that

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<sup>1477</sup> European Union Commission, (2003): Wider-Europe Neighborhood; A New Framework for the Relations with Our Eastern and Southern Neighbors. Available at: [http://eeas.europa.eu/archives/docs/enp/pdf/pdf/com03\\_104\\_en.pdf](http://eeas.europa.eu/archives/docs/enp/pdf/pdf/com03_104_en.pdf). [Accessed on the 28<sup>th</sup> July 2018].

<sup>1478</sup> Euro-Mediterranean Agreement establishing an Association between the European Communities and the Republic of Tunisia (1995). Available at: <http://www.consilium.europa.eu/en/documents-publications/treaties-agreements/agreement/?id=1995041>. [Accessed on 28<sup>th</sup> July 2018]

<sup>1479</sup> Di Peri, R., & Zardo, F. (2017). 11 Changing perceptions of the European Union in the MENA region before and after the Arab uprisings. *Discourses and Counter-discourses on Europe*, 244.

<sup>1480</sup> Euswärtiges, A. (2007); Bundesminister Steinmeier trifft tunsisches Außenminister in Olbrich, S (2012) *The Impact of the Euro-Mediterranean Partnership on Humans and Democratic Development in Tunisia*. PHD.

<sup>1481</sup> Chirac, J. (2003) Allocution Prononcée à l'occasion du Dîner d'État offert à son Honneur par le président tunisien Zine EL Abedine Ben Ali. Available at: <http://www.voltairenet.org/Discours-de-Jacques-Chirac-a-Tunis>. [Accessed on 28<sup>th</sup> July 2018].

autocratic regimes in the Southern Mediterranean were not ideal, but their non-democratic features were excused by the security they provided (for Europe), and they would slowly reform over time, under the wise guiding hand of the EU. This cosy paradigm was shattered in 2011 when the Arab Spring uprisings emerged in the Southern Mediterranean region, and then spread throughout MENA, threatening the “truly reliable”, “extraordinary” partner regimes of the EU. The causes and stakeholders involved in the uprisings were diverse and complex, but clearly young people protesting against a lack of democracy and socio-economic rights were a powerful component. The sudden dichotomy between the EU’s pro-democracy ideals and its de facto support for anti-democratic regimes was politically embarrassing, and it ultimately found itself obliged to signal support for the aspirations of the people against its partners, due to democracy promotion being theoretically essential to the normative EU identity, as well as its MENA policy.

Naturally, while the security dimension remained of the utmost importance, the Arab Spring uprisings comprised a solid incentive to reconfigure the EU’s approach towards the region, and to galvanise its latent commitment to democracy. This entailed a fundamental reorientation away from the stabilisation of autocracies toward supporting substantive efforts to support fully fledged democracy<sup>1482</sup>. According to Van Hüllen, “the events unfolding in the Arab world ... have dramatically changed the outlook on the persistence of authoritarianism in the Middle East and North Africa”<sup>1483</sup>. The necessity to alter the EU’s approach towards democracy in response to the changing and dynamic situation in the region is indeed bolstered by the EU’s political and security dimension itself, as clearly the moribund autocracies of the late 20<sup>th</sup> century are no longer fit for purpose in buttressing European interests. However, opening the democratic floodgates could lead to Islamic parties being elected, as happened historically in Algeria in 1992, and Egypt in 2012. Historically, “Europe’s credibility problem in

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<sup>1482</sup> Hill, J. N. C. (2018). Global international relations and the Arab Spring: The Maghreb’s challenge to the EU. *Third World Quarterly*, 1-16.

<sup>1483</sup> Van Hüllen, V. (2012). Europeanisation through cooperation? EU democracy promotion in Morocco and Tunisia. *West European Politics*, 35(1), P:134.

the region also stems from the possibility that efforts to democratise could empower hostile extremist Islamic forces and destabilise the region”<sup>1484</sup>.

In response to the events in the Southern Neighbourhood, the EU acknowledged the ineffectiveness of its democratisation approach under the ENP. The ENP Review itself highlighted this conclusion, declaring that the current revolutions in the Southern Neighbourhood “have shown that the EU support to political reforms in neighbouring countries has met with limited results”<sup>1485</sup>. Nonetheless, despite the democratic euphoria in the immediate aftermath of the uprisings (c. 2011-2012) and the EU attempt to insert much needed democracy promotion in its reform agenda, the emerging configuration of MENA reflects a return to the entrenchment of autocratic regimes, having been absolutely reversed in Egypt (the most populous and important country in the Southern Mediterranean and the Arab World), and Tunisia remains the only surviving functioning democracy in the Southern Mediterranean<sup>1486</sup>. It is therefore instructive to explore the reasons why democratisation has taken a relatively firm foothold in Tunisia, which is addressed in the following pages to answer the following question: How does the EU support the young Tunisian democracy and is its approach effective?

In answering this question, it is argued that the historical (pre-2011) approach of the EU had an absolute commitment to security and stability, which was implicitly against the democratisation agenda. However, the “Jasmine Revolution” has forced the EU to change its approach, to realign with changing security and stability, economic development, and political reform dimensions among the Southern Neighbours. Hence, while the EU failed to promote democracy prior to the uprisings, its democracy support approach following the Jasmine Revolution has proven to be more effective, based on three dimensions:

1. The ENP mechanisms of socialisation and conditionality are becoming more oriented to support democracy, rather than simply security and economic liberalisation.

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<sup>1484</sup> Lammers, M (2016). EU Democracy Promotion: Policy Change in Morocco and Tunisia After the Arab Spring, European Studies/European Public Administration BSc (B-BSK/EPA). 46.

<sup>1485</sup> Commission of the Communities, note 23.

<sup>1486</sup> Cohen-Hadria, E. (2018). Foreword: EU and Tunisia, Who Will Take the First Step? *IEMed*.

2. Supporting Tunisian democracy is very important for maintaining the stability and security of the EU's southern borders. Hence, this thesis argues that while security in the sense of illegal immigration and tackling terrorism remained evident, there is a considerable change in how the EU is dealing with political Islam.
3. Economic growth is an essential condition for consolidating democracy in the country, and there is a need to address the deterioration of the socio-economic situation in Tunisia, which was an important factor in the Revolution.

The aims of this thesis are to:

- Understand the development of the EU support for democracy in Tunisia following the uprising.
- Draw lessons from the EU previous approach and indicate how democracy promotion and security can be complementary objectives rather than contradictory.
- Understand how the EU economic liberalisation process can positively or negatively influence Tunisia's young democracy.

Consequently, this thesis assesses the development and impact of the EU democratisation approach before and after the Jasmine Revolution. The following section discusses EU policy prior to the uprising and the ineffective impact of this policy on the ground due to the prioritisation of the security agenda and liberalisation, as well as the failure of engagement with civil society. The next section assesses the reformed EU approach, including the impact of conditionality, the improved engagement with civil society, the security and liberalisation agenda, and their possible impacts on Tunisia's young democracy.

## **5.2. EU's Democracy Promotion Before the Uprising: Between Policies and Implementation**

Making sense of the EU's approach to democracy promotion before the uprising is very important to understand the effectiveness of the policy following the Jasmine Revolution. This section assesses EU democracy promotion before the uprisings, through its policies and implementation.

### 5.2.1. EU Democracy Promotion Policies Before The “Jasmine Revolution”

It is fair to say that discussions about democracy between the pre-2011 Tunisian regime and the EU were negligible. Van Hüllen stated that: “before 2007, partners almost exclusively treated matters to democracy and human rights in an informal part of the Association Council meetings”<sup>1487</sup>.

Nevertheless, the EU articulated its full commitment to democratisation in all main agreements signed by Tunisia. By 1995 Tunisia was the first Mediterranean country to engage in a new Association Agreement (AA) with the EU<sup>1488</sup>, which became a model for other agreements that are still being negotiated with Jordan, Morocco, and Egypt. The Association Agreement has six major elements: political dialogue, free movement of goods, the right of establishment and supply of services, economic provisions, social and cultural cooperation, and financial cooperation<sup>1489</sup>. The Association Agreement structure was similar to the previous agreements with CEECs. The only noticeable difference is the absence of accession objective.

One-third of the Association Agreement with Tunisia is dealing with the cooperation on economic, social, and cultural issues, in line with the normative approach of the EMP. The various articles of the agreement are intended to enhance the cooperation with Tunisia in order to achieve political, legal, and economic reforms, which were to be supported by EU technical and financial assistance. In terms of financial cooperation, the first protocol between 1995 and 1999 granted Tunisia €428.4 million, in comparison with the grants of €116 million from 1992 to 1996<sup>1490</sup>.

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<sup>1487</sup> Van Hüllen, V. (2012). Europeanisation through cooperation? EU democracy promotion in Morocco and Tunisia. *West European Politics*, 35(1), 117-134.

<sup>1488</sup> European Report: Forward Towards a New Partnership Agreement, 5 November 1994 EC/Tunisia, N. 1864, 5 June 1993: EC/Tunisia; “exploratory Talks on Partnership Agreement”, European Report, N. 1866.

<sup>1489</sup> Euro-Mediterranean Agreement establishing an association between the European Communities and their Member States, of the one part, and the Republic of Tunisia, of the other part (1995). Entered into Force on 1998. Available at: [http://trade.ec.europa.eu/doclib/docs/2006/march/tradoc\\_127986.pdf](http://trade.ec.europa.eu/doclib/docs/2006/march/tradoc_127986.pdf). [ Accessed on 2/2/ 2019].

<sup>1490</sup> According to the Council Regulation (EC) no 2866/ 98 Every reference to ECU in a legal instrument has to be replaced by the Euro at a convergence rate 1ecu: 1 Euro. For this reason, I am covering all historic references to the Euro.

Such financial support granted by the Association Agreement to Tunisia was accompanied by other benefits, including concessions on agricultural products<sup>1491</sup>. However, the agreement stipulated an innovative and unprecedented clause in terms of the EU bilateral agreement with Tunisia and the southern Mediterranean generally, which emphasised the parties' common interests, and the importance of democratic and human rights reforms as a condition for a successful relationship between the two parties.

In this context, Emerson affirmed that there were some diverging opinions between EU institutions and member states on the convergence between democracy and human rights policy for Southern Neighbours. Democracy and human rights clauses included in the EMP were dynamics in altering EU member states' views and assertiveness concerning normative principles<sup>1492</sup>. As discussed previously, the democracy agenda in the Mediterranean was conceived in disagreement between European institutions and member states about the wisdom of democracy promotion within the Barcelona process<sup>1493</sup>. Nevertheless, in the end the Barcelona Agreement explicitly referred to democracy: "the participants undertake the following declaration of principles to... develop the rule of law and democracy in their political systems"<sup>1494</sup>.

Subsequently, the MEDA regulation, the main instrument for financial and cooperation in the framework of the EMP, reiterated the essentiality of democracy clauses<sup>1495</sup>. Under this framework, the total financial resources allocated to Tunisia between 1995 and 2006 amounted to €1 billion in grants<sup>1496</sup>.

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<sup>1491</sup> EU/Tunisia Association Agreement, note 1489.

<sup>1492</sup> Jones, A. (2017). Tunisia's Relations with the European Union: History in Five Phases. In *Continuity and Change in the Tunisian Sahel* (pp. 66-73). Routledge.

<sup>1493</sup> Gillespie, R., & Youngs, R. (Eds.). (2002). *The European Union and democracy promotion: the case of North Africa* (Vol. 7). Psychology Press.

<sup>1494</sup> Barcelona Declaration and Euro-Mediterranean Partnership (1995), adopted at the Euro-Mediterranean Conference 27-28/11/95", Barcelona, 28 November 1995, p. 2. Available at: [http://eeas.europa.eu/archives/docs/euromed/docs/bd\\_en.pdf](http://eeas.europa.eu/archives/docs/euromed/docs/bd_en.pdf).

<sup>1495</sup> Council of the European Union, "Council Regulation (EC) No 1488/96 of 23 July 1996 on financial and technical measures to accompany (MEDA) the reform of economic and social structures in the framework of the Euro-Mediterranean Partnership", *Official Journal of the European Union*, L 189, 30 July 1996.

<sup>1496</sup> European Instruments and Programmes Towards Southern Mediterranean: A General Overview, Centro Studi di Politica Internazionale (pp. 9-32). For a specific review of the MEDA II programme refer to European Commission (2009), Evaluation of the Council Regulation N° 2698/2000 (MEDA II) and its implementation, Final Report. For a broader overview of the Euro-

Moreover, the Tunisian Action Plan adopted under the ENP acknowledged the mutual recognised common values such as democracy<sup>1497</sup>. The ratification of the Action Plans targeted specific democracy agenda items, such as financial support for civil society, the facilitation of parliamentary exchanges, supporting political parties' free engagement with citizens, and enhancing political transparency<sup>1498</sup>. Based on this approach, the EU tried to bolster the role of the civil society, aiming to develop these organisations into effective democracy promoters in society, relying on the notion of socialisation. Other procedures targeted democratisation of institutions, particularly parliamentary ones, hoping to positively influence the Tunisian culture of governance.

Under this socialisation paradigm, the EU attempted to transfer democracy without much recourse to the principle of conditionality<sup>1499</sup>. However, the natural ineffectiveness of this approach (essentially relying on the goodwill and positive democratisation efforts of the Tunisian regime) was highlighted by the progress report of 2006, which indicated "there is a high degree of cohesion between the Action Plan and Tunisia's own priorities"<sup>1500</sup>, and raised concerns regarding the absence of any substantive democratic reforms. Subsequently, as Van Hüllen argued: "given the EU's difficulties in implementing political dialogue and democracy assistance with Tunisian authorities, it is not surprising that Tunisia has not received any additional funds under the democracy and governance facility"<sup>1501</sup>.

It can be concluded that the EU supported democratisation through institutional exchange, applying socialisation through the development of civil society, as part of a hybrid democracy promotion strategy, in which the potential for more strident advocacy for democratic reform (i.e. conditionality) was muffled in the interests

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Mediterranean Cooperation and the allocation of funds Available at: <http://www.medeas.be/en/themes/euro-mediterranean-cooperation/>. [Accessed 28/8/2018].

<sup>1497</sup> European External Action Service, "European Neighbourhood Policy: EU-Tunisia Action Plan", Brussels, 1 May 2005, p. 1.

<sup>1498</sup> European Commission (2005). EU-Tunisia ENP Action Plan. Brussels: EC, 1-31. Available at : [http://eeas.europa.eu/archives/docs/enp/pdf/pdf/action\\_plans/tunisia\\_enp\\_ap\\_final\\_en.pdf](http://eeas.europa.eu/archives/docs/enp/pdf/pdf/action_plans/tunisia_enp_ap_final_en.pdf). [Accessed on 28/8/2018].

<sup>1499</sup> Attinà, F. (2004). The Barcelona Process, the role of the European Union and the lesson of the Western Mediterranean. *The Journal of North African Studies*, 9(2), 140-152.

<sup>1500</sup> Commission of the European Communities. (2006b). ENP Progress Report Tunisia. Brussels. page 2.

<sup>1501</sup> Van Hüllen, note 1483, p. 124.

of socio-economic expediency, premised on gradual democratisation through civil society. Whether or not this would have been successful over the *longue durée*, it was clearly characterised by a lack of concrete democratic reforms.

The main mechanism by which the EU sought to stimulate civil society was the establishment in 2006 of the European Instrument for Democracy and Human Rights (EIDHR), to fund and support civil society organisations<sup>1502</sup>. The EIDHR stated that it intended to support national organisations on issues related to democratisation and human rights. A financially independent body, the EIDHR applied the general EU socialisation approach, through enhancing dialogue between civil society and national institutions, as well as supporting CSO's educational programs and electoral missions<sup>1503</sup>. In 2007 there seemed to be a sea change in the Tunisian government's positive engagement towards the normative principles, supposedly in response to the EIDHR, and subsequently the EU-Tunisian Association Council agreed on the establishment of a Subcommittee on Democracy and Human Rights, which: "displayed a hybrid strategy of linkage and leverage. Although it is targeting the policy through an intergovernmental channel which creates an institution for democracy development, financial conditionality is not the instrument used by the EU"<sup>1504</sup>.

This was part of strengthening EU apparatuses in developing democratic norms with Tunisia through socialisation. Morocco succeeded in obtaining "advanced status"<sup>1505</sup> in 2008, and the Tunisian government requested "reinforced partnership"<sup>1506</sup>. The Tunisian government became a member of the Union for the Mediterranean (UfM)<sup>1507</sup> during the Paris Summit in July 2008, which many

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<sup>1502</sup> European Commission (2006), 'EIDHR Strategy paper 2007-2010' (DG RELEX/B/1 JVK 70618). Available at: [http://ec.europa.eu/europeaid/what/humanrights/documents/eidhr\\_strategy\\_paper\\_2007-2010\\_en.pdf](http://ec.europa.eu/europeaid/what/humanrights/documents/eidhr_strategy_paper_2007-2010_en.pdf). [Accessed on 9.12/2018].

<sup>1503</sup> Kurki, M. (2011). Governmentality and EU Democracy Promotion: The European Instrument for Democracy and Human Rights and the Construction of Democratic Civil Societies. *International Political Sociology*, 5(4), 355.

<sup>1504</sup> Ibid, p. 363.

<sup>1505</sup> Hill, J. N. C. (2018). Authoritarian resilience in Morocco after the Arab spring: a critical assessment of educational exchanges in soft power. *The Journal of North African Studies*, 23(3), 399-417.

<sup>1506</sup> Aghrout, A. (2018). *From Preferential Status to Partnership: The Euro-Maghreb Relationship: The Euro-Maghreb Relationship*. Routledge.

<sup>1507</sup> Union for the Mediterranean founded on 13 July 2008 at the Paris Summit for the Mediterranean, with the aim of reinforcing the Euro-Mediterranean Partnership.

regarded as an extension of the Barcelona process. The UfM was instituted to further strengthen democracy through intergovernmental channels, and membership is not conditioned upon previously fixed normative principles; any country in the Mediterranean basin can join it<sup>1508</sup>.

The EU started these negotiations, hoping to further enhance democracy in the Southern Mediterranean, but by the end of 2009 it abandoned the initiatives, claiming that Tunisia had not respected its commitment towards democratisation and human rights issues<sup>1509</sup>. However, the Tunisian government succeeded in improving its image within EU institutions, and with France's patronage it regained its privileged status in 2010. Despite its unsatisfactory record on democracy and human rights, the EU agreed to reopen the negotiations, due to economic and security considerations<sup>1510</sup>.

### **5.2.2. Implementation of Democratisation Policy Before The “Jasmine Revolution”**

In theory, the EU has always considered democracy promotion to be essential for the stabilisation and prosperity of the Southern Mediterranean region. The EU engagement on democratisation has been retained as the basis for conditionality, with a categorical commitment to promote reforms in Southern Neighbours such as Tunisia. Having said that, evidence indicates that the EU has failed to implement adequate incentives to induce the required reforms among Southern neighbours<sup>1511</sup>. Following the Barcelona Agreement, the EU considered democratic and market reforms the essential elements in the security and stability of the Mediterranean region, but it vigorously pursued economic liberalisation while exerting lukewarm pressure for democratisation.

Commensurately, the Southern Neighbours' autocratic regimes personally profited from facilitating EU financial interests while continuing to make no

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<sup>1508</sup> Elisabeth Johansson-Nogués. (2011) The UfM's Institutional Structure: Making Inroads towards 'Co-Ownership'? *Mediterranean Politics* 16:1, pages 21-38.

<sup>1509</sup> European Commission (2010). *Mise en oeuvre de la politique europe enne de voisinage en 2009. Rapport de Suivi Tunisie*, SEC (2010) 514, 12 May. Brussels: EC.

<sup>1510</sup> EU-Tunisia Association Council (2010). Adoption of the European Union's position for the Association Council's eighth meeting. 9143/10 LIMITE TU 25, Brussels, 1-10.

<sup>1511</sup> Buşcaneanu, S. (2015). EU democracy promotion in Eastern ENP countries. *East European Politics and Societies*, 29(1), 248-286.

meaningful headway on democratisation. Under this cosy paradigm, the EU and the Southern Neighbour regimes pursued a relationship that boiled “down to an exchange of commercial, financial and strategic interests”<sup>1512</sup>, in which the losers were the ordinary citizens under oppressive regimes. The EU-Tunisia relationship was typical, based on strategic and commercial considerations: increasing trade cooperation, controlling the flow of illegal immigrants, and securing Tunisia’s commitment and cooperation in the War on Terror<sup>1513</sup>. In this context, during 2004-2010, EU exports to Tunisia increased in value from €7.6 billion to €11 billion, achieving a net positive commercial balance in the EU’s favour<sup>1514</sup>. From the Tunisian perspective, the regime benefited not only from increasing its legitimacy through enhanced relations with the hegemonic Mediterranean political force and was empowered to tighten its grip on the Tunisian economy and the political process, with no prospect of free and fair democratic elections. The net financial assistance committed by the EU from 1995 to 2009 did not exceed €39 billion, “which accounts for less than 180 Euros per capita for the overall period”<sup>1515</sup>. From this amount, only 1.4 billion was distributed between the different cooperation sectors including economic, security, social and justice and home affairs”<sup>1516</sup>.

In this context, the bilateral and multilateral cooperation agreements were rather mitigated, except in fields of EU interest, such as security and trade liberalisation, while democracy promotion in particular was negligible<sup>1517</sup>. The futility of Tunisian democratisation seems to be due to the EU’s policy priorities, which were based on three main trade-offs: “trade versus aid”, “benefits versus freedoms”, and

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<sup>1512</sup> Ayadi, R. and Gadi, S. (2013), The Euro-Mediterranean Partnership and Development Assistance: Past Trends and Future Scenarios, *MEDPRO Technical Report*, No 32 / April 2013., p 4.

<sup>1513</sup> Van Elsuwege, P., & Van der Loo, G. (2017). Continuity and change in the legal relations between the EU and its neighbours: A result of path dependency and spill-over effects. In *The Revised European Neighbourhood Policy* (pp. 97-116). Palgrave Macmillan, London.

<sup>1514</sup> See the descriptive statistics on EU-Tunisia trade published by the EC Directorate General for Trade and available at: [http://trade.ec.europa.eu/doclib/docs/2006/september/tradoc\\_122002.pdf](http://trade.ec.europa.eu/doclib/docs/2006/september/tradoc_122002.pdf). Accessed 12/2/2019.

<sup>1515</sup> European Commission (2014), Single Support Framework (SSF) programming document for Tunisia for the period 2014-2015, available at: [https://ec.europa.eu/europeaid/single-support-framework-ssf-programming-document-tunisia-2014-2015\\_en](https://ec.europa.eu/europeaid/single-support-framework-ssf-programming-document-tunisia-2014-2015_en). Accessed on 25/12/2018.

<sup>1516</sup> European Commission (2014), ENP Progress Report 2014, available at: [http://eeas.europa.eu/enp/documents/progress-reports/index\\_en.htm](http://eeas.europa.eu/enp/documents/progress-reports/index_en.htm). Accessed on 16/20/2018.

<sup>1517</sup> Ayadi and Gadi, note 1512, pp. 7-8.

“security versus silence”<sup>1518</sup>, which resulted from the exchange of interests with the regime of Ben Ali.

- “Trade versus aid” refers to the economic and financial support provided to the Tunisian regime in exchange for further economic liberalisation<sup>1519</sup>. The intensification of the liberalisation process, a prerequisite of the establishment of the Free Trade Agreement, was completed by 2008, the first ever signed by the EU and a Southern Neighbour. It neglected substantial features of economic development intended to counterbalance the negative impact of the liberalisation process<sup>1520</sup>.
- “Benefits versus freedoms” refers to the over-concentration on the added value of economic liberalisation and the narrow efforts in the political and social dimensions.
- “Security versus silence” refers to political cooperation almost exclusively focused on the security agenda in the decade preceding the Jasmine Revolution, and the silence of the majority of the EU institutions on the absence of any real political reforms, if not the corrosion of the democratic norms in the country<sup>1521</sup>.

The EU trade-offs approach rendered the EU incapable of using the essential clause of conditionality stipulated by the Association Agreement, the EMP, or the ENP to enforce political reforms, nor was it able to engage effectively with Tunisian CSO’s.

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<sup>1518</sup> Ayadi, R. (2016) EU policies in Tunisia before and after the Revolution, Directorate-General for External Policies Policy Department, European Parliament, page 25. Available at: [http://www.europarl.europa.eu/RegData/etudes/STUD/2016/578002/EXPO\\_STU%282016%29578002\\_EN.pdf](http://www.europarl.europa.eu/RegData/etudes/STUD/2016/578002/EXPO_STU%282016%29578002_EN.pdf). [Accessed on 17/1/2019].

<sup>1519</sup> European Commission (2014e), European Neighbourhood and Partnership Instrument 2007-2013:

Overview of Activities and Results, available at: <http://enpi-info.eu/medportal/publications//726/European-Neighbourhood-Instrument-2007-2013-%E2%80%93-Overview-of-Activities-and-Results>. Accessed 16/1/2019.

<sup>1520</sup> Langan, M. (2015), The Moral Economy of EU Relations with North African States: DCFTAs under the European Neighbourhood Policy, *Third World Quarterly*, Vol.36(10), p. 1827-1844, Routledge, Taylor & Francis Group.

<sup>1521</sup> Ayadi, note 1458, p 9.

### 5.2.2.1. EU-Tunisia Economic Cooperation: Liberalisation First

EU-Tunisia cooperation in the economic field before the uprising of 2011 was conditioned upon further liberalisation of the internal market. The adopted measures comprised mainly of tariff and non-tariff elimination processes intended to enhance the competitiveness of the Tunisian industrial sector and open up the Tunisian market to foreign direct investment and international corporations<sup>1522</sup>. The EU's financial support clearly buttressed economic liberalisation and did not address political reform. Indeed, the economy was largely controlled by the Tunisian regime, and all large companies were dominated by the President's family and clique.

Consequently, the adopted measures and EU financial support served to consolidating the regime's oligarchical monopoly over the Tunisian economy, rather than increasing competition and enhancing small companies' ability to create jobs and subsequently prosperity in the country<sup>1523</sup>. In fact, many medium-sized companies which tried to compete with the regime-prioritised companies were coercively squeezed out of the market<sup>1524</sup>. The monopolistic situation of the Tunisian regime reduced the possibility of economic growth despite the liberalisation approach and the EU's financial support.

Against this background, economic liberalisation failed to benefit the vast majority of the Tunisian population. This was particularly evident in the lack of adequate jobs available for the Tunisian youth. The insufficiency of jobs exacerbated the already deteriorated socio-economic status of the Tunisian population, which was an important factor in the uprising. The illiberal market in addition to the ineffective social policies created a very unbalanced society. From one side, few among the incumbent regime "linked economic exponents, which was exchanged for contained and controlled political freedoms, and the welfare system was subsequently subordinated to that purpose"<sup>1525</sup>. On the other, the majority of the

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<sup>1522</sup> Mouelhi, R. B. A. (2007). The impact of trade liberalization on Tunisian manufacturing: Structure, performance and employment. *Région et développement*, 25, 87-114.

<sup>1523</sup> Zemni, S. (2014). The roots of the Tunisian revolution. *Routledge Handbook of the Arab Spring: Rethinking Democratization*, 77-87.

<sup>1524</sup> Baumann, H. (2017). A failure of governmentality: Why Transparency International underestimated corruption in Ben Ali's Tunisia. *Third World Quarterly*, 38(2), 467-482.

<sup>1525</sup> Ayadi, note, 1512, pp. 9-10.

population remained underprivileged and lacked necessary and sufficient income to afford minimum acceptable standards of living.

To conclude, two specificities of the Tunisian situation must be considered when assessing the impact and the evolution of the EU-Tunisia cooperation in the economic field, namely whether the EU policies improved the Tunisian economy, and what the impact of economic liberalisation was on Tunisian democratisation (which amounts to asking whether the EU strategy was successful in terms of democracy promotion). While the economic cooperation generated some progress in terms of openness and liberalisation, it further entrenched Tunisian crony capitalism<sup>1526</sup>, and reinforced the dominance of the oligarchical regime. This conclusion has been highlighted by many stakeholders.

One party to note this outcome was the European Commissioner<sup>1527</sup>, who commissioned a report arguing that, while the Association Agreement has been effective in implementing progressive liberalisation, especially in terms of reducing tariffs obstacles, it achieved little improvements in terms of non-tariff barriers and the business environment. In this context, liberalisation was a hindrance to the Tunisian democracy rather than a supportive mechanism. Indeed, the Tunisian regime relied on European financial support to further enhance its grip on the national economy, whether directly or indirectly, through politically linked economic proponents, exchanged for controlled political liberties which were subsequently subordinated to that purpose<sup>1528</sup>.

#### **5.2.2.2. Political Cooperation: Security Trade-offs**

Political cooperation has been the least successful policy in comparison with other sectors, including economic reforms, mainly due to the absolute prioritisation of the security-stability nexus, despite rhetorical EU statements or ENP Action Plans. The EU inclination to maintain its collaborative relationship with the Tunisian regime was based on reducing African immigration to Europe

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<sup>1526</sup> Durac, V., & Cavatorta, F. (2009). Strengthening authoritarian rule through democracy promotion? Examining the paradox of the US and EU security strategies: the case of Bin Ali's Tunisia. *British journal of Middle Eastern studies*, 36(1), 3-19.

<sup>1527</sup> De Wulf, L., Maliszewska, M. et al (2009), Economic Integration in the Euro-Mediterranean Region, *CASE and CEPS*, available at: [http://trade.ec.europa.eu/doclib/docs/2009/october/tradoc\\_145214.pdf](http://trade.ec.europa.eu/doclib/docs/2009/october/tradoc_145214.pdf). [Accessed 16/7/2018].

<sup>1528</sup> Baumann, note 1443, pp.467-482.

and counter-terrorism, and the regimes' cooperation in these dimensions gave it great leverage, preventing the EU from holding it accountable for undemocratic conduct<sup>1529</sup>. The security dimension of the EU policies towards Tunisia prevented the EU from accomplishing tangible results in terms of democratic reforms, forfeiting *de facto* political reforms for the security cooperation objectives. This progressively eroded the legitimacy of the EU as a normative power and a genuine supporter for democracy reforms.

Although the security considerations were the main factor in the development of the EMP and ENP, 9/11 in the US and numerous subsequent terrorist attacks in Europe soil brought this issue to the forefront<sup>1530</sup>. Ben Ali's regime used the threat of Islamist extremism in order to manipulate public opinion and the EU to support his own political agenda and justify his regime's authoritarian rule: "On the pretext of struggling against religious fundamentalism and terrorism... the dictatorship progressively and methodically succeeded in crushing any political, individual, or organised opposition and in reducing all media to silence"<sup>1531</sup>.

Furthermore, following 9/11 systematic torture of the Islamist decedents became common practice in the country, concurrently with the enactment of anti-terrorism law, as the US rhetoric of the War on Terror gave *carte blanche* to all autocratic regimes in MENA and elsewhere to use extraordinary and extra-legal measures under the banner of counter-terrorism<sup>1532</sup>. In Tunisian domestic affairs, new legislation became a "suppressive security policy that ended up creating a political vacuum and closed any space for debate"<sup>1533</sup>, with increasing media suppression. The post-9/11 international political discourse was dominated by the absolutist "for-or-against-us" approach of the US, particularly among NATO members and the US-backed regimes of the Arab World, which to a large degree

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<sup>1529</sup> Mouhib, L. (2014), EU Democracy Promotion in Tunisia and Morocco: Between Contextual Changes and Structural Continuity, *Mediterranean Politics*, Vol.19(3), p. 351-372, Routledge, Taylor & Francis Group.

<sup>1530</sup> Bossong, R. (2012). *The evolution of EU counter-terrorism: European security policy after 9/11*. Routledge.

<sup>1531</sup> Arieff, A. (2011). "Political Transition in Tunisia." Rep. no. 7-5700. N.p.: CRS Report for 38 Congress, 2011. Print, 16.

<sup>1532</sup> Ayeb, H. (2011). "Social and Political Geography of the Tunisian Revolution: The Alfa Grass 39 Revolution." *Review of African Political Economy* 38.129: 469.

<sup>1533</sup> Loudon, Sarah R. (2015) "Political Islamism in Tunisia: A History of Repression and a Complex Forum for Potential Change," *Mathal*: Vol. 4: Iss. 1, Article 2., p 8. <https://doi.org/10.17077/2168-538X.1060>.

trumped the EU's otherwise relatively enlightened pro-democracy position among the Southern Neighbours. The Tunisian regime took the opportunity to depict itself as a Western ally and a "seasoned bulwark against the threat of Islamist extremism"<sup>1534</sup>. Instead of condemning the Tunisian regime's appalling shortfalls in democratic and human rights, the EU's Counter-Terrorism Coordinator announced much tighter coordination with the North African regimes, and Tunisia in particular<sup>1535</sup>, which highlights the absolute prioritisation of security concerns over democratisation that the EU purports to promote.

This is evidenced by the way the EU has consistently jettisoned its democratic concerns whenever these are perceived to be an impediment to some security issue. In 2006 for instance Amnesty International highlighted the Tunisian regime's breaches of democratic principles and indicated that: "freedom of expression remained severely curtailed... Human rights defenders continued to be harassed and sometimes physical violence. Right to freedom to freedom of expression was further restricted"<sup>1536</sup>.

All these breaches occurred despite the Association Agreement stipulation on respecting democracy and human rights principles. The EU never punished Tunisia for breaching these legal obligations of the essential clause; in fact, while these abuses were going on, the EU was actively increasing its political and security cooperation with Tunisia. The discrepancy between rhetoric and practice was also highlighted by Ben Ali's control over the Tunisian political system, which allowed him to win the 1999 and 2004 elections with 99.66 and 94.48 percent of the vote (respectively)<sup>1537</sup>, changing the Constitution to enable the latter victory by allowing him to run for a third term re-election<sup>1538</sup>. These results were clearly farcical, but far from censuring the regime in the spirit of Association Agreement democracy and human rights clause, the EU congratulated Ben Ali for his

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<sup>1534</sup> Willis, Michael. *Politics and Power in the Maghreb: Algeria, Tunisia and Morocco from Independence to the Arab Spring.*, (New York: Columbia UP, 2012), 155.

<sup>1535</sup> Gijs de Vries. (2005). "The European Union's Role in the Fight Against Terrorism", *Irish Studies In International Affairs*, 16, pp 3-9.

<sup>1536</sup> Amnesty International Report 2006. Available at <http://web.amnesty.org/report2006/tun-summary-eng2>. [Accessed on 23/10/2018].

<sup>1537</sup> Jebnoun, N. (2013). Ben Ali's Tunisia: the authoritarian path of a dystopian state. *In Modern Middle East Authoritarianism* (pp. 117-138). Routledge.

<sup>1538</sup> Zoubir, Y. H., & Amirah-Fernández, H. (2008). The "End of the Era of Leniency" in Morocco. *In North Africa* (pp. 114-132). Routledge.

fantastic victory<sup>1539</sup>. Many scholars argued that the Tunisian regime's role in the fight against terrorism was an important factor for the Western world, and the EU in particular, turning a blind eye to his lack of democratic reform.

Indeed, following the 2008 unrest in Gafsa, the regime cracked down on political dissidents and blacked out news broadcasting in the region, but the EU response was limited<sup>1540</sup>. Only the European Parliament criticised the regime violence towards the community and invited the president of Tunisian league for Democracy and Human rights (TLDH) to deliver a speech in the European Parliament's Plenary Assembly<sup>1541</sup>. However, other European institutions were happy with the regime's explanation that it was tackling members of Islamist radical groups<sup>1542</sup>. This incident reflects the priorities in EU-Tunisia political cooperation, including the aforementioned trade-off in favour of security matters, despite the EU rhetoric on democracy and human rights.

This prevented EU policies from attaining concrete political reforms, whether from democratic, human rights, or the rule of law perspective. The Tunisian regime was aware of the EU dilemma, as it used the security cooperation as leverage to attain EU silence. Subsequently, while political cooperation achieved concrete progress in the security field, in terms of democratic reforms no notable influence was observed. In fact, it is even a probability that the EU policies had a detrimental effect in terms of democracy. The security concept of the political cooperation reinforced the security aspects of the Tunisian regime and further legitimised Ben Ali to crack down on the dissidents in the name of counter-terrorism<sup>1543</sup>. In this context, the threat of Islamist terror groups like al-Qaida gave

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<sup>1539</sup> Fuentes, G. M. (2010). Divisive electoral policies within authoritarian elections: The Tunisian casuistry (1989–2009). *The Journal of North African Studies*, 15(4), 521-534.

<sup>1540</sup> Gobe, E. (2010). *The Gafsa Mining Basin Between Riots And A Social Movement: Meaning And Significance Of A Protest Movement In Ben Ali's Tunisia*. halshs.archives-ouvertes.fr

<sup>1541</sup> Trifi, M. President of Tunisian League for Human Rights (2016) Interview in Giorgio Bassotti Did the European Union Light a Beacon of Hope in North Africa? Assessing the Effectiveness of EU Democracy Promotion in Tunisia, *Ibid* 7, pp-13-14.

<sup>1542</sup> Jones, A. (2017). Tunisia's Relations with the European Union: History in Five Phases. In *Continuity and Change in the Tunisian Sahel* (pp. 66-73). Routledge.

<sup>1543</sup> Powel, B. T. (2009). A clash of norms: normative power and EU democracy promotion in Tunisia. *Democratization*, 16(1), 193-214.

the regime a handy excuse to crack down on civil liberties, freedom of the press, and freedom of expression<sup>1544</sup>.

### **5.2.2.3.Limited Engagement with Civil Society**

While the EU intended to rely on socialisation in order to improve Tunisia's democracy profile, through the empowerment of the civil society, very little financial support was provided to Tunisian civil society organisations. EIDHR empowerment of the civil society approach by building the ability of political parties to engage in elections, improve their electoral observation and participation, as well as expand the participation of individuals from marginalised groups in elections was not very effective<sup>1545</sup>. An effective approach on the empowerment of civil society in the field of democracy depends on two key factors:

- The existence of a legal framework that enables NGO participation in national political life without political and legal restrictions.
- Regime willingness to engage constructively with CSO's<sup>1546</sup>.

These requirements were lacking in the case of Tunisia, due to the political and legal restrictions imposed by the regime, which rendered any EU financial support to CSO's very problematic. In fact, the Tunisian regime legislated specifically to manipulate and curtail the EU's democratisation agenda. For instance, it made it a criminal offence to accept financial support from an external entity seeking to "interfere in the Tunisian political agenda"<sup>1547</sup>. These restrictions on the activities of CSO's forced the EU to engage primarily with the Tunisian organisations expelled into the European countries, rather than those settled in Tunisia<sup>1548</sup>.

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<sup>1544</sup> Larry Luxner Article. In Tunisia, Jews enjoy stability, but not democracy. Published Jan 25, 2008. <https://jewishjournal.com/tag/religious-extremism/>. [Accessed on 10/3/2019].

<sup>1545</sup> Aliyev, H. (2016). Assessing the European Union's assistance to civil society in its eastern neighbourhood: Lessons from the South Caucasus. *Journal of Contemporary European Studies*, 24(1), 42-60.

<sup>1546</sup> Boose, J. W. (2012). Democratization and civil society: Libya, Tunisia and the Arab Spring. *International Journal of Social Science and Humanity*, 2(4), 310.

<sup>1547</sup> GREEN, P., & Ward, T. (2015). Civil society and state crime: Repression, resistance and transition in Burma and Tunisia. In *State Crime: Critical Concepts in Criminology*. Routledge.

<sup>1548</sup> Cavatorta, F., & Haugbølle, R. H. (2012). The end of authoritarian rule and the mythology of Tunisia under Ben Ali. *Mediterranean Politics*, 17(2), 179-195.

In this context, during the EU-Tunisia negotiations for partnership advanced status, many democracy and human rights activists appealed to the EU to suspend the discussions because of the democratic and human rights repression. This rejection was punished by the government by a constitutional amendment which made it a criminal offence to “incite foreign parties not to grant a loan to Tunisia, not to invest in the country, to boycott tourism or to sabotage Tunisia’s efforts to obtain advanced-partner status with the EU”<sup>1549</sup>.

The EU failed to react substantively to these flagrant attacks on freedom of expression and democratic principles, exposing the EU inconsistency between its democracy policies and its implementations. Furthermore, Colombo and Meddeb argued that while the EU approach, including the ENP Action Plans, is based on intergovernmental setting, national CSO’s are rarely involved in the agenda’s development<sup>1550</sup>. Despite the EU’s commitment rhetoric on democracy promotion, it has failed to trigger constructive dialogue with Tunisian civil society, as its financial support was very limited (about €2 million a year), with the vast majority going to the CSO’s led by political émigrés settled in Europe<sup>1551</sup>. The Tunisian regime’s political and legal restrictions rendered the EU’s support for CSO’s activities virtually impossible.

### **5.2.3. Conclusion**

Judging from the practical outcomes of its democratisation policy, critics allege that the EU is willing to talk the talk but not walk the walk. Although democracy promotion is a fundamental EU priority, the implementation of policies to support it have been very limited. While demand for democracy promotion is very high among the people of Tunisia, the supply of resources and support for national civil society and programs in Tunisia is very low, a pattern repeated throughout the Southern Mediterranean<sup>1552</sup>. Indeed, by prioritising neoliberal economic reforms, supposedly conducive to democratisation in the long term, the EU’s

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<sup>1549</sup> Huber, D. (2015). *Democracy Promotion and Foreign Policy: Identity and Interests in US, EU and no Western Democracies*. London: Palgrave Macmillan, p.52.

<sup>1550</sup> Ayadi, note 1518, pp. 11-12.

<sup>1551</sup> European Commission, “Évaluation de la coopération de la Commission Européenne avec la Tunisie 1996-2008”, Final Report, Vol. 1, Brussels, May 2011, p. 60.

<sup>1552</sup> Alexander, C. (2016). *Tunisia: From stability to revolution in the Maghreb*. Routledge.

liberalisation approach actually enhanced the Tunisian regime's authoritarian control over the Tunisian political system.

The disconnect between EU values and practical actions is due to its prioritisation of security-oriented matters, to the detriment of concrete democratic reforms. The security agenda is clearly the dominant factor in European-Tunisian partnership, as stability supersedes any political reform concerns<sup>1553</sup>. The paradox of the EU's strategy was pointed out (with great foresight) before the Jasmine Revolution by Durac and Cavatorta, who claimed that the subordination of democracy promotion in order to maintain security and stability was unsustainable and could lead to profound negative implications<sup>1554</sup>. The repression by the Tunisian regime became progressively unsustainable, taking into consideration the growing youth population (with notably high educational attainment) increasingly unsatisfied with the political and economic situation, particularly mass unemployment. This cauldron of demographic, socio-economic, and political tensions ultimately spilled over in the Jasmine Revolution, which in turn forced the EU to reverse its approach in terms of the political cooperation. Subsequently, following the uprisings, according to EU official documents, "in 2011, the EU swiftly made a mea culpa and recognised that they had not promoted democratic values strongly enough"<sup>1555</sup>.

### **5.3. Evolution and Impact of EU Democracy Support After the Uprisings**

The EU statements towards the unrest in Tunisia developed progressively. At the first stages, it tried to influence the regime through its diplomatic channels, as the Southern European members in particular feared chaos in the region if the regime collapsed suddenly<sup>1556</sup>. Initially, the High Representative Ashton and Commissioner Füle stated that "they deplore the violence and the death of

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<sup>1553</sup> Colombo, S., & Meddeb, H. (2018). Fostering Inclusiveness: A New Roadmap for EU-Tunisia Relations and the Engagement with Civil Society. *IEMed*.

<sup>1554</sup> Durac, V. and Cavatorta, F. (2009), Strengthening Authoritarian Rule through Democracy Promotion? Examining the Paradox of the US and EU Security Strategies: The Case of Bin Ali's Tunisia, *British Journal of Middle Eastern Studies*, Vol. 36(1), p. 3-19, Routledge, Taylor & Francis Group.

<sup>1555</sup> *Ibid*, p 7.

<sup>1556</sup> Santini, R. H. (2018). *Limited Statehood in Post-revolutionary Tunisia: Citizenship, Economy and Security*, pp 13-52. Springer.

civilians”<sup>1557</sup>, but they still emphasised their unequivocal backing for the regime: “we hope that our Tunisian partner will meet the ambitions and expectations placed in our relationship”<sup>1558</sup>. In contrast, following the forced exile of the Tunisian dictator, in a joint statement, Ashton and Füle reiterated their “support and recognition to the Tunisian people and their democratic aspirations”<sup>1559</sup>. A further Communication issued on 17 January 2011 stated: “The message from the Tunisian people is loud and clear: Tunisia has reached a point of no return; The EU will stand side by side with Tunisians as they pursue their peaceful and democratic aspirations”<sup>1560</sup>. Meanwhile, the EU Council declared that: “The European Union is... ready to mobilise every instrument at its disposal to help ease the passage of political, economic and social reform in Tunisia, to strengthen its democratic institutions and to give greater support to civil society in the country”<sup>1561</sup>.

However, the first actual policy developed in the middle of the Arab Uprisings was the “Partnership for Democracy and Shared Prosperity”<sup>1562</sup>, closely followed by the “New Response to Changing Neighbourhood”<sup>1563</sup>. In these documents, the lack of democratic reforms was identified as the major stumbling block to the security of the region, underlying the wave of unrest. Hence, in contrast with its approach before the Arab Spring, the EU was more willing to apply conditionality as a basis for the EU’s Tunisian relationship. As the Commission stated: “those that go further and faster with reforms will be able to count on greater support for the EU. Support will be allocated or refocused for those who stall or retrench on agreed reform plans”<sup>1564</sup>.

The EU subsequently introduced two major reforms to its approach, “more-for-more” and “deep democracy”. Both foster the leverage and socialisation model,

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<sup>1557</sup> C. Ashton & S. Füle, (2011) “Statement by EU High Representative Catherine Ashton and European Commissioner for Enlargement Štefan Füle (2011) on the situation in Tunisia”, Brussels, 10 January 2011.

<sup>1558</sup> Ibid

<sup>1559</sup> C. Ashton & S. Füle, (2011) “Joint statement by EU High Representative Catherine Ashton and Commissioner Štefan Füle on the events on Tunisia”, Brussels, 14 January 2011.

<sup>1560</sup> Ibid.

<sup>1561</sup> Council of the European Union (2011), “Council conclusions on Tunisia”, 3065th Foreign Affairs Council meeting, Brussels, 31 January 2011, p. 1.

<sup>1562</sup> Partnership for Democracy and Shared Prosperity, note 22.

<sup>1563</sup> New Response to Changing Neighbourhood, note 23.

<sup>1564</sup> Partnership for Democracy and shared Prosperity, note 22.pp. 3-4.

which targets “democratic governance as well as democratic institutions through intergovernmental and trans-governmental channels”<sup>1565</sup>. It is interesting to note at this stage that the deep democracy concept was considered a new innovation under the ENP review of 2011, and an indication of a clear break with its previous focus on security and stability nexus, but there was a notable absence of this notion in EU communications, documents, and programs towards Tunisia since 2011. Indeed, even in the consolidation phase, the Action Plan of 2013-2017, which outlined the objectives of the cooperative priorities in Tunisia, contained only one reference to the deep democracy concept<sup>1566</sup>. The Action Plan reference to this notion was a mere declaration that the EU will “provide greater assistance to the partners committed with deep democracy, rule of law, human rights fundamental freedoms and gender equality”<sup>1567</sup>. The concept was also mentioned in the ENI Programming document of 2014-2017, but neither explained nor developed clear objectives or projects related to this objective<sup>1568</sup>.

The EU’s theoretical position on implementing deep democracy can be divided into the establishment and consolidation phases. In the first three-year period (2011-2013) the EU issued more than 23 documents dealing with Tunisian issues, varying from crisis management to humanitarian aid, averaging 13 documents a year, in huge contrast to the rate of less than two documents a year before the uprisings<sup>1569</sup>. The notion of democratisation and its derivatives was frequently repeated (66 times) in the EU’s statements regarding Tunisia<sup>1570</sup>. During the period 2015-2017 EU communications regarding Tunisia remained prolific, with 35 documents, averaging 12 per year. The vast majority of these dealt with the financial and political stability of the country. However, the word

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<sup>1565</sup> Ibid, p 7.

<sup>1566</sup> European External Action Service. Action Plan 2003-2013-2017. Available at: [https://eeas.europa.eu/sites/eeas/files/plan\\_action\\_tunisie\\_ue\\_2013\\_2017\\_fr\\_0.pdf](https://eeas.europa.eu/sites/eeas/files/plan_action_tunisie_ue_2013_2017_fr_0.pdf). [Accessed 12/3/2019].

<sup>1567</sup> Ibid, p2.

<sup>1568</sup> European Commission. Programming of the European Neighbourhood Instrument (ENI) - 2014-2020 Regional South Strategy Paper (2014-2020) and Multiannual Indicative Programme (2014-2017). [http://eeas.europa.eu/archives/docs/enp/pdf/financing-the\\_enp/regional\\_south\\_strategy\\_paper\\_2014\\_2020\\_and\\_multiannual\\_indicative\\_programme\\_2014\\_2017\\_en.pdf](http://eeas.europa.eu/archives/docs/enp/pdf/financing-the_enp/regional_south_strategy_paper_2014_2020_and_multiannual_indicative_programme_2014_2017_en.pdf). [Accessed on 27/2/2019].

<sup>1569</sup> European Commission, Press Releases Database. Available at: <http://europa.eu/rapid/search.htm>. [Accessed on 13/12/2018].

<sup>1570</sup> European Commission (2011b). Tunisie. Programme Indicatif National 2011–2013. Brussels: EC, 1-39. Available at: <http://www.enpi-info.eu/library/content/tunisia-national-indicative-programme-2011-2013>.

“democracy” and its derivatives were repeated only 71 times, while “security” and “terrorism” were cited 92 times<sup>1571</sup>. More recently, EU democracy support in Tunisia has been guided mainly through three strategic policies.

- Privileged Partnership. As a 2018 progress report stated: “The European Union and Tunisia are natural partners on account of their geographical, cultural and commercial links We are eager to deepen our privileged partnership, and the EU remains committed to a democratic, strong and prosperous Tunisia”<sup>1572</sup>.
- The ENP review “Stronger Partnership for a Stronger Neighbourhood”<sup>1573</sup>, which developed a new notion of securitisation and stabilisation based on differentiated approach and co-ownership, reaffirming democracy as an important factor in the EU’s agenda in the Mediterranean region. It reinforced the respective existing frameworks of cooperation such as the Civil Society Facility (CSF) and European endowment for Democracy (EED).
- “Single Support Framework”, in which democracy development is a fundamental element<sup>1574</sup>.

The following sections consider the role played by the EU in supporting Tunisia’s young democracy, including the mechanisms of conditionality (more-for-more) and the empowerment of civil society, as well as assessing the continuity and changes of the security issue in relation to democracy, and finally evaluating the possible impact of economic liberalisation.

### **5.3.1. Impact of Positive Conditionality: The “More-For-More” Approach**

The more-for-more concept has been emphasised as an innovative policy under the 2011 ENP review. As discussed previously, positive conditionality is a traditional mechanism that the EU has relied on since the EMP, although mainly

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<sup>1571</sup> European Commission, note 1569.

<sup>1572</sup> European Commission, 8 May 2018: report on the state of EU Tunisia Relations ; Towards A Strengthening The Privileged Partnership. Available at: [http://europa.eu/rapid/press-release\\_IP-18-3703\\_en.htm](http://europa.eu/rapid/press-release_IP-18-3703_en.htm). [ Accessed on 28<sup>th</sup> July 2018].

<sup>1573</sup> European External Action Service and European Commission’s Directorate-General for Development and Cooperation, “Single support framework EU-Tunisia 2014-2016”, Brussels, pp. 59.

<sup>1574</sup> Balfour, Fabbri & Youngs, note 153, p. 12.

for economic liberalisation and security objectives rather than democratisation purposes<sup>1575</sup>. The Action Plans 2013/2017 are more specific, ranging from political and economic reforms to changes in the justice and electoral systems. While it is applying the same approach, it is completely different from the vague and sketchy arrangements recommended by the Egyptian Action Plans<sup>1576</sup>. The EU approach towards Tunisia gives the impression of “focused sectoral cooperation, prompted by a general satisfaction over the political situation in Tunisia”<sup>1577</sup>. Contrary to Egypt, the Progress Reports regarding Tunisia democracy progress continued to be satisfactory, hence it did not seed a comprehensive review of its democratisation approach, rather it established a democracy consolidation approach<sup>1578</sup>.

The Action Plan aimed to establish the basis for future EU-Tunisia cooperation. The comprehensive Action Plan stipulated the general principles as well as the detailed objectives of this relationship in the nine-page “Political Cooperation” and 25-page “Economic and Social Cooperation” sections<sup>1579</sup>. The stabilisation agenda was a short-term objective, but the Action Plan contained a detailed approach, informed by a clear, long-term perception, visualised with the prospect of a “Deep and Comprehensive Free Trade Area”<sup>1580</sup>. The Action Plan stipulated that the normative principles of democracy, human rights, and the rule of law development, as well as economic reforms and related conditionality, would be applicable for all EU financial support. For instance, the Action Plan discursive configuration of the democratic reforms specifically stipulated the use of this mechanism. The Commission’s introduction of the Action Plan praised the Jasmine Revolution, claiming it carries some optimism for the future, and lays

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<sup>1575</sup> Baracani, E. (2009). The European Neighbourhood Policy and political conditionality: double standards in EU democracy promotion? In *The external dimension of EU justice and home affairs* (pp. 133-153). Palgrave Macmillan, London.

<sup>1576</sup> Bauer, P., & Schweitzer, B. (2014). Egypt and the European Union: Political Dialogue and Authoritarian Resilience. *Revolution as a Process: The Case of the Egyptian Uprising*, 1, 221.

<sup>1577</sup> Mari, A. (2017) *Democracy promotion and stability in Egypt and Tunisia Discursive configurations of the European Neighbourhood Policy after the Arab uprisings*. Leiden University. Master of Arts International Relations Specialisation European Union Studies. page 37.

<sup>1578</sup> European Commission - Press release. Progress report on the State of EU Tunisia relations: Towards a strengthening of the privileged partnership, Brussels 8 May 2018. Available at: <https://eeas.europa.eu/sites/eeas/files/st08737.fr18.pdf>. [Accessed on 20/3/2019].

<sup>1579</sup> European Commission (2013b). Relations Tunisie - Union Européenne: Un Partenariat Privilège Plan D’Action (2013-2017). Brussels: EC, 1-50.

<sup>1580</sup> Hoekman, B. (2016). Deep and comprehensive free trade agreements. *Robert Schuman Centre for Advanced Studies Research Paper No. RSCAS*, 29.

down the “bases for the development of true democracy”, largely applying a very positive narrative<sup>1581</sup>.

In this context, the 2012 progress report requested that the Tunisian government, as a priority, reform its electoral legal provisions, by adopting independent electoral organisations<sup>1582</sup>. Based on the Tunisian government’s invitation, a monitoring mission was sent by the EU to assess the 2011 elections, and despite minor breaches, the elections were deemed free and fair, and the judicial framework was in compliance in the international norms<sup>1583</sup>. Following the elections, Tunisia requested the EU’s support for the implementation of an electoral independent public body, as well as the independent electoral Commission, which was implemented in 2014<sup>1584</sup>.

Despite some wrangling, a national dialogue appointed a new Election Commission, and new electoral institutions responsible for running the elections activated for the first Assembly of the Representatives of the People on 26 October 2014. Again, the EU Commissioner and Catherine Ashton (High Representative of the EU for Foreign Affairs and Security Policy) expressed their satisfaction with the Tunisian elections, following a report by the EU’s monitoring mission<sup>1585</sup>. The EU mission was able to assess the effectiveness of the new electoral code produced in 2013, which is based on essential pillars to conduct free fair and inclusive election, such as the compulsory voters’ registration before the elections. According to the electoral Observational Mission, the legal framework was effective in providing democratic elections and meeting the international norms, although some irregularities were present, such as electoral campaigning restrictions and a sanctions regime for violating electoral financing norms<sup>1586</sup>.

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<sup>1581</sup> Ibid, p 14.

<sup>1582</sup> European Commission (2012), *Mise en oeuvre de la Politique Européenne de Voisinage en Tunisie, Progrès Réalisés en 2011 et actions à mettre en oeuvre*, Bruxelles.

<sup>1583</sup> Murphy, E. C. (2013). The Tunisian elections of October 2011: a democratic consensus. *The Journal of North African Studies*, 18(2), 231-247.

<sup>1584</sup> Arieff, A., & Humud, C. (2014). Political Transition in Tunisia. *Current Politics and Economics of Africa*, 7(4), 497-521.

<sup>1585</sup> European External Action Service.europa.eu, Election Observation in Tunisia, 2014. Available at: [http://eeas.europa.eu/eueom/missions/2014/tunisia/index\\_en.htm](http://eeas.europa.eu/eueom/missions/2014/tunisia/index_en.htm). [Accessed on 28<sup>th</sup> July 2018].

<sup>1586</sup> Ibid.

Similarly, following an invitation by the National Constituent Assembly to the European Council to contribute by advising on the drafting process of the Constitution, the Commission experts stated that they were impressed with the quality of the process, but some suggested modifications to the draft to further help the Assembly<sup>1587</sup>. Overall, the new Constitution seems to be “modern, characterised by universal values such as human rights and fundamental freedoms and notably new rights like those linked to the environment”<sup>1588</sup>. The new legal framework has simplified the rules for the creation of new parties and associations, as well as their funding. The new laws have also removed obstacles to obtaining aid, donations, and legacies, whether national or international<sup>1589</sup>.

One of the main pillars of democracy is freedom of association, which was strengthened in Tunisia following the implementation of the new law in 2011, facilitating the foundation of new organisations, simply through a simple declaration., stating “this decree guarantee the freedom of association... as well as strengthening the development and the role of civil society organisations and preserving their independence”<sup>1590</sup>. This new legal instrument allowed the international organisations to open a branch in Tunisia without the previously complicated bureaucratic obfuscations. Since the enactment of this law, more than 11,400 organisations have been created, giving a huge boost to civil society’s ability to participate effectively in public debates on normative issues<sup>1591</sup>, including governance, accountability, and corruption in the public sector<sup>1592</sup>.

Notably, the Commission emphasised the importance of reforming the legal instruments of freedom of association and the implementation of such rights in

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<sup>1587</sup> Commission of Venice, (2013), Observations sur le projet final de la constitution de la République Tunisienne, Strasbourg.

<sup>1588</sup> Ibid, p16

<sup>1589</sup> For all the Constitutional drafts, see the official website of the Tunisian National Constituent Assembly : <http://www.anc.tn/site/main/AR/index.jsp>. In the case of political freedoms, the draft released in August 2012 stated that: « the creation of political parties, trade unions and associations is free » (art. 11).

<sup>1590</sup> Decree, the establishment of non-governmental organizations in the Tunisian Territory, number 88, 24 September 2011

<sup>1591</sup> Boiten, V. J. (2015). The Semantics of ‘Civil’: The EU, Civil Society and the Building of Democracy in Tunisia. *European Foreign Affairs Review*, 20(3), 357-377.

<sup>1592</sup> The United Nations Committee Against Torture Concluding Observations, on May 15, 2016. Available at: <https://www.hrw.org/news/2016/05/23/tunisia-un-panel-condemns-forced-anal-exams>. [Accessed 17/2/2019].

the Constitution<sup>1593</sup>. Freedom House noted that although the new Constitution has guaranteed the freedom of publication and expression, such rights remain difficult on the ground<sup>1594</sup>. Journalists are still subject to defamation charges created under the old regime, while bloggers may still be charged before the military courts for criticising the military leaders<sup>1595</sup>. Some ministers and government officials are still using the legal system to penalise opposition figures on security grounds. More troubling, in 2014 the government stopped the activity of more than 175 organisations, accusing them of terrorism-related activities, directly harking back to the Ben Ali regime's tactics for shutting down political debate. In November 2017, the government dissolved 189 civil society organisations based on alleged financial irregularities related to terrorism. An Interior Ministry spokesman stated that "while we encourage civil society to flourish and support our new-born democracy... we will not allow certain groups to hurt our security"<sup>1596</sup>.

Concerning media freedom, following a constant request by the Commission, in 2011 Tunisia adopted a new Press Code<sup>1597</sup>. While the press environment was changing since the uprisings, as the governments have fostered multiple measures to promote the freedom of the media, restrictions on media content are still an issue<sup>1598</sup>. Consequently, following some EU criticisms in the Tunisian Progress Report 2013<sup>1599</sup>, Tunisia established the "High Independent Authority for Audio-visual Communication". The new institution, in a step forward for the freedom of the press, has abolished the obligation to deposit a copy of every publication with the authority prior to circulation. However, a wide range of censorship still exists, whether for security or cultural reasons.

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<sup>1593</sup> European Commission: (2014), *Mise en oeuvre de la Politique Européenne de Voisinage en Tunisie, Progrès Réalisés en 2013 et actions à mettre en oeuvre*, Bruxelles.

<sup>1594</sup> Freedom House, Report, Tunisia 2015, available at: <https://freedomhouse.org/report/freedomworld/2015/Tunisia>. [ Accessed on 16/1/2019].

<sup>1595</sup> Farmanfarmanian, R. (2017). Media and the politics of the sacred: freedom of expression in Tunisia after the Arab Uprisings. *Media, Culture & Society*, 39(7), 1043-1062.

<sup>1596</sup> Tunisian Interior Minister Spokesman (2017) Interview in Mosaïque FM on 16/10/2017

<sup>1597</sup> Tunisian Media Reform (2011): An Incomplete Process, in Tunisia Live, <http://www.tunisialive.net/2011/12/30/tunisianmedia-reform-an-incomplete-process/>. [ Accessed 26/2/2019].

<sup>1598</sup> El Issawi, F. (2015). *Tunisian Media And Political Polarization: Glorifying The Self, Rejecting The Other*. Repository.essex.ac.uk.

<sup>1599</sup> European Commission, note 1579, pp. 5-7.

Freedom House has continued to criticise Tunisia for its restrictions on the freedom of the press, which it cites as a major obstacle in the democratisation process. Indeed, many journalists have been interrogated and imprisoned due to their political views, based on defamation lawsuits, while police assaults against journalists are a recurrent event during protests. For instance, Hamdi Souissi was detained and beaten by police for covering a sit-in organised protest<sup>1600</sup>, while Abdel Aziz Jaridi was convicted and sentenced to four months in jail for defamation of character, for criticising a politician<sup>1601</sup>. Hence, the Commission progress report in 2014<sup>1602</sup> highlighted obstructions to the freedom of the media, underlining the obligation to apply the administrative order n. 115 and 116 of the Press Code, which stipulates that the trails against journalists, in their formal capacity, should be based on the Press Code and not ordinary criminal law.

During the establishment phase, the EU allocated a fair amount of financial resources to support the Tunisian reforms, reaching €475 million by the end of this phase<sup>1603</sup>. Primarily, the funding came from the European Neighbourhood and Partnership Instrument (INPI), through the “SPRING” programme setup under the ENP on 27 September 2011, in response to the uprisings in the Mediterranean region<sup>1604</sup>. During the consolidation phase, between 2015 and 2018, the overall support to Tunisia reached nearly €570,000 million<sup>1605</sup>, gradually increasing from €169 million in 2014 to €187 million 2015, €213.5 million in 2016<sup>1606</sup>, and €300 million in 2017<sup>1607</sup>; it will remain at this level until

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<sup>1600</sup> Committee to Protect Journalists Report (2017) Available at: <https://cpj.org/2017/09/tunisian-police-beat-reporter-seize-his-equipment-.php>. [Accessed on 1/2/2019].

<sup>1601</sup> Freedom House, Report, Tunisia 2015 (<https://freedomhouse.org/report/freedom-world/2015/tunisia>).

<sup>1602</sup> EU Delegation in Tunisia, Cooperation Report EU-Tunisia 2014, Tunis, 2015. Available at: [http://eeas.europa.eu/delegations/tunisia/documents/projets/rapport\\_cooperation\\_2014\\_fr.pdf](http://eeas.europa.eu/delegations/tunisia/documents/projets/rapport_cooperation_2014_fr.pdf), accessed May 2017. [Accessed on 27/12/2018].

<sup>1603</sup> Joint staff working document: Implementation of the European Neighbourhood Policy in Tunisia Progress in 2013 and recommendations for action”, SWD (2014) 97, Brussels, 27 March 2014, p. 2.

<sup>1604</sup> Press release, “EU response to the Arab Spring: new package of support for North Africa and Middle East,” Brussels, 27 September 2011. See also: Commission Implementing Decision of 9 March 2012 amending Decision C (2011) 6828 adopting the Programme of Support to the Association Agreement and the Transition Process for Tunisia under the SPRING programme, Brussels, 9 March 2012, C (2012)1439.

<sup>1605</sup> European Commission and High Representative of the Union for Foreign Affairs and Security Policy (2016). Joint Communication to The European Parliament and The Council Strengthening EU support for Tunisia, EU Neighbourhood Policy, 1 February 2016. (2016) 47 final. 29 September 2016.

<sup>1606</sup> European Commission, note 1569.

<sup>1607</sup> Ibid.

2020<sup>1608</sup>. The EU allocated €1.2 billion in grants, and €800 million in micro-financial assistance, in addition to multiple loans from the European Investment Bank, reaching over €2 billion in total<sup>1609</sup>. This financial support is conditional on stricter political reform than seen prior to 2011, but critics have claimed that this approach uses ambiguous political criteria stipulated by the SPRING programme, Umbrella funds, and MFA.

For example, in 2016 the European Council and the EP adopted a decision to provide MFA to Tunisia of €500 million. The decision contained a precondition that “Tunisia respects effective democratic mechanisms, including a multi-party parliamentary system”<sup>1610</sup>. However, there is no clear mechanism to assess Tunisia’s fulfilment of the conditions. The ambiguity of the political precondition is in clear contrast with the elaborate financial and economic preconditions stipulated by Art 3 Memorandum of understanding between the EU and Tunisia signed in 2004<sup>1611</sup>, which not only explicitly details the required conditions, but also establishes a monitoring system with a meticulous timeframe. Nevertheless, according to the EU assessment, the interim governments have succeeded in implementing much of the required reforms. Consequently, the Tunisian privileged partner status was concretised in 2012, a special status only Tunisia benefited from<sup>1612</sup>. As the High Representative Frederica Mogherini emphasised, this acknowledges the position of Tunisia as a role model and a “privileged partner” in the region<sup>1613</sup>.

The EU *de facto* positioned itself as the main sponsor of the Tunisian democratisation process, as it provided substantial support in the building and consolidation of democratic institutions and policies, in an effort to reinforce its credibility as a normative power, following its humiliating volte-face after

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<sup>1608</sup> Join Communication, note 1605.

<sup>1609</sup> *Ibid.*

<sup>1610</sup> Art 2, Decision 2016/1112 of the European Parliament and of the Council of 6 July 2016 providing further assistance to Tunisia (6 July 2016) OJ L 186/1.

<sup>1611</sup> Gómez, F and Muñoz, E, N. (2016), *EU Promotion of Deep Democracy in the Southern Mediterranean: A Missed Opportunity?* Work Package No. 12 – Deliverable No. D12.4., p 23. Available at: [www.fp7-frame.eu](http://www.fp7-frame.eu). [Accessed ON 2/1/2019].

<sup>1612</sup> Kostadinova, V. (2017). ENP—Post-Modern External Relations and the Articulation of Continental Borders. In *the European Commission and the Transformation of EU Borders* (pp. 153-187). Palgrave Macmillan, London.

<sup>1613</sup> European External Action Service, (2016). Remarques de la Haute Représentante Mogherini à l'issue de la rencontre avec le Président de la Tunisie, Essebsi. Brussels: 1 December 2016.

supporting the Ben Ali regime (and others) during the initial stage of the Arab Spring (and decades before)<sup>1614</sup>.

The uprisings enacted a new broad consensus between the EU normative goals and the Tunisian democracy aspirations, forming a level-playing field for deep political cooperation and enhanced co-ownership. This approach indicated that democratic support on the basis of conditionality was intensified along three main axes<sup>1615</sup>. It started in the transition period by monitoring the progress made through the annual progress reports, in which its recommendations were developed to guide the new democratically elected government<sup>1616</sup>. This was accompanied by multiple EU officials' missions to Tunisia to promote the adoption of key reforms, including the monitoring of the elections and supporting the constitution draft. Second, the EU had an important role in developing the capacity of democratic institutions, whether financially or by contributing through expertise and training<sup>1617</sup>. Third, it promoted democratic norms, such as freedom of expression and association, and freedom of the press, through recommending the adoption of international treaties<sup>1618</sup>.

### **5.3.2. EU-Tunisia Relations: Improved Engagement with Civil Society**

The renewed emphasis on the importance of the civil society for democracy is probably due to the EU belief that “civil society actors have a significant share in successful democratisation process from the bottom-up perspective”<sup>1619</sup>. The EU commitment to support the civil society was manifested by the Commission communication which stipulated that “an empowered civil society is a crucial

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<sup>1614</sup> Raoudha Ben Othman, 'European Union Democracy Promotion in Tunisia' in Larbi Sadiki (ed) *Routledge Handbook of the Arab Spring* (Routledge New York 2015) 604.

<sup>1615</sup> Regulation (EU) No 236/2014 of the European Parliament and of the Council of 11 March 2014 laying down common rules and procedures for the implementation of the Union's instruments for financing external action.

<sup>1616</sup> Hatab, S. (2018). Deepening democracy or stabilization? European neighborhood policy (ENP) and the “Arab spring”. *Review of Economics and Political Science.*, pp6-8

<sup>1617</sup> EU Delegation to Tunisia (2015), EU Cooperation in Tunisia Annual Report 2014, available at: [http://eeas.europa.eu/delegations/tunisia/more\\_info/publications/index\\_fr.htm](http://eeas.europa.eu/delegations/tunisia/more_info/publications/index_fr.htm). [Accessed 12/1/2019].

<sup>1618</sup> Colombo, S., & Meddeb, H. (2018). Fostering Inclusiveness: A New Roadmap for EU-Tunisia Relations and the Engagement with Civil Society. *IEMed*.

<sup>1619</sup> Knüpfer, C. (2014). 'The Shallowness of Deep Democracy? EU Democracy Promotion in the MENA Region after the Arab Spring' (Master's Thesis, University of Amsterdam 2014).

component of any democratic system”<sup>1620</sup>. The implementation of this aspect of EU policy in the Southern Neighbours after the Arab Spring was divided between the establishment and consolidation phases.

During the establishment phase, the EU allocated a fair amount of financial resources to the Tunisian civil society, reaching nearly €8 million<sup>1621</sup>. The funding succeeded in creating a large number of civil society projects, the vast majority of which were dealing with democratic and human rights issues<sup>1622</sup>. Overall, to a large extent, the EU implementation of its policies has been more rigorous in comparison with its approach before the uprising. It relied on the empowerment of civil society to promote democracy, and its financial support and political dialogue with the Tunisian institutions has been intensified, by conducting constant high-level meetings with different institutions<sup>1623</sup>.

Indeed, the Commission emphasised that the civil society role is “a crucial component of any democratic system (and) an asset in itself”<sup>1624</sup>. Subsequently, the EU highlighted two main priorities for effectively supporting local CSO’s: to encourage a favourable milieu for civil society development; and to enhance civil society participation in the decision-making process of the country. However, the EU initiative had three main flaws.

First, the development of civil society organisations was mainly considered as a means to attain other objectives, such as the promotion of democracy or human rights, rather than a goal in itself<sup>1625</sup>. From a procedural perspective, this is reflected in the scattering of EU financial support across multiple funding

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<sup>1620</sup> Commission, ‘The roots of democracy and sustainable development: Europe’s engagement with Civil Society in external relations’ (Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions), COM(2012) 492 final, 3.

<sup>1621</sup> EU Delegation in Tunisia, Cooperation Report EU-Tunisia 2013, Tunis, 2014, pp. 55-73.

<sup>1622</sup> Ibid, p 63.

<sup>1623</sup> Ibid.

<sup>1624</sup> European Commission. (2012, September 12). The Roots of Democracy and Sustainable Development: Europe’s Engagement with Civil Society in External Relations. Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of Regions. Retrieved from; <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM%3A2012%3A0492%3AFIN%3AEN%3APDF>. [Accessed on 16/02/2019].

<sup>1625</sup> Shapovalova, N. & Youngs, R.(2014). The Changing Nature of EU Support to Civil Society. Beichelt, T., Hahn-Fuhr, I., Schimmelfennig, F. & Worschech, S. (Eds.). *Civil Society and Democracy Promotion*, Palgrave Macmillan, 86-109. Doi: 10.1057/9781137291097.

mechanisms. Each instrument has its own criteria and logic for supporting national CSO's, which in the end reduces any possibility of coordination.

Secondly, the civil society organisations which succeed in acquiring EU financial support tend to have an agenda driven by the EU's priorities. This situation, in turn, creates further flaws in the local civil society. To be clear, EU financial support tends to be given to the big, capital-based institutions. The EED, which was created following the Arab Spring, was presented as an instrument to focus on small CSO's and rural projects, but its efforts were very limited due to the complicated bureaucratic restrictions required to secure funding<sup>1626</sup>. The application procedures for EU funding have been described as "extremely difficult and incomprehensible"<sup>1627</sup>. Aside from purely bureaucratic barriers, the realpolitik of the EU approach in Tunisia has necessitated mediation between different political faction, including members of the former RCD regime. Many CSO's criticised this approach for prioritising mediation over political reforms. For example, the Civil Society Support Programme (CSSP) was criticised for the selection and financial support of its main partner, the European Partnership for Democracy (EPD), whose director was a prominent supporter of the old regime, well-known for criticising the EU democratisation role as an "external interference in Tunisian internal affairs"<sup>1628</sup>.

Thirdly, EU support is predicated on its own-liberal democracy model. In this context, CSO's as socialisation actors are considered complimentary to the state institutions, rather than an integral component of democracy and human rights in themselves. The EU tends to view CSO's as harmonious institutions, based on their counterparts in Western political spheres, where CSO'S are "a space of political struggle and competition"<sup>1629</sup>. By viewing national CSO's through the prism of Western models, the EU risks overlooking important civil society organisations and grassroots individuals capable of enriching the political and

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<sup>1626</sup> Knüpfer, note 1619.

<sup>1627</sup> Krüger, L. T., & Ratka, E. (2014). A new response to a changing neighbourhood. The Perception of European Policies in Tunisia after the Arab Spring. *L'Europe en formation*, 371, 9-25.

<sup>1628</sup> Robert, D. (2016). 'Soutien européen à la société civile: enquête sur un programme controversé' Nawaat (10 August 2016) <<http://nawaat.org/portail/2016/08/10/soutien-europeen-a-la-societe-civile-enquete-sur-unprogramme-controverse/>> accessed on 12/01/2019.

<sup>1629</sup> Zihnioglu, O. (2013). *European Union Civil Society Policy and Turkey: A Bridge Too Far?* Palgrave Macmillan. Doi: 10.1057/9781137274427.

social landscape of Tunisia, instead of concentrating merely on organisations that foster liberal policy. The EU approach has direct implications for fragmented Tunisian CSO's, and the groups it targets for support are often referred to as "detached from the broader societies they claim to represent"<sup>1630</sup>. The Commission defined CSO's as: "all non-state, not for profit structures, non-partisan and non-violent through which people organise to pursue shared objectives and ideals, whether political, cultural, social or economic"<sup>1631</sup>.

However, the EU has specifically increased its financial support for CSO's that serve its neoliberal agenda, with a notable unwillingness to give equal treatment to Islamic CSO's, for numerous reasons. Indeed, despite the EU rhetorical statements on the mutual-understanding and cultural dialogue, its engagement with Islamic civil society organisations has been selective since the Jasmine Revolution, in contrast to relatively more accommodating engagement with Islamist political parties, as explained previously<sup>1632</sup>.

Subsequently, during this phase, there are clear contrasting perceptions regarding the EU role in the establishment of democracy in the country. The UGTT, the main political activist organisation in the uprisings, was critical of the EU's overall contribution to the country's democracy, stating "we received a number of statements of political support, but these declarations did not correspond to the concrete needs of Tunisian people"<sup>1633</sup>. The overall support provided to CSO's, while welcome, was "partial and limited"<sup>1634</sup>. In practical terms, the main limitation of the EU approach is the rigid and complex bureaucratic requirements necessary to source the financial funds available<sup>1635</sup>. Naturally favoured (i.e. neoliberal or politically expedient) CSO's seem to navigate the labyrinthine EU mechanisms more smoothly, sourcing more funds more quickly, and reporting more favourable views of the EU role. For instance, the LTDH received €600,000 by the end of 2013<sup>1636</sup>, and its President, Trifi,

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<sup>1630</sup> Colombo, S., & Meddeb, note 1553, pp 39-40.

<sup>1631</sup> European Commission, note 1624.

<sup>1632</sup> Krüger & Ratka, note 1627, p 21.

<sup>1633</sup> Cheffi, S. Deputy Secretary General of UGTT interview in 2016, available in Bassotti, G (2017) Did the European Union Light a Beacon of Hope in North Africa? Assessing the Effectiveness of EU Democracy Promotion in Tunisia. *EU Diplomacy Paper* 6/2017. pp;20-21.

<sup>1634</sup> *Ibid*, p 21.

<sup>1635</sup> *Ibid*, p 21.

<sup>1636</sup> *Ibid* p 22.

stated: “The EU gave a quite substantial contribution. The support of the European Commission to the civil society and the democratic transition was extremely important”<sup>1637</sup>.

During the consolidation phase, the financial provisions supporting civil society was over €10 million, resulting in the implementation of a large number of programmes (79 funded directly by the EU)<sup>1638</sup>. During this phase, the EU attempted to overcome the flaws has been made during the establishment phase. The EU co-founded the Jamaity platform by the end of 2014, to provide “information, and geo-localisation of projects, measures, events, funding opportunities, documents, and tools as well as links to other relevant initiatives and stakeholders”<sup>1639</sup>. However, the main innovation in the case of Tunisia was the creation of the flagship Tripartite Dialogue initiative, which offered a space for consultation and dialogue between the EU, local CSO’s and the Tunisian authorities.

The Tripartite Dialogue was intended to resolve the main criticisms of the EU’s socialisation policy through civil society by creating a mechanism to enable further NGO involvement in the national consultation and decision-making processes. It also enhanced civil society organisations’ knowledge and understanding of the EU’s multiple schemes financial resources, which in turn creates more transparency and accountability<sup>1640</sup>. The Tripartite Dialogue was an important and unique innovation in the EU’s socialisation process in the Southern Mediterranean, but it did not really live up to the high expectations held for it. However, it did lay the groundwork for broader political dialogue in Tunisian national policy discourse, which was reflected in the observation of the Commission in 2016 that the reforms attained by the Tunisian government had

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<sup>1637</sup> Ibid, p 22.

<sup>1638</sup> EU Delegation in Tunisia, Cooperation Report EU-Tunisia 2015, Tunis, 2016, pp. 113-118.

<sup>1639</sup> Krüger & Ratka, note 1567, p 21.

<sup>1640</sup> EUROMEDRIGHTS. (2016, May 6). Dialogue tripartite société civile -tunisie -union européenne : lancement d’une deuxième phase. Retrieved from <https://euromedrights.org/fr/publication/dialogue-tripartite-societe-civile-tunisie-union-europeenne-lancement-dunedeuxieme-phase/>. [Accessed on 12/2/2019].

paved the way for a democratic transition in the Mediterranean region, and the role played by the civil society was “vital”<sup>1641</sup>.

The Communication emphasised on the positive role played by the Tunisian civil society quartet in the election of 2011, and its spirited mediation efforts following the assassination of Chokri Belaid in 2013, which was considered by the EU as an example of political dialogue in the region<sup>1642</sup>. Indeed, the most important example of the CSO’s influence in the Tunisian political arena is the Tunisian National Dialogue Quartet, whose efforts to establish democracy in Tunisia was been recognised by a Nobel Peace Prize in 2015<sup>1643</sup>. They remain instrumental in building consensus among the political clusters. The High Representative Federica Mogherini notably called them “the architects of a unique transition and a model for crisis resolution in the region”<sup>1644</sup>.

The EU generally welcomed the Quartet’s inclusive approach to political dialogue, identifying civil society involvement as the anchor against political instability, in a discursive framework recently stipulated by the ENP review regarding the EU’s pledge to the Southern Mediterranean civil society support<sup>1645</sup>. However, despite the EU’s generally positive appraisal of Tunisian civil society, recent trends show some striking inconsistencies in the latest negotiations regarding the DCFTA. The closed doors approach in these negotiations may have been intended to silence the unhappy voices regarding the potential problematic impact of the economic reforms on grassroots Tunisians, which could intensify if consolidated with the IMF policy approach<sup>1646</sup>.

The DCFT negotiations marked a difficult point in the relations between the EU and Tunisian CSO’s, as the former continue to insist on economic liberalisation, while the latter oppose it. The criticisms of the EU ambassador Laura Baeza of

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<sup>1641</sup> European Commission and High Representative of the Union for Foreign Affairs and Security Policy, (2016). Joint Communication to the European Parliament and the Council: Strengthening EU support for Tunisia. Brussels: JOIN(2016) 47 final, p.3.

<sup>1642</sup> Ibid

<sup>1643</sup> M’rad, H. (2015). National Dialogue in Tunisia: Nobel Peace Prize 2015. *Éditions Nirvana*.

<sup>1644</sup> European External Action Service, (2015). Statement by High Representative/Vice-President Federica Mogherini on the award of the Nobel Peace Prize to Tunisia’s National Dialogue Quartet. [online]. Brussels: 9 October 2015

<sup>1645</sup> Colombo, & Meddeb, note 1499.

<sup>1646</sup> Van Elsuwege & Van der Loo, note 808, (pp. 97-116).

the CSO'S and journalists critical of the DCFTA exacerbated the situation, and were considered an attack on freedom of speech and the role of the civil society in the country<sup>1647</sup>. The DCFTA negotiation prompt unprecedented criticisms regarding the lack of transparency in the EU-Tunisia policies. In fact, many activists referred to the lack of substantive changes in the EU approach towards CSO's since the MEDA assistance programme. The EU approach seems not to change much since Borzel described it thus: "it becomes clear that the strengthening of civil society is, first of all, a matter of increasing effectiveness rather than of democratic participation. On the one hand, the involvement of the civil society in the formulation and implementation of the EU prerequisites shall promote the acceptance thereof on the part of those mainly affected by it. On the other hand, the expertise of civil society representatives and institutions may compensate for the lacking capacities of public authorities and administrative bodies"<sup>1648</sup>.

Hence, despite the EU's rhetoric on sponsoring dialogue between civil society stakeholders, in practice very limited dialogue goes on, and policies are largely made between the EU and the Tunisian government, while the concerns and feedback of CSO's have little chance of reaching either the EU or the Tunisian authorities<sup>1649</sup>.

Overall, despite increased financial support and enhanced institutional settings, the EU engagement with the Tunisian civil society remains selective. The participation of CSO's in the decision-making process is very limited, which leads us to conclude that continuities have tended to prevail over changes.

### **5.3.3. Security issues: between continuity and change**

This section considers the role of security in the consolidation of Tunisian democracy. It indicates that while EU security was prioritised through the mobility partnership, there is a substantial change in how the EU deals with political Islam.

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<sup>1647</sup> Knüpfer, note 1619, p. 65.

<sup>1648</sup> Börzel, T. A. (2009), '*Transformative Power Europe? The EU Promotion of Good Governance in Areas of Limited Statehood*', Paper prepared for the ERD Workshop 'Transforming Political Structures: Security, Institutions, and Regional Integration Mechanisms', Florence, April 16-17, 25.

<sup>1649</sup> Krüger & Ratka, note 1627, p 21.

### 5.3.3.1. Security Matters: EU Interest-Centred Approach

Following the Jasmine Revolution, there is still a “substantial discrepancy between the rhetoric and practice of EU policies on the ground”<sup>1650</sup>, notwithstanding the significant changes in in the scope and magnitude of the EU’s policy towards Tunisia. The development of the security policy following the uprisings is a representation of this very fact.

The EU relied on its financial assistance and conditionality principle primarily to enhance the security of its borders from the flow of illegal immigrants. Soon after the uprisings, the number of illegal immigrants originating in or crossing Tunisia to reach Europe (via the Mediterranean) increased significantly. The situation forced the EU to take different measures to tackle this problem<sup>1651</sup>. During this period the Arab Spring was sweeping through MENA, but regardless of its partners’ inability to negotiate external security matters, the EU launched the Dialogue for Migration, Mobility, and Security<sup>1652</sup>. Hence security issues, specifically counter-terrorism and migration, were on the table of negotiations from the outset of the democratic transition in Tunisia.

What can be observed is that considerable advances have been achieved, notwithstanding the political and social turmoil. Initially, the EU pumped considerable financial resources into enhancing the judicial and police capabilities, yet limited results were achieved, especially in the early years. This eventually led to the signing of the comprehensive (though controversial) Mobility Partnership in 2014<sup>1653</sup>. From one perspective, the agreement stipulated an expressed priority by the Tunisian side regarding the recovery of assets misappropriated by the former oligarchy, while in practice, very limited results

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<sup>1650</sup> Ayadi, R., & Sessa, E. (2016). *EU policies in Tunisia before and after the Revolution. Study for the European Parliament–DG for External Policies*, EP/EXPO/B/AFET/2015/04, [in [http://www.europarl.europa.eu/RegData/etudes/STUD/2016/578002/EXPO\\_STU\(2016\)578002\\_EN.Pdf](http://www.europarl.europa.eu/RegData/etudes/STUD/2016/578002/EXPO_STU(2016)578002_EN.Pdf). last visited: 28th December 2018].

<sup>1651</sup> European Commission. 2013b. EU action in the fields of migration and asylum. MEMO/13/862. 9 October.

<sup>1652</sup> European Commission. 2014b. EU and Tunisia establish their mobility partnership. IP/14/208. <http://euromedrights.org/publication/tunisia-eu-mobility-partnership/>. Accessed 6/2/2019.

<sup>1653</sup> Limam, M., & Del Sarto, R. (2015). Periphery Under Pressure: Morocco, Tunisia and the European Union’s Mobility Partnership on Migration. *Robert Schuman Centre for Advanced Studies RSCAS Research Paper No, 75*.

were achieved<sup>1654</sup>. The inability of the Tunisian government to recover countless assets from the European countries raised many criticisms of the EU's hypocrisy.

The clandestine nature of many European financial interests in Tunisia were highlighted by Tunisia being listed on the EU's tax haven blacklist. Much of Tunisia's 'hot' tax-haven money flows into the West, and the EU in particular, and lubricates its finance industry, but the list did not include any EU member states<sup>1655</sup>. The situation signposted the EU's hypocrisy and double standards, and its absolute self-interest, despite its rhetoric and purported role as an anti-money laundering force. Security issues developed from the initial focus on immigration and combatting terrorism with the previous regime to a broader discourse on the consolidation of the rule of law and the protection of freedoms and democratic principles, but in practice security issues remain the core concern, specifically terrorism and immigration.

The contradiction between EU rhetoric and practice increased criticisms of this partnership, whether by the Tunisian media or CSO's. EU agreements intended to simplify visa procedures in fact facilitated the repatriation of illegal aliens, whether Tunisian nationals or those who transited in Tunisia<sup>1656</sup>. Different observers indicated that the far-reaching measures adopted under this agreement were not in the best interests of Tunisia, considering EU reliance on strict conditionality (taking-it-or-leave-it). The management of migratory flows provided a simplification of visa procedures, but the repatriation of alien illegal immigrants to Tunisia raised strong opposition from human rights activists and CSO's. As one activist stated: "Tunisia should not become the dumping ground for the EU's immigration problems, we have seen the horrendous consequences of this policy in Libya"<sup>1657</sup>. A representative of the UGTT critically summarises: "The position of the Tunisian government is never clear. I do not remember

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<sup>1654</sup> Boogaerts, A. (2018). Short-term success, long-term failure? Explaining the signalling effects of EU misappropriation sanctions following revolutionary events in Tunisia, Egypt, and Ukraine. *Journal of International Relations and Development*, 1-25.

<sup>1655</sup> Polakova, A. (2018). *Name and shame? Evidence from the European Union tax haven blacklist. Evidence from the European Union Tax Haven Blacklist* (December 14, 2018). NHH Dept. of Business and Management Science Discussion Paper, (2018/18).

<sup>1656</sup> Nawaat (<http://nawaat.org/portail/>) concerning the Mobility Partnership and more broadly the management of the refugee crisis in the region by the EU.

<sup>1657</sup> Interview with Ayedi, N. (2017) regarding the Mobility partnership. Available at: <https://www.jawharafm.net/ar/>. [Accessed on 21/02/2017].

exactly, but if it is about encouraging migrants to return in exchange for a little money, then this has a little to do with the dignity of the Tunisian citizen and national sovereignty in international forums”<sup>1658</sup>.

Moreover, at the time of the agreement, Tunisia had no clear and developed immigration policy, while the EU declared that the policy was based on a mutually agreed policy framework that was developed based on the Tunisian national agenda<sup>1659</sup>. The formulation of this policy demonstrated the asymmetry in EU-Tunisia relations, and the EU prioritisation and imposition of its own security interests at a very delicate stage in the Tunisian democratic transition. The diverse view of Tunisians and the EU on major issues such as immigration “undermine trust between the partners”<sup>1660</sup>.

A few points can be noted in this regard concerning the mobility partnership and security in general. The Jasmine Revolution and democratic transition in Tunisia should change the EU’s perception of Tunisian stakeholders’ role in the development of policies that shape relations on a cooperative basis, based on respective interests, “rather than a trade-off between them”<sup>1661</sup>. Many stakeholders’ criticisms of the partnership are based on the timing and prioritisation of policy, rather than its content<sup>1662</sup>. Although it is in the best interests of Tunisia to have an effective immigration policy and enhance its terrorism prevention strategy, particularly when the country itself has suffered different terrorists’ attacks<sup>1663</sup>, Tunisia was going through a very delicate democratic transition, and its priorities in internal affairs concerned building the security forces capacity or dealing the internal mayhem following the uprisings.

The 2015 Action Plan stipulated extensive programs to support Tunisian efforts to deal with post-revolutionary instability and the modernisation of the security

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<sup>1658</sup> Boubakri, H. 2013. Revolution and International Migration in Tunisia. *MPC Research Report* 2013/04. Florence: European University Institute., p 18.

<sup>1659</sup> Ayadi, note 1518, p 29.

<sup>1660</sup> Ibid, p 30.

<sup>1661</sup> Ibid, p 31.

<sup>1662</sup> Seeberg, P. (2014). Mobility partnerships and the EU, Part II: The cases of Libya, Morocco and Tunisia. *Center for Contemporary and Middle East Studies, Odense*.

<sup>1663</sup> Gartenstein-Ross, D., & Moreng, B. (2015). Tunisian Jihadism after the Sousse Massacre. *CTC Sentinel*, 8(10), 13-18.

sector<sup>1664</sup>. In this and other policies the EU sought to develop a reformative agenda based on consensus. In this context, the adopted reforms should be based on mutual understanding and cooperative arrangements in which both parties' interests are taken into consideration. Otherwise, the EU risks jeopardising the sympathy capital it accrued during the democratic transition.

Nevertheless, scrutiny of EU-Tunisia relations reveals an asymmetric relationship, and that the EU has continued to absolutely prioritise its security agenda, essentially continuing the same underlying policy it maintained with the former autocratic regime<sup>1665</sup>.

### **5.3.3.2. EU and Islamic Parties: Selective Engagement**

As discussed previously, the security-stability nexus has been the main framework of the EU approach towards the Southern Neighbourhood. The EU looks at political Islam from the perspective of self-security<sup>1666</sup>. It requires that the main element of identity should not be endangered, and a stable milieu should be encouraged, particularly in terms of relationships, taking into consideration the interactive nature of identity, largely shaped in relation with friendliness or hostility to the other<sup>1667</sup>.

This imperative also applied to the construction and development of the EU identity. The construction of the European identity necessitated the creation of the outside (i.e. the "other") as characteristically different from and a danger to its own identity<sup>1668</sup>. The differentiation between the other is conducive to the creation of collective identity<sup>1669</sup>. The juxtaposition was demarcated in terms of civilisation and culture. The EU identity has been based on notions of liberalism and

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<sup>1664</sup> Tunisia Action Plan 2015. Available at:

[https://eeas.europa.eu/sites/eeas/files/tunisia\\_enp\\_ap\\_final\\_en.pdf](https://eeas.europa.eu/sites/eeas/files/tunisia_enp_ap_final_en.pdf). [Accessed on 7/3/2019].

<sup>1665</sup> Cassarino, J-P. (2014), Channelled Policy Transfers: EU-Tunisia Interactions on Migration Matters, *European Journal of Migration and Law*, Vol.16, Issue 1, pp. 97-123.

<sup>1666</sup> Mitzen, J. (2006) Ontological security in world politics: state identity and the security dilemma, *European Journal of International Relations*, 12(3), p 342.

<sup>1667</sup> Voltolini, B & Colombo, S. (2018) The EU and Islamist parties in Tunisia and Egypt after the Arab uprisings: A story of selective engagement, *Mediterranean Politics*, 23:1, p 4.

<sup>1668</sup> Rumelili, B. (2004) Constructing identity and relating to difference: understanding the EU's mode of differentiation, *Review of International Studies*, 30(1), pp. 27–47.

<sup>1669</sup> Cebeci, M., & Schumacher, T. (2017). The EU's Constructions of the Mediterranean (2003-2017) (Vol. 17, No. 3). *MEDRESET Working Papers*.

secularism, manifest in successive treaties<sup>1670</sup>. From a security perspective, there is a presumption of a constructive association between secularism and security. Europe has long departed from connecting political undertakings to religious philosophies, and this political model is positively linked to a stable and secure environment<sup>1671</sup>. Similar opinions centred around liberal and normative principles whether in terms of democratic principles or liberal economic policies<sup>1672</sup>. Unsurprisingly, the EU considered political Islam as the “other”, which should be defended against<sup>1673</sup>. The EU perceived the role of political Islam as being counterpoised to its own liberal-secular fundamental positions in the political and public arena, reflected in different subjects including democracy, religious freedom, and women’s rights<sup>1674</sup>.

Based on this equilibrium and the perceived incompatibility between the EU’s secular identity and political Islam, the EU thus preferred a non-engagement policy. However, following 9/11, EU policy towards political Islam became more nuanced, as the EU began to distinguish (at least theoretically) between the radical groups frequently associated with terrorism and “moderate” political Islamists groups with whom it could enter into a dialogue<sup>1675</sup>. In practice, engagement even with moderate Islamists remained very limited and restricted to some cultural dialogue. This impasse changed with the Arab Spring, which symbolised a failure of the EU’s security-stability nexus, and forced it to significantly reform its policy towards political Islam.

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<sup>1670</sup> Kayaoglu, T. (2010). Westphalian Eurocentrism in international relations theory. *International Studies Review*, 12(2), 193-217.

<sup>1671</sup> Bilgin, P. (2012). Civilisation, dialogue, security: the challenge of post-secularism and the limits of civilisational dialogue. *Review of International Studies*, 38(5), 1099-1115.

<sup>1672</sup> Wetzel, A. & J. Orbie (Eds) (2015) *The Substance of EU Democracy Promotion: Concepts and Cases* (Basingtoke: Palgrave).

<sup>1673</sup> Thyen, K. (2018). *Why It Matters What We Do: Arab Citizens’ Perceptions of the European Union after the 2011 Uprisings*. papers.ssrn.com.

<sup>1674</sup> European Parliament – Directorate-General for External Policies (2012) Women’s Rights During Democratic Transitions, November (Policy Department), Available at [https://www.europarl.europa.eu/RegData/etudes/etudes/join/2012/457119/EXPO-JOIN\\_ET\(2012\)457119\\_EN.pdf](https://www.europarl.europa.eu/RegData/etudes/etudes/join/2012/457119/EXPO-JOIN_ET(2012)457119_EN.pdf) (accessed 20 July 2018).

<sup>1675</sup> European Commission (2007) European Neighbourhood and Partnership Instrument. Regional Strategy Paper 2007–2013 and Regional Indicative Programme (2007–2010), Mediterranean Politics 101.

for the Euro-Mediterranean Partnership, page 7. Available at [https://ec.europa.eu/europeaid/sites/devco/files/rsp-rip-euromed-2007-2013\\_en.pdf](https://ec.europa.eu/europeaid/sites/devco/files/rsp-rip-euromed-2007-2013_en.pdf). [Accessed 4 September 2018].

Following decades of exclusion and repression, Islamist parties like Enahdha won the elections in Tunisia and were on track to become the biggest political party in the country, occupying the vacant political space left by the secular regime<sup>1676</sup>. Although its fundamental views about the incompatibility of political Islam with its ontological security were not abandoned, the EU adopted a more pragmatic and appreciative distinction between different groups within political Islam. The EU's reform approach is based on the differentiation between three types of groups: moderate, conservative, and violent<sup>1677</sup>.

The moderate type does not substantially challenge the EU's ontological security. It denounces violence and accepts some principles and rules which the EU deems essential for cooperation, including adherence to liberal and democratic principles<sup>1678</sup>. Conservative groups, on the other hand, are Islamist actors who adopted a strict interpretation of sharia and who hope to incorporate religion as the cornerstone of political life. Due to their illiberal attitudes towards different issues, such as the rights of women and minorities, they were perceived as a potential danger to the EU's liberal identity<sup>1679</sup>. This perception has been highlighted by the former High Representative Ashton, stating that "radical Salafists constituted a very small minority in Tunisia... they are outnumbered by more moderate Islamists"<sup>1680</sup>. The fact that such groups often refuse to participate in elections gives the EU more reasons for not engaging with them.

The EU consistently refuses to engage with violent organisations connected to terrorism, and non-engagement is reciprocal, as these Islamist organisations tend to rhetorically confront the Western world and the EU in particular<sup>1681</sup>. These groups are in accord with those in the West positing an ineffable clash of civilisations, manifest in violence perpetrated by these groups in European cities

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<sup>1676</sup> Bürkner, H. J., & Scott, J. W. (2019). Spatial imaginaries and selective in/visibility: Mediterranean neighbourhood and the European Union's engagement with civil society after the 'Arab Spring'. *European Urban and Regional Studies*, 26(1), 22-36.

<sup>1677</sup> Zielonka, J. (2017). The remaking of the EU's borders and the images of European architecture. *Journal of European Integration*, 39(5), 641-656.

<sup>1678</sup> Muñoz, G. M. (2012). Democracy and the arab world: the 'Islamist dilemma'. *Amr Elshobaki, G. Martín Muñoz*, Why Europe Must Engage with Political Islam, 10. *iemed.org*.

<sup>1679</sup> Cavatorta, F. (2015) Salafism, liberalism, and democratic learning in Tunisia, *The Journal of North African Studies*, 20(5), pp. 770–783.

<sup>1680</sup> Answer to E-008155/2012 given by High Representative/Vice President Ashton on behalf of the Commission. Brussels, 20 November 2012.

<sup>1681</sup> Bilgin, note 1671, pp. 1099-1115.

or in the Arab world, including Tunisia<sup>1682</sup> and Syria<sup>1683</sup>, further highlighting the construction of the EU's identity via the "other Islam"<sup>1684</sup>.

The EU revised approach and differentiated categorisation of political Islam was the result of a political framework that the EU engaged in following the Arab Spring, and years of interaction with different Islamist actors during their exile in Europe. The EU new approach is framed based on the opposition parties' ability and willingness to engage with the Western world. In this context, the EU perceived the Tunisian political party Enahdha as an optimised specimen of a moderate Islamic party. The toppling of the Ben Ali regime marked the end of a long period of oppression and marginalisation of the party, and the forced exile of its leaders. Enahdha became a major force in the Tunisian political arena, winning the majority of seats in the Constituent Assembly elections in 2011<sup>1685</sup>.

The party leader, Rached Ghannouchi, publicly claimed that the party had abandoned its previous stances on democracy and was ready to engage in the Tunisian political arena. Many Tunisians remained sceptical about Ghannouchi's statement, indicating that Enahdha's reformative claims were mere tactical manoeuvres to seek electoral legitimacy rather than a sincere revision of its political philosophy<sup>1686</sup>. The Prime Minister Jebali's statement that the Enahdha election victory was the beginning of the return of a caliphate was interpreted by many as a sign that the party has not really reformed its attitude towards democracy<sup>1687</sup>. Nevertheless, in contrast with the Muslim Brotherhood in Egypt, the EU was keen to welcome Enahdha as a viable political partner in Tunisia transitional process to democracy. This step responded both to the EU's normative consideration of the political reformative goal in Tunisia following the

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<sup>1682</sup> Lefèvre, R. (2015). Tunisia: a fragile political transition. *The Journal of North African Studies*, 20(2), 307-311.

<sup>1683</sup> Cronin, A. K. (2015). ISIS is not a terrorist group: Why counterterrorism won't stop the latest jihadist threat. *Foreign Aff.*, 94, 87.

<sup>1684</sup> Voltolini & Colombo, note 1254, p 89.

<sup>1685</sup> Murphy, E. C. (2013). The Tunisian elections of October 2011: a democratic consensus. *The Journal of North African Studies*, 18(2), 231-247.

<sup>1686</sup> Volpi, F., & Stein, E. (2015). Islamism and the state after the Arab uprisings: Between people power and state power. *Democratization*, 22(2), 276-293.

<sup>1687</sup> Hammadi Jebali Statement available at : <https://www.telegraph.co.uk/news/worldnews/africaandindianocean/tunisia/8894858/Tunisias-Islamists-hail-arrival-of-the-sixth-caliphate.html>. [Accessed on 17/2/2019].

uprisings and a pragmatic attitude showing that is keen to open channels of dialogue with the political Islam.

Accordingly, the EU could successfully blend two main goals. First, by engaging with Enahdha, the EU demonstrated that Islamic liberalism with free capitalism is a viable option for the Southern Muslim majority neighbours. The Turkish Justice and Development Party (AKP) model is an archetype of this relationship<sup>1688</sup>. Second, given that Enahdha was the ruling party, EU engagement was a means to foster political inclusion, stability, and security in a country in the middle of political turmoil<sup>1689</sup>. In fact, the enhancement of democratic inclusion was seen as a security strategy.

The EU seemed to be satisfied with Enahdha's negotiation and compromise in the process of making a new Constitution, in terms of civil rights and liberties and the new democratic institutional settings. Indeed, in the Assembly Enahdha helped with the formulation of a democratic Constitution by asserting its support for parliamentary democracy, and compromising by not insisting on stipulating that Islam is the main source of Tunisian law, in addition to accepting the principle of gender equality<sup>1690</sup>. In response, the European Commissioner reached out to the Tunisian Islamist Prime Minister as a sign of the EU's readiness to cooperate with moderate Islamists, based on common values and interests. The joint declaration emphasised that: "The visit has allowed to start a high-level political dialogue between the new Tunisian authorities and EU authorities with the aim of starting a new stage in the bilateral relations which will allow, on the basis of shared values, to envisage a more sustained support to Tunisia by the EU and a progressive integration in the common European market"<sup>1691</sup>

The pragmatic approach towards Enahdha continued following the 2014 elections, which produced a coalition government between the secular Nidaa

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<sup>1688</sup> Voltolini & Colombo, note 1254, p 89.

<sup>1689</sup> Fleischmann, F., Phalet, K., & Klein, O. (2011). Religious identification and politicization in the face of discrimination: Support for political Islam and political action among the Turkish and Moroccan second generation in Europe. *British Journal of Social Psychology*, 50(4), 628-648.

<sup>1690</sup> Allani, A. (2013) The Post Revolution Tunisian Constituent Assembly; Controversy Over Powers and Prerogatives. *The journal of North African Studies* 18, NO. 1; 131-140.

<sup>1691</sup> See [https://europa.eu/rapid/press-release\\_MEMO-12-62\\_en.htm](https://europa.eu/rapid/press-release_MEMO-12-62_en.htm).

Tounes and Enahdha<sup>1692</sup>. In fact, EU-Enahdha cooperation has been intensified following the multiple terrorist attacks in the capital and Sousse<sup>1693</sup>. The radicalisation of the Tunisian youths, including European citizens originally from Tunisia, has become a big concern for the EU. Despite the small Tunisian population, it has become one of the biggest providers of jihadists in the region<sup>1694</sup>. Subsequently, the EU has intensified its support, including economic recovery, political and legal reforms, security and border management, and anti-radicalisation reforms<sup>1695</sup>. The EU opened a window of cooperation with a moderate Islamist party to help appeal for political participation rather than radicalisation. Against this background, the emergence of institutional arrangement of power sharing between an Islamist and secular parties created greater opportunities for democratic transition.

However, following the Jasmine Revolution Tunisia not only experienced the emergence of the Islamist party Enahdha, but also a surge of Salafist movements. It should be noted that intellectually Salafism is not necessarily synonymous with political violence. Indeed, the Salafist movement is castigated by its critics for subservience to authoritarian regimes and Western neo-colonial interests, and Salafist scholars were always at the forefront of denouncing suicide bombing and any non-state violence. However, in the North African context Salafists are generally equated with jihadists<sup>1696</sup>. However, there are fundamental differences between Salafist movements and parties, with some simply wishing for the return of sharia as the sole source of legislation and abandoning the process of modernisation<sup>1697</sup>. Jabhat al Islah (the Front of Reform) was the main fount of this conservative political Islam, however the EU perceived this party as a threat to the Tunisia's young democracy, and a danger to national stability. As a result, although it is still active, the EU has avoided any sort of engagement

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<sup>1692</sup> Zeghal, M., & Hefner, R. W. (2016). Constitutionalizing a Democratic Muslim State Without Sharia: The Religious Establishment in the Tunisian 2014 Constitution. *Shari'a Law and Modern Muslim Ethics*, 107-134.

<sup>1693</sup> Gartenstein-Ross & Moreng, note 1603, p. 13-18.

<sup>1694</sup> Ibid.

<sup>1695</sup> Press Statement by Federica Mogherini at the EU-Tunisia Association Council, Available at : [https://eeas.europa.eu/tunisia/index\\_en.htm](https://eeas.europa.eu/tunisia/index_en.htm). Accessed 3 January 2019.

<sup>1696</sup> Torelli, S. M., Merone, F., & Cavatorta, F. (2012). Salafism in Tunisia: challenges and opportunities for democratization. *Middle East Policy*, 19(4), 140-154.

<sup>1697</sup> Cavatorta, note 1619, pp. 770–783.

with it<sup>1698</sup>. On the other hand, Ansar al Sharia has been considered as a jihadist organisation, and was declared as such by the Tunisian government in 2013.

What can be concluded is that the EU has developed a selective engagement with the moderate type of political Islam epitomised by Enahdha, based on common values and interests, including respect for democratic principles, human rights, and liberal economics. The EU intended to foster political inclusion (secular and Islamist), which in turn increases stability and security.

#### **5.3.4. Economic Cooperation: Liberalisation and The Struggle for Socio-Economic Rights**

Supporting Tunisia required the development of sensitive policies to support democratic transition, taking into consideration the country's priorities. The question thus arises of whether EU cooperation and democratisation with Southern Neighbours follows the same rationale and processes of Tunisia's democratic transition.

During the uprising, the democracy issue was embedded in protesters' more concrete demands for work, freedom, and socio-economic justice<sup>1699</sup>. Those concepts go well beyond the restricted EU interpretation of democracy and the dominance of economic liberalisation and security interests. The EU prioritisation of market reforms negatively affected its image, as it was perceived as an agent of neoliberalism and corporatism rather than a promoter of democracy.

The aspiration of the Tunisian deep democracy seems to go well beyond and is even contradictory to the liberal recipe of deep democracy supported by the EU. The Tunisian top priority in the democratic transition is the improvement of the socio-economic situation through the creation of job opportunities and tackling the inequality in the society<sup>1700</sup>. According to the World Bank, Tunisia's high unemployment rate, averaging over 30% of the work force over the last decade, is a fundamental constituent of socio-economic instability, and arguably the

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<sup>1698</sup> Feuer, S. J. (2012). Islam and Democracy in Practice: Tunisia's Ennahdha Nine Months. *Middle East Brief*, 66, 1-8.

<sup>1699</sup> Ibid.

<sup>1700</sup> Zemni, S. (2013). From socio-economic protest to national revolt: The labor origins of the Tunisian revolution. *The making of the Tunisian revolution: Contexts, architects, prospects*, 127-146. Academia.edu.

central detriment of the social discontent that led to the 2011 uprising<sup>1701</sup>. In fact, the failure of the Jasmine Revolution to bring substantial economic prospects resulted in disillusion among many young people concerning the potential of the political process, and opened the door for more radicalisation in the country.

A UN report indicated that over 6,000 Tunisians had joined combat zones and jihadist groups between 2011 and 2016, especially in Syria and Libya<sup>1702</sup>. Against this background, the development of the socio-economic agenda is deemed not only a priority for the stability of the country but also a requirement for economic liberalisation, taking into consideration that any further economic reforms could add extra stress on the country's already volatile social status. Despite this, EU support for the democratisation of Tunisia is still accompanied by the explicit demand for more liberal market reforms. The DCFTA is clear example of this approach.

In Huber's view "this is driven by the convictions that the liberalisation of economies of authoritarian countries, and their integration into the world economy, would pave the way for democratisation"<sup>1703</sup>. This model and ideological objective has been subject to strong criticisms since the Arab Spring, as many scholars and national civil society organisations have indicated that the main root causes of the uprising in Tunisia have much to do with the negative effects of the liberalisation processes imposed by the EU and other international organisations<sup>1704</sup>. The EU is acting as an "agent of globalisation", since it has been supporting the globalisation process through its economic and trade policies with the intention to enhance liberalism at the international level. In this process, the EU "contributes to international structures that, while positive in many ways,

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<sup>1701</sup> Ottaway, M., & Hamzawy, A. (2011). *Protest movements and political change in the Arab world* (Vol. 28). Washington, DC: CARNEGIE endowment for International Peace.

<sup>1702</sup> Lia, B. (2016). Jihadism in the Arab world after 2011: Explaining its expansion. *Middle East Policy*, 33(4), 74-91.

<sup>1703</sup> Huber, D. (2013). 'US and EU Human Rights and Democracy Promotion since the Arab Spring. Rethinking its Content, Targets and Instruments', 48 .*The International Spectator*, 100.

<sup>1704</sup> Ekiz, S. (2018). The Role of the EU and Member States in the Arab Spring: Assessment of Interests and EU Strategy in Tunisia and Libya (Vol. 13). *Nomos Verlag*.

also reproduce and reinforce patterns of exclusion, alienation, and uncertainty”<sup>1705</sup>.

This hypothesis has been softened by several scholars’ revisions, which indicated that while trade liberalisation is beneficial in the long-term, it can have a detrimental effect in the short-term, especially in vital sectors such as agriculture, where there is a great imbalance between the capabilities of Tunisian producers and their counterparts in the EU<sup>1706</sup>. In this context, a Joint Research Centre report regarding the potential of the EU-Southern neighbours’ integration in the agricultural sector argued that while the Tunisia agricultural sector is likely to expand in the long run, the expansion will be combined with an increased deterioration of working conditions<sup>1707</sup>.

In fact, many scholars argued that since the Free Trade Agreement in 2008, Tunisia has suffered a fiscal unbalance due to the progressive elimination of tariffs and the substantial increase of European products import, which has not been combined with increased Tunisian exports to the EU<sup>1708</sup>. The Agreement was signed a couple of years before the international financial crisis, which had further deleterious effects on the Tunisian economy and significantly contributed to the worsening of the fiscal balances. Indeed, the Tunisian Central Bank published a statement showing the deterioration of the Tunisian economy, as determined by indicators such as exports to the EU, a slowed-down economy, declining direct foreign investment, and a significant drop in revenues from the tourist industry<sup>1709</sup>.

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<sup>1705</sup> Keukeleire, S and Delreux, T. (2014) *The Foreign Policy of the European Union*, (Palgrave Macmillan) 33.

<sup>1706</sup> United Nations Development Programme (2015), *Les priorités du développement en Tunisie vues par la société civile, Rapport final des conférences régionales sur la contribution de la société civile dans la transition démocratique*, available at: <http://www.onu-tn.org/uploads/actualites/14284886680.pdf>. Ayadi et al (2013), *Macroeconomic and Financial Crisis Management in the Southern and Eastern Mediterranean: Diagnosis and Prospects*, CEPS, available at: <https://www.ceps.eu/publications/macroeconomic-and-financial-crisis-management-southern-and-eastern-mediterranean>.

<sup>1707</sup> Ayadi, R. and Sessa, C. (2013), *Scenarios Assessment and Transitions towards a Sustainable EuroMediterranean in 2030, MEDPRO Policy Paper, No 9 / July*.

<sup>1708</sup> Ayari, C., Reiffers, J.L., Mouley, S. et al (2015), *Eléments Pour Une Stratégie de Développement Economique et Social à Moyen Terme en Tunisie, FEM/SE*, p. 469.

<sup>1709</sup> Dandashly, A. (2012). *The Holy Trinity of Democracy, Economic Development, and Security: EU Democratization Efforts Beyond its Borders - The Case of Tunisia.*, page 10. (*KFG Working Paper Series*, 42). Berlin: Freie Universität Berlin, FB Politik- und

These trends and the limited benefits of the previous EU-Tunisia trade agreements fuel cynicisms regarding the new DCFTA. The Sustainability Impact Assessment commissioned by the EU for the next round of negotiations predicted substantial benefits for the Tunisian economy in the medium and long term, projecting up to 7% increased GDP and a 20% increase in exports to the EU<sup>1710</sup>. However, the short-term required reforms, taking into account the country's socio-economic instability and the high rate of unemployment, may not be maintainable. Pace and Cavatorta critically emphasised that DFCTA could further exacerbate the socio-economic unrest in the country, highlighting that during the Arab Spring: "ordinary Arab citizens rose up against precisely those rigged neo-liberal reforms imposed by Western organisations ... that led to an even more equal distribution of wealth in their countries and impoverished the masses over the last two decades"<sup>1711</sup>.

There is a consensus between many economists that further liberalisation of the Tunisian economy without taking the necessary steps in terms of further modernisation and enhancing the competitiveness of the productive structures could lead to further negative implications on the already weak and struggling economy. These rationales informed the negative stances of many Tunisian CSO's towards the DCFTA, and ultimately raised their opposition to the new policy. In response, the EU declared that it does appreciate the Tunisian economic dilemma (long-term goals versus short-term difficulties), stressing the significance of asymmetric liberalisation as an effective approach in counterbalancing the adverse implications of the DCFTA in the short-term, and giving the opportunity for the Tunisian government to introduce more socio-economic policies in the process of preparing the country's economy for further liberalisation<sup>1712</sup>. However, it remains to be seen whether this approach is

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Sozialwissenschaften, Otto-Suhr-Institut für Politikwissenschaft Kolleg-Forschergruppe "The Transformative Power of Europe". <https://nbn-resolving.org/urn:nbn:de:0168-ssoar-374019>. [Accessed on 19/10/2018].

<sup>1710</sup> Ayadi, note 1518, p. 33-34.

<sup>1711</sup> Pace, M. & F. Cavatorta (2012) *The Arab uprisings in theoretical perspective – an introduction, Mediterranean Politics*, 17(2), pp. 125–138.10.1080/13629395.2012.694040[Taylor & Francis Online], p 130.

<sup>1712</sup> Dandashly, A. (2015). The EU response to regime change in the wake of the Arab revolt: differential Implementation. *Journal of European Integration*, 37(1), 37-56.

sufficient to counterbalance the negative implications of further liberalisation in the short-term, or if the economy is too fragile.

Nevertheless, at the moment the Tunisian economy is facing countless difficulties in terms of development, social, and budget dimensions. From one perspective, since the Revolution unemployment has noticeably increased, which had further negative implications on the country's security by prolonging uncertainty and instability. Countless protests of the unemployed give the impression that the country is going in the wrong direction. On the other hand, the country's institutional failure due to the messy situation of the public administration following the uprising considerably reduced the financial resources available for successive governments, further complicating the possibility of stimulating the economy.

Tunisia's transitional government launched multiple programmes to address the quickly deteriorating economic situation, including \$1.5 billion to address the high rate of unemployment and regional development problems, especially in the south and western of the country. However, the allocated sum was inadequate to refresh the economy. Considerable external financial support is still needed<sup>1713</sup>. In order for the democratic transition to succeed towards a consolidated democratic system, the economic deterioration required a serious and fast action. The EU response to these challenges was based on a two-dimensional approach: support the country budget, and socio-economic development.

During the establishment phase, nearly €500 million was allocated to Tunisia as micro-financial assistance, as complementary support for the Tunisian financial obligations under the IMF agreement<sup>1714</sup>. The EU strengthened its position as Tunisia's main economic partner and a genuine supporter of its democratic transition. The financial support provided the new democratic government with critical financial assets to tackle some of the socio-economic problems. The EU interest in Tunisia's economic transition developed into comprehensive economic

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<sup>1713</sup> World Bank. 2012b. Tunisia Overview.

<http://www.worldbank.org/en/country/tunisia/overview> (accessed 9 April 2018).

<sup>1714</sup> Memorandum of Understanding Between The European Union As Lender and The Republic Of Tunisia as Borrower, Macro-financial assistance for the Republic of Tunisia Loan from the European Union of up to EUR 300 million. Accessed on 10/2/2019. Available at; [http://ec.europa.eu/economy\\_finance/eu\\_borrower/mou/tunisia\\_mfa\\_mou\\_signed\\_en.pdf](http://ec.europa.eu/economy_finance/eu_borrower/mou/tunisia_mfa_mou_signed_en.pdf).

cooperation. Although the support was conditional on further economic and political liberalisation, it increased during the consolidation phase, especially following the launch of the Privileged Partnership in 2014.

Part of the financial support was used to implement the bilateral and regional programmes for specific partnerships regarding the development of the private sector, especially utilities, such as aerospace, transport, and water management. The programmes also intended to increase cooperation in regional development, especially for the west of the country, which faces acute socio-economic difficulties<sup>1715</sup>. The implemented measures were intended to consolidate the country's economy, and ultimately the young democracy process. EU financial and technical support were positively received by the media and CSO's, in contrast to their substantial criticisms of the EU's liberalisation requirements under DCFTA.

EU financial and technical support in the context of socio-economic reforms is intended to enhance the capabilities of the private sector, which will ultimately create more jobs and improve the Tunisian economy<sup>1716</sup>. It seems the EU approach to economic reforms is much more comprehensive than before the Jasmine Revolution. EU-Tunisia economic cooperation has been developed from focusing on economic liberalisation and opening markets to wider sectors to build the prospects of further trade liberalisation under the DCFTA, while attempting to mitigate the negative effects of this in the short term<sup>1717</sup>. During this transitional period, the socio-economic problem was evidently behind the prolonged uncertainty and instability. Tackling this issue should be unequivocally prioritised over any economic liberalisation.

Based on this proclamation, the DFCTA seems to be fast-moving and may compromise the socio-economic reform agenda. Many Tunisian stakeholders' rejections of this agreement are likely to become even harder during the process of negotiations, and subsequently erode the perceptions of the EU and its role in

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<sup>1715</sup> Memorandum of Understanding EU-Tunisia was signed on 27 April 2017. Accessed on 12/1/2019 at : [https://ec.europa.eu/info/files/memorandum-understanding-tunisia\\_en](https://ec.europa.eu/info/files/memorandum-understanding-tunisia_en).

<sup>1716</sup> Langan, M. (2015). The moral economy of EU relations with North African states: DCFTAs under the European Neighbourhood Policy. *Third World Quarterly*, 36(10), 1827-1844.

<sup>1717</sup> Dandashly, note 1712, p. 37-56.

Tunisian society. DFCTA policy paved the way for genuine criticisms of the EU's indifference to social injustice in the Southern Mediterranean, and Tunisia in particular, despite its rhetoric to the contrary<sup>1718</sup>. By initiating the negotiation of DFCTA, it seems that the EU did not take into account Tunisian priorities, which can be summarised as the creation of employment to counter-balance the rise of inequality and to reduce the possibility of social unrest<sup>1719</sup>.

### **5.3.5. Conclusion**

Hence, this thesis argues that, despite its rhetoric, the EU's democracy commitment to Tunisia under the Ben Ali regime was rather limited. The prioritisation of security and economic liberalisation was very evident, and was stringently pursued, while the EU failed to apply any substantial pressure on the autocratic regime to adopt democratic reforms. The limited application of conditionality and the supposed socialisation policy comprised an inadequate mechanism to change the country's stance on democratic reforms, and whatever limited progress was made under this paradigm, the inertia of progress clearly did not satisfy popular demands among Tunisian citizens, as evinced by the 2011 uprising.

The Jasmine Revolution raised (or rather exposed) two main issues for the EU in its relationship with Tunisia, and the Southern Neighbours in general: destabilisation and democratisation. The revolution broke the status quo and its assumptions, including that stability was guaranteed by authoritarianism, and thus provided a case for active change and more comprehensive democratising political cooperation, based on common values and interests. During this phase, the evolution of the EU-Tunisia relationship was characterised by financial and political support based on "deep democracy" reforms, but also by the rise of criticisms and linked challenges. The EU has sought to contribute to the consolidation of democracy through its more-for-more conditionality, and its

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<sup>1718</sup> Van der Loo, G. (2016). Mapping out the Scope and Contents of the DCFTAs with Tunisia and Morocco. *EUROMESCO SERIES*, (28), 1-42.

<sup>1719</sup> Ghazali, M., & Mouelhi, R. (2018). The Employment Intensity of Growth: Evidence from Tunisia. *Journal of Economic Development*, 43(3).

pragmatism in increased emphasis on the conditionality principle since 2011 is clearly evident<sup>1720</sup>.

However, the EU's increased leverage of conditionality (i.e. a quid pro quo of mainly financial inducements requiring democratic reform from the Southern Neighbours governments) has been accompanied by deeper support for civil society organisations. Socialisation was always the mainstay of EU efforts through civil society prior to the Jasmine Revolution, but the practical impact of these activities was limited due to regimes co-opting, manipulating, and suppressing civil society groups. Since the Jasmine Revolution these organisations have enjoyed relatively more political freedom, which has been enabled by internal and external pressures promoting such liberty, including from the EU itself. The EU has meaningfully engaged with civil society organisations in Tunisia since the Revolution, despite many criticisms of this approach, particularly the involvement of CSO's in the decision-making process<sup>1721</sup>.

The overall EU approach has remained pragmatic, which is a fundamental continuity of its long-term strategy dating back to the Barcelona Agreement. Its most important underlying interests are its own security and economic liberalisation, and it is because authoritarianism was no longer a guarantor of these ends that it sought more obvious democratisation promotion and accommodation with the emergent realities in Tunisia and elsewhere. Indeed, its virtue signalling about democracy and human rights can be seen as part of its accommodation with new post-revolutionary regimes and their constituents; just as it was prepared to work with the old autocratic regimes to support its interests, it is prepared to work with the new post-revolutionary regimes for the same purpose. For instance, the Mobility Partnership and Deep and Comprehensive Free Trade Agreement (DCFTA) were clearly very sympathetic to the Tunisian Transitional Government's priorities in addition to EU goals<sup>1722</sup>.

In the new configuration, one of the most menacing spectres for many EU interests is the prospect of political Islam, but the EU has taken remarkably

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<sup>1720</sup> Bassotti, note 39.

<sup>1721</sup> Youngs, R. (2017). A New era in Euro-Mediterranean Relations. In *Routledge Handbook of Mediterranean Politics* (pp. 72-82). Routledge.

<sup>1722</sup> Ayadi, note 1518, p. 33-34.

accommodating steps to positively engage with democratic Islamic parties. The Enahdha political party in Tunisia is a conventional political platform that openly encourages inclusiveness in the Tunisian political transition, and it is a political movement like any other in terms of potential EU engagement<sup>1723</sup>. This represents a very proactive approach in the formal political sphere, but in order for the EU to support a suitable environment for democracy consolidation it also needs to enhance political cooperation based on interests other than its political and philosophical priorities, including in terms of economic liberalisation.

In this context, the DCFTA can have a detrimental effect on the Tunisian democracy, especially in terms of the negative impact on the socio-economic status of the country<sup>1724</sup>. Hence, this thesis argues that socio-economic reforms should be given unambiguous prioritisation over economic liberalisation.

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<sup>1723</sup> Stepan, A. (2012). Tunisia's transition and the twin tolerations. *Journal of Democracy*, 23(2), 89-103.

<sup>1724</sup> Mohamadieh, K. (2012). Democratic Transitions and the EU 'Deep and Comprehensive FTAs' with MENA countries: a possible backlash. *GREAT Insights*, 1(2), 4-5.

## Chapter 6: GENERAL CONCLUSION

This thesis raised a number of important questions that took us beyond the theoretical debate on the European normative power, to study the EU transformative power of the EU democratisation of the Southern neighbourhood and Tunisia in particular as a case study. The concluding remarks should be divided into theoretical contribution and empirical contribution.

### 6.1. Theoretical contribution

This thesis attempted to investigate the mechanisms and the nature of the EU transformative power in the context of the ENP in the Southern Mediterranean. The concept of NPE used as the main theoretical tool employed to develop a better understanding of EU's transformative power and the impact of the its policies in the promotion of European values and norms in the Med Region, with Tunisia serving as a case study. The emergence of the EU following a unique political and legal experience in the history of international relations has reinvigorated the debate regarding the nature of this political "Union"<sup>1725</sup>.

The EU's political efforts in bringing peace and prosperity within the European continent have challenged the dominance of realist theories significantly. Indeed, the EU relied on its soft power which has been defined as the process of achieving objectives through mutual cooperation and civilian means rather than military means and hard power specified by realists<sup>1726</sup>. In other words, soft power relies on civilian instruments, ranging from diplomatic cooperation and civic action to financial support and economic development while hard power relies on traditional means of coercion<sup>1727</sup>.

Within this debate, NPE emerged as a new theory which became a reference point. As we explained previously in details, the NPE concept relied on the sui

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<sup>1725</sup> Bartolini, S. (2005). *Restructuring Europe: Centre formation, system building, and political structuring between the nation state and the European Union*. Oxford University Press.

<sup>1726</sup> Cross, M. A. K. D. (2016). The EU global strategy and diplomacy. *Contemporary Security Policy*, 37(3), 402-413.

<sup>1727</sup> Biscop, S. (2016). The EU global strategy: realpolitik with European characteristics. In XIII Forte de Copacabana Conference International Security (p. 91).

generis nature of the EU and its diffusion of normative principles, such as democracy, human rights, rule of law, peace and economic liberalisation to characterise it as such<sup>1728</sup>. According to Ian Manners, these principles are the core values of the EU which have developed since its inception through a series of agreements, declarations and policies<sup>1729</sup>.

However, evidence unravelled in this study has demonstrated that the application of NPE theory does not entirely fit the EU approach on the ground. The NPE thesis has been evident in the EU official documents, communications and therefore, in the rhetoric of the formulation phase. During this formulation phase, the articulation and the projection of democracy promotion were evident throughout the EU's communications and policies. Here, we should refer back to the concept of soft power, as the EU has relied on its long-lasting relationship, economic and political influence to enter into agreements with the southern neighbours where normative principles are the corner stone of these bilateral or multilateral agreements. Focusing on the analysis of the ENP implementation cycles has shown alternative justifications for the EU approach<sup>1730</sup>. Indeed, the ENP review of 2011 has shown that different theories, such as realism can best explain the EU approach during this phase. The EU action and behaviour is exceedingly becoming sector-orientated and differentiated. From international Relations perspective, we could argue that the EU is behaving as a realist power instead of normative one<sup>1731</sup>.

This conclusion is mainly based on three considerations. First, the security issue is superseding any other concerns. Although the security question is considered as a normative principle, the prioritisation of this principle has rendered the EU approach based on realist considerations rather than normative ones<sup>1732</sup>. Secondly, this thesis demonstrated the ineffectiveness of EU leverage against Southern Mediterranean partners due to the insufficiency of financial support and the inability to exercise negative conditionality. Accordingly, the absenteeism of

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<sup>1728</sup> Manners, note 41

<sup>1729</sup> Larsen, H. (2014). The EU as a normative power and the research on external perceptions: The missing link. *JCMS: Journal of Common Market Studies*, 52(4), 896-910.

<sup>1730</sup> Roccu & Voltolini, note 1080.

<sup>1731</sup> Barrinha, A. (2016). Progressive realism and the EU's international actorness: towards a grand strategy?. *Journal of European Integration*, 38(4), 441-454.

<sup>1732</sup> Roccu & Voltolini, note 1732.

the southern regimes political will to engage in the process of political reforms whether under the EMP or the ENP which has been combined with the EU inability to apply substantive leverage has resulted in the inefficiency of the EU's normative policy of democratisation<sup>1733</sup>. Thirdly, the normative principle of democracy promotion has been overshadowed by other economic, security and political priorities. Indeed, despite the abysmal record in the democracy and inability to introduce any substantial reforms, the EU not only simultaneously upgraded the partnership status of many Southern partners, but continued to provide financial and trade support<sup>1734</sup>. The thesis argued that the EU democracy promotion has been negligent in comparison with maintaining political stability in the region, as the EU could not alienate the autocratic regimes in the region and eventually destabilise important political and economic partners. Even in the mist of the Arab uprisings, this conundrum between democracy and security has been evident in the EU and its member states initial responses<sup>1735</sup>. The ENP review which promised substantial changes to this equilibrium has failed to deliver. Besides, the EU seems to concentrate on economic liberalisation irrespective of the Southern partners' stance towards democracy. It seems that the EU was hoping that economic liberalisation will lead in the end to political liberalisation. However, this thesis argued that such an approach may not be fruitful based on other experiences in the world. The case of China is the main example of the limitation of the theoretical connection between economic liberalisation and democracy<sup>1736</sup>.

Furthermore, in line with many scholars' conclusions, this thesis argued that the EU economic liberalisation policy seems to be based on enhancing the EU economic interests rather than normative considerations<sup>1737</sup>. Indeed, despite the EU's rhetorical emphasis on the strong connection between democracy and social rights, the evidence showed that the ENP prioritised trade policies at the expense of the social orientated goals such as poverty reduction and

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<sup>1733</sup> Kochenov, D. (2014). Overestimating conditionality. In *The European Union in the World* (pp. 541-556). Brill Nijhoff.

<sup>1734</sup> Poli, S. (2015). The European Neighbourhood Policy: Differentiation without Political Conditionality?. *Yearbook of Polish European Studies*, 18, 139.

<sup>1735</sup> Dandashly, note 17, pp. 62-82.

<sup>1736</sup> Wang, Y. (2017). *China's Economic Development and Democratization*. Routledge.

<sup>1737</sup> Reynaert, V. (2011) "Preoccupied with the Market: The EU as a Promoter of 'Shallow' Democracy in the Mediterranean." *European foreign affairs review* 16.5 (2011): 623-637.

unemployment<sup>1738</sup>. It seems that the EU did not grasp the negative impact of its heavy-handed economic liberalisation process. At the end of the day, the uprisings of 2011 have been rooted in the deteriorated socio-economic conditions and partially blamed on the EU's economic liberalisation process<sup>1739</sup>. The case of Tunisia was a good example of this anomaly even after the "Jasmin revolution". Despite the potential negative impact of economic liberalisation on the young democracy, the EU seems to continue to heighten its liberalisation process regardless of the socio-economic condition of the country<sup>1740</sup>. Hence, despite the EU rhetoric on prioritising democracy including socio-economic rights, the evidence in this thesis showed that such a claim has not been materialised.

From this perspective then, the strong evidence showed that realist explanations and practical considerations can be said to be the base of the EU behaviour rather than normative one. Despite the EU rhetoric and good intention in promoting the normative principle of democracy, EU commitment has been rather a weak, pointing towards geo-political and self-interest considerations as the main driver of the EU actions.

Having said that, this thesis argued that the EU normative approach was evident and cannot be denied throughout the EU's economic liberalisation policies towards the Southern neighbours. Indeed, when it comes to trade liberalisation, it was arguably the most successful process due to the high degree of shared understanding and interests<sup>1741</sup>. Evidence has demonstrated that the EU took advantage of the Southern partners' willingness to accept the EU reformative agenda, which resulted in substantial cooperation and approximation. The neo-liberal institutional explanation of this relatively successful policy was very

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<sup>1738</sup> Zajaczkowski, M. (2017). External and internal liberalization that ENP promotes as transmission belts of democratization and political stability: success and failure revisited-the Southern Dimension. *Kwartalnik Kolegium Ekonomiczno-Społeczne*. *Studia i Prace*, (3), 87-106.

<sup>1739</sup> Ozekin, M. K., & Akkas, H. H. (2014). An empirical look to the Arab spring: Causes and consequences. *Alternatives: Turkish Journal of International Relations*, 13(1&2).

<sup>1740</sup> Teti, A. (2015). Democracy without social justice: Marginalization of social and economic rights in EU democracy assistance policy after the Arab uprisings. *Middle East Critique*, 24(1), 9-25.

<sup>1741</sup> Cestepe, H., Yıldırım, E., & Bahtiyar, B. (2015). The Impact of Trade Liberalization on the Export of MENA Countries to OECD Trade Partners. *Procedia economics and finance*, 23, 1440-1445.

interesting<sup>1742</sup>. It argued that the mutual interests for higher cooperation in this field were the main driver for the acquired reforms. While the Southern partners have been willing in implementing regulatory and legislative reforms to comply with the EU standards and integrate further into the EU's single market and reap the financial benefits in due course, the EU also benefited from this process through trade and energy supply<sup>1743</sup>. Hence, this justification is very telling in terms of the driving force behind the liberalisation process.

Throughout the analysis of the EU approach, we relied on the Europeanisation concept to deconstruct the normative agenda transfer process and to identify the different variables which can influence the process<sup>1744</sup>. This thesis has relied on a number of internal and external indicators distracted from the Europeanisation concept which have allowed us to assess the diffusion of democracy in the Southern Mediterranean partners. In other words, what are the factors which can explain the lack of democracy adoption in the region? In following internal factors seemed to have played a role: The costs of adoption, the shortage of national civil society participation and influence, and the centrality of the security agenda<sup>1745</sup>. External factors on the other hands have been identified as the EU genuine political will for reforms and the credibility of the EU as a democracy agent.

Based on the theoretical approach of the European normative power and Europeanisation, this thesis argued that while the EU has not predominantly acted in a normative manner when it comes to democracy promotion, although no single grand theory can account and explain the EU approach from formulating, implementing and monitoring policies in the neighbourhood<sup>1746</sup>. Furthermore, this thesis outlined the process of normative principles diffusion through the Europeanisation concept and argued that the mechanisms of the

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<sup>1742</sup> Hierro, L. (2018). Integrationalism and resilience: a dynamic systems analysis of EU regional integration in the Mediterranean and North Africa. *Resilience*, 6(3), 163-180.

<sup>1743</sup> Montalbano, P., & Nenci, S. (2014). Assessing the trade impact of the European Neighbourhood Policy on the EU-MED Free Trade Area. *Applied Economics*, 46(7), 730-740.

<sup>1744</sup> Beauguitte, L., Richard, Y., & Guérin-Pace, F. (2015). The EU and its neighbourhoods: A textual analysis on key documents of the European neighbourhood policy. *Geopolitics*, 20(4), 853-879.

<sup>1745</sup> Börzel & Lebanidze, note 2020, pp. 17-35.

<sup>1746</sup> Cavatorta, F., & Rivetti, P. (2014). EU–MENA Relations from the Barcelona process to the Arab Uprisings: A new research agenda. *Journal of European Integration*, 36(6), 619-625.

norms transfer can only be successful if internal and external factors were present. The success of Tunisia in the transition into a democratic country was the main example in explaining the different variables influence<sup>1747</sup>. Indeed, socialisation and conditionality can be effective mechanisms in the Europeanisation process only if there are mutual understanding and cooperation. However, in terms of the specific normative objective of democracy promotion as they stand nowadays, these mechanisms remained inadequate.

## **6.2. Empirical contribution**

The study of democratisation effectiveness of the Southern neighbourhood has assessed the process based on the EU discourse and how its delivered on practice. The evidence has provided us with mixed results. The supposedly EU normative power push for democracy following the Arab spring did not materialise. The ENP policy remained almost identical to its approach prior to the Arab Spring despite the review of 2011. Subsequently, democracy promotion remained a very slow work in progress, due to inherent paradoxes and contradictions of a policy with no clear vision. The security considerations remained the main engine behind the EU approach. Having said that, Tunisia became the only beacon of light in the region. The EU differentiation approach seems to be an effective mechanism in Tunisia in comparison with other Mediterranean countries<sup>1748</sup>.

Before discussing the democratisation in the southern neighbourhood, we look at first the development of the EU policies towards the Southern neighbours. First, we examined the legal basis of the EU- Neighbourhood policies. This thesis argued that Art 8 TEU seems to be a declaration of intent of the EU to develop a special relationship with the neighbouring countries based on the EU's values and norms. Subsequently, Art 8 TEU provisions became the legal basis of the Association Agreements with the Southern neighbours, although this point still

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<sup>1747</sup> Pickard, D. (2014). Prospects for implementing democracy in Tunisia. *Mediterranean Politics*, 19(2), 259-264.

<sup>1748</sup> Börzel, T. A., & Van Hüllen, V. (2014). One voice, one message, but conflicting goals: cohesiveness and consistency in the European Neighbourhood Policy. *Journal of European Public Policy*, 21(7), 1033-1049.

subject for debate<sup>1749</sup>. From a practical perspective Art, 8 TEU may have a positive impact on the coherence of the EU policies. This is important especially in terms of the relationship between the EMP and ENP.

The second part discussed the development of the cooperative approach between the EU and the Southern neighbours and argued that while initially started by some member states to preserve their political and financial relations with Southern neighbours, soon developed to enhance the security dimension and economic relations. The EMP then developed mainly to achieve some peace and stability in the region. This policy has hailed as a great regional integration process due to its comprehensive normative objectives<sup>1750</sup>. Indeed, the Barcelona Agreement complementary baskets with combined political, security, economic and cultural collaboration was an ambition project. However, while this policy was predominantly security and stability orientated, other normative objectives failed to materialise except in the economy field<sup>1751</sup>.

The ENP, on the other hand, intended to avoid the development of new dividing lines between the EU and its neighbours following the 2003 enlargement. Instead, the EU envisaged that ENP policy could strengthen prosperity, stability and security in the near-abroad. Subsequently, the ENP pursued to introduce progressive and comprehensive normative reform agenda and deeper integration through socialisation and conditionality<sup>1752</sup>. The Action Plans which are tailor-made for each partner were the key mechanism in implementing the ENP reform policy. The objectives of the ENP were similar to the EMP, covering a range of issues from political, economic to security. The Action Plans are based on conditionality where the EU offered more financial support and deeper cooperation if the Southern partner implemented the reforms required<sup>1753</sup>. The deeper

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<sup>1749</sup> Hillion, C. (2014). Anatomy of EU norm export towards the neighbourhood: The impact of Article 8 TEU. In *Legislative Approximation and Application of EU Law in the Eastern Neighbourhood of the European Union* (pp. 43-50). Routledge.

<sup>1750</sup> Del Sarto, R. A., & Schumacher, T. (2005). From EMP to ENP: What's at stake with the European Neighbourhood Policy towards the Southern Mediterranean. *Eur. Foreign Aff. Rev.*, 10, 17.

<sup>1751</sup> Emerson, M., & Noutcheva, G. (2005). From Barcelona Process to Neighbourhood Policy. *Centre for European Policy Studies*.

<sup>1752</sup> Gstöhl, S., & Schunz, S. (Eds.). (2016). *Theorizing the European Neighbourhood Policy* (Vol. 3). Taylor & Francis.

<sup>1753</sup> Poli, S. (2015). The European Neighbourhood Policy: Differentiation without Political Conditionality?. *Yearbook of Polish European Studies*, 18, 139.

cooperation could ultimately lead to “advanced status” partnership. However, the assessment of the Action Plans was subjective due to the unlimited number of priorities and the hollowness of the “joint ownership” concept. At the end of this chapter, this thesis argued that while the EU reiterated the compatibility between the EMP and ENP, there is an enormous change in the EU approach from multilateralism to bilateralism. While it may have downgraded the EMP regional dimension, it may have strengthened the bilateral relationship<sup>1754</sup>.

In terms of democracy promotion, the EU tried to reform the Southern neighbours’ political agenda since the Barcelona agreement. Hence, this thesis tried to rely on the chronological development of the democratisation policy. The EMP democratisation was based on the “standardisation” of the EU policies<sup>1755</sup>. The Mediterranean partners were not eager to engage in this policy, although not to the extent of refusing point blank the democracy reforms, due to the fear of losing the financial and political support. It seems the democratisation process at this point is based on a bottom-up approach and socialisation through the empowerment of civil society. Yet, the results were less satisfactory, as the security considerations and the EU fear of alienating the Southern neighbours’ regimes were major obstacles in the democratisation process<sup>1756</sup>. The review of 2001 entitled the European Union’s Role in Promoting Human Rights and Democratisation in Third Countries to give a picture of the EU comprehensive policy in the democratisation process, especially the relevance of socio-economic rights as an important factor in the democracy promotion<sup>1757</sup>. However, there is still a separation between democracy and socio-rights on practice<sup>1758</sup>.

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<sup>1754</sup> Renard, T. (2016). Partnerships for effective multilateralism? Assessing the compatibility between EU bilateralism,(inter-) regionalism and multilateralism. *Cambridge Review of International Affairs*, 29(1), 18-35.

<sup>1755</sup> Kourtellis, C. (2016). The EU-MENA Relationship Before and After the Arab Spring. In *The Palgrave Handbook of Critical International Political Economy* (pp. 413-430). Palgrave Macmillan, London.

<sup>1756</sup> Ibid.

<sup>1757</sup> Teti, A. (2015). Democracy without social justice: Marginalization of social and economic rights in EU democracy assistance policy after the Arab uprisings. *Middle East Critique*, 24(1), 9-25.

<sup>1758</sup> Pace, M. (2014). The EU's Interpretation of the ‘Arab Uprisings’: Understanding the Different Visions about Democratic Change in EU-MENA Relations. *JCMS: journal of common market studies*, 52(5), 969-984.

The ENP democratisation before the Arab Spring, on the other hand, was based on the strong belief that democratic neighbours will ultimately create a ring of friends that could share the benefits of a peaceful neighbourhood. However, despite the EU rhetorical emphasis on democracy through the Action Plans, the equilibrium of security and commercial interests were always prioritised<sup>1759</sup>. Indeed, Tunisia, for example, initiated the advanced status negotiation despite its democratic shortfalls. Subsequently, instead of being transformative power, the EU became a stability orientated power through political and financial support<sup>1760</sup>. However, the Arab uprisings turned the ring of friends into a ring of fire. The EU initial response was very subtle, due to the member states strong political ties with the Southern neighbours' regimes. The Intro- European division has been highlighted through military intervention in Libya. In the end, it seems that there is an emerged consensus that EU-Southern neighbours' relationship should be reinvigorated based on supporting the political transition in the region<sup>1761</sup>. This consensus has ultimately developed the EU role, the EU role from stability orientated to change. The ENP review of 2011 which is based on the "A Partnership for Democracy and Shared Prosperity" and "A new Response to a Changing Neighbourhood: A review of ENP" intended to reform the EU policy approach in the region based on the notion of deep democracy<sup>1762</sup>. Beside stipulating the principles of mutual accountability, shared commitment to universal values and higher differentiation, the review created multiple institutions to support the democratisation process in the region. The EED, Civil Society Facility and "Social Dialogue Forum" were created to enhance the effectiveness of the EU's democracy promotion by enhancing the institutional setting and supporting civil society participation in the political arenas of the Southern neighbours<sup>1763</sup>.

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<sup>1759</sup> Schumacher, note 74, pp. 381-401.

<sup>1760</sup> Tocci, N. (2014). The Neighbourhood Policy is Dead. What's Next for European Foreign Policy Along its Arc of Instability?. see from <http://www.iai.it/sites/default/files/iaiwpl416.pdf>. [Accessed on 12/2/2019].

<sup>1761</sup> Overbeck, M. (2014). European debates during the Libya crisis of 2011: shared identity, divergent action. *European Security*, 23(4), 583-600.

<sup>1762</sup> Beauguitte, L., Richard, Y., & Guérin-Pace, F. (2015). The EU and its neighbourhoods: A textual analysis on key documents of the European neighbourhood policy. *Geopolitics*, 20(4), 853-879.

<sup>1763</sup> Ibid.

Furthermore, it proposed the creation of “Deep and Comprehensive Free Trade Area”<sup>1764</sup>. However, although the new review acknowledged the importance of socio-economic rights, its connections to democracy were only recognised implicitly<sup>1765</sup>. The Communication accepted the fact that the uprisings are mainly interrelated to economic difficulties, hence economic reforms must go hand-in-hand with political reforms. However, what the EU failed to grasp is that economic liberalisation reforms were partially to blame for the Arab uprisings. In addition, beside socialisation through civil society and political dialogue, the review of 2011 emphasised the negative conditionality and “more-for-more” mechanism. The benchmarking policy will be applied rigorously, and the financial support will be subject to the amount of progress achieved<sup>1766</sup>. However, the record of the EU shows that democracy was not always at the forefront of the EU’s interest.

So, the ENP review has been described as a quantitative step forward. However, the textual analysis of the policy documents suggests a considerable scepticism regarding the EU claim that this policy is a quantitative step forward with early policy strategy<sup>1767</sup>. The review appears to represent the characteristics and features of the EU previous policy. Basically, the policy reproduced the main argument in relation to democratisation, such as enhancing the institutional building capacity or the important role of the civil society in addition to the positive conditionality approach. A particular concern is that the EU is continuing to uphold strategies which appear to be a subsidising factor behind inequitable socio-economic rights and subsequently the uprisings in the Southern Neighbourhood. Having said that, the policy seems to develop multiple novelties which may strengthen the democratisation agenda. The review represents a novelty in the decision-making process, a stronger role for civil society new emphasis on negative conditionality in particular<sup>1768</sup>.

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<sup>1764</sup> Koeth, W. (2014). *The ‘Deep and Comprehensive Free Trade Agreements’: An Appropriate Response by the EU to the Challenges in its Neighbourhood*. European Institute of Public Administration.

<sup>1765</sup> Schumacher, note 74, pp. 381-401.

<sup>1766</sup> Cianciara, A. K. (2017). Stability, security, democracy: explaining shifts in the narrative of the European Neighbourhood Policy. *Journal of European Integration*, 39(1), 49-62.

<sup>1767</sup> Schumacher & Bouris, note 26, (pp. 1-33).

<sup>1768</sup> *Ibid.*

Yet, in terms of benchmarking and “more-for-more” at the practical level, the EU policy lacked clear evaluation procedures, it lacked real legal background which renders the assessment criteria open to arbitrary decisions<sup>1769</sup>. Besides, security and political considerations render the possibility of applying negative conditionality almost impossible. Subsequently, the multiplicity of the EU objectives and priorities, although it has been lowered in the review, made the negative conditionality principle inapt<sup>1770</sup>. Socialisation, on the other hand, the EU has tailored its approach in the ENP over its experience under the enlargement process. Positive conditionality clearly became an oversold policy, while negative conditionality is subject to double standards, which in turn affected the EU’s socialisation dynamics<sup>1771</sup>. The CSO’s which are the corner stone of the socialisation policy kept outside the decision-making process and the Islamic orientated civil society organisation remained outside the EU’s engagement. The extensive financial support which has been promised did not materialise. Subsequently, neither conditionality nor socialisation seems to be working effectively<sup>1772</sup>. The response to the Arab Spring, so far, seems to be hesitant and lack full commitment. The term “deep democracy” seems to be vague and intangible. The EU approach as it stands which remained security orientated may lead to an incoherent buffer zone and may create a diverse neighbourhood instead of a ring of friends<sup>1773</sup>. The EU should refocus its approach towards more equality, freedom of assembly and further empowering the local people and CSO’s. Moreover, in terms of the innovative versus the original concepts in practice, while the EU rhetorically claimed that conditionality will be applied rigorously, however, the “Advanced Status” partnership which considered the ultimate incentive may further jeopardise the already inadequate leverage<sup>1774</sup>.

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<sup>1769</sup> Slusarciuc, M. (2014). Flexible and Improved Implementation of The European Neighbourhood Policy. *EURINT*, 1, 242-253.

<sup>1770</sup> Volkel, J. C. (2014). More for More, Less for Less-More or Less: A Critique of the EU's Arab Spring, Response a la Cinderella. *Eur. Foreign Aff. Rev.*, 19, 263.

<sup>1771</sup> Ibid

<sup>1772</sup> Veebel, V., Kulu, L., & Tartes, A. (2014). Conceptual factors behind the poor performance of the European Neighbourhood policy. *Lithuanian Foreign Policy Review*, 31(2014), 85-102.

<sup>1773</sup> Cugusi, B. (2015). Future perspectives for the European neighbourhood policy. In *Neighbourhood Policy and the Construction of the European External Borders* (pp. 139-154). Springer, Cham.

<sup>1774</sup> Bremberg, note 1011, pp. 423-441.

Apart from these assessed problems of the ENP, further challenged the democracy in the Southern Mediterranean has been observed. Firstly, the notion of democracy is bundled into a cluster of normative principles, rendering it inseparable from the diversified goals analytical. The fact is the EU is not forthcoming in providing a definition of democracy seems to be odd with its democratisation objective<sup>1775</sup>. Secondly, double standards seem to be a substantial problem of the EU's approach in the region. The fact that democracy is only one of the EU multiple objectives may explain the inconsistency and double standards<sup>1776</sup>. Thirdly, the EU relied on economic liberalisation to encourage Southern neighbours' political reforms, however, liberalisation connection to democracy created sham but not substantive democracy. Fourthly, despite the EU rhetoric, the security and stability considerations remained the cornerstone of the EU approach.

This thesis, in the end, relied on Tunisia as an example to illustrate the EU approach. Tunisia case-study revealed that a similar pattern of the one characteristic of the EU approach was taking place. Although Tunisia has been hailed as a success story, The EU approach to democratisation in the country before the "Jasmin revolution" was mainly based on security, stability and economic liberalisation objectives. The discrepancy between the EU's rhetorical democracy promotion policies and implementation on the ground was evident and manifested by the development of EU-Tunisia relations into three trade-offs of interests: Trade versus aid, benefits versus freedoms and security versus silence<sup>1777</sup>. The freedoms in this context, refers to the economic liberalisation rather than political. The trade-offs impacted negatively on the democracy promotion which remained weak despite the significant political and economic support to Ben Ali authoritarian regime<sup>1778</sup>. Based on this background, the socialisation process through civil society was very selective due to the regime

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<sup>1775</sup> Ghazaryan, N. (2014). *The European Neighbourhood Policy and the democratic values of the EU: A legal analysis*. Bloomsbury Publishing.

<sup>1776</sup> Börzel, T. A., & Van Hüllen, V. (2014). One voice, one message, but conflicting goals: cohesiveness and consistency in the European Neighbourhood Policy. *Journal of European Public Policy*, 21(7), 1033-1049.

<sup>1777</sup> Huber, D. (2012). "Mixed Signals" Still? *The EU's Democracy and Human Rights Policy Since the Outbreak of the Arab Spring*. Universitäts- und Landesbibliothek Sachsen-Anhalt.

<sup>1778</sup> Pickard, D. (2014). Prospects for implementing democracy in Tunisia. *Mediterranean Politics*, 19(2), 259-264.

political and legal imposed restrictions, while conditionality was mainly applied for security and economic liberation purposes<sup>1779</sup>.

The “Jasmin revolution” brought two significant dynamics, democracy and destabilisation, which had profound ramifications on the EU-Tunisia relationship<sup>1780</sup>. The EU reformed approach intended to enhance the synergies between the EU and Tunisia different political objectives. The complementarity between the two parties’ projects, opened a new window of opportunity to enhance the cooperation and deeper integration in line with the ambition of the ENP. However, the political cooperation while is characterised by a comprehensive convergence of norms, including democracy, but also by the rise of disapproval towards the EU’s policies, especially in the fields which reflects the EU’s interests and priorities<sup>1781</sup>. Following the uprising, then, the EU’s democracy support has been intensified whether through the political statements or the use of financial support<sup>1782</sup>. The Action Plans of Tunisia became more democracy orientated which contributed to the Tunisian political reforms along three main axes: Guide the new elected government through multiple EU officials’ missions to Tunisia to promote the adoption of key reforms, including the monitoring of the elections and supporting the constitution draft<sup>1783</sup>. Supporting the transition financially or by contributing through expertise and training<sup>1784</sup>, and finally promoting democratic norms, such as freedom of expression and association, and freedom of the press through recommending the adoption of international treaties<sup>1785</sup>. The EU de facto positioned itself as the main sponsor of the Tunisian democratisation process, as it provided substantial support in the building and consolidation of democratic institutions and policies. Furthermore, in contrast with

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<sup>1779</sup> Mouhib, L. (2014). EU Democracy Promotion in Tunisia and Morocco: between contextual changes and structural continuity. *Mediterranean politics*, 19(3), 351-372.

<sup>1780</sup> Chakchouk, M., Kehl, D., Ben-Avie, J., & Coyer, K. (2013). From Revolution to Reform: Recommendations for Spectrum Policy in Transitional Tunisia. *Journal of Information Policy*, 3, 575-600.

<sup>1781</sup> Reynaert, V. (2015). Democracy through the invisible hand? Egypt and Tunisia. In *The Substance of EU Democracy Promotion* (pp. 149-161). Palgrave Macmillan, London.

<sup>1782</sup> Dennison, S. (2013). The EU and North Africa after the Revolutions: A New Start or ‘plus ça change’?. *Mediterranean Politics*, 18(1), 119-124.

<sup>1783</sup> Copertino, D. (2017). Challenging the Paradigms. Changing Theories in the Middle-Eastern Anthropology after the Tunisian Revolution. *STUDI MAGREBINI*, 14(1), 101-124.

<sup>1784</sup> Dandashly, A. (2012). *The Holy Trinity of Democracy, Economic Development, and Security: EU Democratization Efforts Beyond Its Borders-the Case of Tunisia*. ssoar.info.

<sup>1785</sup> Hafaiedh, A. B., & Saidani, I. (2011). *The Impact of the European Union in Tunisia and the impact of the Arab transformations upon the EU*. assforum.org.

its approach to socialisation through civil society prior to the revolution, the EU placed emphasis on the positive role of the civil society organisations, which subsequently enjoyed substantial financial support. However, the EU engagement with Islamic civil society remained problematic. While the EU objective of strengthening civil society seems to be a matter of increasing effectiveness rather than democratic participation<sup>1786</sup>.

However, in sectors of cooperation in which historically the EU tends to prioritise over democracy promotion such as the security or economic liberalisation, the EU reformed approach seems to encompass elements of continuity and change. In terms of security, the Mobility partnership (although it has been part of the more-for-more conditionality) seems to be not only reflecting the EU's security/stability priorities but also may not be very sympathetic to the Tunisian Transitional priorities<sup>1787</sup>. Having said that, the analysis of the EU's security policy indicates a substantial change, in comparison with its previous attitude, towards political Islam. The EU new pragmatism is discernible by the positive engagement with Enahdha political party which marked a new chapter in the EU-Political Islam<sup>1788</sup>. What can be concluded from the new approach is that security and democracy promotion can be compatible rather than contradictory objectives.

In relations to the economic liberalisation reforms agenda, this thesis argued that in order for the EU to support a suitable environment for democracy consolidation, the EU needs to enhance political cooperation based on respective interests rather than its own political and philosophical priorities such as economic liberalisation. In this context, the DCFTA can have a detrimental effect on the Tunisian democracy, especially in terms of the negative impact on the socio-economy status of the country. Hence, this thesis argues that socio-economic reforms should be given an unambiguous prioritisation over economic

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<sup>1786</sup> Somer, M. (2017). Conquering versus democratizing the state: political Islamists and fourth wave democratization in Turkey and Tunisia. *Democratization*, 24(6), 1025-1043.

<sup>1787</sup> Ayadi, note 1518, pp. 33-34.

<sup>1788</sup> Ghannouchi, R. (2016). From political Islam to Muslim democracy: The Ennahda party and the future of Tunisia. *Foreign Aff.*, 95, 58.

liberalisation, as further liberalisation might lead to instability in the country which already suffering from persistent socio-economic difficulties<sup>1789</sup>.

In nutshell, while the EU repeatedly created the expectations of being able to have an impact on the democratisation of the Southern neighbourhood, it lacks the capabilities to live up to this claim. The EU policy seems to be ineffective in developing a genuine democracy promotion agenda in the Southern Mediterranean, although the results are variable. Indeed, when it comes to Tunisia, the EU policy seems to be rather more effective, although important internal variables such as non-interference by the military in the political life created the right atmosphere for the EU democracy support, which is absent in other Southern neighbours.

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<sup>1789</sup> Ayadi, R., Arbak, E., Naceur, S. B., & De Groen, W. P. (2015). Financial development, bank efficiency, and economic growth across the Mediterranean. In *Economic and social development of the Southern and Eastern Mediterranean countries* (pp. 219-233). Springer, Cham.

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## APPENDICES

### 1. The Barcelona Process: The Union for the Mediterranean (UfM)

The Union for the Mediterranean idea has been brewing by the French President Sarkozy since he was the Interior Minister between 2005/2007. During this period, he was alarmed by the extent of threats derived from Terrorism, illegal immigration and organised crime, which originated from the southern Mediterranean Neighbours<sup>1790</sup>. By 2007, during his presidency campaign, he proposed the “Mediterranean Union” idea, which only handful of Mediterranean Neighbours should become members. Declaring that “the countries of the Mediterranean must take control of their destiny that geography and history has created for them<sup>1791</sup>”, stressing the need for need for an effective cooperation mechanism between the two shores of the Mediterranean. However, the idea became subject to many criticisms, which compelled Sarkozy to threaten to sidestep the EMP and even the EU<sup>1792</sup>.

Initially the idea was labelled as an election campaign pitch, merely intended for domestic consumption and disconnected from the real EU inter-governmental approach<sup>1793</sup>. Additionally, the proposal was seen as a French electoral commitment to the Mediterranean region with indiscernible alternative to the Turkey EU membership dilemma<sup>1794</sup>. Henceforth, the criticism became more apparent, especially after Merkel declaration “This would create a situation I would qualify as dangerous. A situation could be created where Germany would be drawn to Central and Eastern Europe and France to the Mediterranean. This

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<sup>1790</sup><sup>1790</sup> Emara, K. (2010) ‘Is Sarkozy’s Union for the Mediterranean Going to Work’, ed. Federiga Bindi, *The Foreign Policy of the European Union: Assessing Europe’s Role in the World*, (Washington D.C: Brookings Institution Press), p. 198.

<sup>1791</sup> The Union of the Mediterranean, a sinking ship? <http://owni.eu/2011/03/02/the-union-for-the-mediterranean-a-sinking-ship/>. [accessed 27/10/2015].

<sup>1792</sup> Emerson, M. (2008). ‘*Making sense of Sarkozy’s Union for the Mediterranean*’, Centre for European Policy Studies policy brief 155.

Delgado, M. (2008). ‘France and the Union for the Mediterranean: individualism versus cooperation’, *Mediterranean Politics* 16: 1, 2011, pp. 39–57.

<sup>1793</sup> Escribano, G. (2010). After Partnerships, Neighbourhoods and Advanced Status... Who Fears the Union For The Mediterranean? /Más Allá De Los Acuerdos De Asociación, La Política De Vecindad Y El Estatuto Avanzado...¿ Quién Teme A La Unión Por El Mediterráneo?. *Papeles de Europa*, 21, 19-41.

<sup>1794</sup> Avicena Report of April 2007, conceived as a strategic analysis of the role of France in the region.

would create tension that I would not like<sup>1795</sup>. This opposition increased by the United Kingdom which did not agree with the allocation of additional resources to the Mediterranean region and the German Foreign Office which declared the initiative should not be an alternative to the Euro-Mediterranean Partnership, and criticised the French umbrage to the EU solidarity<sup>1796</sup>. These views were supported by Italy and Spain; due to the strong believes that the new policy will undermine the EMP<sup>1797</sup>. The European Commission did not welcome the new initiative with open arms either, stressing the usefulness of the new initiative but it prefers to pursue the purpose under the existing structures<sup>1798</sup>. Turkey as well reacted negatively, suspecting the French initiative is new manoeuvre to shut the Turkish membership strive<sup>1799</sup>.

The French initiative was also opposed by the majority of the Southern Mediterranean countries except Tunisia, Morocco and Israel. The antagonism to the UfM stemmed from two reasons. Firstly, at the time of the new initiative proposal, the relationship between the Arab states and Israel were very tense, due to the assault against Lebanon and the collapse of the peace process, which renders any commitment under the UfM, as normalisation of relations with Israel<sup>1800</sup>. Hence, the Libyan ex-president Gaddafi stated “It is unbelievable that I would come to my own country and people and say I have a Union with Israel<sup>1801</sup>”. Secondly, the resistance to the new approach is due to the disappointment with the previous ones, as many EU-partners under the old regimes declared their dissatisfaction with the decision-making process<sup>1802</sup>

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<sup>1795</sup> Angela Merkel, speech before Konvent für Deutschland, 5 December 2007.

<sup>1796</sup> Bicchì, F. (2011). The Union for the Mediterranean, or the changing context of Euro-Mediterranean relations. *Mediterranean politics*, 16(01), 3-19.

<sup>1797</sup> Gillespie, R. (2011), ‘Adapting to French “leadership”? Spain’s role in the Union for the Mediterranean’, *Mediterranean Politics* 16: 1, pp. 59–78.

<sup>1798</sup> Yildiz, U, B. (2012), The Union For the Mediterranean: Why Did it Fail and How Should it be Effective? *Uluslararası Hukuk ve Politika Cilt* 8, Sayı: 32, ss.117-148, 2012©

<sup>1799</sup> Balfour, R and Schmid, D. (2008), ‘Union for the Mediterranean, disunity for the EU?’ European Policy Centre policy brief, Feb. 2008.

<sup>1800</sup> Yildiz, note 1799.

<sup>1801</sup> Gaddafi Attacks Sarkozy Plan for the Union of Med’, The Telegraph, July 10, 2008. Available at: <http://www.telegraph.co.uk/news/worldnews/europe/2277517/Gaddafi-attacks-Sarkozyplan-for-Union-of-the-Med.html>. [Accessed on 19/9/2014]

<sup>1802</sup> Schlumberger, O. (2011), ‘The Ties do not Bind: The UfM and the Future of Euro-Arab Relations’, *Mediterranean Politics*, Vol. 16, No. 1, pp. 137- 138.

After much negotiation and wrangling during a summit in Paris, by which the French accepted the German's proposal that the UfM would be open to all the EU members<sup>1803</sup>, and agreed to the principle that UfM would not be an alternative for Turkey's EU membership<sup>1804</sup>, and calming the Arab states by offering a role for the Arab League, the UfM was formally established on July 13, 2008<sup>1805</sup> with the participation of all European countries, as well as some international organisations, including the Arab League and 16 countries from the Mediterranean region<sup>1806</sup>. The Libyan Council was recently invited by the EU to become a full member, since Libya held only an observer status before the collapse of the regime in 2011. Moreover, the Syrian regime suspended its membership following the EU sanctions due to its use of force against demonstrators<sup>1807</sup>.

Apparently, the new UfM scheme is intended to strengthen the EU relationship with the Mediterranean Countries, through some existing and new projects in the areas of politics and security, economics and trade, social-culture and justice and interior affairs. In addition to these remits the Ministers of Foreign Affairs identified four projects which specifically target the requirement of the Euro-Mediterranean region<sup>1808</sup>, namely:

- De-pollution of the Mediterranean: This project included some initiatives to tackle the environment issues, including the protection of maritime areas and the biodiversity of the Mediterranean water, pollution reduction, and creation of maritime highways, reduction of wastewater and access to drinkable water.

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<sup>1803</sup> 'Merkel and Sarkozy Find 'Club Med' Compromise', Spiegel Online, March 3, 2008.

Available

at: <http://www.spiegel.de/international/europe/0,1518,539247,00.html> accessed on 29/4/2014

<sup>1804</sup> 'Turkey, Reassured on EU, Backs 'Club Med' Plan', The Guardian, March 4, 2008.

<sup>1805</sup> Secretariat of the Union for the Mediterranean, Joint Declaration of the Paris Summit for the Mediterranean, Paris, July 13, 2008, pp. 19- 20, Available at:

[http://www.ufmsecretariat.org/en/wpcontent/uploads/2010/11/ufm\\_paris\\_declaration1.pdf](http://www.ufmsecretariat.org/en/wpcontent/uploads/2010/11/ufm_paris_declaration1.pdf). [accessed on 6/5/2013].

<sup>1806</sup> including- Algeria, Albania, Bosnia Herzegovina, Croatia, Mauritania, Morocco, Montenegro, Monaco, Egypt, Jordan, Lebanon, Israel, The Palestinian Authority, Tunisia and Turkey.

<sup>1807</sup> Yildiz, U. B. (2012). The Union for the Mediterranean: Why Did it Fail and How Should it be Effective. *Rev. Int'l L. & Pol.*, 8, 117.

<sup>1808</sup> Ibid

- Civil protection program: The project aimed at improving the prevention and the preparation to man-made and natural disasters, developing the Mediterranean countries links with the EU Civil Protection Mechanism.
- The research and development of alternative sources of energy: The project aimed at promoting the production of renewable energy. In particular, the production of solar energy which can be then exported throughout the Mediterranean region.
- The promotion of higher education and scientific research in the Mediterranean region: This project aimed at the creation of the “Euro-Mediterranean Higher Education, Science and Research Area”. The inauguration of the Euro-Mediterranean University in Slovenia<sup>1809</sup> marked a significant stride towards the development of the educational connection between the shores of the Mediterranean. This progress will-undoubtedly- encourage cooperation in the educational fields.

In order to achieve the goals of the UfM, some institutional frameworks have been developed and strengthened in comparison with the EMP. Within this context, in addition to the existed EMP institutions, the UfM created the summits of Heads of States, the Permanent Joint Committee, the Secretariat and the Co-Presidency<sup>1810</sup>.

The Summit of Heads of States has been regarded, as the most important institution within this framework, which trusted with overall political management of the UfM and the approval of the two-year work programme. The summit of Heads of State and Government is intended to foster the political dialogue. According to the Paris Declaration, Art 15 stated: “Heads of State and Government agree to hold biennial summits. The summits should result in a political declaration and a short list of concrete regional projects to be set in motion. The Conclusions should endorse a broad two-year work programme for the Barcelona Process: Union for the Mediterranean. Annual Foreign Affairs Ministerial meetings will review

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<sup>1809</sup>The Euro-Mediterranean University in Slovenia, established in Piran 9 June 2008

<sup>1810</sup> Ibid Secretariat of the Union for the Mediterranean, Joint Declaration of the Paris Summit for the Mediterranean, Paris, July 13, 2008, pp. 19- 20,

progress in the implementation of the summit conclusions and prepare the next summit meetings and, if necessary, approve new projects<sup>1811</sup>”.

The summits were seen as strong basis for smooth functioning of the UfM and appeared to be the institution where all the Mediterranean issues discussed and resolved. The summits are based on the EU institutional structure, as it is similar to the relations between the European Council and the Council of the EU, where all the political agenda is decided by the heads of states<sup>1812</sup>.

The Joint Permanent Committee main purpose is to assist in the programmes implementation and the rapid interventions in major circumstances that requires the support of the Euro-Mediterranean Partners<sup>1813</sup>. The Secretariat, which was located in Barcelona, subsequent to strong opposition from France, which called for the location to be in Marseilles, and the failure of the Mediterranean countries to agree on a location within their territory<sup>1814</sup>. Its mandate comprises the technical nature of the projects, and the monitoring of the implementation process.

The Co-Presidency system is arranged to settle the previous criticisms, under the EMP and ENP of the EU as the sole controller of the partnerships projects<sup>1815</sup>. Hence, its formation was a novelty for the UfM, and its accomplishment was not tested<sup>1816</sup>. According to Art 21: “Heads of State and Government establish a co-presidency in order to improve the balance and the joint ownership of their cooperation. One of the co-presidents will be from the EU and the other from the Mediterranean Partner countries. The co-presidency shall apply to summits, all Ministerial meetings, Senior Officials meetings, the Joint Permanent Committee

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<sup>1811</sup> Joint Declaration of the Paris Summit for the Mediterranean, (Paris, 2008)

<sup>1812</sup> Balfour, R. (2009). The transformation of the Mediterranean Union (Mediterranean politics, 2009), pp.3

<sup>1813</sup> Secretariat of the Union for the Mediterranean, Joint Declaration..., pp. 13- 16; Secretariat of the Union for the Mediterranean, Final Statement, Marseille, November 13- 14, 2008, pp. 3-5. Available at: <<http://www.ufmsecretariat.org/en/wp-content/uploads/2010/12/dec-final-Marseille-UfM.pdf>> [accessed on 17/3/2014].

<sup>1814</sup> Delgado, M. (2011), ‘France and the Union for the Mediterranean: Individualism versus Cooperation’, *Mediterranean Politics*, Vol. 16, No. 1, pp. 51- 52.

<sup>1815</sup> Cornet, C. (2007). Is the ‘Mediterranean Union’ suffering from amnesia? *Babelmed Network*, 21 November

<sup>1816</sup> Joint Declaration of the Paris Summit for the Mediterranean, (Paris, 2008)

and, when possible, experts/ad hoc meetings within the initiative<sup>1817</sup>". Thus, the Co-Presidents were chosen to be from the EU and the other from one of the Mediterranean countries, which will be rotated each two years. The first country co-president from the Southern Mediterranean was Egypt, which was eager to develop its relationship with the EU. On the other side, the co-presidency is based on the Treaty provisions. France became the first co-president from the EU. However, since February 2012 the Council of the European Union decided that "the High representative of the Union for Foreign Affairs and Security Policy will take over the Northern Co-presidency of the Union for the Mediterranean in the format of Foreign Ministers Meetings, and the Commission will take over the Northern co-presidency ... for Ministerial Meetings that solely concerns matters falling within areas of exclusive Union competence<sup>1818</sup>". While the EU Co-presidency is appointed, the same cannot be happen in the case of the Mediterranean region, as the rotation principle cannot be applied, due to the possible disruption by the Arab states refusal to have an Israeli presidency, or any other kind of opposition. Hence, the Southern Mediterranean Co-presidency will be selected by consensus. The consensus principle has been regarded as the only possible option, taking into consideration, the lack of shared institutions between the Mediterranean countries, whereas the appointed EU co-presidency is based on the consolidated institutions. This is the main reason why there is a kind of asymmetry between the two co-presidents<sup>1819</sup>.

In addition to these institutions, the Euro-Mediterranean Parliamentary Assembly (EMPA) became the latest addition by the end of 2003. The EMPA was established in Naples, by the decision of the Ministerial Conference, and renamed the Parliamentary Assembly of the Union for the Mediterranean (PA-UfM) at the 7<sup>th</sup> General Assembly in Rome<sup>1820</sup>.

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<sup>1817</sup> Art 21 Joint declaration of Paris Summit for the Mediterranean (Paris 2008).

<sup>1818</sup> Council of the European Union, Conclusions of the Council and of the Representatives of the Governments of the Member States on the Northern Co-Presidency of the Union for the Mediterranean, 6702/2/12 MED 8 PESC 202, February 20, 2012. Available at: <http://register.consilium.europa.eu/pdf/en/12/st06/st06981.en12.pdf>. [Accessed 25/2/2015].

<sup>1819</sup> Aliboni, R. Ammor, F. (2009), Under the Shadow of 'Barcelona': From the EMP to the Union for the Mediterranean, *EUROMESCO*, January 2009.

<sup>1820</sup> Roderick, P and Stavridis, S. (2008). "The Euro-Mediterranean Parliamentary Assembly, 2004–2008: Assessing the First Years of the Parliamentary Dimension of the Barcelona Process." *Mediterranean Quarterly* 21.2 (2010): 90-113.

Overall, given the UfM nature as an inter-state organisation of peers, the novel system is supposed to inject more balanced institutionalisation and synergy between the different parties in comparison with the previous approaches, which in turn, will create more political substance for the EU-Mediterranean relationship. Hence, the Paris summit Communication<sup>1821</sup> confirmed the need to give greater political prominence to this forum, where all the Mediterranean countries can engage in a constructive discourse to regional stability through regional cooperation. This cooperation may get challenged by the Middle East conflict, which was the main obstacle in achieving the progress required in the region. Nevertheless, the Union for the Mediterranean will provide “an important forum where the conflicting parties of the Middle East, particularly in times of tensions, may simply meet without high expectations<sup>1822</sup>”. Hence, some Scholars regarded the UfM as an effort to “apply a foreign and security policy based on economy and trade<sup>1823</sup>”.

## 2. The Content of the UfM Project

There is no doubt, the member states adhere to the new project and its far-reaching content is worthy of assessment. The attitude of the Mediterranean countries, especially north African, towards the new projects are fuelled by the competing national interests to ameliorate their relationship with the EU. For example, Morocco has aspired to establish a new bilateral agreement with the EU, replacing its old association agreement, which would ascertain its privileged partner status<sup>1824</sup>. Meanwhile, Algeria was hoping to become a major energy supplier to the EU, taking into consideration the unrest in the Middle East and the uneasy relationship with Russia<sup>1825</sup>. This attitude has been developed as well by Tunisia, which already introduced the free trade zone, as the first third party state to do so, eager to gain from this advance and enhance the cooperation in different

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<sup>1821</sup> Com (2008) 319 (final) May 20, 2008, available at: <[http://ec.europa.eu/external\\_relations/euromed/docs/com08\\_319\\_en.pdf](http://ec.europa.eu/external_relations/euromed/docs/com08_319_en.pdf). [accessed 27/7/2015].

<sup>1822</sup> Hill, C and Smith. M (2005). *International Relations of the European Union*, (OUP, Oxford 2005). p:330.

<sup>1823</sup> Moller, J, O. (2008). European Integration: Sharing of experiences, *ISEAS*, p190

<sup>1824</sup> van Martín, E. (2009). EU–Morocco Relations: How Advanced is the ‘Advanced Status’? *Mediterranean Politics*, Vol. 14, Iss. 2, 2009

<sup>1825</sup> Youngs, R. (2007) "Europe's External Energy Policy: Between Geopolitics and the Market." CEPS Working Document No. 278, November 2007. [Working Paper]

fields<sup>1826</sup>. The UfM initiated as the best suited project to develop and unite the previous projects under one umbrella, focusing on the fields where advanced cooperation has already been attained, which seems to align with the Mediterranean countries demands. However, the outcome of the new project is far poles apart from the original version which aspired in stringent model of integration<sup>1827</sup>, where political integration was the main attraction, hence; it was greeted with much enthusiasm especially from the Magreb countries<sup>1828</sup>. The idea of integration structured around the original project soon became clear it is unfeasible, as it stalled from the outset due to some European countries reluctance to accept the French vision in relation to the European Union relationship with the southern Mediterranean. Consequently, the new project ended up with new re-equilibrated approach which explicitly based on cooperation approach rather than the original rationale of integration<sup>1829</sup>.

These alterations changed the general structure of the project and transformed it from unifying project into a union of projects<sup>1830</sup>. The name change from the Mediterranean Union to the Union for the Mediterranean reflects the alteration of the political agenda for the new project, and the adoption of the project as mere continuation of the Barcelona Process can only confirm the basis of this scheme, which disregards the ideal of integration in favour of the logic of cooperation.

Throughout the different schemes, the Mediterranean countries appears to favour the prospect of developing initiative related to concrete projects, hence, the cooperation under UfM, according to President Sarkozy, should be “in domains where agreement is rapidly established, such as sustainable development or energy integration<sup>1831</sup>”. Consequently, the prospective projects under the new scheme cannot be described as few in numbers, potentially interconnected different fields, with strategic projects superseded and given priority, such as

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<sup>1826</sup> Driss A, (2008) Putting the Mediterranean Union in Perspective, 19 June 2008, *EUROMESCO Working Paper*.

<sup>1827</sup> Balfour, R., & Schmid, D. (2008). Union for the Mediterranean, disunity for the EU. *EPC Policy Brief*.

<sup>1828</sup> Gillespie, R. (2008). A ‘Union for the Mediterranean’... or for the EU? Profile. *Mediterranean Politics*, 13(2), 277-286.

<sup>1829</sup> Balfour, R. (2009). The Transformation of the Union for the Mediterranean: Profile. *Mediterranean Politics*, 14(1), 99-105.

<sup>1830</sup> *Ibid*.

<sup>1831</sup> Interview with President Sarkozy during his visit to Tunisia, *La Presse*, 10 July 2007.

environmental issues or water management as well as exchange of experts and the reduction of pollution in the Mediterranean Sea. Yet, in practice, the approach of the two shores reveals two different speeds and priorities, this is mainly due to lack of means necessary to implement the projects, especially from south Mediterranean side, projects governance deficiencies, lack of proper results in the market integration and insufficient cooperation in the creation of enterprises networking<sup>1832</sup>. These quandaries have been stipulated by the Mediterranean countries since the instigation of the Barcelona process, yet the lack of resolutions reflects the inability of the existed governance structure to deal with the problematic issues. For this reason, according to many experts, the idea of a union of projects can only be successful if intensively and closely guided, which would require greater member states involvement<sup>1833</sup>. According to some Tunisian experts, even though the financial and economic cooperation fields have been given priorities, yet the projects of these fields lacked real ambitious and required structure in order to be effective, as they operate in a separate small-scale initiatives without clear interconnected vision<sup>1834</sup>. This would, however, require a far more considerable financial commitment than what is currently available through the current financial institutions. Hence, according to Tunisian experts, there is a clear need for the creation of an associated Bank capable of financing and steering the development projects, and act as a solidarity mechanism not a mere commercial bank<sup>1835</sup>. The criticisms of the projects governance was highlighted again by Morocco ambassador, which indicated the lack of clear objectives and its danger to the Mediterranean countries development, stipulating the inefficiency of the Monnet project methodology, especially as regard countries with terrorism threats, illegal immigration problems or desertification challenges<sup>1836</sup>. However, it is necessary to mention that the difficulties of the new project the “union of projects” do not accumulate due to bad governance or lack of funds only, but other difficulties which persist between the

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<sup>1832</sup> Lagoarde-Segot, T., & Lucey, B. M. (2007). Capital market integration in the Middle East and North Africa. *Emerging Markets Finance and Trade*, 43(3), 34-57.

<sup>1833</sup> Nouria, C. (2008). President of the Arab Institute of Company Directors, Tunis. Intervention at the conference organised by *IFRI*, Paris, on 11 March 2008.

<sup>1834</sup> *Ibid.*

<sup>1835</sup> *Ibid*, para 5.

<sup>1836</sup> Hassan A, (2008). Ambassador-at-large for Morocco. Intervention at the conference organised by *IFRI*, Paris, on 11 March 2008.

southern countries may have become an immense obstacle preventing the required integration necessary, in order for the southern companies and private investments can be offered the thrust aspired for their subsequent participation in project within the scope of the UfM. The western dessert dilemma may demonstrate the integration process difficulties<sup>1837</sup>.

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<sup>1837</sup> Zoubir, Y. H., & Benabdallah-Gambier, K. (2005). The United States and the North African Imbroglia: Balancing Interests in Algeria, Morocco, and the Western Sahara. *Mediterranean Politics*, 10(2), 181-202.

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