Contradictory Power Europe?

The case of the European Neighbourhood Policy, norm diffusion and Western Sahara

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Abstract

The determination of the role of the EU and its predecessors in International Relations has long been a conundrum for scholars and policy-makers. In 2002, scholar Ian Manners framed the EU as a Normative Power, arguing that the power of the EU lies in its ability to determine what is deemed appropriate behavior in world politics. The aim of this study is to visualize how the EU is using this normative power to promote conflict resolution in the case of the Western Sahara. The study uses a process-tracing method combined with a content analysis, to follow the EU's diffusion of the norm of sustainable peace through the European Neighbourhood Policy between the EU and Morocco. The analysis demonstrates that the EU is inclined to promote resolutions of the conflicts in neighboring states, but unable to contribute in any specific way towards the Western Saharan conflict. The conclusion of this study shows that the EU contradicts itself, by not achieving its aim of contributing to a resolution of the Western Saharan conflict. This could reduce the legitimacy of the EU's foreign policy.

Key words: Normative Power Europe, Normative Power, Norms, Social Constructivism, European Union, European Neighbourhood Policy, Morocco, Western Sahara

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1 Introduction

Many scholars, as well as policy-makers have since the founding of the EU in 1993 tried to define its international role. The basis for the founding of its predecessors the European Coal and Steel Community and the European Economic Community – to focus on cooperation and trade in order to evade violent conflict between European States – has been argued to give the EU its unique character, standing in sharp contrast to the Super Powers of the Cold War. The cooperation between the member states into an entity which plays a part in the international arena, and the power that this entity possesses in relations to other states has been widely discussed (see e.g. Andreatta 2011: 38-42).

Thus, even though the EU is constituted to avoid violent conflict, its neighboring states do not possess this aspect. Conflicts on the Balkans, in the Caucasus area, in North Africa and the Middle East, and how the EU should be and is responding to these conflicts has been much disputed. Among the conflicts that are still ongoing in the neighborhood of the EU is the protracted, but since 1991 non-violent, conflict over Western Sahara. The territory of Western Sahara is situated on the North African west coast, between Morocco, Algeria and Mauritania, and was colonized by Spain in the late 19th century. With the uprisings and independence of several colonies in the area, the movement for the independence of Western Sahara grew strong in the 1960s. Supported by the UN, the day of independence from the Spanish colonial power came closer in the 1970s, but during the withdrawal of the Spanish, the neighboring countries of Morocco and Mauritania claimed control over and entered the territory. A violent conflict raged between the Western Saharan independence movement – the Polisario Front – and Morocco as well as Mauritania. Mauritania pulled away from the territory in 1979, while Morocco – claiming its historic right to the territory – gained control over most of the territory. In 1991, a ceasefire between the conflicting parties was agreed upon, to be monitored by a UN peace-keeping mission (MINURSO), until a referendum regarding the right of the indigenous people of Western Sahara, the Sahrawi, to self-determination could be held and peace achieved. The referendum that was to be held was delayed due to difficulties determining who had the right to vote, since many Moroccans had moved or been moved to Western Sahara. The negotiations for a peace agreement between the parties has long since stagnated, and the referendum has been postponed indefinitely. All that is left is the UN peace-keeping mission (unique in its character since it is the only peace-keeping mission of the 1990s and onward that does not monitor human rights abuses), which gets routinely renewed every

year (Zunes & Mundy 2010: 3-29, Amnesty International 2012: 242, UNSC 2012).

With the attempts for a solution of the conflict stagnating, the examination of alternative possibilities for conflict resolution is important. The notion of the EU as a regional hegemony, or a normative power, with the power to define appropriate behavior based on the norm of peace, leads to the question on whether the EU could affect the conflict towards a resolution.

In 2002, scholar Ian Manners coined the concept of Normative Power Europe (NPEU), arguing that the power of the EU lies in its ability to define what is seen as "normal" or appropriate behavior in world politics (Manners 2002: 236). Manners argued that at the very essence of the EU is five norms – peace, liberty, democracy, rule of law and human rights – which the EU diffuses to the rest of the world, both intentionally and unintentionally (Manners 2002: 242f). The concept quickly gained much attention by scholars studying the EU, as well as from policy-makers of the EU where many saw this identification of the EU as advantageous and well-fit.

Manners described in his initial article different ways through which the EU could diffuse its norms, where one way is through institutionalization of relations between the EU and other states, through different agreements and policy initiatives (Manners 2002: 244). The EU and Morocco has since 2000 had an Association Agreement which constitutes the legal basis for relations between them, and since 2005 the Morocco has been a partner to the EU through the European Neighbourhood Policy (ENP), adopted in 2004. This extensive policy aims at bringing good and differentiated relations based on 'shared values' to the neighbors of the EU, in the East and South, and create a region of peace and prosperity around the EU (Whitman & Wolff 2010: 5).

To study the EU's possible contribution to a resolution of the Western Saharan conflict, the research question of choice will be the following:

How is the EU using normative power through the European Neighbourhood Policy to contribute to the resolution of the conflict over Western Sahara?

To analyze how the EU uses normative power through the ENP for promoting conflict resolution, this study will try and trace the process in which the norm of peace is diffused, through the objectives of the European Neighbourhood Policy towards the bilateral relationship with Morocco. This process will be traced by analyzing the content of EU documents on the ENP, to try and visualize if and how the EU tries to promote peace/the resolution of the Western Saharan conflict.

Thus, this study tries to contribute to the understanding of what kind of actor the EU is, what role the EU is taking in world politics, through viewing its conflict resolution capabilities in this specific case.

1.1 Disposition

To research the EU as a Normative Power, this study will in the second chapter make an entrance to understanding how ideas and norms can help explain International Relations, by the help of social constructivism. The chapter will then continue towards the concept of Normative Power Europe, and define the parts of the concept relevant to this study. The second chapter will conclude with some criticism that the concept have received since its inception.

The third chapter will provide the methodological basis for this study, by applying a content analysis of documents regarding the European Neighbourhood Policy, to try and trace the process of norm diffusion. By tracing the diffusion process of sustainable peace through the ENP, this study wishes to visualize how the EU's normative power is affecting the Western Saharan conflict.

The forth chapter will give a brief introduction to EU-Moroccan relations and the ENP in particular to provide a basis for the fifth chapter in which the content analysis of ENP documents will be implemented to visualize the EU's normative power in this specific case. The chapter will conclude with some alternative explanations to the actions of the EU in this process.

The sixth, and final, chapter will make some concluding remarks and summarize the study.

2   Theory

"In an ideational international structure, idea shifts and norm shifts are the main vehicles for system transformation"

(Finnemore & Sikkink 1998: 894).

2.1   Social constructivism

A social constructivist view of International Relations emphasizes the importance that ideas have for shaping the world. Social constructivism should not be seen as contrary to the classical/traditional theories of International Relations, but as a complementary theory, which gives the ideational aspects more focus. Whilst realism and liberalism are seen as material theories in which interests of actors are pre-disposed, the social constructivist view is that these interests and the values that they possess are socially constructed (Risse & Sikkink 1999: 7-9, Björkdahl 2002: 24f).

Although there is a wide variety of different varieties of social constructivism, the general view is that the structure of the international sphere is built on and defined by ideas, which in turn affect the identities and interests of actors. The interests and identities are not static but always in motion and change depending on ideational factors. Viewing international relations through social constructivism thus recognizes the connection between structure and actors, and how they affect each other (Wendt 1992: 407, Barnett 2011: 150ff, Risse & Sikkink 1999: 7-9).

2.1.1 Norms

That ideas is crucial for understanding International Relations is the axiom of social constructivism. Norms, the ideas of what constitutes what is considered appropriate behavior in the international sphere shapes interactions between actors, as well and influences international law. Norms define what is seen as 'appropriate' behavior, and create a feeling of obligation to act in accordance with

them (Björkdahl 2002: 39ff). There is nothing static or permanent about ideas or norms, but they are rather context-dependent and change, evolve and affect each other. The promotion of norms does not happen in a 'normative vacuum', instead, the norms are always in competition with each other, over what is seen as appropriate behavior. The already existing normative structure makes the studying of a norm impossible to do in isolation, but has to be related to other influences of behavior (Finnemore and Sikkink 1998: 897, Björkdahl 2002: 51). Norms not only regulate the behavior of actors, but also define identities, reflect upon actors self-images and interests (Barnett 2011: 161).

Björkdahl defines norms as

> *"intersubjective understandings that constitute actors' interests and identities, and create expectations as well as prescribe what appropriate behavior ought to be by expressing values and defining rights and obligations."*
>
> (Björkdahl 2002: 43).

There might be seen as troublesome to study something that by definition is an "intersubjective understanding", but because of the fact that norms create a feeling of obligation of acting in accordance with them, Finnemore and Sikkink argue that norms thus "prompt justifications for actions and leave an extensive trail of communication among actors that we can study" (Finnemore & Sikkink 1998: 892).

2.1.2 The life cycle of norms

The studying of norms and how they evolve and affect world politics and relations can be viewed as a process consisting in three stages, the "norm life cycle", which involves emergence, cascade and internalization of the norms (Finnemore and Sikkink 1998: 895). The process begins when "norm entrepreneurs" deliberately bring the norm up for discussion, trying to promote and convince others of the importance of compliance with the norm in question. When a norm becomes more widely accepted and incorporated into international organizations' agendas or international rules and law, the norm life cycle moves into the second phase (Finnemore and Sikkink 1998: 896-900). Once a norm has been institutionalized and widely accepted, the violation of the norm by a state needs to be justified and legitimized through rhetorically expressing compliance with the norm (Björkdahl 2002: 62).

The institutionalization of norms in international rules and organizations could, according to Finnemore and Sikkink, occur both before and after the second stage in the life cycle of norms, the "norm cascade" (Finnemore and Sikkink 1998: 900). In this second stage, the norm has gained a crucial amount of

followers (how many or what kind depends on the context), which in different ways to act as "norm leaders" in order to make others accept and follow the norm. This leads to the third stage where the norm is being internalized and reaches a 'taken-for-granted' status (Finnemore and Sikkink 1998: 901-905).

Depending on which stage in the life cycle the norm is, there are different (but sometimes interlinked) ways of norms to diffuse. During the "norm cascade", Finnemore and Sikkink argue that the mechanism for diffusion of norms is socialization - "the mechanism through which norm leaders persuade others to adhere" (Finnemore and Sikkink 1998: 902).

2.2   Normative Power Europe

2.2.1 The concept

The concept of Normative Power Europe was coined in 2002 by scholar Ian Manners, in which he emphasized the need to view the EU not as a military nor a civilian power[1], but rather a normative one, with the power to shape what is considered "normal" in world politics (Manners 2002: 236). The normative power of the EU lies in its ability to shape the notion of what is deemed appropriate behavior (Diez 2005: 615).

The concept of NPEU does not suggest that the EU is without military and economic power, but rather wishes to emphasize the power that EU possesses with regards to setting the agenda, and spreading its ideas, values and norms in the international arena (Diez 2005: 616, Whitman 2011: 2ff). The military and civilian/economic power aspects of the EU should not be viewed as contested by this normative approach, but rather that there is a need to focus more specifically on the normative power of the EU[2] (Manners 2002: 239). Both military and civilian power have, according to Manners, a focus on the international politics of the Cold War, "and included assumptions about the fixed nature of the nation-state, the importance of direct physical power, and the notion of national interest." (Manners 2002: 238). The difference between the EU as a normative power, and other powers with norm diffusing capabilities, lies in the founding of the EU,

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[1]The concept of normative power Europe built on the work of François Duchêne's civilian power. Even though some argue about the difficulties of distinguishing normative power from Duchêne's civilian power, there is still a need to move away from viewing EU as a civilian power, due to the discourse of civilian or civilizing which connects to closely to Europe's colonial past (Manners 2006: 184, Diez 2005: 616f).
[2]For discussions of the militarization of the EU and possible effects that it could have on its normative power see inter alia Whitman 2011: 11f, Manners 2006: 188-193.

according to Manners. The whole reason for the EU's existence – to evade war – permeates its practices. "[T]he EU's normative difference comes from its historical context, hybrid polity and political-legal constitution." (Manners 2002: 240). The norms that the EU are promoting have been in its core since the end of the second world war, through different policies, declarations and actions. The EU's normative basis is built on five core norms: peace, liberty, democracy, rule of law and human rights (Manners 2002: 242).

Since the concept was coined the academic debate regarding NPEU has been substantial. The contributions to the debate have been concerning the concept, in trying to define more thoroughly what the EU as a normative power means, as well as to find empirical consequences of the theory. One recurring argument of the EU as a normative power is the need to have legitimacy in the eyes of other actors, in order to achieve results. The legitimacy can be achieved through a variety of factors, such as consistency between words and actions, to act in the same way inside the Union as externally, as well as diffusing norms that are "universal" (Manners 2008: 66, 76, Bickerton 2011: 25-41).

When trying to research the normative power of the EU's Foreign Policy, Bicchi writes that the EU's presumed normative power requires both inclusiveness and institutional reflexivity in order to be understood as normative. Inclusiveness is viewed as to which extent the foreign policy of the EU includes actors that are affected by it, while reflexivity shows how well the policy's effects can be analyzed and adapted to fit into the context of different situations (Bicchi 2006: 288f). Bicchi argues that "the EU behaves normatively when it promotes values that empower actors affected by EFP [European Foreign Policy]." (Bicchi 2006: 289). To analyze the EU's normative impact one could ask questions such as: Who is supposedly the receiver/norm taker of the norms that are being diffused? Which actors get affected by this norm diffusion, and are their views on the process addressed? Are the policy-makers of the EU analyzing and revising its norm diffusing activities to fit the context of the situation and involve all parties?

2.2.2 Sustainable Peace

As mentioned above, the norms of peace, liberty, democracy, human rights and rule of law, have been an immutable part of the identity of the Western Europe/EEC/EU since the end of the second world war, and constitute its normative basis (Manners 2002: 242). When defining the norm of sustainable peace and place it in the norm life cycle (Finnemore and Sikkink 1998: 901-905), it can be said that the norm has reached a state of being institutionalized in international organizations as well as law. This also makes violation of the norm problematic and in need of legitimization. Even though the core norms of the EU themselves by many are seen as universal, since they are in line with the

principles and values of the United Nations, they are put in an European context (Whitman 2011: 6).

The main focus of this study will be the norm of peace, which is at the essence of NPEU, because the existence of what today is the EU was created to focus on cooperation and evade war (Manners 2002: 240, 242). Manners and others with him have argued that peace is the primary norm of NPEU, and later re-defined the norm from peace to sustainable peace (Manners 2011: 234, Manners 2006: 185).

The term sustainable peace implies the importance of addressing root causes, and not just the symptoms that could occur in a conflict situation. Thus, Manners more or less incorporates the other norms of NPEU into "sustainable peace", arguing that it consists of "social and economic development, good governance and democratization, the rule of law and respect for human rights" (Manners 2006: 185f). This interpretation of the EU's peace-norm is also emphasized by Michelle Pace who argues that "the EU's discursive practices act as compelling ideas that it seeks to export to conflict areas – adherence to human rights, democracy, rule of law, good governance, social and economic development as the routes out of poverty, violence and conflict." (Pace 2007a: 1054).

Finnemore and Sikkink argue that there is a tendency among social scientists to view concepts such as "sovereignty" as a norm, while it in fact should be seen as a collection of norms (Finnemore and Sikkink 1998: 891). This could also be the case with "sustainable peace", whereas Manners defines sustainable peace as a norm of the EU, but one that arguably include several norms, including the other core norms of the NPEU: democracy, liberty, rule of law and human rights. Thus, when studying how sustainable peace has been diffused in the neighborhood policy, this study will to some extent also investigate the possible diffusion of the other core norms, when they more specifically relate to the concept of peace.

2.2.3 The mechanism of power

For the EU to act as a normative power and thus achieve normative ends, the core norms of NPEU must be socially diffused. The significant aspect that identifies the normative power is the absence of physical force in the norm diffusion process. The norms of NPEU are argued to be diffused by the EU in various ways; both intentionally such as through declarations or agreements, and unintentionally just by the existence of the EU and the way it acts (Manners 2002: 244f, Manners 2006: 184). The mechanism of diffusing norms that this study will focus on is norm diffusion through policies or agreements between the EU and (in this case) Morocco. To study the mechanism of norm diffusion based solely on agreements suits this study well, since this makes for the possibility of study on mechanism of norm diffusion in (relative) isolation from other diffusion mechanisms. Though,

the mechanisms are impossible to separate from each other completely, since different processes of norm diffusion acts simultaneously, as well as the different norms of the world affects and stands in contrast to each other and together builds a normative structure (Finnemore and Sikkink 1998: 897). The attempt to try and study a specific mechanism could, despite the problem with complete isolation, be a rewarding course to use when studying the normative power of the EU, inter alia to examine a particular part of the EU's normative power and apply it to a specific case (agreement), in this study the European Neighbourhood Policy between the EU and Morocco.

2.2.4 Criticism of the concept

In the last ten years, since Manners initial article on NPEU was launched, the debate regarding the concept has been extensive.

From a realist point of view, the concept has largely been criticized for overlooking the military and economic aspects that are a part of the EU (Forsberg 2011: 1188). Adrian Hyde-Price criticizes NPEU through a realist perspective when he argues that there is a contradiction between the role and the identity of the EU. Whilst the EU's role in the international sphere is indeed interest-based and focused on the security and prosperity of the member-states, the EU, at the same time, views itself as a 'force for good' that promotes universal values and principles on the international arena (Hyde-Price 2008: 32). Hyde-Price argues that viewing the EU as an 'ethical power' makes the EU itself ineffective and unable to achieve the goals and interests for its member-states. The 'moralistic crusade' that the EU could be pursuing through the identification of itself as a normative/ethical power is seen as troublesome, and the values that the EU promotes as universal could in fact be based on its own interests (Hyde-Price 2008: 34-36).

When reviewing the criticism against NPEU, there are two broad categories in which the criticism can be allocated; the criticism of the NPEU empirically, of how well the EU acts normatively; and the criticism of the NPEU theoretically, of how the discourse and 'othering' constructs the EU's identity as a normative power (Diez 2005: 623-630, Whitman 2011: 10-17).

In Michael Merlingen's criticism of NPEU argumentation about the norms that the EU promotes should be considered as having two sides to them: one that is emancipatory and one that limits and controls human agency. If one is aware of this Janus-faced normative power and the tension between the two it makes the process of analyzing norm diffusion easier (Merlingen 2007: 441).

On a more empirical note, Michelle Pace criticizes NPEU with regards to its conflict resolution activities where she argues that in terms of conflict resolution, the power asymmetries of conflictual parties as well as between the parties and

the EU, can affect the aims/norm diffusion of NPEU negatively. Pace argues on the theme which many other scholars also has brought up, that there is a gap between the rhetoric and the actions of the EU. The final part of Pace's criticism consists of the problem of the structure of the union, its own complexity and non-coherence between different parts of the organization makes conflict resolution projects difficult (Pace 2007a: 1055-1059).

3   Methodology

"Since power operates through relationships rather than possession of capabilities, constructivists analyze processes and interactions."

(Klotz & Lynch 2007: 11).

To research how the EU is using normative power with regards to the diffusion of sustainable peace through the ENP this study will use a *hypothetic deductive* method (Teorell & Svensson 2007: 50-53), which enables the development of a hypothesis that supposes the EU's normative power, and empirically examine it. Since the study aims at researching how the EU has acted as a normative power in the context of diffusing the norm of sustainable peace through its relations with Morocco a single case study of the European Neighbourhood Policy is suited, in which the mechanism of norm diffusion can be studied intensively (Teorell & Svensson 2007: 82f, 247-250). Because one of the ENP's aims is building relations bilaterally between the EU and its neighbors, to base them in the specific context rather than promoting the same blue-print onto all its relations, it is fruitful to study this specific case rather than a comparison between cases. The fact that the Western Saharan conflict also differs on many accounts from other conflicts in the EU neighborhood (such as the status of the territory as not yet decolonized), makes it unfit for comparison. The aim of the study is not to look for a generalization of the NPEU, but rather to visualize in what way the EU in this specific case has acted in accordance with the NPEU-concept. Hence it is more suitable to study a single case which gives space to more thoroughly study this specific diffusion process, and study the case out on its own accord (George & Bennett 2005: 214f).

Derived from this study's interpretation of the NPEU concept, two hypotheses have been developed to base the study on:

- *If the EU is actively using normative power to promote its norms, then the norm of sustainable peace should be detectable in its policies.*
- *If the EU is actively using normative power to promote its norms, then the norm of sustainable peace should be detectable in documents regarding the European Neighbourhood Policy between the EU and Morocco.*

Empirically, this would imply that the promotion of sustainable peace could be visualized in documents regarding the European Neighbourhood Policy and in agreements between the EU and Morocco.

When studying the EU's normative power concerning the diffusion of sustainable peace, this study will try to trace the process of norm diffusion through the European Neighbourhood Policy (ENP). The material for studying the process will be official documents regarding the ENP and to some extent speeches, statements or academic sources, to further find explanations to if and how the EU has tried to bring resolution to the Western Saharan conflict through the ENP. To analyze these documents and find the relevant information for answering the research question, i.e. the parts of the documents regarding sustainable peace, a content analysis method will be applied.

3.1   Process-tracing

The advantage of using process tracing is the opportunity for a close study of a mechanism, hence this study can apply this method to understand and visualize the process of norm diffusion. There is not one way to engage a process-tracing analysis, but are rather many different techniques that can be used, depending on the context and the study at hand and can further be used to study both micro and macro phenomena. The importance lies in the fact that the technique that will be used must be suited for the kind of causal process that is studied, i.e. if the mechanism at hand is a simple, linear one, or if there are several variables that are interconnected and affects each other in different ways (George and Bennett 2005: 209-212), and in this study the aim is to study the norm diffusion process through the ENP, from the EU towards Morocco, and could been seen as a linear mechanism.

A process tracing method gives assistance to study the within-case, the intermediate steps of the mechanism, which could help explaining the outcome as well as visualize alternative explanations more clearly (George & Bennett 2005: 206f, 220, Checkel 2006: 262-264). The study will thus trace the process of norm diffusion by viewing the "sequence of main event and decisions in an evolutionary process" (Björkdahl 2002: 33). Process tracing is a fruitful method in this study, since the aim of the study is to visualize the EU's normative power, by the diffusion of sustainable peace through the ENP.

Thus, this method will be used to understand how the EU has tried to promote the resolution of the Western Saharan conflict through the ENP. By analyzing documents regarding the ENP, conflict resolution and Morocco this study will try to discern the norm diffusion process.

One advantage of carrying out a process-tracing analysis is the possibility of assessing alternative explanations for the outcome in question, which can be done by developing "alternative hypotheses that other scholars, policy experts, and historians have proposed." (George and Bennett 2005: 217). In this study, the

criticism of NPEU will be used as basis for understanding alternative explanations.

3.2   Content Analysis

To be able to trace the process, an analysis of documents regarding the ENP will be implemented. Since visualizing the diffusion of the norm of sustainable peace is the objective, the focus will lie in finding relevant parts related to this norm. In order to achieve this a content analysis on the material will be applied, by questioning the material to find the relevant content for this study. The questions will visualize if and when the norm is actually mentioned i.e. the manifest messages in the material, as well as latent messages, indication when conflict, peace or conflict resolution are mentioned, but not the Western Saharan conflict (Esaiasson et al. 2007: 237, 243-256).

When conducting an analysis, it is important to be aware of the fact that a study can never be completely impartial, but rather that everyone has some knowledge to begin with, which to some extent will make the analysis subjective (Bergström & Boreus 2005: 25), but through the knowledge of this and by thoroughly defining concepts and indications in the study and clearly display how the analysis was executed and the results reached, the value of the study increases (cf Teorell & Svensson 2007: 55-59).

3.2.1 Questions for the empirical material

• In which way is the norm of "sustainable peace" mentioned in the material?
• Are there others indications of peace building mentioned in the material, such as conflict resolution or transformation?
• Is the conflict between Morocco and the Western Sahara/the Western Sahara-situation mentioned? In what way? And to what effect?
• Are there passages in the documents where peace/conflict/conflict resolution/transformation is mentioned, but Western Sahara is not?

4   The European Neighbourhood Policy

"The European Neighbourhood Policy's vision involves a ring of countries, sharing the EU's fundamental values and objectives"

<div align="right">(COM 2004: 5)</div>

4.1   Introduction to EU-Moroccan relations

As one of the closest southern neighbors of Europe, Morocco has a long historic relation with the Union and its member states, in particular with its closest European neighbor Spain and its former colonizer France. Requests for negotiations regarding a trade agreement between the EEC and Morocco in the 1960's led to an agreement in 1969 (EuropeAid 2012). Relations between the EEC and the North African states was enhanced through the creation of the Global Mediterranean Policy in 1972, and the signing of cooperations agreements in 1976 (Bicchi 2010: 207).

With the end of the Cold War and the founding of the EU, proceedings about a new policy framework for relations took place, and in 1995, at the Barcelona Conference, the Euro-Mediterranean Partnership (EMP) was established, which was aimed at relations between the EU member states and the states of the Mediterranean based on values of democracy, rule of law and human rights (SEC 2004: 3, Pace 2007b: 659f, Bicchi 2010: 207f).

Entering into force in 2000 were the Association Agreements, which are the legal bases for bilateral relations between the EU and the states that are included in the EMP, and more thoroughly and specifically develops the content of the EMP under its three broad areas ("the political and security partnership"; "the economic and financial partnership"; "the partnership in social, cultural and human affairs") (SEC 2004: 3f). According to the Association Agreement between the EU and Morocco, the EU-Moroccan Association Council is the venue for political discussions regarding

> *"all issues of common interest to the Parties, in particular the conditions required to ensure peace, security and regional development through support for cooperation, notably within the Maghreb group of countries."*

<div align="right">(EU-Morocco Association Agreement article 4)</div>

4.2   The ENP: past, present, future?

Expecting the enlargement of the EU, set in 2004, the question about how to manage the relations with its soon to be new neighbors was brought to attention. In 2003, the European Commission released a communication which suggested the establishment of a Policy for the "Wider Europe" (COM 2003), in which it was articulated that it was in the interest of the security of the Union that its neighboring countries were peaceful, stable and prosperous. The points and policy suggestions of the communication was put into a Strategy Paper the year after, now naming it The European Neighbourhood Policy (COM 2004).

The European Neighbourhood Policy was a way for the EU to gain closer relations with non-candidates for membership states (Whitman & Wolff 2010: 5). The ENP constructs a framework for relations between the EU and its neighbors, in the East and South, and was seen as a way to further develop and utilize the agreements already in place (in the case of Morocco, the Association Agreement under the Euro-Mediterranean Partnership) (COM 2004: 7). The policy would, like the Euro-Mediterranean Policy (EMP), be based on the 'shared values' of the EU and its partners. The main distinctions between the EMP and the ENP can be said to be which states that are included in the policy, as well as the fact that the EMP is a multilateral policy, whilst the ENP is meant to develop bilateral policies with each neighbor. These bilateral relations are seen as a better way of dealing with its neighbors, based on the context and different wants and needs, rather than viewing them all in the same way (COM 2004: 8, Pace 2007b: 662). The bilateral relations built on and aimed at expanding the already existing relations between the EU and its neighboring states, which means that some are more evolved than others (Whitman & Wolff 2010: 5).

Overall, the ENP invites neighboring states to enter into the European market, whilst at the same time the EU demands economic as well as political reforms within the neighboring states. These incentives and demands are more thoroughly developed in the Action Plans that are set up between the EU and the neighbor states bilaterally. How well the state implements these reforms, will also determine access to the European market, as well as the reception of economic contributions from the EU (Whitman & Wolff 2010: 6-8). The conditionality of the policy towards the neighboring states can be seen as strong, whilst the Commission has argued that the policy is not about conditionality since the Action Plan is agreed upon by both parties (COM 2004: 8). The ENP thus offers *incentives* for change rather than *conditions* for the neighboring states, both short-termed economic contributions, and the more long-term inclusion into the European market (Whitman & Wolff 2010: 9).

The Action Plan between the EU and Morocco, formally adopted in 2005 by the Association Council (consisting of representatives from the member states and

Morocco, as well as the Council Secretariat and European Commission) focused on six key areas, with regards to economic, as well as political and security aspects (EU-Morocco Action Plan: 2.1-2.6), where action 2.1 refers to different types of "political dialogue and reform".

To evaluate the actions of neighboring countries, which if proving satisfactory for the EU could lead to further *incentives*, the Commission releases Progress Reports which try to monitor the improvements of the different sections (Whitman & Wolff 2010: 9f).

In 2007, the ENP took a turn towards becoming more or less two Neighbourhood Policies, one for the East (Eastern Partnership) and one for the South (The Union for the Mediterranean). The Union for the Mediterranean was first suggested, by Nicolas Sarkozy, to be a Union only for those states surrounding the Mediterranean, and was seen as a way of dealing with the shortcomings and failures of the ENP towards its southern neighbors, but the idea of not including all EU member states in the Union was discouraged by for instance Germany, as well as by the confusion regarding having two similar policies and the effect they could have on each other. The original proposal was reworked and developed into a complement of the EMP, rather than a new policy, before being launched in the Paris Summit for the Mediterranean in 2008 (Whitman & Wolff 2010: 9-11, COM 2008).

The ENP has, since its creation in 2004, been further developed and strengthened. In 2006 to better reach its aims (COM 2006), and in 2011 as a response to the changes in several neighboring states due to the 'Arab Spring' (COM 2011).

According to Bicchi, the Mediterranean country who has benefited the most of the introduction of the ENP is Morocco. The relationship between the EU and Morocco has since the introduction of the ENP increased to a higher level than under the EMP and Associations Agreement, wherein Morocco in 2008 acquired 'advanced status'. The meetings between the EU and Morocco, in the Associations Council have been frequent, and Morocco is the Mediterranean state who receives the most financial assistance from the European Neighbourhood Policy Instrument (Bicchi 2010: 209-214).

5   Sustainable peace through the ENP?

"The Union's aim is to promote peace, its values and the well-being of its peoples. In its relations with the wider world, it aims at upholding and promoting these values."

<div align="right">(COM 2004: 12).</div>

Next, the study will focus on the EU as a promoter of sustainable peace through the ENP with Morocco. Is conflict resolution efforts to promote peace or a solution to the Western Saharan conflict mentioned in documents regarding the ENP?

In the Association Agreement, the legal basis for relations between the EU and Morocco, 'peace' is mentioned in a general way in two of its articles, namely article 4 and 87 (c):

> *Political dialogue shall cover all issues of common interest to the Parties, in particular the conditions required to ensure peace, security and regional development through support for cooperation, notably within the Maghreb group of countries.*
>
> <div align="right">(EU-Morocco Association Agreement article 4)</div>

> *Nothing in this Agreement shall prevent a Contracting Party from taking any measures which it considers essential to its own security in the event of serious internal disturbances affecting the maintenance of law and order, in time of war or serious international tension constituting threat of war or in order to carry out obligations it has accepted for the purpose of maintaining peace and international security.*
>
> <div align="right">(EU-Morocco Association Agreement article 87 (c))</div>

In the first official document regarding "Wider Europe", the Commission writes that in order to create prosperity and stability in its neighborhood, there is a need to *"tackle the root causes of the political instability, economic vulnerability, institutional deficiencies, conflict and poverty and social exclusion."* (COM 2003: 6). The text states that

> *"[c]onflict and political division in the Mediterranean (Western Sahara,*
> *Palestine) over the past half century has seriously retarded the development*
> *of the region."*
>
> (COM 2003: 9)

The Commission further emphasizes the negative effects that conflict in the neighborhood has both on economic and political development in the conflict-ridden countries, as well as the potentially negative spill-over effect it can have on its neighbors [i.e. the EU], and states that it lies in the interest of the Union to make sure that the challenges to the regions are addressed (COM 2003: 9). The fact that the EU when promoting the norm/s of sustainable peace at the same time refers to it as an interest of the EU, due to security reasons, should not be viewed as an indication of the failure to be "truly" normative, since when analyzing norms through a social constructivist view the interest and normative actions are interlinked and can not be separated (Sjursen 2006: 239).

Within the document, the EU states overarching objectives, with regard to its new approach to its neighborhood, which emphasizes the mutual actions that should be taken to increase economic development and create a peaceful, stable and prosperous area built on shared values, whereas one aim to reach this objective is the *"shared responsibility for conflict prevention between the EU and its neighbours."* (COM 2003: 9). Under the headline reading "Greater EU Political Involvement in Conflict Prevention and Crisis Management" the commission again states that the responsibility for dealing with security issues due to spill-over effects of conflict is a shared one between the EU and its neighbors (COM 2003: 12). Further,

> *"[t]he EU should take a more active role to facilitate settlement of the*
> *disputes over Palestine, the Western Sahara and Transdniestra [...] Greater*
> *EU involvement in crisis management in response to specific regional*
> *threats would be a tangible demonstration of the EU's willingness to assume*
> *a greater share of the burden of conflict resolution in the neighbouring*
> *countries."*
>
> (COM 2003: 12)

In the strategy paper on the European Neighbourhood Policy, by the Commission in 2004, resolution of conflicts is again stated as one of the commitments that is supposed to take place within the ENP (COM 2004: 3f, 6, 13). The communication inter alia states that

> *"[c]ommitments will also be sought to certain essential aspects of the*
> *EU's external action, including [...] abidance by international law and*
> *efforts to achieve conflict resolution."*
>
> (COM 2004: 13)

The country report of Morocco on which the development of the Action Plan were to be built upon, mentions the conflict between Morocco and the Polisario [the Western Saharan liberation movement], where it is said that "Morocco claims sovereignty over Western Sahara" and that the conflict brings negative effects to relations in the region (SEC 2004: 10f). In 2005 the Action Plan between the EU and Morocco was adopted. The negotiations regarding its content were not a transparent process, which makes it difficult to know if and how Western Sahara was discussed, or if the EU tried to put pressure on Morocco over the conflict. What can be known is thus that under the headline of "Regional and international issues, cooperation on external relations and security questions, conflict prevention and crisis management", Western Sahara is not mentioned (EU-Morocco Action Plan).

With the Communication over the strengthening of the ENP, which was released a year after the adoption of the EU/Morocco Action Plan the Commission stressed the importance of being more active with regards to the "frozen conflicts" in its neighborhood (COM 2006: 2). The frozen conflicts that are mentioned are in the Middle East and Southern Caucasus. The Communication further states that the ENP so far has been failing to achieve or contribute to conflict resolution, and implies the importance of the EU to be more active in this area, and mentions Western Sahara as one of the conflicts which needs to be dealt with (COM 2006: 4, 9f). The Commission stated that *"[i]f the ENP cannot contribute to addressing conflicts in the region, it will have failed in one of its key purposes."* (COM 2006: 9).

One year later, the Commission again emphasized that it is of crucial importance to the EU to address these frozen conflicts, where Western Sahara is again mentioned. The communication states that

> *"[t]he EU can make an important contribution by working around the conflict issues, promoting similar reforms on both sides of the boundary lines, to foster convergence between political, economic and legal systems, enabling greater social inclusion and contribute to confidence building."*
>
> (COM 2007: 6)

The communication further brings up examples on how the EU is involved in settling conflicts, but here Western Sahara is not mentioned (COM 2007: 7).

> *"Conflicts should always be a key focus of political dialogue with ENP partners. The EU should also ensure that the conflicts remain on the agenda of dialogues with relevant international organisations and third countries."*
>
> (COM 2007: 7)

Following the Summit between the EU and Morocco in 2010, the declaration of the parties stated that:

> *"Morocco and the EU fully support the efforts being made by the United Nations [...] to find a definitive, lasting and mutually acceptable solution [of the Western Saharan conflict]. They express their support for the current negotiating process [...] They stress the role and the responsibility of all parties concerned in this respect."*
>
> (EC 2010: 2)

With regards to the the changing political situation in the neighborhood, as an effect of the 'Arab Spring', the Commission released a Communication (COM 2011) dealing with the changing situation and further stressing the important task of building 'deep democracy' in its neighboring states, which is meant to be

> *"the kind [of democracy] that lasts because the right to vote is accompanied by rights to exercise free speech, form competing political parties, receive impartial justice from independent judges, security from accountable police and army forces, access to a competent and non-corrupt civil service — and other civil and human rights that many Europeans take for granted, such as the freedom of thought, conscience and religion"*
>
> (COM 2011: 2)

This notion of building deep democracy could be argued to be in line with Manners notion of addressing root causes, and not only deal with symptoms that occur (Manners 2006: 185). The Communication also examines the possibilities of the EU and the ENP in light of the fairly new Lisbon Treaty, arguing that it enables the Union to act more effectively when it comes to conflict resolution than before, whilst still stressing the importance of the different member states to act in more analogous terms, that in order to achieve a neighborhood that is peaceful and prosperous, the EU's instruments and policies need to be strengthened by the member states acting in coherence with them. The Communication states that *"[b]usiness as usual is no longer an option if we want to make our neighbourhood a safer place and protect our interests."* (COM 2011: 5). The Commission no longer speaks of 'frozen' conflicts but of 'protracted' ones, and mentions Western Sahara as one of them, but are still does not mention any concrete actions that should be taken in order to reach a solution to the conflict (COM 2011: 5f).

A year after the new response to the changing neighborhood was released, the Commission and the High Representative issued a Communication about the year that had passed (JOIN 2012). The Communication brings up the conflict situations that had emerged during the year, as well as the protracted ones that had been mentioned throughout the ENP-process. A change in how to manage these conflicts can be visualized, when contrasting the text with earlier ones on the subject, and the Communication explicitly states that the conflict and its resolution first and foremost is the responsibility of the conflicting parties, and

that the EU, once mediation agreements have been made, should be ready to help implement and built peace through the ENP (JOIN 2012: 8). This statement should, though, mostly be seen in relation to the situation in Syria, and the conflict of Western Sahara is not mentioned anywhere in the document.

When reviewing the process of norm diffusion through the ENP it can be said that the conflict of Western Sahara in many accounts has been ignored in official documents regarding the ENP, such as the important ENP Action Plan between the EU and Morocco.

There are, however, some indications of the conflict being discussed at different meetings between representatives of the EU and Morocco, such as during the Association Council's fairly regular meetings. During the Association Council's press conferences regarding the ENP between the EU and Morocco, both in 2009 and 2010, the representatives of the EU and the Morocco stated that discussions about Western Sahara had been held, and that the approach of the EU is in line with the United Nations Security Council and its resolutions (EU-Morocco Association Council 2009 & 2010).

The reasoning about being in line with the UN approach, is further highlighted when reading individual diplomats' comments on the meetings. When interviewing a Spanish diplomat about the EU-Morocco summit in 2008, Bremberg concludes that in trying to articulate a common statement and include the conflict of Western Sahara, the commitment to act in accordance with the UN was the only thing that could be agreed upon (Bremberg 2011: 15).

The ENP has in several aspects improved the notions of democratic reforms in Morocco, as well as put an emphasis on human rights and rule of law, which could be seen as in line with the EU's own view of building sustainable peace. Still, there are not any clear indications that these improvements for Morocco will be beneficial for the population of Western Sahara (Gillespie 2010: 97f). The continued silence around the Western Saharan conflict, and what needs to be done to try and resolve the conflict is problematic.

5.1 Summary

When viewing the documents regarding the ENP in relation to the conflict of Western Sahara, and the possibility for the EU of diffusing sustainable peace, there could be said that the diffusion process seems to have stagnated. When first announcing the ENP, and in terms of the Moroccan country report, the Western Saharan conflict was mentioned and viewed as problematic and in need of a solution. Since then, the actual bilateral policy between the EU and Morocco, the Action Plan, does not even mention the conflict. Reaching an agreement and solution of the conflict, with the help of the EU, could be difficult while ignoring

it. Further, the upgrading of Morocco to have 'advanced status' in its relations with the EU has been argued to relinquish one of the few incentives or instruments for further pressuring Morocco towards reaching a solution in the Western Saharan conflict (Gillespie 2010: 97).

This study's purpose has been to review the ENP between the EU and Morocco, and try to visualize how this policy has contributed to the resolution of the Western Saharan conflict, i.e. if and how the EU has acted as a normative power in this specific case. Going back to the arguments of inclusiveness and reflexivity, as indications of acting as a normative power (Bicchi 2006: 289f), it could be said that the EU's promotion of sustainable peace does not include all the actors that are affected by this norm diffusion. The fact that the EU only has an agreement with Morocco, and not with the authority of the Western Sahara [Polisario] makes the conflict even more asymmetric than it already is (inter alia due to the fact that Western Sahara is not an independent state). One could argue that the EU does not have any relations with the Polisario because of the fact that there de facto is no free Western Saharan state to set up an agreement with, but on the other hand the Palestinian Authority is an ENP partner which contradicts this argumentation.

By analyzing the content of documents regarding the ENP between the EU and Morocco, it can be said that the EU to some extent tries to use normative power, in setting up high purposes for its own foreign policy, such as the focus on conflict resolution. With the strengthening of the ENP an even larger emphasis was put on the EU as a promoter of peace in the neighborhood, and to instruct the member states of the EU to be further in line with this approach. But even though there is an emphasis towards a resolution of the conflict, and its importance for the security of the EU and the region (COM 2007: 9), the ENP has failed to promote any concrete actions with regard to the Western Saharan conflict.

5.2   Alternative explanations

Overall, the criticism directed at the concept of Normative Power Europe can to some extent apply in this case. The promotion of peace through the ENP can be viewed as a way to create an identity for the EU, rather than an actual attempt to bring the Western Saharan conflict towards a resolution. The power asymmetries both inside the EU and between parties of the conflict affect the efforts to achieve norm diffusion.

Hyde-Price's criticism of NPEU, and that the notion of trying to be a 'force for good' or 'ethical power' makes the EU ineffective and incapable of addressing the interests of its member states (Hyde-Price 2008: 34-36) could be argued to not

apply in this case, but rather it could be the interests of some member states that has determined the relationship between the EU and Morocco, namely France and Spain. For instance, Gillespie notes the EU's unwillingness to discuss the Western Saharan conflict, and instead referring it to the UN, as well as notes France's support towards Morocco. The commission's attempts to strengthen the EU's conflict resolution capabilities have not made an impact on the European Council, since the division on how to act towards a resolution of the the Western Saharan conflict is substantial among the member states of the EU (Gillespie 2010: 91-98).

On the other hand the criticism of Hyde-Price could apply to the fact that the EU seems to have a 'weaker' power towards Morocco, when contrasting it against for instance some of the neighbors in the East. The focus of the EU towards the symptoms of conflict and insecurity in its neighboring states, such as terrorism and migration, makes the EU dependent on the cooperation of Morocco and thus puts the EU in a position unable to pressure Morocco with regards to Western Sahara.

6 Contradictory Power Europe?

The quest for defining the role of the EU in International Relations continues, and as Diez claimed in his article from 2005, there is a need for both policymakers and scholars to study the EU's external relations, of how the values of the Union is being diffused, to search for discrepancies within its own discourse, or between words and actions.

> "This would by no means undermine, but rather rescue, normative power from becoming a selfrighteous, messianistic project that claims to know what Europe is and what others should be like."

> (Diez 2005: 636)

When tracing the process of norm diffusion through the ENP, in trying to visualize how the EU uses normative power to contribute to conflict resolution in the Western Saharan conflict, the apparent conclusion in this specific case becomes that the EU stands in contradiction to itself. The EU not only fails to achieve the aims of the concept of NPEU through not diffusing sustainable peace, but also fails to achieve the objective that has been set up for itself, by not contributing to the resolution of the Western Saharan conflict while arguing that inability to accomplish this should be seen as a failure for the EU.

The aim of this study has not been to generalize about the EU's presumed normative power, since indeed there are many cases shown by scholars when the EU has acted as norm leaders in promoting its norms, such as Manners study on the abolishment of the death penalty or with regards to environmental change, as well as on state level such as through the enlargement, or even with regard to its Neighbourhood Policy towards other states. This study does not try to contradict these findings, but rather argues that in this specific case, the EU has not lived up to its own expectations, as well as those of others.

Through this study it has been visualized how the EU in the case of the European Neighbourhood Policy has tried to set up high-reaching aims and describe itself as a promoter of European 'values' and conflict resolution, with the objective of achieving sustainable peace. But when not achieving these ends, or even actively working towards reaching them, there is a risk of the EU losing legitimacy which could affect its ability to reach normative ends in other parts of its Foreign Policy.

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