

## NOT SO WIDE, EUROPE: RECONSIDERING THE NORMATIVE POWER OF THE EU IN EUROPEAN FOREIGN POLICY

Scott Nicholas Romaniuk\*

**Abstract.** *Through the use of political conditionality, the European Union (EU) exercises what Ian Manners has termed ‘normative power’, which many scholars and political analysts have regarded as the primary force behind the speedy democratization process of the 2004 enlargement of the EU. The two most recent enlargements of the EU have extended the Union into a new neighbourhood bordering still relatively democratically infant and unstable states such as Belarus and Ukraine. Following the relative success of conditionality during the enlargement process, the ENP was developed in 2003 to once again take advantage of conditionality to spread EU ‘norms’ and secure political stability at its borders, this time without the incentive of membership. This article analyzes the ability of the EU to exercise normative power in Eastern Europe. It presents the argument that despite systematic attempts to spread EU policies, or so-called ‘norms’ beyond the Union’s external borders, disparities in norm-adoption among ENP target-states exemplifies incongruence in the success of the EU’s normative power in foreign relations. To address the question of whether the EU demonstrates normative power through its application of the Neighbourhood Policy, the authors’ analysis will address the cases of Ukraine and Belarus. .*

**Keywords:** *Acquis communautaire, European Neighbourhood Policy (ENP), Normative Power, democratization, discursive power, transformative policy, ‘norms’, membership*

### I. Introduction

The EU as a normative power has an ontological quality to it – that the EU can be *conceptualized* as a changer of norms in the international system; a positivist quantity to it – that the EU *acts* to change norms in the international system; and a normative quality to it – that the EU *should* act to extend its norms into the international system.<sup>1</sup>

– Ian Manners, 2002

The European Neighbourhood Policy (ENP) is hailed by élites in the European Union (EU) as a “transformative policy” with “strong normative powers.”<sup>2</sup> The EU as a normative power in international relations, as argued by EU policy-makers and European integration scholars, has been successful in promoting democratization and economic liberalization as not only international norms, but also pre-requisites for Union membership. In May 2004 the remarkable enlargement in the history of the European Union took place.

\* **Scott Nicolas Romaniuk** is affiliated to the Institute of European, Russian and Eurasian Studies (EURUS), Carleton University, Ottawa, Canada. E-mail address: [scott.n.romaniuk@gmail.com](mailto:scott.n.romaniuk@gmail.com)

<sup>1</sup> Ian MANNERS, “Normative Power Europe,” *Journal of Common Market Studies*, Vol. 40, No. 2, (2002), 252.

<sup>2</sup> Herdina, ANDREAS, “Approximation of Laws in the Context of the European Neighbourhood Policy—A View from Brussels,” *European Journal of Law Reform*, Vol. 9, No. 3, (2007), 502.

Subsequently, this round of enlargement has been considered one of the EU's stunning achievements, particularly when the immoderate reforms in terms of democracy and market economy that had taken place in these states during the association period is taken into consideration.

The political conditionality, as a fundamental ingredient, made it possible for the EU community to apply pressure on the candidate countries to yield necessary democratic, legal and economical reforms. In this regard, the EU offered the classic carrot-incentive in terms of membership to the Union. Accordingly, conditionality, together with the presupposition of asymmetrical power, has arisen as a powerful policy instrument of the EU through which normative power can be exercised. Following the collapse of the Soviet edifice, Western Europe strove to assist Central and Eastern European Countries (CEECs) with their transition to democracy, through a process of conditionality that offered rewards (including membership) for compliance with the proposed 'European norms'. For the Soviet-successor states involved in the 2004 and 2007 EU accessions, the requirements defined by the *acquis communautaire* for the most part provided an undisputed set of guidelines that were met to achieve the ultimate final promised reward of membership.

European Neighbourhood Policy was created with the purpose of promoting stability, democracy, and economic growth in periphery of the EU, but without promising future membership for the countries concerned. The two most recent enlargements have extended the EU into a new neighbourhood bordering still relatively democratically infant and unstable states such as Belarus and

Ukraine. Following the relative success of conditionality during the enlargement process, the ENP was developed in 2003 to once again take advantage of conditionality to spread EU 'norms' and secure political stability at EU borders, this time without the incentive of membership. Ian Manners argues, "[...] not only is the EU constructed on a normative basis, but importantly [...] this predisposes it to act in a normative way in world politics." The ENP is hence a manifestation of the Union's attempt to re-create the success of its normative influence in foreign policy towards the new 'European' neighbourhood. To question the influence of EU 'norms' or more specifically, the strength of EU normative power, the analysis in this article will apply Manners' concept of a 'Normative Power Europe' (NPE) in the context of the ENP as a tool of European foreign policy. The argument is presented that despite a conscious attempt to spread EU policies, or so-called 'norms' beyond the Union's external borders, disparities in 'norm'-adoption among ENP target-states exemplifies incongruence in the success of the EU's normative power in foreign relations.

To address the question of whether the EU demonstrates normative power through its application of the ENP, the analysis will focus on two case studies: those of Ukraine and Belarus. As former Soviet republics of similar size, which both share borders with EU members states – Belarus bordering with Poland, Lithuania and Latvia, and Ukraine bordering with Poland, Slovakia, Hungary and Romania – both states are also among the three initial neighbours to sign Partnership and Co-operation Agreements (PCAs) with the European Community (EC) in 1995. Since that time Ukraine has signed a Joint Action Plan (JAP) under the ENP in February

of 2005<sup>3</sup>, and initiated negotiations for a New Enhanced Agreement (NEA) in March of 2007.<sup>4</sup> In contrast, the PCA ratification process with Belarus was frozen by the EU following what was labeled a “deteriorating democratic and human rights situation”<sup>5</sup> following the 1995 parliamentary elections.

While the door to the ENP remains open to Belarus, its government has failed to demonstrate initiative to move in that direction. Based on similar contexts, yet varying levels of EU ‘norm’-adoption and participation in the ENP, both Ukraine and Belarus will serve as a basis for an analysis of the EU’s normative power. This analysis will begin with an examination of the concept of normative power in the context of the ‘norms’ that the ENP proposes to extend. A brief background of the Neighbourhood Policy will follow with the intention of contextualizing the implementation of EU ‘norm’ diffusion. The penultimate section of this article will address the ENP as it pertains and is applied to the two cases. In the final section reasons behind the disparities in the effectiveness of the EU’s normative influence in the ENP will be addressed.

## **II. The EU’s ‘Transformative Policy’: Politics on the Periphery**

### ***Classifying Europe’s Normative Power***

The first scholar to characterize the European Union as a normative power was Ian Manners, who argues that the traditional English School classification of

states as actors exercising either hard or soft power is insufficient in characterizing Europe’s normative power.<sup>6</sup> Given the fact that the EU has exemplified the application of power in terms other than the outright use of military force, a general propensity exists to view the Union as a civilian power. However, some scholars have reproached such a claim on the basis that the EU more accurately rests along a spectrum between two ideal types of civilian and military powers. Manners asserts that with development that has taken place in the scholarly field of international relations during the 1990s, the EU has rushed headlong into a new approach to foreign policy that transcends these traditional claims.

Manners emphasizes the difference between the EU and other historical empires or contemporary global powers that promote their norms as being the exceptional historical context in which the EU was created. The devastation of the European continent following the second major conflagration in the twentieth century compelled many to re-consider the interaction of states in Europe. Robert Schuman is one such individual who reasoned that the idea of making these countries dependent of each other by communalizing the production of coal and steel would ultimately preserve and resultantly strengthen the peace of Europe. Manners argues that these principles in combination with states’ willingness to disregard Westphalian conventions is the

<sup>3</sup>Iryna SOLOMONENKO, “The European Union as Democracy Promoter: The Case of Ukraine,” *Romanian Journal of Political Science*, Vol. 5, No. 2, (2005), 65.

<sup>4</sup> Commission of the European Communities, *Joint Evaluation Report: EU-Ukraine Action Plan* Brussels/Kyiv: European Union, 2008, 1.

<sup>5</sup>Frank SCHIMMELFENNIG, *European Neighbourhood Policy: Political Conditionality and Its Impact on Democracy in Non-Candidate Neighbouring Countries*, Paper Prepared for the EUSA Ninth Biennial International Conference: 2005, 20.

<sup>6</sup>Karen SMITH, *Still “Civilian Power EU?”*, European Foreign Policy Unit Working Paper, 2005, 16 and 17.

core of the Community's commitments of placing universal norms and principles with member states and with external actors. Subsequently, how the EU affects political ideas as opposed to simply questioning whether the means are civilians or military-based should also be taken into consideration.

### ***Changing the 'Norms' in International Politics***

In the context of policy-making, the ENP is a cross-pillar initiative, co-ordinating between numerous policy areas and institutions. It is co-ordinated by the European Commission, which is also responsible for following-up on ENP members' progress through regular state reports. One of the initial areas of co-operation, and an expected incentive for the participating states has been trade, including in many cases the goal of a Free Trade Area (FTA). This has traditionally been a first pillar (Community) policy area over which the Commission has jurisdiction in addition to (i) energy; (ii) environment, (iii) transport; as well as other general areas of interest that are targeted by the ENP.

As a response to increased security concerns in Europe following the 2004 enlargement, the ENP also covers two other major areas of EU external relations, which include co-operation in foreign, security and defence policies, and co-operation in areas of freedom, security and justice.<sup>7</sup> These areas involve the second and third pillars. Hence, when addressing

the EU in the context of the ENP, the significance of the Council of Ministers, the European Council, and to a lesser degree the European Parliament must also be taken into consideration. However in the context of Manners' 'Normative Power Europe', the EU is seen not through the institutions that are necessarily involved in exerting each particular case of power, but rather through the international identity that the EU has developed as a whole, based on common values and ideologies that have been promoted as representing the Union in the past.

The EU is capable of changing the concept of what is 'normal' in international politics by "[s]imply by existing as different in a world of states and relations between them [...]".<sup>8</sup> While understanding that states' positive intentions do not necessarily or always translate into positive practice, Manners reasons, "the EU is normatively different to other polities with its commitment to individual rights and principles".<sup>9</sup> To illustrate this point, Manners suggests that we imagine "[...] the ideational impact of the EU's international identity and role as representing normative power."<sup>10</sup> The EU we speak of when interpreting its use of normative power is not referencing a specific actor or institution, but rather the conceptual and ideational identity that it possesses on an international level or in the context of the ENP, its identity as perceived by the neighbouring states.

Normative power, for the purpose of this analysis, claims that the international

<sup>7</sup> Christopher HILLION, "Mapping-Out the New Contractual Relations between the European Union and Its Neighbours: Learning from the EU-Ukraine 'Enhanced Agreement'," *European Foreign Affairs Review*, No. 12, (2007), 173.

<sup>8</sup> Ian MANNERS. "The Normative Ethics of the European Union," *International Affairs*, Vol. 84, No. 1, (2008), 65.

<sup>9</sup> Ian MANNERS. "Normative Power Europe," *Journal of Common Market Studies*, Vol. 40, No. 2, (2002), 241.

<sup>10</sup> *Ibid.*, 238.

processes, agreements and organization in which the EU is involved and that which it promotes, has the power to construct the interests and identities of its neighbours.<sup>11</sup> It is able to define international standards of 'appropriate behaviour'<sup>12</sup> or in political parlance, to create international 'norms'. Such 'norms' thence shape external identities through non-coercive means separate from economic, military or even civilian power. The influence "[...] is exerted by [the] norms themselves."<sup>13</sup> To understand the theoretical conception of the EU as a normative actor, one must also consider and understand what is meant by 'norms'.

#### **European 'Norm'-Promotion vis-à-vis Conditionality**

'Norms' are common standards on both an international level and internally within states. Manners defines an international norm as "shorthand for what passes as "normal" in international relations."<sup>14</sup> Accordingly, normative power should be understood as the ability to shape or change what passes for normal.<sup>15</sup> Manners states nine such 'norms' that he asserts the EU promotes beyond its borders: sustainable peace, freedom, democracy, human rights, rule of law, equality, social solidarity,

sustainable development and good governance.<sup>16</sup> These same 'norms' can be traced back to the Neighbourhood Policy, where they are all presented as conditions for co-operation with the European Union. In developing a neighbourhood policy to apply following the 2004 enlargement, the Commission published a paper on *Wider Europe*, whereby the policy as a "[...] means to promote stability, security and sustainable development" is promoted.<sup>17</sup> The 2007 Commission publication on the implementation of the policy lists political dialogue and reform, socio-economic reform, and sectoral reform as areas where change is needed in order to deepen relations with the Union.<sup>18</sup> The ENP can therefore be seen as a cardinal vehicle of European 'norm'-promotion through the use of conditionality. The 'norms' promoted by the EU are conditions for deeper co-operation under the ENP. Manners emphasizes that it is not simply these 'norms' that are of importance, but that "[...] the way in which the EU promotes these principles [...] slowly and on the basis of partnership,"<sup>19</sup> which defines the EU's power. In this case, the ENP makes an ideal case study through which to further examine the influence of 'Normative Power Europe'.

<sup>11</sup> Michael BARNETT, "Social Constructivism," in *Globalization of World Politics: An Introduction to International Relations*, Ed. John Baylis and Steven Smith. (London, UK: Oxford University Press, 2005), 253.

<sup>12</sup> *Ibid.*, 265.

<sup>13</sup> Thomas DIEZ and Ian MANNERS, "Reflecting on Normative Power Europe," in *Power in World Politics*, Ed. Felix Berenskoetter and M. J. Williams. (New York, NY: Routledge, 2007), 175.

<sup>14</sup> Ian MANNERS, "Normative Power Europe: The International Role of the EU". *European Union Studies Association (EUSA) <Biennial Conference> 2001 (7th)*, May 31-June 2, 2001, pages 30, Madison, Wisconsin, 10.

<sup>15</sup> *Ibid.*, 10.

<sup>16</sup> Ian MANNERS. "The Normative Ethics of the European Union," *International Affairs*, Vol. 84, No. 1, (2008), 66.

<sup>17</sup> Commission of the European Communities, *Wider Europe: A New Framework for Relations with our Eastern and Southern Neighbours*, (Brussels: European Union, 2003), 4.

<sup>18</sup> Commission of the European Communities, *Implementation of the European Neighbourhood Policy in 2007*, Brussels: European Union, 2008, 3-6.

<sup>19</sup> MANNERS, Op. Cit., 66.

Asking not simply why a neighbouring country would agree to adopt these 'norms' and how they are spread, but what makes them adhere to the new states once they have been accepted into the rhetoric of the ENP participant states is crucial. As a policy, the ENP similar to enlargement policy has been designed to function on the basis of 'carrots' for co-operation and 'sticks' or the loss of offers from the EU in response to a lack of co-operation. The concept of conditionality neatly fits Frank Schimmelfennig's and Ulrich Sedelmeier's 'external incentives model' of rule adoption. In their model, which was developed to explain adoption of the *acquis communautaire* during the 2004 enlargement, countries will adopt EU rules following a cost-benefit analysis in which they deem the incentives offered by the EU to be greater than the costs of co-operation.<sup>20</sup> However, if conditionality is to be credited for the acceptance and enforcement of EU 'norms' beyond EU borders, then it still fails to account for the disparities between ENP target states in their levels of what can be called 'Europeanization'."

As the two cases studies presented in this analysis will illustrate, rule adoption, especially when driven by the 'external incentives model' does not necessarily entail identity change or ideological identification with these 'norms' themselves. However, Manners' conceptualization of normative power is of a power that, "[...] works through ideas,

opinions and conscience,"<sup>21</sup> in a way that shapes the identities of the actors involved as well as international conceptions of what is normal. Writing with Manners, Thomas Diez correctly emphasizes that the EU is in fact most likely to 'shape conceptions of the normal' in scenarios where the perceived economic and political benefits of co-operation are the major factors for compliance with EU 'norms', as in the case of enlargement.<sup>22</sup> In this case, it is national self-interest on behalf of the neighbouring states that encourages them to formally adopt EU 'norms' as their own. However, it is a separate dynamic that explains why and in which context these 'norms' develop the *power* to change the fundamental ideological identities of non-EU actors to successfully stimulate genuine processes of democratization, socio-economic and political reform.

Once introduced into the rhetoric and the discourse of government actors, followed by NGOs, and other societal players, these 'norms' have the capacity to shape processes and identities through a type of 'rhetorical spillover'. "[R]epeated invocation of the norm, even if it is just lip-service, will boost the 'norm's resonance and lead to greater chances for 'norm'-internalization."<sup>23</sup> If this holds true then European normative power is only effective in cases where EU 'norms' are given access to national discourse and make their way into national rhetoric. Therefore the most likely cases for the promotion of democracy and other such

<sup>20</sup> Frank SCHIMMELFENNIG and Ulrich SEDELMEIER, "Introduction: Conceptualizing the Europeanization of Central and Eastern Europe," in *The Europeanization of Central and Eastern Europe*. (Ithica, NJ: Cornell University Press, 2005), 10.

<sup>21</sup> Thomas DIEZ and Ian MANNERS, "Reflecting on Normative Power Europe," in *Power in World Politics*, Ed. Felix Berenskoetter and M. J. Williams. (New York, NY: Routledge, 2007), 175.

<sup>22</sup> *Ibid.*, 176.

<sup>23</sup> Paul KUBICEK, "The European Union and Democratization in Ukraine," *Communist and Post-Communist Studies*, No. 38, (2005), 273.



'norms' are those countries that are already on a path to democratization and governed by "reform-minded leaders."<sup>24</sup> Once these ideas make it down to the general public, even if the government spreading them was only doing so for political gains, they will begin to resonate amongst the population progressively stimulating a change in ideals.

The more signing of the PCA, prior to the implementation of the Neighbourhood Policy, as in the case of Belarus, without it entering into Belarus' political discourse on a sizable scale, is not enough to make the EU's normative power effective. Similarly, former Ukrainian president, Leonid Kuchma made it clear to the EU that he desired further integration with the Union for Ukraine. Under Kuchma, in 1998 Ukraine adopted a national Strategy of Integration into the EU. However, the Kuchma Government still had problems with state corruption and although it called itself a democracy, there were still fundamental inconsistencies in the democratic process. It was not until after 2005 that the "[...] Ukrainian leadership began to demonstrate the political will necessary to pursue reforms required by European integration."<sup>25</sup> Since the democratic revolution did in fact coincide with the official implementation of the ENP's first Action Plan, the increased success of EU 'norm'-adoption could be attributed to the ENP itself. What must not be overlooked is the fact that incoming President Viktor Yushchenko made

tremendous efforts to bring the EU into the centre of political discourse in Ukraine following 2005. Days after Yushchenko assumed-office, he explained to the Council of Europe that his plans for reform were geared towards the "strategic foreign policy of EU membership,"<sup>26</sup> and that he would do whatever possible to make "the democratic changes...irreversible."<sup>27</sup> Not only is Yushchenko interested in the incentives of EU-Ukraine co-operation, but he is also reform-minded enough to allow the EU into Ukraine political rhetoric where its normative power has already begun to take shape. Michael Emerson, the former Head of the EU's Delegation in Moscow illustrated this well when he said that, "[...] EU power to influence its neighbours is clearly strongest for those European states that have membership aspirations, even when this is not reciprocated for the time being by the EU."<sup>28</sup>

The idea of rhetorical spillover is effectively illustrated through Michel Foucault's concepts of exerting power through the use of discourse. He claims power that is exerted through the shaping and influencing of popular discourse as opposed to exerting power through the use of discourse. He claims power that is exerted through the shaping and influencing of popular discourse as opposed to exertion through military capacity, for example, is most effective:

What makes power hold good,  
what makes it accepted, is simply  
the fact that it does not only weigh

<sup>24</sup> Krisit RAIK, "Promoting Democracy in the Eastern Neighbourhood—The Limits and Potential of ENP," *The International Spectator*, Vol. 41, No. 3, (2003), 43.

<sup>25</sup> Iryna SOLOMONENKO, "The European Union as Democracy Promoter: The Case of Ukraine," *Romanian Journal of Political Science*, Vol. 5, No. 2, (2005), 67.

<sup>26</sup> British Broadcasting Company, 2005, *Yushchenko Seeks EU Membership*, BBC News, January 25 <<http://news.bbc.co.uk/go/pr/ft/-/2/hi/europe/4204149.stm>> .

<sup>27</sup> *Ibid.*

<sup>28</sup> SOLOMONENKO, Op. Cit., 61.

on us as a force that says no, but that it traverses and produces things, it induces pleasure, forms knowledge, produces discourse. It needs to be considered as a productive network that runs through the whole social network.<sup>29</sup>

The EU's normative power, as presented in this analysis is a form of discursive power. In order for it to be effective, the EU 'norms' being promoted must first enter into discourse and political rhetoric at the national level of the ENP target country. Through such diffusion of power, the EU is able to a certain degree to construct the identities of neighbouring states by building-up popularly accepted conceptions of what is 'normal'.<sup>30</sup>

### III. Failing to Democratize *The Limits of Normative Power*

For EU normative power to take effect, multi-dimensional and multi-directional power relations are involved, rather than a top-down process where 'norms' are simply passed-down from EU institutions and member state governments to the ENP participants through different means. All six factors that Manners lists as fostering 'norm'-diffusion – contagion, informational diffusion, procedural diffusion, transference, overt diffusion and the cultural filter – suggest top-down approach to power relations.<sup>31</sup> As will be illustrated through the ENP, the neighbouring state

governments are initially in a position of power to decide not only whether or not to engage in co-operation with the EU and the ENP, but more importantly how much the national discourse will adopt said 'norms'. Only once a national government has admitted these 'norms' into its everyday rhetoric, whether out of self-interest or resulting from genuinely shared values, these EU 'norms' begin to shape ideas on a national level.

The Union's normative power relies on discursive power to hold, in the case of the ENP, it depends on its ability to enter its 'norms' into the political discourse of neighbouring states whether directly, through NGOs, or on a grassroots level. Since this power in international relations is to a degree constrained by its target actors, this analysis will illustrate that Manners' conceptualization of normative power exaggerates its strength and potential impact. Manners argues that, "[...] the ability to define what passes for 'normal' in world politics is, ultimately, the greatest power of all,"<sup>32</sup> and claims that the EU may be one of the most important normative powers in the world.<sup>33</sup> Examining the impact of the ENP to shape conceptions of 'normal' in Belarus and Ukraine will reveal that there are limits to such power.

Before proceeding to the case studies, it is necessary to briefly look at the ideas behind the ENP and how the EU conceptualizes it. In the formation states of the ENP, the communication from the

<sup>29</sup> Michel FOUCAULT, "Truth and Power: Interview with Michel Foucault," *The Foucault Reader*, Ed. Paul Rabinow, (New York, NY: Pantheon Book, 1985), 61.

<sup>30</sup> Ronnie D. LIPSCHUTZ, "On the Transformation Potential of Global Civil Society," in *Power in World Politics*, Ed. Felix Berenskoetter and M. J. Williams (New York, NY: Routledge, 2007), 229.

<sup>31</sup> Ian MANNERS. "Normative Power Europe," *Journal of Common Market Studies*, Vol. 40, No. 2, (2002), 244 and 245.

<sup>32</sup> Ian MANNERS. "Normative Power Europe," *Journal of Common Market Studies*, Vol. 40, No. 2, (2002), 244 and 253.

<sup>33</sup> Ian MANNERS. "The Normative Ethics of the European Union," *International Affairs*, Vol. 84, No. 1, (2008), 80.



Commission to the Council of Ministers and European Parliament (EP), *Wider Europe*, proposes, “[...] the EU should aim to develop a zone of prosperity and a friendly neighbourhood—‘a ring of friends’—with whom the EU enjoys close, peaceful and co-operative relations.”<sup>34</sup> It is also suggested that a stake in the EU’s internal market be offered in return for “[...] concrete progress demonstrating shared values and effective implementation of political, economic and institutional reforms, including ... aligning legislation with the *acquis communautaire*, [...]”<sup>35</sup> In essence, the Commission writes that the Neighbourhood Policy should entail very similar requirements to those of European enlargement policy as conditions for much smaller gains.

In spite of emphasizing the mutual gains of the ENP, what the *Wider Europe* communication fails to address are the Unions self-interested motivations behind a common policy for its neighbours. As the 2004 Eastern Enlargement approached, Western European media was bombarded with reports on a variety of crimes and corruption including human, drug and weapons trafficking and organized crime, all on what was soon to be the new border of the European Union.<sup>36</sup> Unless those borders can be secured, then crime that makes it past the borders of the EU’s Eastern periphery becomes an EU problem. With the elimination of international borders within the EU-15 that would eventually

involve dissolving internal borders between these and the new EU member states, the security of the Eastern borders became a significant area of concern. The commission may promote ‘democracy and good governance’ as well as ‘the promotion of human rights’<sup>37</sup> as two of the main goal of the ENP; however the overarching goal is ultimately to address security concerns at the borders of the enlarged Union. Rather than taking an approached that exerts traditional forms of power through increased policing of the borders for example, the ENP attempts to use political conditionality to spread EU ‘norms’ across its borders and defend itself from trans-border crime by changing the identities of its neighbours to be more like itself.

The policy’s potential success rests on the allowance for differentiability in the EU’s approaches to different countries under the umbrella of the ENP. Each individual country under the ENP is ‘tailor-made’ an Action Plan specific to the issue of EU concern in that particular country. The further a given country is willing to go in adopting EU ‘norms’, the greater the financial, political and strategic assistance the EU provides, the further that country will be brought into the EU’s own policies including the potential for a more liberalized Schengen visa régime, preferential trade benefits. In this way, rather than appearing to impose a particular EU model from the outside, the

<sup>34</sup> Commission of the European Communities, *Wider Europe: A New Framework for Relations with our Eastern and Southern Neighbours*, (Brussels: European Union, 2003), 4.

<sup>35</sup> *Ibid.*, 4.

<sup>36</sup> Elisabeth JOHANSSON-NOGUES, “The EU and It’s Neighbourhood: An Overview,” in *Governing Europe’s Neighbourhood: Partners or Periphery?*, Ed. Katja Weber et al. (Manchester, UK: Manchester University Press, 2007), 22.

<sup>37</sup> Sylvia MAIER and Frank SCHIMMELFENNIG, “Shared values: Democracy and Human Rights,” in *Governing Europe’s Neighbourhood: Partners or Periphery?*, Ed. Katja Weber et al. (Manchester, UK: Manchester University Press, 2007), 39.

ENP aims to utilize the Union's normative power to "[...] [sow] seeds of change at the inside."<sup>38</sup> The Neighbourhood Policy was formally implemented in 2005 when the first Action Plan entered into force, amongst these Ukraine.

***The EU's Unfinished Success Story: The Case of Ukraine***

On 5 February 2010, Yulia Tymoshenko became the bitterly defeated but still defiant opponent of newly elected President Mr. Victor Yanukovich in the latest Ukrainian national election. Subsequently, the Orange Revolution, the dream of a Ukraine free from Russian power, and free from an élite group of highly-corrupt oligarchs, had seemingly dissolved. The result of the election has produced a jaded society of Ukrainians who appeared as believers in the democratic system of political independent Ukraine. Observers are now demonstrating signs that Ukrainians are losing hope in realizing a politically-sound Ukraine. Democracy has faced a difficult time establishing itself in Ukraine since the fall of Stalin's wall, and Ukraine's democratic institutions have failed to sustain themselves in many fashions. On one hand, Ukraine may be seen as a battleground in which democracy has waged a commendable campaign to establish itself in the aftermath of totalitarianism. On the other hand, as the various forms of government in Ukraine's post-Soviet history have stridently failed to maintain a constitution that guarantees basic personal and political rights, fair and free elections, and independent courts of law, the assertion can be made that modern democracy in Ukraine has failed, and therefore Democratic Ukraine has faded drastically.

The political outcome in Ukraine will considerably change the geo-political portrait of Eastern Europe as well as the Caucasus. With the loss of Ukraine to Russia and the destruction of the Orange Revolution forces, many are now wondering how this will impact the scope of geo-politics in the region. In Eastern Europe, Poland and the Baltic States have good reason to become alarmed as Russia regains its historical base in Ukraine. It is possible that a new line will be drawn in the sand, and a notable lack of support from EU players in Western Europe will become palpable in the near future. The recent change will also have an impact on the NATO alliance as well. Thus, the recent political change in Eastern Europe will require members of both NATO and the EU to fill in the compromised economic and political positions of one another as time goes on. In many ways a realignment of foreign policy objectives by Europe, as well as actors external to the European continent, will likely take place.

Despite instances of disillusionment with the EU, Ukraine, for the most part, can be considered one of the Neighbourhood Policy's unfinished success stories. Relations between the EU and Ukraine at present are governed through the Partnership and Co-operation Agreement (PCA) whereby all the neighbouring Commonwealth of Independent states (CIS) concluded with the EU some years after the fall of the Soviet Union. The PCA was ratified in 1998 injecting the treaty with an addition 10 years of life. However, the ENP has been made an addition to the previous agreement, and currently talks between Ukraine and the EU are taking place regarding an Enhanced Agreement.

<sup>38</sup> Esther BARBE and Elizabeth JOHANSSON-NOGUES, "The EU as a Modest 'Force for Good': The European Neighbourhood Policy," *International Affairs*, Vol. 84, No. 1, (2008), 87.

The Joint Evaluation Report on the EU-Ukraine Action Plan commends Ukraine for having made progress over previous years of the plan's implementation. Areas of 'major achievement' mentioned by the Commission include, among others, successful democratic parliamentary elections, the finalization of Ukraine's accession to the World Trade Organization (WTO) as well as progress in the areas of climate change, transport, education and research.<sup>39</sup> Though, the EU may call into question the legitimacy of the Ukrainian democratic election system with the recent outcome in Ukraine's political constellation. Based on Ukraine's commitment to adapting to specified EU 'norms' as well as the results of regular consultations during the EU-Ukraine summits, and meetings of the EU-Ukraine Co-operation Council and EU-Ukraine Ministerial Troika, the EU has maintained its agreements to deepen political and economic relations. Ukraine has already aligned itself with much of the EU's foreign policy declarations in line with the Common Foreign and Security Policy (CFSP). To demonstrate commitment to meeting the guidelines of the Action Plan and to furthering EU-Ukraine relations, Ukraine participated in EU police missions in the Former Yugoslav Republic of Macedonia and Bosnia-Herzegovina.<sup>40</sup>

Due to Ukraine's relatively consistent co-operation, trade between the two countries has increased over past years

of the ENP, largely as a result of an agreement on steel and textiles. European Union visa facilitation and re-admission agreements were also entered into force in January 2008 after Ukraine agreed to introduce visa-free treatment for EU member-state nationals. This agreement promises to facilitate access to EU visas and introduces waivers of visa and visa fee requirements for certain categories of people.<sup>41</sup> However, this co-operation has not come without problems. Prospective ENP partner countries, especially Ukraine had marked expectations of the policy in 2003 when the Commission's first ENP communication initially mentioned extending its 'free circulation of persons' to neighbouring states that would co-operate in implementing EU 'norms'.<sup>42</sup> Knowing that a membership invitation may not be extended to Ukraine anytime soon and the ENP is currently the only means for closer EU-Ukraine relations, Yushchenko remained determined and optimistic in an address to the EP supporting enhanced co-operation specifying that "[...] [t]he format of our ties should proceed from the recognition of Ukraine as an inalienable part of united Europe."<sup>43</sup> Following such optimism, the Union's visa facilitation and re-admission agreements were met with disappointment. In practice, the promised exemption from visa requirements only benefits a marginal cross-section of Ukraine's population including only very specific categories such as students and business people. Up

<sup>39</sup> Commission of the European Communities, *Implementation of the European Neighbourhood Policy in 2007*, Brussels: European Union, 2008, 8 and 9.

<sup>40</sup> Commission of the European Communities, *Joint Evaluation Report: EU-Ukraine Action Plan* Brussels/Kyiv: European Union, 2008, 2.

<sup>41</sup> *Ibid.*, 3-5.

<sup>42</sup> Esther BARBE and Elizabeth JOHANSSON-NOGUES, "The EU as a Modest 'Force for Good': The European Neighbourhood Policy," *International Affairs*, Vol. 84, No. 1, (2008), 89.

<sup>43</sup> *Ibid.* 32.

to ninety-five per-cent of the population is excluded.<sup>44</sup> Such disillusionment has not significantly damaged Ukraine's initiative at applying ENP Action Plan goals as well as negotiations for New Enhanced Agreement are under way to replace the Action Plan which has expired in 2009.

With this progress in mind, it is important to differentiate between the legal adoption of EU 'norms' and the adoption of these 'norms' into mainstream ideology as normative power would suggest. Practical implementation of these 'norms', especially when followed by EU-related policies that are visible to the public, will, to a degree, bring them into everyday political, if not popular, discourse and with time shape Ukrainian normative identity in a direction that conforms with that of the EU. The popular Orange Revolution was, "[...] a widespread reaction against corrupt and discredited leaders, and a popular call for a new political culture;"<sup>45</sup> a movement that was already mobilized before the ENP had been implemented. The new leadership under Yushchenko is committed to the democratization process. Despite his obvious leaning towards integration with the European Union, it is difficult to determine how much of this common 'European' identity shared with the EU is a direct influence of the presence of EU 'norms' from the ENP and the PCA that preceded it, and how much is home-grown out of frustration with the previous régime. One such line of

argumentation, developed by Kristi Raik, suggests that the reason behind success of EU 'norm' adoption can be explained by the simple fact that it was already a case of 're-transition' when negotiations for co-operation began in the 1990s.<sup>46</sup> Thus, the democratization process may have been to a degree shaped by EU 'norms', but it was not born of them.

In spite of signing the PCA in 1995 and announcing to the Council of Europe that Ukraine aimed to become a member of the EU, the government under President Kuchma did not take integration seriously at the national level.<sup>47</sup> These gestures were, for the most part, simply strategic political moves. In contrast, the domestic policy prior to the revolution illustrates that the government did not share the EU's basic democratic values and "[...] merely used pro-EU policy and rhetoric to legitimize themselves in the eyes of the European democratic community."<sup>48</sup> Once this rhetoric made it in to the national discourse at the domestic Ukrainian level, especially following the Commission's 2003 ENP communication, it began to shape the 'norms' of Ukrainian society. Although it is unlikely that this was the reasons behind the movements leading-up to the Orange Revolution, yet lack of concrete action on them, led to greater dissatisfaction with Ukraine's political scenario. This supports the earlier argument that the European normative power is a type of discursive power that in addition to

<sup>44</sup> Esther BARBE and Elizabeth JOHANSSON-NOGUES, "The EU as a Modest 'Force for Good': The European Neighbourhood Policy," *International Affairs*, Vol. 84, No. 1, (2008), 89.

<sup>45</sup> Kristi RAIK, "Promoting Democracy in the Eastern Neighbourhood—The Limits and Potential of the ENP," *The International Spectator*, Vol. 41, No. 3, (2006), 33.

<sup>46</sup> Kristi RAIK, "Promoting Democracy in the Eastern Neighbourhood—The Limits and Potential of the ENP," *The International Spectator*, Vol. 41, No. 3, (2006), 32.

<sup>47</sup> Iryna SOLONENKO, "The European Union as Democracy Promoter: The Case of Ukraine," *Romanian Journal of Political Science*, Vol. 5, No. 2, (2005), 57 and 58.

<sup>48</sup> *Ibid.* 67.

adequate incentives for adoption requires the 'norms' to penetrate into neighbour countries' political and popular discourses in order to genuinely hold.

Conditionality will be seen to have the most effect only if five elements are in place: (i) rules and conditions are determinate; (ii) rewards are certain, high, and quickly distributed; (iii) threats to withhold rewards are credible; (iv) adoption costs are low; (v) players with the capacity to exercise veto power is low. What remains inherently difficult to exemplify when determining the potential effectiveness of conditionality when it comes to the case of Ukraine, lies innately in the areas of democracy, rule of law, and human rights. However, simply recognizing the existence of a legal framework for democracy, rule of law, and human rights, does not imply that these principles are guaranteed. Conditionality is propitious only amid the backdrop of formal democratic institutions that have been recognized as legitimate and have proven themselves to function accordingly.<sup>49</sup> However, an existing and consolidated democratic institutional framework may be considered palpably advantageous for the preservation of democratic values and principles more so than if none had existed at all.

### ***Resisting 'EU-ropean' Norms: The Case of Belarus***

Following this line of reasoning, one develops an understanding for why Belarus which, on the outside appears like it should be a similar scenario to that of

Ukraine, has resisted not only increased co-operation with the EU, but also the influence of EU 'norms' on its identity. It is wise to begin with Raik's differentiation of Belarus from Ukraine by identifying it as an 'outright authoritarian régime'<sup>50</sup> at the time of the EU's initial attempts at negotiating co-operation. Without a democratization movement already underway, it is difficult for EU 'norms' to penetrate the identities of Belarusian government and society. In the case of the government under Kuchma in Ukraine, which at the very least attempted to appear democratic, despite a lack of practical action towards co-operation with the EU, rhetorical mention of such initiatives made it down to a societal level. Both media and government picked-up on the promises of the Neighbourhood Policy as it was being developed and the Commission published its first communication on the topic.

In the face of signing a PCA with the EU in 2005 in Belarus, the régime under Alexander Lukashenko was never rhetorically supportive of the West, nor claimed that it sought EU approval. Political discourse on a national level, rather than supporting Belarus' 'EU-ropean' qualities, emphasizes the lack of a need for Belarus-EU co-operation. In a public speech Lukashenko told his citizens that, "[...] despite all the problems in our relationship with the EU, its countries account for almost half of our export, and our export to the EU grew 28 percent in 2006 [...]"<sup>51</sup> With public successes like these, whether or not they are true, it is no

<sup>49</sup> Janine REINHARD, *EU Democracy Promotion through Conditionality: The Temptation of Membership Perspective or Flexible Integration? A Case Study on Ukraine*, 2008 Working Paper, 84.

<sup>50</sup> Kristi RAIK, "Promoting Democracy in the Eastern Neighbourhood—The Limits and Potential of the ENP," *The International Spectator*, Vol. 41, No. 3, (2006), 32.

<sup>51</sup> Grigory IOFFE, *Understanding Belarus and How Western Foreign Policy Misses the Mark* (Toronto: Rowman & Littlefield Publishers, Inc., 2008), 187.



surprise that despite probable falsification of national elections, independent polls suggestion that Lukashenko has legitimate support of at least half of the Belarusian population.<sup>52</sup> It is likely that the government control of the mass-media and harassment of journalists<sup>53</sup> can largely account for the absence of EU 'norms' in Belarusian political discourse despite its direct proximity to the Union. It is also no surprise that the Lukashenko régime is keeping these 'norms' out. Liberal democratic 'norms' such as free and fair elections for example, which are promoted by the European Union through the ENP, will naturally act to limit autonomy and power of authoritative governments are prohibited exactly those measurement that Lukashenko relies on to preserve his own power.<sup>54</sup> The problem is not that the EU has been inconsistent with its use of conditionality. In fact, EU-Belarus relations were stalled in 1996-7 following undemocratic Belarusian elections, and the PCA, a requirement for participation in the ENP, has not been ratified to this day.<sup>55</sup> The ENP now remains closed to Belarus unless the government agrees to reform, something that is unlikely to happen any time soon. To Lukashenko, the Union's offers of a potential Free Trade Area and freer movement of people for example, are simply not worth losing his authoritative hold over the country.

This reinforces the argument that European 'norms' must first penetrate into national discourse in order for normative power to take effect. Being a discursive form of power, it is undermined by the neighbouring country's own 'power' to decide whether or not to allow these 'norms' in. Only once these 'norms' gain access to discourse on a national level in the Union's neighbourhood, can the EU's normative power be exercised. Therefore, Manners' claim with regards to the strength and influence of 'Normative Power Europe' is to a degree exaggerated and simplified. He does mention 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>56</sup> However, if EU normative power is to be considered legitimate then this presupposes a certain degree of shared 'norms' even before the Union's power is exercised; a concept that Manners fails to elaborate on.

There remains a relative consensus among democratization scholars that domestic factors determine the success, failure or absence of democratic reforms.<sup>57</sup> Therefore, a successful democratic movement, as was the case with Ukraine, is unlikely to occur in Belarus unless Lukashenko's popularity declines. Only then will EU 'norms' be able to both gain access to national discourse and be

<sup>52</sup> Kristi RAIK, "Promoting Democracy in the Eastern Neighbourhood—The Limits and Potential of the ENP," *The International Spectator*, Vol. 41, No. 3, (2006), 36.

<sup>53</sup> Commission of the European Communities, Non-Paper: "What the European Union Could Bring to Belarus," November, 2006. 3.

<sup>54</sup> Sylvia MAIER and Frank SCHIMMELFENNIG, "Shared values: Democracy and Human Rights," in *Governing Europe's Neighbourhood: Partners or Periphery?*, Ed. Katja Weber et. al. (Manchester, UK: Manchester University Press, 2007), 44.

<sup>55</sup> Commission of the European Communities, *Wider Europe: A New Framework for Relations with our Eastern and Southern Neighbours*, (Brussels: European Union, 2003), 15.

<sup>56</sup> Ian MANNERS. "The Normative Ethics of the European Union," *International Affairs*, Vol. 84, No. 1, (2008), 66.

<sup>57</sup> Kristi RAIK, "Promoting Democracy in the Eastern Neighbourhood—The Limits and Potential of the ENP," *The International Spectator*, Vol. 41, No. 3, (2006), 33.



seen as a viable alternative to Belarus' current political identity. These factors are necessary before normative power can be successfully exercised in shaping the direction of Belarusian normative identity change. For the time being, the current régime is relatively stable and Lukashenko is taking direct measures to keep the population content and to prevent social unrest. Despite over half of the country's industry being estimated to operate at a loss, for example, the régime avoids closing down the factories and introducing structural reform in order to mitigate unemployment and maintain relative political stability.<sup>58</sup> As long as Belarus' relations with the Russian Federation continues to provide oil and gas at prices drastically below international market value, subsidizing worker salaries at unsustainable levels will remain impossible.

Belarus currently has no income disparities as compared with Russia, and earnings are comparable to those of Latvia, a European Union member state.<sup>59</sup> For European 'norms' to take hold there must first be a democratic movement originating from within the state. Based on the relative level of stability of the current situation in Belarus, this is unlikely to occur in the near future. Without nationally-driven democratic reform, it is unlikely that EU 'norms' will be considered legitimate or even be able to penetrate discourse at the national level. In the meantime, the EU is making a wise decision to refrain from admitting the Belarusian government into the Neighbourhood Policy, and is instead strengthening its support for Belarusian civil society. If the 'norms' are being

blocked at the government level, their introduction into discourse at a grassroots level will not be very effective, though it does have the potential to stimulate home-grown democratic movements and perhaps even revolution in the future.

#### IV. Conclusion

Through an analysis of the European Neighbourhood Policy's levels of success in promoting EU 'norms' in the cases of Belarus and Ukraine, this article examined the concept of 'Normative Power Europe'. Based on the two case studies presented herein, and with the assumption that normative power is discursive in form, the strength of the EU's capacity to influence the direction of identity change in its neighbourhood and to stimulate processes of democratization lacks dimension, and simply overstated.

Power in international relations cannot be easily classified into top-down processes of influence, from more to lesser powerful actors. Rather, influence in foreign policy is much more complex. It is a multi-dimensional process of power relations between multiple actors. In order for the European Union's 'norms' to be able to exert their discursive power over the existing 'norms' in the EU's neighbourhood, the actors in question are in an initial position of power to decide whether or not to allow such 'norms' to permeate their own discourse based on self-interested external incentives. Only upon external actors exercising their own power to herald discourse at a national level, can the EU truly begin to exercise normative power.

<sup>58</sup> *Ibid.*, 36.

<sup>59</sup> Grigory IOFFE, *Understanding Belarus and How Western Foreign Policy Misses the Mark* (Toronto: Rowman & Littlefield Publishers, Inc., 2008), 171.

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