THE EUROPEAN UNION AS A NORMATIVE POWER:

EUROPE'S NEW NEIGHBORHOOD AND ENERGY POLICIES

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THE EUROPEAN UNION AS A NORMATIVE POWER:

EUROPE'S NEW NEIGHBORHOOD AND ENERGY POLICIES

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To Jordan, Mum and Dad

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husband, Jordan Patton. This Thesis has been a major factor in our lives for almost as long as we have been married. His patience, support and love throughout this process have been unwavering even throughout times of frustration – for this I will be forever grateful. It is to my parents and Jordan that I dedicate this thesis.

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LIST OF SYMBOLS AND ABBREVIATIONS

AA	Association Agreement
CEECs	Central and Eastern European Countries
CFSP	Common Foreign and Security Policy
CIP	Competitiveness and Innovation Framework Programme
ECSC	European Coal and Steel Community
EFP	European Foreign Policy
EMU	European Monetary Union
ENP	European Neighborhood Policy
EU	European Union
EUSA	European Union Studies Association
GHG	Greenhouse Gas
IFRI	French Institute for International Relations
NPE	Normative Power Europe
OPEC	Organization of Petroleum Exporting Countries
IO	International Organization
PR	Proportional Representation
RRF	Rapid Reaction Force
UK	United Kingdom
UN	United Nations
US	United States
WTO	World Trade Organization

SUMMARY

The European Union (EU) is a formidable actor in contemporary international politics. Many prominent scholars devote their lives to studying both how European power came to be and analyzing the character of that power. The vast majority of the resulting scholarship fails to empirically test the arguments set forth. While rich in theoretical insights, the lack of empirical support renders the debate unsatisfying. This study tests the arguments about the nature of European power in the international context using the cases of the European Neighborhood Policy (ENP) and Europe's energy policies. Chapter One introduces the Normative Power Europe concept and describes my methodology. Chapter Two delineates the existing debates on the power of the EU. Chapters Three and Four test European power using the cases of the ENP and Europe's energy policies (respectively). In addition, Chapter Four offers some concluding remarks. This study finds that the EU consistently behaves as a normative power from the basic premise of virtue ethics, but inconsistently in terms of deontological and teleological ethics.

CHAPTER 1

INTRODUCTION

The European Union (EU) is a formidable actor in contemporary international politics. Many prominent scholars devote their lives to studying and debating both how European power came to be and analyzing the character of that power. The vast majority of the resulting scholarship, however, fails to empirically test the arguments set forth. While rich in theoretical insights, the lack of empirical support renders the debate unsatisfying. As such, the goal of this Thesis is to test the arguments about the nature of European power in the international context.

In his seminal article, Ian Manners (2002) introduced the concept of normative power Europe which has since generated many accolades, including being selected by the members of the Europeans Union Studies Association (EUSA) as one of the most important works of EU scholarship published over the past decade (Danish Institute for International Studies 2007). The work has, nonetheless, been subjected to numerous criticisms (Aggestam 2008; Dunne 2008; Hyde-Price 2008; Meunier and Nicolaïdis 2006; Smith 2004). The Normative Power Europe (NPE) concept essentially recasts the EU's political identity outside of traditional Westphalian notions and posits that the power of the EU is bound to its normative character as opposed to its material capabilities (Manners 2002). In this study, I agree with Manners that the European Union is a normative power as it projects universally acceptable values and norms through economic and military means, through its magnetism and through its influence in world politics. However, the quality of the EU's normative power varies depending upon the ethical system from which one evaluates the EU. Moreover, I argue that European power is an outgrowth of a historical institutional process and that this process created the normative power that Europe is today. In this understanding of power, power is defined

by a polity's ability to influence actors[1] through advancing morally "right" principles, acting upon those principles itself and in affecting positive outcomes.

This study differs from others in that I will critically analyze the EU's normative character using two cases. In order to test these arguments I will employ the cases of the European Neighborhood Policy (ENP) and Europe's energy policies. Both policy areas are nebulous and have significant international, domestic and geostrategic ramifications. The ENP encompasses multiple policy areas, including development, energy and external relations. Many studies of the ENP focus on its effects on human rights and fundamental freedoms; these studies often find the EU ineffective in promoting positive change in the ENP states in these issue areas (see for example: Kelley 2005; Maier and Schimmelfennig 2007; Schimmelfennig 2005; Schimmelfennig and Sedelmeier 2005). As human rights and fundamental freedoms are integral parts of the NPE concept, it is clearly important to study the case of the ENP. This will either clarify claims that the ENP is impotent in affecting change, or it will suggest that evaluating the ENP based upon one or two issue areas is an ineffective way to understand this complex policy area. The diversity of the ENP renders this study vulnerable to accusations of selection bias – or selecting this case merely because it covers a multitude of areas and thereby being able to show any desired outcome.

The charge of selection bias makes the inclusion of Europe's energy policies essential. Despite the fact that energy is an encompassing policy area, it is narrow enough that the selection of this case will show whether or not the EU can be a normative power in a policy area that does not deal directly with issues traditionally associated with normative governance. In addition, materialist theories of international relations are

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[1] In the case of the EU, other actors can be actors outside of the EU (including state and non-state actors), actors related to the EU (such as ENP states or candidate countries), internal actors (including member states or civil society groups), or multitude of other actors.

particularly strong in explaining energy relations. For the realists, energy is a basic component of munitions, which serve as the basis for traditional power. This can explain why energy is such a contentious issue – its geostrategic implications go far beyond a mere commodity. Likewise, for liberals, energy is a scarce natural resource. Owners of these resources have a preponderance of economic power over those who must import energy. This gives the owners leverage (economically and influentially) over those who must buy energy from them. These theories, however, fail to explain particularities of Europe's energy history. For example, realist understandings cannot truly explain why, after decades of acrimonious and bloody relations, France and Germany would forego a measure of their sovereignty to bind with each other (along with Italy, Belgium, the Netherlands, and Luxembourg) in the coal and steel industries. Liberal theories cannot explain the slow progress of a common external energy policy, which would give the EU member states greater leverage against the supplier states in pricing. The energy policy chapter is, therefore, designed to test the alternative, Normative Power Europe, understanding of European energy relations.

I will evaluate both cases based upon the nine principles of ethical governance enumerated by Ian Manners and consider the EU's adherence to three procedural characteristics of ethical governance in the promotion of the nine principles (Manners 2008). However, I will digress from Manner's original criteria by considering economic and military actions in pursuit of ethical or normative goals to be valid. In 2006 Manners notably reconsidered this position and argued that militarization could be congruent with a normative power if harnessed by "critical reflection" (Manners 2006, 183). More specifically, I assess the extent to which the ENP and Europe's energy policies promote the following universal normative principles: "sustainable peace, freedom, democracy, human rights, rule of law, equality, social solidarity, sustainable development and good governance" (Manners 2008, 46). In addition, I will examine the extent to which the EU can be considered a normative power from the basic principles of three ethical systems:

virtue ethics, deontological ethics, and teleological ethics (Manners 2008, 46-47). While my primary methodological tool will be qualitative in nature (case studies, more specifically), I will use quantitative methodology where appropriate to evaluate the EU's promotion of these norms.

Theoretical and Methodological Overview

In a recent article, Manners outlines nine universally applicable (within the UN framework) "substantive normative principles" and three "procedural normative ethics" (Manners 2008). This is the framework through which I intend to evaluate the EU. The first normative principle, sustainable peace, suggests that it is more efficacious to combat the underlying causes of conflict as opposed to merely halting conflict (Manners 2008, 48-49). Perhaps best understood from a human security perspective, this normative principle is based upon the logic that individuals compete for scarce resources and that competition becomes more intense and, potentially, violent when the availability of resources decreases. If individuals' basic survival needs are accounted for, however, there is less need to compete and less likelihood of violent outbreaks over scarce resources.

Social freedom, the second normative principle, requires the promotion of "freedoms of persons, goods, services, capital and establishment," "freer trade and market access" and "fundamental freedoms" (Manners 2008, 49-50). In order to accept the argument that the EU promotes social freedom, both cases should demonstrate the advancement of social freedom in the presence of EU influence.

The third normative principle, consensual democracy, advances the notion that democratic politics is best served by "proportional representation (PR) electoral systems, coalition governments and power sharing among parties" (Manners 2008, 50). This type

of democracy is present in most EU member states as well as at the supranational level (Manners 2008, 50).

Associative human rights, the fourth normative principle, are rights conferred to individuals *and to groups* and are based upon the premise that individual rights are inextricably linked to group rights (Manners 2008, 50-51 emphasis added). Logically, rights conferred to an individual must be conferred upon a group as groups consist of individuals. Any rights deprived on a group level will, by extension, be deprived on an individual level. In its most extreme form, deprivation of group rights can lead individuals outside of that group to view members of the group as less than human. This situation, once again in its most severe form, can lead to crimes against humanity, genocide and ethnic cleansing. One can think of numerous examples of groups whose members have been treated as sub-human merely based upon group affiliation. A couple of recent examples include: Catholics and Protestants in Northern Ireland and Kurds throughout the Middle East.

The fifth normative principle, supranational rule of law, is advanced when entities promote the rule of law above the national level (Manners 2008, 51-52). The promotion of supranational rule of law, however, is not limited to EU level governance. In addition to EU level governance, adherence to international law and human rights conventions above the community level serve as requirements for the promotion of supranational rule of law. References to UN standards in the Reform Treaty suggest that, rather than attempting to impose its values upon the world; the EU is abiding by and enforcing laws that come from above its supranational mandate (European Union 2007).

Inclusive equality is the sixth normative principle. Promotion of this principle requires that all individuals regardless of "sex, race, colour, ethnicity or social origin, genetic features, language, religion or belief, political or any other opinion, membership of a national minority, property, birth, disability, age or sexual orientation" receive the same treatment in law and in practice (European Union 2000).

Social solidarity, the seventh normative principle, is advanced in perhaps its broadest sense in the EU. In this context, social solidarity promotes cohesion at the community level by facilitating member states ability to speak with one voice (in the WTO, for example), at the sub-community level by encouraging groups of individuals to band together for a common goal (such as minority rights) and above the community level by mobilizing against transnational concerns (such as the eradication of poverty) (Manners 2008, 53).

The eighth normative principle, sustainable development, promotes a "balance between uninhibited economic growth and biocentric ecological crisis" (Manners 2008, 54). This concern is inherently linked to the first normative principle, sustainable peace, as, on a human security level, people and other biological entities, cannot survive without an adequate environment. As such, economic growth is pointless in the absence of a habitable planet.

The last normative principle, good governance, has two inherent qualities which are the participation of civil society in policy making and the promotion of multilateral cooperation (Manners 2008, 54-55). Permitting civil society to participate in the policy making process allows for a greater number of opinions to be heard. The greater the number of opinions, the closer EU law comes to reflecting the will of all citizens. Similarly, multilateral support for any action, whether economic, political or military in nature, represents consent by all participating entities. The greater the participation rate, the closer the particular action comes to being accepted universally. Adherence to and promotion of multilateral solutions to economic, political and military problems thereby must be considered as adherence to and promotion of the normative ethic of good governance.

Following his discussion of the normative principles enumerated above, Manners outlines three procedural normative ethics. Coupled with the universal normative principles, this provides an effective framework through which we can analyze the

normative character of the EU (Manners 2008). As will be made clear below, virtue ethics, deontological ethics and teleological ethics are generally treated as opposing systems for understanding and evaluating morality. This contention is perhaps the greatest weakness of the procedural normative ethics presented by Manners.

Essentially, Manners simplifies three competing ethical systems in such a way that all that remains of each system is their most superficial guiding principle. For virtue ethics this principle is "living by example", for deontological ethics the principle is "being reasonable" and for teleological ethics, it is "doing least harm" (Manners 2008, 46). While in many respects this is a gross over-simplification of each of these ethical systems, boiling down each system to its primary principle presents an effective and unique framework for evaluating the normative character of European power. First, it is possible to evaluate the EU's actions from the perspective of each system of beliefs. Analysis may show, for example, that while deontologists would consider the EU's actions to be ethical, teleologists may consider the same actions to be lacking moral rectitude. Second, for any actor to truly be a normative power, it should strive to adhere to the basic premise of each of the three ethical systems. In implementing Manners' "original tripartite methodology," I will evaluate "the EU's principles, actions and impact" in terms of each normative principle (Manners 2008, 46-47).

Virtue ethics, or aretaic ethics, "seeks to produce excellent persons who both act well […] and serve as examples to inspire others" (Pojman 1998, 289). Virtue ethics purport that *being* a moral person will lead one to *do* moral things and are based upon the classical thought of Plato and Aristotle (Pojman 1988, 290 emphasis added). An aspect of virtue ethics is certainly living by example; if one "lives by virtuous example" then one is considered, by virtue ethicists, to be ethical (Coombes 1998). More specifically, virtue ethics seeks to evaluate an entity based upon its *principles* as opposed to its actions.

Deontological ethics is a competing school of thought that argues that an action derives its moral rectitude from the action in and of itself (Pojman 1988). For

deontologists there are specific actions (lying for example) that are intrinsically wrong regardless of the outcome (Pojman 1988, 225). Typified by the works of Emmanuel Kant, a guiding principle of deontological ethics is a focus on humanity. By virtue of being human, humans should always be treated as ends in and of themselves, and should never be treated as means to an end (Pojman 1988, 227). An actor is considered to be ethical by deontologists if his or her *actions* are intrinsically right. The challenge in arguing that the EU promotes the nine normative principles in a deontologically ethical manner is that the notions of universal ethics and the intrinsic value of actions is a fundamentally deontological premise (Maier 2004). Simply put, it is tautological to argue that the EU is promoting universal normative ethics and as such it is acting ethically by deontological standards. It is imperative, therefore, that we consider the actual implementation of these principles. In addition to simply showing that the EU's actions have intrinsic value, the EU must also promote these principles consistently within each considered policy area in order to be considered deontologically ethical whilst avoiding the cardinal sin of tautology. For the ENP this requires that the EU promote each principle consistently across partner states, whereas for the evaluation of energy policies the EU must demonstrate consistency between rhetoric and action.

The last major school of ethical thought delineated by Manners is "consequentialist ethics," which are more often referred to as teleological ethics (Manners 2008, 58-59). Teleologists believe that an action should be judged as morally acceptable if the *impact* of the action is good (Pojman 1988, 157). More specifically, for teleologists the ends justify the means. For teleologists, there cannot be any set of universally acceptable norms as each situation is unique, and any action derived from a unique situation must be considered in those terms (Maier 2004). To illustrate the dichotomy between teleologists and deontologists, consider the example of Hiroshima and Nagasaki. For deontologists these actions lack ethical validation as human lives were sacrificed in order to end the war. For teleologists, however, these actions are considered

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ethically valid as they brought WWII to an end. If WWII had continued pursuant to Hiroshima and Nagasaki then teleologists would instead consider these actions immoral (Maier 2004).

Given the strict divergence of these three systems of moral thought it is difficult to think of any policy that is "normative" to all people. Herein lies the significance of simplifying these systems – it allows scholars to evaluate the EU on a broader spectrum than merely analyzing it from one perspective would permit. In applying each substantive normative principle to the cases of the ENP and Europe's energy policies I will consider whether the EU is promoting these principles and the extent to which the actions of the EU adhere to the basic premise of each of the outlined ethical systems.

Organization of Work

In the following chapter I will outline the existing literature on the identity of the European Union as a global actor and the character of its power in the international system. This discussion includes two sections. The first is the literature "On Becoming" – or arguments on how the EU became the power that it is today. The second is the literature "On Being" – or the debate over what type of power the EU is. The purpose of this literature review is to situate this work within these debates and show how this study differs from the vast majority of existing work. Chapters three and four are empirical chapters that analyze the normative character of the European Union using the European Neighborhood Policy and Europe's energy policies, respectively. These analyses find that the EU is leading by example in the promotion of universal norms, but is less consistently promoting these norms when evaluated from the basic premise of deontological and teleological ethics. In addition, chapter four will offer some concluding remarks and analysis. My final evaluation will not be a binary judgment. Just as the descriptors "military power" or "liberal market economy" cannot entirely describe the range and complexity of any actor, I eschew the belief that any international actor can

be an ideal-type normative actor. An actor such as the EU should aspire to become an ideal-type normative power. However, there will always be instances that seem to contradict the "normative power" label. As this thesis will conclude, the EU is a normative power, not in the sense that it is a normative power to the expense of all else, but in the sense that it adheres more closely to the normative power end of a continuum of power types (Figure 1.1).

My goal for this study is relatively modest: I hope to offer an example of how scholars might evaluate the character of the European Union's power. Evaluation through the ENP and Europe's energy policies will certainly not be the final word on this debate. I anticipate that it will, rather, be a drop in the proverbial bucket. My hope is that other scholars will find this endeavor worthy and that they will continue to evaluate the EU within the normative power Europe framework so that we can truly understand this *sui generis* international power and perhaps even apply its model to future projects.

Power rests in capabilities			Power rests in ideas
Military Power	Civilian Power	Soft Power	Normative Power
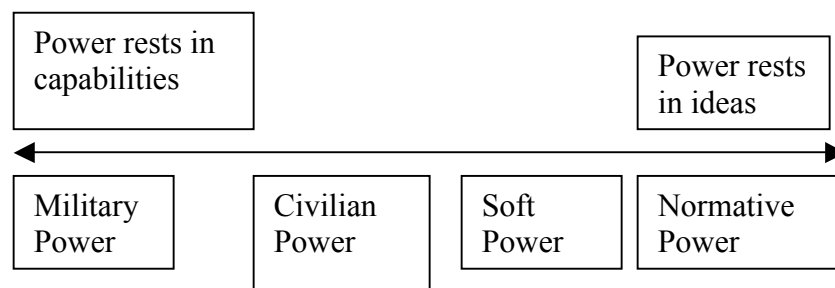
Figure 1.1 Continuum of Power

CHAPTER 2

EXISTING DEBATES

At its inception the European Union strove to obliterate warfare on the European continent. The goal of the founding fathers who established the original treaties and institutions of the EU was certainly not to become a superpower. Today, however, the EU is a formidable force on the world stage. The relevant questions therefore are: how did the EU become what it is today and what type of power is the EU? Some contend that the EU has become a power through a complicated process of interstate bargaining, whereas others suggest that the EU's power is a product of a path dependent process. Likewise, some argue that the EU is a normative power, whereas others suggest that the EU may still become a formidable military power. I posit that the most effective framework from which to analyze the development of the EU is a historical institutional framework. Moreover, I argue that the EU should be conceptualized as a normative power. The unique facet of this argument lies in the act of combining the normative power Europe concept with historical institutionalism. While these two analytical frameworks are certainly compatible, they are often treated separately. Those working in the historical institutionalist tradition are generally more concerned with how the EU came to be, and normative power Europe scholars with what the EU is. Combining these two approaches yields a superior understanding of both how the EU came to be and what it is today.

On "Becoming"

The literature on "becoming" is a vast and contentious body of work. As will be made obvious below, many theories of European integration overlap and, as such, it is important to first delineate the major dividing lines within these approaches. The intergovernmentalist-supranationalist divide is the first and perhaps most important point

of contention and should be viewed as a continuum rather than a chasm. Intergovernmentalist scholars of European integration argue that the EU has "become" through a process of interstate bargaining. At its most extreme, these scholars reject any notion of pooling of sovereignty on the supranational level. Supranationalist scholars of European integration argue that the process of integration occurred as nation-states incrementally gave up measures of their sovereignty to the supranational level. The most extreme supranationalists either believe in or desire an "abnegation of sovereignty." (Schuman 1950).

The other major divide is couched in the rationalist-constructivist debate. Scholars working in the rational choice tradition argue that decisions are made based upon material interests. Constructivists, by contrast, believe that decisions are an outgrowth of ideas and identity. This divide should, also, be seen as a continuum where more moderate scholars believe that a combination of material interests, ideas, and identities serves as the basis for integration decisions. Elements of each of these four schools can be found to a varying degree throughout the literature on "becoming".

Perhaps the first major theory of European integration was the neofunctionalist approach. Led by Ernst Haas, the neofunctionalist approach posits that integration occurs via a process of spillovers (Haas 1958). In functional areas where groups demand greater cooperation, integration will advance (Haas 1958). Following Haas, Leon Lindberg refines the neofunctionalist approach to European integration by suggesting that the process of spillover, although crucial to the integration process, is not inevitable (Lindberg 1963). The spillover process can be halted if national governments are determined to resist the demanded change (Lindberg 1963).

This area of scholarship is contested by those who believe that supranational level elites have a particular vision for the EU. Indeed, it is difficult for anyone to argue that Robert Schuman, Jean Monnet, Charles De Gaulle, and Margaret Thatcher (to name a few) lacked a vision of and a goal for Europe. Whether these elites desired an

intergovernmental trade union or a "United States of Europe" (Churchill 1946) it is evident that each one had a vision for Europe. Perhaps the most startling examples of elites exerting their visions of Europe include the Empty Chair Crisis and the British Budgetary Question (see for example: Dinan 2004).

The intergovernmentalist approach to European integration argues that "integration occurs […] when sovereign states, pursuing their national interests, negotiate cooperative agreements" (Nelson and Stubbs 2003, 164). This body of work suggests that the European project is the result of "elite bargains in response to the challenges and opportunities posed by international and domestic changes" (Sandholtz and Zysman 1989). According to Stanley Hoffman, a noted intergovernmentalist scholar, "the nation-state is still here" (Hoffman 1966, 165). Hoffman argues that nation-states retain control over "areas of key importance to the national interest" and that integration occurs merely in areas of "low politics" (Hoffman 1966, 170). Sandholtz and Zysman utilize the intergovernmentalist approach to show how the creation of the Single Market (1992) came about through the process of elite bargaining (Sandholtz and Zysman 1989; Moravscik 1998). According to this account, the economic decline of the United States coupled with the perceived rise of Japan led the member states to reassess their relationship with the United States for fear that this relationship would no longer serve their economic interests (Sandholtz and Zysman 1989). Moreover, Sandholtz and Zysman succinctly reconcile the realist-liberal divide that many intergovernmentalists merely straddle: "structural situations create the context of choice and cast up problems to be resolved" but these problems are addressed by "a complex web of intergovernmental bargains" (Sandholtz and Zysman 1989, 127). The hallmark of intergovernmentalist approaches to European integration is that states and their domestic elites bargain for their national interests (economic or strategic).

The greatest critique of the intergovernmentalist approach to European integration is that supranational decision making no longer occurs merely in the realm of "low

politics." While the most advanced areas of integration are unambiguously situated in the economic realm, the creation to the Rapid Reaction Force (RRF) and the more recent focus on a Common Foreign and Security Policy (CFSP) challenges this assertion. This is evidenced by EU forces participation in Kosovo (BBC News 2008b). As the EU continues to affect areas of "high politics" the intergovernmentalist school will face increasing criticism.

Andrew Moravcsik's tome *The Choice for Europe: Social Purpose and State Power from Messina to Maastricht*, is a permutation of the intergovernmentalist approach that applies rational choice theories to the process of European integration (Moravcsik, 1998). Scholars in this tradition posit that European integration is the outcome of iterated interstate bargaining in which the most powerful players within the EU bargain for their vital interests. For Moravcsik, and others like him, the EU does not have a character of its own, but should be considered an agglomeration of the most important policies of the EU's most powerful actors. In *The Choice for Europe* Moravcsik argues "that the broad lines of European integration since 1955 reflect three main factors: patterns of commercial advantage, the relative bargaining powers of important governments, and the incentives to enhance the credibility of interstate commitments." (Moravcsik 1998, 3). His political economic explanation, as with all rational choice arguments, is grounded by the assumption that all states act rationally: states have ordered preferences and will act to maximize their utility within their hierarchy of preferences. Moreover, rational choice theories focus on material, as opposed to ideational, interests (Jachtenfuchs 2002). The rationality assumption suggests, therefore, that states within the EU may have forgone lesser material interests in order to gain in areas atop their hierarchy of preferences. This, in part, explains why states within the EU have acquiesced to some issues but have remained intransient on others. The rationality assumption rests on Moravcsik's belief that the EU is not *sui generis*, but is merely a bargaining arena for fully independent,

sovereign states. Treating the EU as *sui generis*, according to Moravcsik, abnegates scholars' abilities to create generalizable theories from the study of European integration.

The greatest challenge to Moravcsik's brand of the rational-intergovernmentalism is the argument that the EU is indeed *sui generis*. The EU is distinct from any other polity or organization in existence today. It is a far looser union than a nation-state, but is certainly more cohesive than an International Organization (IO). Moravcsik's challenge on the generalizability of studies that treat the EU as *sui generis* represents his epistemological bias towards positivist theories.[2] Generalizable or not, the EU is an important polity to study based upon the seeming existence of a Kantian perpetual peace amongst its members. I argue, however, that the lessons learned from European integration are certainly generalizable, and therefore merit study not only on the singular importance of the outcomes of the European project, but to enhance future policies on peace and conflict resolution. While the EU may currently be *sui generis* it may be possible, in the future, to use its example of deep economic interdependence and positive political conditionality to obviate tensions in other regions of the world.

Another rationalist approach to the process of European integration is rational choice institutionalism (see Tsebelis 1994). In this conception of European integration institutions are seen as constraints upon an actor's rational self-interests (Checkel 1999). The actor in question differs among scholars (intergovernmentalists would argue, for example that states are the primary actor), but the argument remains that rational self-interest is constrained by institutions. As such, European integration has been achieved, according to rational choice institutionalists, by agents seeking to attain their material interests within the existing institutional structure.

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[2] This is not a rejection of positivist methodology, but a critique of scholarship that relies solely on positivist assumptions.

Rational choice approaches, however, fail to account for actions that appear irrational when considered in material terms. The decision to accept ten new member states concurrently, for example, was irrational given the meager ability of the EU to facilitate their accession (Schimmelfennig 2001). As Frank Schimmelfennig persuasively argues, the EU's identity as a democratizing, liberal entity obligated the EU to simultaneously accept all Central and Eastern European countries that were ready and willing to accede, regardless of feasibility (Schimmelfennig 2001).

Opposite to rational choice theories, one encounters constructivist approaches (or, sociological institutionalism) to integration (Jachtenfuchs 2002). These approaches purport that integration has progressed based upon ideas and the EU's identity (Schimmelfennig, 2001). Taking on the logic of a "self-fulfilling prophecy", increased integration (widening or deepening) is therefore viewed as the product of the EU's self image.

The greatest challenges to the constructivist approach to European integration are methodological in nature. It is difficult and contentious to define who creates European identity. Intergovernmentalists, for example, would argue that each member state has its own identity. But the challenge is deeper. If scholars could agree on the source of European identity, the question then becomes: which European identity? An individual may, for example, define his or her self by national or ethnic identity, profession, gender, or any number of other variables. Moreover, each identity may not be mutually exclusive of others. As such separate identities may overlap to create a single, complex identity. Individuals harbor multiple identities and act differently when fulfilling each role. So too, I argue, do political entities. To add another layer of complexity, political entities change – in the context of the EU, the fifth enlargement serves as a pertinent example. With these changes an entity's identity will also change. As such, the identity of polities changes with major shifts in their character (institutions, treaties, and enlargements to name a few). To summarize, in order to be effective, constructivist approaches to

European integration must specify the source of the identity, the specific identity in question and the specific situation in consideration. This practice, however, risks losing the richness required to truly understand the EU.

The historical institutionalist school offers another important argument about how the EU became what it is today. Historical institutionalism suggests that the early decisions and institutional structure of the EU have constrained and led European integration (Meunier and McNamara 2007). As such, the early developments of the EU created a path dependent chain of events that eventually led to the current structure and character of the EU (Meunier and McNamara 2007). Each institutional change was constrained by the existing structure of the Union and constrained subsequent changes (Meunier and McNamara 2007). Moreover, proponents of this argument suggest that "the EU's tendency to strike a balance between intergovernmental and supranational approaches to EFP [European Foreign Policy] was much less a conscious decision than a result of various factors that gradually led EU member states to break a deadlock between these competing visions" (Ginsberg and Smith 2007, 271). This approach suggests that the process of European integration was perhaps inevitable once the original institutions were put in place.

Significantly, historical institutionalism overcomes many of the problems of the competing approaches to European integration. Historical institutionalism is superior to functionalist arguments in that it can account for the impact of individuals and their actions and ideas. Speeches and opinions of Robert Schuman, Charles De Gaulle, and Margaret Thatcher, for example, have certainly impacted the integration process. What kind of Europe would exist today if Schuman had advocated German isolation? Would British citizens be less skeptical of the EU if Thatcher had not been such an ardent Euroskeptic? When compared to the intergovernmentalist approach, historical institutionalism is more appropriate as it does not advance the promotion of one policy area ("low politics") over another ("high politics"). Additionally, the historical

institutionalist approach proves more effective than rationalist perspectives. As was effectively outlined by Schimmelfennig, certain policy outcomes cannot be justified through rational choice perspectives (Schimmelfennig 2001). The motivations for policies that create irrational outcomes can be understood when one considers the role of ideas and identities in policy making. Lastly, historical institutionalism allows for greater methodological rigor than constructivism. While these two fields of study are highly interrelated, ideas and identity do not trump interests in historical institutionalism. In the historical institutionalist approach material interests, ideas and identity all have the ability to affect the integration process. The effect each factor has is constrained by institutions but institutions themselves can also generate interests, ideas and identities.

On "Being"

Regardless of the process of "becoming" many scholars debate what the EU has become, this debate can be divided into four broad schools. This first school, typified by the work of Hedley Bull, defines power as military capabilities and is based upon classical realist assumptions about power and influence (Bull 1982). Also based upon capabilities, the second broad strand of literature, which is attributed to François Duchêne, defines power as a product of civilian capabilities – primarily economics. Johan Galtung is credited with the third school of thought in which power is defined by structure. Structuralist approaches posit that European power is projected through a systemic structure and that the EU is a power by virtue of its place among international actors. The last and most recent school of thought is the normative power Europe argument which was coined by Ian Manners. Normative power Europe proponents suggest that power is "the ability to define what passes for "normal" in world politics" (Manners 2008: 236) and is predicated upon the power of ideas. Offshoots of these major schools articulate ideas about nuances that were not addressed in the original theories.

As such this review of the literature on "being" will primarily address the derivatives of the four major schools.

Realist Accounts of European Power

Writing in 1982, Hedley Bull argued against all notions of power outside of classical realist, military conceptions thereof (Bull 1982). Bull posits that the states of Western Europe should increase their military capacities (Bull 1982). Bull rejects the idea that the then-European Community (EC) could or should be able to protect itself militarily – for Bull the EC was not an international actor but a consortium of fully sovereign states.

Bull's outright rejection of any form of power outside the realm of munitions is problematic. As described above, the EU has successfully used non-military power to foster change in Central and Eastern Europe. Indeed, military prowess can be detrimental to a state's power. Accumulation of military power can be perceived, by other actors, as aggressive behavior and can denigrate into a security dilemma. The lack of trust between militarized states obviates each state's ability to wield soft power with respect to the other and the other's allies.

Adrian Hyde-Price offers a structural realist account of European power in order to reconcile the supposed contradiction between ethics and self interest (Hyde-Price 2008, 32). According to Hyde-Price "no actor can effectively pursue its own interests in a diverse and pluralist international system, and claim to be 'doing good' by others at the same time" (Hyde-Price 2008, 32). In responding to the arguments on ethical power, civilian power, normative power, and good international citizenship Hyde-Price argues that the EU should engage in the pursuit of normative foreign policy goals only where vital interests are not at stake (Hyde-Price 2008). Pursuit of normative foreign policy goals should be constrained by the following three Weberian principles: "prudence, skepticism, and reciprocity" (Hyde-Price 2008). Moreover, Hyde-Price shows how the

EU satisfies the realist needs of its member states by functioning "as an instrument for [their] collective economic interest," by serving "as an instrument for collectively shaping the regional milieu," and by serving "as the institutional repository [for their] *second-order normative concerns*" (Hyde-Price 2008, 31 emphasis in the original). Hyde-Price characterizes the image of an ethical power Europe as hypocritical (when considering European policies such as the CAP), debilitating (rendering the EU incapable of attaining the economic and strategic interest of its member states), and potentially dangerous (by tempting "moralistic crusades") (Hyde-Price 2008).

Hyde-Price appears unable to traverse the analytical ground between theory and reality. He makes a strong theoretical, structural realist argument but ignores the action and the rhetoric of the EU. First, verbiage throughout the Reform Treaty, as demonstrated by Manners, consistently refers to normative values (Manners 2008). Second, EU actions in Central and Eastern European countries demonstrate the EU's ability to promote normative goals alongside strategic ones. While normative goals, based upon their own merit, are promoted in the countries of Central and Eastern Europe the acceptance of these norms also satisfies the EU's strategic interests. The creation of stable democratic neighbors that may accede to the Union is in the interest of the EU in two ways. First, once these norms have been accepted in nonmember states and should these countries accede to the EU they become an economic benefit to the EU. Second, regional stability decreases the economic and military concerns of the EU by diminishing the possibility of crises that could affect the EU's interests. As such, norms can and should be seen as both a means and ends in the pursuit of Europe's strategic interests.

Civilian Power and Its Derivatives

The concept of "civilian power" is originally credited to François Duchêne and suggests that the character of European power is economic as opposed to military (Manners 2002, 236; Whitman 2006). Indeed, for Duchene, civilian power was what

Europe should strive for in reaction to the cold war hostilities that prevailed during his scholarly career (Whitman 2006, 3). This concept suggests that the EU's power lies in its ability to solve international conflict via economic, diplomatic and supranational means (Manners 2002, 236).

One of the more recent additions to the literature on the character of European power is *The European Superpower* (McCormick 2007). In this book, John McCormick argues that the EU is a post-modern superpower and that its prestige is based upon "its economic, political, and diplomatic influence" (McCormick 2007, 33). This type of power, according to McCormick, is more relevant than conventional, military power in resolving the most pressing international issues of the post-modern era (McCormick 2007). In so doing, McCormick challenges the conventional assumptions about power. These assumptions include: military might as an essential component of power; power necessitates action; and states have a monopoly on power (McCormick 2007).

The shortcomings of Duchêne and McCormick's arguments are very similar. As such, it is most efficacious to review these detriments simultaneously. These arguments are *a priori* persuasive in that they state what many intuitively believe: the EU is unique among world powers and it yields its power in a fundamentally different way. The fundamental flaw in these arguments is that they continue to view the power of the European Union in terms of capabilities. This is not to discount the role of capabilities in European power. The power of the EU, however, does not lie *purely* in capabilities; Instead, capabilities add to the power afforded to the EU by its unique structure.

Karen Smith rejects the idea that the EU is a civilian power (Smith 2004). She suggests that as the EU has military means that it may use in order to ensure civilian ends, the EU can no longer be considered a civilian power (Smith 2004). Moreover, Smith questions if the EU ever was a civilian power (Smith 2004).

Smith's argument is perhaps most unsatisfying in that she fails to give a solid understanding of what the EU is. She argues that "it finds itself […] somewhere along a

spectrum between the two ideal-types of civilian and military power" (Smith 2004). In the realm of international politics, however, one is hard pressed to find examples of polities that fit perfectly into any "ideal type". At the risk of appearing trite, take a grossly oversimplified example from the field of political economy. The United States is the typical example of a neoliberal economy, yet it also maintains some social welfare programs. The flaw in Smith's argument lies in the fact that very few polities fit neatly into categories and it would be presumptuous to assume that they might. As such, categorizations are useful when employed to illustrate what an entity is most like as opposed to what it is. Demanding such a strict adherence to "ideal types" is a futile exercise that would yield as many "types" as countries in the world. As such, this suggests that scholars should abandon the practice of generalization and treat each entity as a unique case. While some unique cases merit scholarly inquest the blanket obviation of generalization would obviously be unadvisable as it would limit scholars' ability to understand patterns across polities. It is therefore unacceptable to state that the EU is not a normative or civilian power merely because it has the means to act militarily. It is in the use of those means that the true character of European power emerges (Whitman 2006).

Power as a Product of Structure

Structural accounts of European power generally characterize the EU as a secondary power that is, to borrow from Alan W. Cafruny and J. Magnus Ryner, "in the shadow of US hegemony" (Cafruny and Ryner 2007). In one of the best recent articulations of the structural character of European power, Cafruny and Ryner (2007) argue that the international financial structure is inherently biased in favor of the United States. Other authors point to the G8, a consortium of Western countries that is arguably led by the United States, as an institution that strongly biases the system in favor of the West (Galtung 2007). Essentially, proponents of the structuralist argument posit that the international system favors the West in general and the US in particular. The EU, from

this perspective, is certainly more powerful than other international entities (save the US), but it has come to be in this position not by virtue of its attributes, but by some fortuitous accident of the international system. More specifically, for Cafruny and Ryner the inclusion of a neoliberal agenda in the European Monetary Union (EMU) has forced settlements that create hybrid neoliberal-welfare state policies in member states (Cafruny and Ryner 2007). To make matters more complicated, these settlements differ from state-to-state and have engendered "chronic division within Europe" (Cafruny and Ryner 2007, 7). The resultant division is difficult for the EU to overcome and renders it difficult for the EU to present a unified counter position to the US.

Structure certainly matters where it is present; however, as there is no overarching structure in the international system the structuralist argument is insufficient in explaining the systemic hierarchy. The greatest problem facing the structuralist argument presented above is that it is only relevant in policy areas which are strictly constrained by international organizations. Moreover, this is a particularly defeatist argument in that it assumes that Europe does not have the ability to change its position in the international hierarchy. As was effectively argued by Arthur A. Stein "[r]ealists and liberals both recognize that there exists no system of global laws universally accepted as legitimate and *binding* and *enforceable* by a central administration with power and authority" (Stein 1990, 9, emphasis added). As such, it is insufficient to argue that some binding structure has forced the EU into a subordinate position to the US. In the anarchic system, the EU has the capabilities to change its relationship with the US. The more important question, therefore, is whether its power is an outgrowth of its capabilities or of its ideas.

Normative Power Variants

Mark Leonard characterizes the EU as a "transformative power" in *Why Europe Will Run the 21st Century* (Leonard 2005). While Leonard's argument does not fit "neatly" under the normative power Europe banner, it is certainly closer to this

scholarship than competing schools. The creation of this "transformative power", according to Leonard, "is the most important development in international relations since the creation of the nation state" (Leonard 2005, xiii). Leonard argues that the necessity of both hard and soft power is declining owing to the fact that these power structures attempt to affect a situation from the outside (Leonard 2005). Transformative power, however, is the key to perpetual peace as it transforms domestic institutions and norms, thereby affecting a situation from the core (Leonard 2005). Leonard's astute articulation of the EU as a decentralized "network rather than a state" (Leonard 2005, 24) speaks to the unparalleled ability of a transformative power. A transformative power provides a forum through which and a process by which member-states can deliberate and formulate common policies. Moreover, this transformative power is catalyzed by a non-member-state's desire to join the EU. Changes in Turkey speak to the strength of transformative power. Turkey has undergone dramatic changes in order to fulfill its desire to join the EU (Leonard 2005, 49-50). Otherwise stated, whereas hard power and soft power coerce an actor to change, "transformative power" facilitates change through attraction to the EU.

Leonard's argument is persuasive but is ultimately unsatisfying in that he ignores the actions taken by the EU. This is negligent as the EU is certainly doing more than allowing its magnetism to change the world. Leonard downplays the use of military and economic means in EU policies. The EU has encouraged much change in Central and Eastern Europe through the accession process. This process relies on positive political conditionality and offers membership and economic inducements in exchange for political and economic advancement (see: Schimmelfennig and Sedelmeier 2005; Vachudova 2005). These inducements are buttressed by sanctions if the country fails to change. These sanctions involve the withdrawal of funding and withdrawal of accession negotiations.

Sophie Meunier and Kalypso Nicolaïdis take the normative power thesis as a given and argue that the EU uses "trade as the backbone of its normative power" (Meunier and Nicolaïdis 2006). Moreover, they argue that the EU is both a trade power (i.e. a powerful trading actor) and that is uses trade to portray its power (Meunier and Nicolaïdis 2006). In this understanding of European power, the EU is a significant economic power that leverages its economic weight in order to achieve its goals. However, they clarify that the EU is presently a "conflicted" trade power because "different member state governments [which are] influenced by a host of domestic actors, hold very different views on how to wield such power through trade" (Meunier and Nicolaïdis 2006, 907). Otherwise stated, while the EU has the economic weight to be considered a trade power its member states differing interests make the implementation of such power challenging.

One is hard pressed to disagree with this assessment. The EU is certainly a formidable economic force, it is not, however, merely a trade force. Let me be clear in stating that Meunier and Nicolaïdis do not specifically refute the other aspects of the EU's power. But as they neglect the other characteristics of power, one is led to believe that the majority of the EU's power is based in the realm of economics and trade. As we have seen above, the EU has leveraged not only trade, but other economic incentives in order to exercise its power. These incentives include the financial instruments offered to candidate countries and ENP countries that are used to promote political advancement. Most damning to a pure trade power argument, however, is the fact that the EU has also used military force to attain its end and project power. It is insufficient, therefore, to suggest that the EU is merely a trade power.

While described in detail in Chapter 1, it is necessary to briefly review Manners' argument here. According to Ian Manners the EU is a "normative power" that promotes "norms which displace the state as the centre of concern" (Manners 2002 and 2008). This type of power "changes the norms, standards and prescriptions of world politics

away from the bounded expectations of state-centricity" (Manners 2008, 45). In order to view the EU as a normative power it is important to move beyond the Westphalian notion of the "nation state", whose power is grounded in capabilities (Manners 2008, 45). The EU's power is, instead, based upon ideas and borne out of "its historical context, hybrid polity and political-legal constitution" (Manners 2002, 240). Moreover, Manners argues that "the EU promotes a series of normative principles that are generally acknowledged […] to be universally applicable", including "sustainable peace, freedom, democracy, human rights, rule of law, equality, social solidarity, sustainable development and good governance" (Manners 2008, 46). Perhaps more important are the "procedural normative ethics" by which the EU promotes these "substantive normative principles" which include leading by example, acting reasonably, and "doing least harm" (Manners 2008, 46-47). These norms and procedures, as enshrined in the 2007 Reform Treaty, serve as the guiding principles of the EU. Normative power Europe serves as a counter to the conventional views of "the power of empirical force" (Manners 2002, 238). Most significantly, Manners reassessed his normative power argument to include the limited use of military means for normative ends (Manners 2006). In this perspective, the power of the EU is borne out of its ideational characteristics as opposed to its military prowess or structural situation.

Tim Dunne argues that the EU is a "good international citizen" (Dunne 2008). The EU is a "post-national polity" which promotes citizenship beyond national borders (Dunne 2008, 13). While rejecting the opinion of some realists "that the EU is a great power in waiting", Dunne argues that the EU must obtain and use a measure of military power (Dunne 2008, 14). Owing to its geopolitical positioning, it would be "unwise and unjust" for the EU to forego military capabilities and adhere to an unwaveringly pacific identity (Dunne 2008, 14). Thus, Dunne promotes a European identity that strikes a balance between realism and idealism by going beyond the nation-state and the self-help international system but stopping short of perpetual peace. Moreover, Dunne attempts to

harmonize pluralist and solidarist conceptions of international society (Dunne 2008). The pluralist norms are, in this understanding, constrained by solidarist realities. This harmonization creates a nexus where hard power can and should be used, in an ethical way, to attain normative ends.

Lisbeth Aggestam introduces the concept of "ethical power" Europe in a special edition of *International Affairs* (Aggestam 2008). Aggestam's language, however, is equivocal at best. She presents the concept of ethical power Europe (outlined below) but also seems to suggest that the concept subsumes all other notions of European power that deem European actions as ethical or normative. This would include normative power, civilian power, and good international citizen. Nonetheless, if taken as described by Aggestam, the notion of ethical power addresses many of the criticisms lobbied at the original conception of normative power Europe and current civilian power arguments by arguing that the EU is acquiring military capabilities in order to become a "force for good" (Aggestam 2008, 1). In light of the EU's foreign policy agenda, proponents of ethical power attempt to show how the EU can use hard power means (both military and economic) to attain ethical and normative ends. As such, ethical power focuses on what the EU does rather than what it is (Aggestam 2008). Moreover, by addressing both the means and ends employed by the EU, ethical power attempts to reconcile the concepts of civilian and military power (Aggestam 2008, 3-4).

Manners (post-2006), Dunne and Aggestam's arguments are perhaps the most persuasive of the group (despite Aggestam's equivocation). They recognize the ethical and normative character of the EU and its external relations policies, but avoid eschewing military and economic means of attaining goals. This is a risky moderate ground to take, however, it is the closest to reality as it accepts the reality of economic and military means in the pursuit of ethical and normative ends.

Conclusion

It appears that the middle road is perhaps the most effective when considering how the EU became what it actually is. To elucidate on the "becoming" argument, I argue that the EU became what it is today through a process that included interstate bargaining and supranational deliberation. Moreover, I posit that at both the intergovernmental and supranational levels material interests, ideas and identity served as bases of policy formation. Lastly, I argue that the institutional structure of the EU and of its member states constrained the ability of actors to attain their interests and, on a fundamental level, shaped those same interests.

The EU is a world power, but its power, like the EU itself, is unlike any power we have previously encountered. The EU implements both normative means and ends in projecting its power. However, it can, it does, and it should have the ability and will to use economic and military means in order to attain those normative ends. I do not eschew the fact that the EU has strategic interests. This speaks to perhaps the most appealing and distinctive characteristic of the EU: it recognizes the ability of normative goals to attain strategic interests by promoting peace and prosperity beyond its borders. The remaining chapters test the EU's ability to act upon this understanding.

CHAPTER 3

THE EUROPEAN NEIGHBORHOOD POLICY

Current EU member states include former Soviet states whose dramatic political, economic, and humanitarian reforms provide hope for the implementation of liberal-democratic governance structures in states that have, formerly, not enjoyed such societal transformation. However, many of the EU's neighbors have not undergone such changes. Other former Soviet states, such as Uzbekistan, Belarus and Azerbaijan, are ruled by autocratic regimes and other neighboring states, including Moldova, Armenia and Georgia, continue to struggle with instability. The prospect of EU membership has been a driving force in creating change in many states, while those who have not received a credible membership incentive have remained in an unfortunate situation. The ENP was originally conceptualized as a framework for the following countries: Algeria, Armenia, Azerbaijan, Belarus, Egypt, Georgia, Israel, Jordan, Lebanon, Libya, Moldova, Morocco, the Palestinian Authority, Russia, Syria, Tunisia, and Ukraine. Russia, however, opted for a bilateral relationship with the EU while Belarus, Libya and Syria have neither ratified nor signed Association Agreements (AA) with the EU, rendering their status "inactive". This chapter will only consider the status of the active ENP participants: Algeria, Armenia, Azerbaijan, Egypt, Georgia, Israel, Jordan, Lebanon, Moldova, Morocco, the occupied Palestinian Territories, Tunisia and Ukraine.

Those currently opposed to further enlargement, including Austria, France, Germany, Luxembourg and the UK[3] (BBC News 2007b), propose Association Agreements, such as the ENP, as incentives for reform in neighboring countries. The ENP's primary goal is to "share the benefits of the EU's 2004 enlargement with

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[3] Based upon public opinion.

neighbouring states" (European Parliament 2006). The ENP created a means by which neighboring states could gain preferential trade agreements with the EU without acceding to membership and by which the EU could more closely monitor relationships with bordering states. In order to become a member of the ENP a state must agree to respect human rights, democracy and the rule of law. In order to promote these ideals, the EU has built upon the accession process by creating an annual Action Plan on each ENP state's progress towards reform and by creating financial programs, such as the European Neighbourhood and Partnership Instrument (ENPI), to decrease the financial burden of change. The ENP's financial instruments are regionally focused and are used to promote change in a multitude of areas.[4]

The greatest critique of the ENP is generally its lack of conditionality (see, for example, Schimmelfennig 2005; Maier and Schimmelfennig 2007; Vachudova 2005; Schimmelfennig and Sedelmeier 2005). Logically it is argued that the change experienced in the fifth enlargement was the result of two phenomena: the presence of a credible membership incentive and the absence of prohibitively high domestic costs. Domestic financial costs, in both the accession and ENP framework, are mitigated by financial instruments. However, it is difficult, if not impossible, to mitigate the cost of power loss. The best example is the incredible amount of power that President Alexander Lukashenko would lose if the desired changes were implemented in Belarus; in the presence of such centralized power, a credible membership incentive may not be enough to encourage reform. As the ENP was specifically designed for states that have no real chance of joining the EU in the short to medium term, the credible membership incentive is absent. Moreover, the ENP is a differentiated process in which different partner states are offered different incentives and are given different goals according to their starting

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[4] For a more comprehensive overview of the ENP and the process by which the ENP came about, see Weber, Smith, and Baun 2007, in particular see Johansson-Nogues.

point and progress. These two facets, lack of conditionality and differentiation, render the ENP a critical case for the normative power Europe debate. While the EU may virtuously promote the normative principles discussed in the introductory chapter, it may not promote them consistently across partner countries and may not have the ability to affect the outcomes. Should the EU prove to be effective in all three facets of norms promotion (virtuously, deontologically, and teleologically) then this would provide strong evidence in support of the normative power Europe argument.

Adherence to Universal Normative Principles

Sustainable Peace

Through the ENP, the EU is virtuously promoting sustainable peace. Rather than merely imposing these principles upon its neighboring partners, European legislation binds European Union member states and its candidate countries to these norms. Alongside Europe's new neighborhood, existing members are obliged to adhere to the principles of democracy, rule of law and human rights. Viewed from the basic premise of virtue ethics, the EU is promoting sustainable peace ethically through the ENP as it is promoting values that it adheres to.

The EU seeks to secure sustainable peace in its neighboring countries by offering the ENP as a substitute for membership. The majority of the problems in Europe's neighbors are caused by economic hardship, corrupt political systems and indifference to, if not perpetration of, human rights abuses. By fostering economic interdependence and promoting democracy, rule of law and human rights (including minority rights), the EU seeks to combat the root causes of conflict in many of its neighbors. Additionally, the promotion of peace is a hallmark of the ENP and is consistently enforced across ENP states. This satisfies our additional criteria for evaluating the normative character of the EU from a deontological standpoint: consistency of application.

Appraising the promotion of sustainable peace through the ENP proves far less positive from a consequentialist standpoint. First, the animosity between Israel and the occupied Palestinian Territories, both of which are ENP members, shows little to no sign of abatement as of this writing (2009). The bitter hatred and intermittent violence that continues to mar the relationship between these two territories must be taken into account when evaluating the outcomes of the ENP. Second, the recent hostility between Georgia, another ENP state, and Russia also proves detrimental to a teleological evaluation of the ENP. Russian support for the secession efforts in two Georgian regions, Abkhazia and South Ossetia, erupted into violence in August 2008 (BBC News 2008a). This is not an isolated incident: there are many "frozen conflicts" in Russia's "near abroad" that are perpetuated by Russia's heavy handed approach in the region (Stulberg 2008).[5]

These anecdotes must be considered only as a part of the general trend, rather than generalizable indications of the efficacy of the ENP. In order to quantify sustainable peace I have created a table to analyze the effect of the ENP on this principle (Table 3.1). The best known measure of sustainable peace is the Fund for Peace's "Failed States Index" (Fund for Peace 2008). Following from the work of Frank Schimmelfennig (2005), I have created a table that charts the changes in scores in the index from the time that the country signed an Association Agreement or a Partnership and Cooperation Agreement (PCA) with the EU to the present. If data are not available for that country in the first year, I will select the closest available year. Before delving into the data there are a few caveats that must be highlighted. First, the first year available for this index is 2005, and, in some cases, the earliest available data is 2006 (signified by grey highlight). As such, the change can only be measured from those dates. While this is not ideal, as it does not give us the full picture, it is the best measure currently available. Second, the

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[5] The "near abroad" refers to Russia's near neighbors, including the Commonwealth of Independent States (CIS) and the Newly Independent States (NIS) many of which are also ENP states.

Failed States Index does not include the Palestinian Authority as it only rates U.N. recognized sovereign states. However, this is not a serious limitation, as the Palestinian Authority's data is included in that of Israel. As such, I have made the less than ideal decision to evaluate Israel and the Palestinian Authority together in this particular measure. Third, the Failed States Index includes measures that are part of other principles evaluated in this study. This is less of a shortcoming than a true representation of the interdependent nature of sustainable peace on other universal normative principles (human rights, for example). In the Failed States Index the higher the number, the more unstable a state (highest possible is 120), the lower the number, the more stable a state (lowest possible is 0). On average for the available years the ENP states have gotten slightly quantitatively better, with an average change of -2.06. It is, however worth noting that the ENP states' scores are qualitatively still exceptionally poor. A score of 59.5, for example, is the minimum threshold for a "moderate" state, which is more than six points better than the best of the ENP states. Table 3.1 suggests that, although sustainable peace has not been reached through the ENP, these states have achieved a greater degree of sustainable peace since partnering with the EU. As such, the EU should be evaluated as moderately ethical based upon the outcomes.

Table 3.1: Change in Sustainable Peace from Beginning of ENP States' Relationships with the EU to Present

	Beginning	**Current**	**Change**
Algeria	81.2	77.8	-3.4
Armenia	71.5	70.7	-0.8
Azerbaijan	85.7	81.0	-4.7
Egypt	88.8	88.7	-0.1
Georgia	82.2	83.8	1.6
Israel/Palestinian Authority	79.4	83.6	4.2
Jordan	77.0	77.3	0.3
Lebanon	88.9	95.7	6.8
Moldova	82.5	85.7	3.2
Morocco	78.9	75.8	-3.1
Tunisia	76.3	65.6	-10.7
Ukraine	88.8	70.8	-18.0
Average	81.77	79.71	-2.06

Social Freedom

The EU generally promotes the normative principle of social freedom virtuously in the ENP context. The promotion of the "freedoms of persons, goods, services, capital and establishment," "freer trade and market access" and "fundamental freedoms" extends, in principle, to EU member states as well as to ENP states (Manners 2008, 49-50). This analysis, however, should be tempered by the recognition of European protectionism which is evidenced most notably by the Common Agricultural Policy (CAP)[6]. Additionally, the free movement of people from new member states is often curtailed within certain existing member states for a period following accession. The temporary prohibition of the free movement of people in the EU and the continued existence of the CAP (although it comprises an increasingly lower portion of the EU's

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[6] Here it is worth noting that the United States and Japan, arguably the other two major economic powers, afford similar protections to their agricultural industries.

budget) provides notable examples of policy areas where the EU is not virtuously promoting the principle of social freedom. That is not to say that the EU is entirely failing to virtuously promote social freedom. Rather, the EU could be more efficacious in this endeavor if it diminished the detrimental effects of certain policies.

The EU seeks to facilitate the growth of a market economy, democracy and human rights, among other qualities, in its new neighborhood (European Commission b. It does so by offering these countries "a deeper political relationship and [deeper] economic integration" with the EU (European Commission b). In particular, the EU promotes trade liberalization in the ENP states (Vachudova 2007). The EU lacks deontological merit in the trade liberalization portion of social freedom; in order to truly help the ENP states the EU must continue to offer these countries less barriers to market entry. Milada Vachudova offers the particularly poignant example of Moldova (Vachudova 2007). The primary export commodity of Moldova, Europe's poorest country, is an agricultural product – wine. The presence of the CAP, however, obviates Moldova's ability to sell its product on the European market. Moldova's prospects for economic betterment, according to Vachudova, are dim in light of the current CAP. Stated more strongly, if the EU refuses to allow Moldova to circumvent the CAP no amount of financial assistance will facilitate Moldova's economic recovery.

Additionally, the EU is not consistently promoting the free movement of persons, a major component of social freedom, through the ENP. Although early conceptualizations of the ENP alluded to greater mobility of individuals between the EU and ENP states this provision was removed pursuant to EU member states' vocal concerns over immigration (Johansson-Nogues 2007). Member states' debilitating fears of unmitigated migration and terrorism have inhibited their ability to promote social freedom deontologically.

Owing to the composite nature of social freedom, it is necessary to consider two measures in order to quantify the effects of the EU on ENP member states. In order to

quantify the effects on the economic components of social freedom, I have used the Heritage Foundation's Economic Freedom Index (Table 3.2). This index scores states from 0 (no economic freedom) to 100 (complete economic freedom) and includes measures of the following variables: business freedom, trade freedom, fiscal freedom, government size, monetary freedom, investment freedom, financial freedom, property rights, freedom from corruption, and labor freedom (Heritage Foundation 2008). Table 3.2 shows that, throughout the ENP states' relationship with the EU, economic freedom has, on average, increased by 9.43 points (or almost 10%). It is important to note that data are unavailable for the occupied Palestinian Territories. Additionally, the earliest available data are for 1995 and, as such, the beginning scores from Moldova and Ukraine (which signed PCAs in 1994) come from 1995. While complete economic freedom may not be desirable in that it would curtail the ability of governments to promote other universal normative principles, improvement from the relative dearth of economic freedom seen at the beginning of these state's relationships with the EU is commendable.

Table 3.2: Change in Economic Component of Social Freedom from Beginning of ENP

States' Relationships with the EU to Present

	Beginning	Current	Change
Algeria	61.00	55.66	-5.34
Armenia	42.20	70.34	28.14
Azerbaijan	30.00	55.29	25.29
Egypt	51.55	59.16	7.61
Georgia	44.10	69.23	25.13
Israel	61.50	66.08	4.58
Jordan	63.58	63.02	-0.56
Lebanon	57.10	60.87	3.77
Moldova	33.00	58.38	25.38
Morocco	64.30	56.39	-7.91
Palestinian Authority			
Tunisia	63.40	59.35	-4.05
Ukraine	39.90	51.07	11.17
Average	50.97	60.40	9.43

This measure of economic freedom, however, must be coupled with a measure of fundamental freedoms in order to give a true understanding of the effects of the EU on ENP states in terms of social freedom. Using Freedom House's Freedom in the World Index paints a similar, though less optimistic, picture of the promotion of social freedom through the ENP (Freedom House 2008). Freedom in the World measures civil liberties and political rights as distinct indexes each ranging from 1 (best) to 7 (worst). For the purposes of this paper, I have combined these indexes to yield one composite index that measures from 2 (best) to 14 (worst). Data are not available for the occupied Palestinian Territories. Table 3.3 demonstrates that since signing an Association Agreement with the EU, the ENP states have, on average, increased civil liberties and political rights by .5 points (out of 14). While this is a minimal change (approximately 3.5%), it still demonstrates positive change. Combined, Table 3.2 and Table 3.3 show positive

consequences in the promotion of social freedom through the ENP, particularly given the relatively short time horizon within which the ENP has been operating.

Table 3.3: Change in Fundamental Freedoms Component of Social Freedom from Beginning of ENP States' Relationships with the EU to Present

	Beginning	Current	Change
Algeria	11.00	11.00	0.00
Armenia	9.00	9.00	0.00
Azerbaijan	11.00	11.00	0.00
Egypt	12.00	11.00	-1.00
Georgia	8.00	8.00	0.00
Israel	4.00	3.00	-1.00
Jordan	8.00	9.00	1.00
Lebanon	11.00	9.00	-2.00
Moldova	8.00	7.00	-1.00
Morocco	10.00	9.00	-1.00
Palestinian Authority			
Tunisia	11.00	12.00	1.00
Ukraine	7.00	5.00	-2.00
Average	9.17	8.67	-0.50

Consensual Democracy

On the community level the EU is promoting the principle of consensual democracy. As outlined in Manners (2008, 50) "PR and power-sharing [are employed] in the European Parliament, non-majoritarian voting […] in the council, and power-sharing among the member states." The picture becomes less clear, however, if one considers the institutional composition of individual member states. While many of the member states do have political systems that combine proportional representation electoral systems with coalition governments and inter-party power-sharing, some do not. Britain, for example, has a single member district electoral system which inherently promotes an adversarial governing system. Power can and does pass peacefully from party-to-party when

elections dictate, but this is a far-cry from the power sharing experienced in a coalition government. In sum, on the supranational level the EU is leading by example, but on the national level some EU member states are leading by example and some are not. For the purposes of this study, however, it is more important that the EU promotes each principle on the supranational level as this is a study of the power of the EU as opposed to a study of the power of individual EU member states. In addition, EU member states had an incredible amount of input in the formation of the ENP (Johansson-Nogues 2007). Although, for example, this exercise of consensual democracy curtailed the free movement of peoples through the ENP this expression of member state power sharing provides further evidence that the EU leads by example in the promotion of consensual democracy.

The discussion of member states that do not adhere to the principles of consensual democracy begs the following question: is consensual democracy necessary, or is adversarial democracy equally effective? This question gets to the heart of the deontological component of promoting consensual democracy in the ENP. While adversarial democracy may have advantages in an established democracy, nascent democracies may require a more consensual form of democracy. Civil servants and political figures in a state with little to no experience in democracy are (most likely) not used to the compromises necessitated by democracy. Respect for minority opinions, for example, will not come naturally to individuals who have habitually ignored the will of those who are not in power. Consensual democracy is therefore more effective in nascent democracies as it provides a more inclusive political arena (Peters 2003). Since most ENP states have limited experience in democratic governance, it is important for the EU to promote consensual democracy over adversarial democracy. Additionally, the EU has failed to consistently promote democratization (in general, rather than just consensual democracy) in its neighbors; Belarus, for example, is the only state in Europe's neighborhood to have been reprimanded for undemocratic actions (Kelley 2005; Smith

and Webber 2007). The lack of consistency is often given as an example of the EU's promotion of economic concerns over social and political concerns; the argument is that the EU only promotes non-economic interests where these interests do not interfere with economic considerations. As such, the EU does deontologically promote consensual democracy, but the lack of consistency is certainly a cause for concern.

In order to measure the outcome of the ENP on the promotion of the normative principle of consensual democracy I used the method delineated in the sustainable peace section. In this case, however, I used the Polity IV data (Marshall, Jaggers and Gurr 2007). Polity IV measures states' levels of democracy and autocracy with the most democratic states receiving a +10 and the most autocratic states receiving a -10. It is important to note that the Polity IV data are not specific to consensual democracy. A data point is missing for the beginning of Lebanon's relationship with the EU, owing to "foreign interruption", and for the occupied Palestinian Territories. The general trends highlighted by Table 3.4 show favorable consequences of the ENP for democracy in Europe's new neighborhood. On average ENP member states have improved their Polity IV scores by two points pursuant to signing Association Agreements with the EU. Additionally, the average score for all of these states at the beginning of their relationships with the EU was negative (or, more autocratic). The most recent data, however, show that, on average, neighborhood states are (at least minimally) democratic. While the current average of two is certainly not an ideal democracy, it is better than the -0.46 average seen at the beginning. The consequences of the ENP on democracy are, therefore, positive.

Table 3.4: Change in Democracy from Beginning of ENP States' Relationships with the EU to Present

	Beginning	Current	Change
Algeria	-3.0	2.0	5.0
Armenia	-6.0	5.0	11.0
Azerbaijan	-6.0	-7.0	-1.0
Egypt	-6.0	-3.0	3.0
Georgia	5.0	7.0	2.0
Israel	9.0	10.0	1.0
Jordan	-2.0	-2.0	0.0
Lebanon		7.0	
Moldova	7.0	8.0	1.0
Morocco	-7.0	-6.0	1.0
Palestinian Authority			
Tunisia	-3.0	-4.0	-1.0
Ukraine	7.0	7.0	0.0
Average	-0.45	2.00	2.00

Associative Human Rights

Respect for associative human rights is yet another principle that the EU promotes virtuously. Primarily evidenced by the Charter of Fundamental Rights, but also evident in the actions of European Union member states, the EU practices as well as advocates the normative principle of associative human rights. In the context of the ENP, human rights serve as a prerequisite for and a goal of membership (Maier and Schimmelfennig 2007). First, ENP member states must agree to adhere to the principle of human rights. Second, the EU seeks to advance human rights in these countries through a combination of positive political conditionality and financial instruments. As such, the EU virtuously promotes associative human rights in the ENP framework.

When considered in terms of its implementation, the EU's promotion of the principle of human rights through the ENP lacks consistency (Kelley 2005; Maier and Schimmelfennig 2007; Schimmelfennig 2005). While this principle is present in all

Action Plans, the true promotion thereof is often viewed as a secondary interest which is pursued only when it does not interfere with other, more pressing, concerns.

Many previous studies have shown that the EU has managed to promote associative human rights, along with other normative principles explored in this study, in non-member states only in the presence of two conditions: the presence of a credible membership incentive and the absence of prohibitively high domestic costs (See Kelley 2004; Maier and Schimmelfennig 2007; Vachudova 2005; Schimmelfennig and Sedelmeier 2005). In the absence of a credible membership incentive, the EU has generally failed to promote associative human rights in ENP states. Table 3.5 elucidates this point. Taken from the CIRI Human Rights Dataset, this table tracks the changes in several key indicators of human rights[7] in ENP states from the beginning of these states' ENP related Association Agreements with the EU to the present day (Cingranelli and Richards 2008). While the CIRI evaluates all the included indicators individually, I have created a composite index that includes all the indicators. This composite index ranges from 0 (worst) to 27 (best). For this index it is important to note that current data are missing for Women's Social Rights for all of the ENP countries and beginning data for the same measure are missing for Israel and Moldova. As such, it may be more efficacious to consider 24 the best score for this measure. Additionally, data for the occupied Palestinian Territories are not available. Whether one considers 24 or 27 to be the highest possible score, the average scores are abysmal (beginning at 11.17 and currently at 10.67). Moreover, this average has gotten worse by 0.5 over the course of these states' relationship with the EU. As such, from a consequentialist standpoint the EU has not promoted Associative Human Rights through the ENP.

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[7] Disappearances, Extrajudicial Killings, Political Imprisonment, Torture, Freedom and Assembly and Association, Freedom of Movement, Freedom of Speech, Electoral Self Determination, Freedom of Religion, Workers' Rights, Women's Economic Rights, Women's Political Rights, and Women's Social Rights.

Table 3.5: Change in Associative Human Rights from Beginning of ENP States'
Relationships with the EU to Present

	Beginning	Current	Change
Algeria	9.0	5.0	-4.0
Armenia	12.0	12.0	0.0
Azerbaijan	9.0	8.0	-1.0
Egypt	10.0	8.0	-2.0
Georgia	13.0	13.0	0.0
Israel	15.0	11.0	-4.0
Jordan	9.0	9.0	0.0
Lebanon	12.0	13.0	1.0
Moldova	13.0	14.0	1.0
Morocco	7.0	12.0	5.0
Palestinian Authority			
Tunisia	13.0	10.0	-3.0
Ukraine	12.0	13.0	1.0
Average	11.17	10.67	-0.50

Supranational Rule of Law

The EU promotes the supranational rule of law through the ENP by encouraging partner states to adhere to international conventions and to join international organizations (IO). The EU promotes this principle virtuously as it adheres to international conventions and participates in IOs. EU member states, as well as the EU itself, adhere to international norms, are signatories to multiple international conventions, and participate in IOs. The strongest example of the EU's adherence to supranational rule of law is that the EU speaks with one voice and has a single vote in the WTO. This demonstrates that EU member states as individual entities defer to the EU (a supranational institution in and of itself) in the multilateral trade realm and that the EU participates in a greater level of supranational rule of law through the WTO.

The promotion of the ENP as a framework to facilitate dialogue between the EU and its new neighbors and to encourage dialogue within the neighborhood speaks to the specific actions taken by the EU to promote supranational rule of law. Simply by creating a supranational framework, the EU is promoting this norm. Additionally, participation in the ENP serves as a preliminary step towards joining other supranational regimes. Some have referred to the ENP as a "half-way house" between member state status and non-member state status (Smith and Weber 2007). While this statement shrouds the true character of the ENP (a framework for those with little to no prospect of EU membership), it actually holds true for certain ENP partners. Ukraine, for example, could join the EU (a prospect that is encouraged by certain member states) if it undergoes tremendous reform. The extent of the necessary reform, however, puts membership potential in the distant enough future to be currently unfathomable. However, if the ENP can induce sufficient change then Ukraine may indeed become a member state. This holds true for other international regimes; change promoted through the ENP can and should lead to these countries' accession to other IOs.

Viewed from the consequentialist perspective, the EU moderately promotes supranational rule of law through the ENP. As the following table demonstrates, ENP states were, on average, party to 42.83 international organizations before partnering with the EU (Central Intelligence Agency 2008). Presently these states are, on average, members of 47.92 international organizations. This means that, on average, the ENP states have joined 5.08 IOs each since partnering with the EU. Some dates of membership, however, are not readily available. For these dates, I assume that the ENP state *was* a member of that IO before partnering with the EU. In this sense I am biasing my study *against* my own argument. Simply stated, as I assume that an ENP state was a member of another IO before partnering with the EU (barring no information to the contrary) then I am potentially reducing the perceived quantitative effect that the EU has had on these partner states. I only include full membership in this index; more

specifically, states holding observer or partner status (or any other equivalent designation) are not considered to be IO members. Additionally, I have chosen not to include the occupied Palestinian Territories in this index. Owing to the occupied Palestinian Territories' situation they are often not qualified for membership. It is worth noting, however, the occupied Palestinian Territories were listed as members of eight IOs both before and after joining the ENP. this evaluation of the EU's effect on the normative principle of supranational rule of law is in no way intended as a value judgment on the quality of the listed IOs. This evaluation merely reflects the fact that ENP partner states' participation in multilateral frameworks has increased following their involvement with the EU. Merely joining an IO, however, is not akin to adhering to supranational rule of law. The extent to which a state yields a degree of its sovereignty depends largely upon the state itself, as well as upon the character of the IO. Unless we can delve into the exact details of each IO, and the extent to which their member states give up sovereignty to that IO, we must temper our evaluation of the EU on this count and evaluate the EU as moderately normative.

Table 3.6: Change in Supranational Rule of Law from Beginning of ENP States'
Relationships with the EU to Present

	Beginning	Present	Change
Algeria	53	53	0
Armenia	36	40	4
Azerbaijan	40	46	6
Egypt	56	59	3
Georgia	38	43	5
Israel	35	35	0
Jordan	46	55	9
Lebanon	44	44	0
Moldova	31	47	16
Morocco	45	50	5
Palestinian Authority			
Tunisia	48	51	3
Ukraine	42	52	10
Averages	42.83	47.92	5.08

Inclusive Equality

The EU promotes inclusive equality within its own borders and encourages ENP states to do the same. In 2002 a pop-culture event stirred up a contentious national debate regarding whether or not Slovenia should be represented by a group of individuals belonging to a sexual minority (BBC News 2002). The then-candidate country received harsh criticism from European officials who questioned Slovenia's ability to join the EU in light of the questionable state of the rights of sexual minorities in Slovenia. This anecdote serves as a powerful example of the EU's willingness to protect the rights – in law and in practice – of all groups within society.

The importance of inclusive equality to the EU is questionable, however, when one considers the sparse discussions thereof in the ENP states progress reports (European Commission c). Limited discussion in comparison to the treatment of economics and trade suggests that the EU is not advancing the principle of inclusive equality as stringently as it is promoting other sectoral policies.

Inclusive equality is a necessarily composite concept. As such it is important to disaggregate its components and to evaluate the effects of the EU on components of this principle. I have selected three components to test: sexual equality, religious equality and economic equality. I measured the first component of inclusive equality, sex, using a composite measure from the CIRI dataset that I used in the section on associate human rights. CIRI includes three measures of women's rights (economic, political and social) each scored from 0 (worst) to 3 (best) (Cingranelli and Richards 2008). As the data for women's social rights are unavailable for 2006 (the most recent data available) I have only included the measures of women's economic and political rights to create a composite measure that scores states on women's rights from 0 (worst) to 6 (best). As demonstrated in table 3.7, women's rights have increased, on average, in the ENP states since these states signed Association Agreements with the EU. However, the change (0.08) is negligible and the overall current average (2.83) demonstrates the abysmal state of women's rights in these countries.

Table 3.7: Change in Equality of the Sexes component of Inclusive Equality from Beginning of ENP States' Relationships with the EU to Present

	Beginning	Current	Change
Algeria	3	3	0
Armenia	3	3	0
Azerbaijan	3	3	0
Egypt	3	2	-1
Georgia	3	3	0
Israel	4	3	-1
Jordan	2	2	0
Lebanon	2	2	0
Moldova	2	4	2
Morocco	2	3	1
Palestinian Authority			
Tunisia	4	3	-1
Ukraine	2	3	1
Average	2.75	2.83	0.08

Religion, another portion of inclusive equality, can be measured using the CIRI dataset which has a distinct measure of religious freedom (Cingranelli and Richards 2008). This measure ranges from 0 (worst) to 2 (best). Table 3.8 shows that there has, on average, been no change in religious freedom since the ENP states partnered with the EU. Additionally, most included states received the worst possible score for both considered years.

Table 3.8: Change in Religious Equality component of Inclusive Equality from Beginning of ENP States' Relationships with the EU to Present

	Beginning	Current	Change
Algeria	0	0	0
Armenia	0	0	0
Azerbaijan	0	0	0
Egypt	0	0	0
Georgia	0	1	1
Israel	1	1	0
Jordan	0	0	0
Lebanon	0	0	0
Moldova	0	0	0
Morocco	0	0	0
Palestinian Authority			
Tunisia	0	0	0
Ukraine	1	0	-1
Average	0.17	0.17	0.00

Quantifying economic equality is more difficult as data points are sparse and, in some cases, absent entirely. The best current measure of economic equality is the Gini Coefficient which measures states from 0, where all individuals have an equal income, to 1, where one individual receives all the income. Table 3.9 demonstrates the change in the Gini Coefficients for the ENP states from the beginning of their relationship with the EU to the present day (UNU-WIDER 2008). We should temper the extent to which we consider this measure a sufficient indicator of the effect of the EU on the ENP states for the following reasons. First, there are often several Gini Coefficients listed for the same year in the same state, under which circumstances I selected the median number. Second, state data may be absent for a particular year, in which case I selected the closest available year if one was within five years of the signatory date or the present date. Third, only five of the thirteen ENP states have sufficiently acceptable data to average, as such,

the average change reflects the change in less than half of the ENP states. It is important to note, however, that the change, though small, suggests movement towards greater economic equality in the sample of ENP states with sufficient data.

Table 3.9: Change in Economic Equality component of Inclusive Equality from Beginning of ENP States' Relationships with the EU to Present

	Beginning	Current	Change
Algeria			
Armenia	0.625	0.4	-0.225
Azerbaijan	0.458		
Egypt	0.344		
Georgia	0.498	0.408	-0.09
Israel	0.38		
Jordan	0.364	0.388	0.024
Lebanon			
Moldova	0.379	0.385	0.006
Morocco	0.394		
Palestinian Authority			
Tunisia	0.406		
Ukraine	0.44	0.41	-0.03
Average	0.43	0.40	-0.06

Coupled with the results for equality among the sexes and religious equality, this suggests that from the consequentialist perspective the EU has minimally promoted the normative principle of inclusive equality through the ENP. A longer time horizon will reveal the true impact of the EU on inclusive equality in ENP states.

Social Solidarity

The EU virtuously promotes social solidarity at the community level, above the community level and below the community level through the ENP. This is congruent with the principle of subsidiarity, which provides that all actions should be taken on the

lowest possible level of governance. As such, community level action should be taken only when it is most efficacious. In the WTO, for example, all EU member states speak with one voice because trade issues are considered to be most effectively decided on the community level. In order to be resolved some issues require effort above the community level. Climate change is an example of a pressing issue area that requires a near-global response in order to curtail its effects. Some issues, such as minority rights, are better combated by the minority in question and individuals in their locale. The principle of subsidiarity facilitates social solidarity at all levels of governance throughout the EU.

The EU's promotion of social solidarity on the ENP level is primarily evidenced by the financial instruments used to create greater regional economic equality (Noutcheva and Emerson 2007). These financial instruments, which are now in the form of the ENPI, facilitate solidarity below the community level and, since the ENP states are not EU member states, outside of the community. Additionally, components of social solidarity are referenced throughout the country-specific progress reports on the ENP (European Commission c). This suggests that the EU is deontologically promoting social solidarity through the ENP.

A recent Commission communication delineating the sectoral progress of the ENP revealed a need to improve social solidarity in the ENP states (European Commission c). It should be argued, therefore, that the EU has failed to act as a normative power, based upon the consequences, in promoting social solidarity.

Sustainable Development

The EU promotes sustainable development through the ENP by encouraging its partner states to accede to the Kyoto protocol and other environmentally based multilateral regimes (Lavenex and Stulberg 2007). The EU's participation and leadership in these regimes provide excellent examples of how partner states might also implement

environmentally sound practices. As such, the EU furthers the principles of sustainable development virtuously through the ENP.

The ENP states' historical record as polluting states renders sustainable development an important concern for the EU in its relations with the ENP states (Lavenex and Stulberg 2007). The primary challenge to promoting sustainable development in the ENP countries is their relatively low level of development (Lavenex and Stulberg 2007). Moreover, in order to attain economic development akin to that of the EU and other developed countries many less developed states forgo environmental safeguards. The 2008 progress reports for the ENP countries suggest that the EU is not consistently promoting sustainable development, however, as its inclusion in the report differs depending upon the country (European Commission c).

From a consequentialist standpoint the EU is not promoting sustainable development through the ENP. Using the WWF's Living Planet Index, I have created a chart which tracks the changes in a state's ecological footprint from the beginning of an ENP state's relationship with the EU to the present day (WWF 2006). In this measure, a lower score means that a state is overshooting the earth's carrying capacity by less than those with a higher score (based upon consumption and land mass). Table 3.10 shows that, since signing an Association Agreement or a Partnership and Cooperation Agreement with the EU, only five of the twelve countries have improved their ecological footprint. On average, the ecological footprint of the ENP states has worsened by 0.46. Data are not available for the Occupied Palestinian Territories. Additionally, data were only available for the following years: 1995, 1996, 1999, 2001, and 2003. If a state partnered with the EU during a year other than the ones listed, I listed the data for the closest available year. Moldova, for example, signed its PCA in 1994 so the initial value listed for Moldova is 1995.

Table 3.10: Change in Sustainable Development from Beginning of ENP States' Relationships with the EU to Present

	Beginning	Current	Change
Algeria	1.50	1.60	0.10
Armenia	1.16	1.10	-0.06
Azerbaijan	2.18	1.70	-0.48
Egypt	1.50	1.40	-0.10
Georgia	1.14	0.80	-0.34
Israel	1.73	4.60	2.87
Jordan	1.71	1.80	0.09
Lebanon	2.30	2.90	0.60
Moldova	0.66	1.30	0.64
Morocco	1.56	0.90	-0.66
Palestinian Authority			
Tunisia	0.89	1.50	0.61
Ukraine	1.00	3.20	2.20
Average	1.44	1.90	0.46

Good Governance

The EU promotes good governance through the ENP by encouraging partner states to accede to multilateral conventions in a multitude of policy areas. In its general tradition of leading by example, the EU primarily encourages these states to join regimes that it or its member states are also a member of, including the Kyoto Protocol, the WTO and NATO. Additionally, the EU promotes the inclusion of civil society in community level policy making. In some cases, EU membership has allowed interest groups greater access to the policy making process than was ever possible at the national level (Schmidt 2006). The EU therefore promotes both the multilateral and civil society aspects of good governance within its own borders.

As delineated in the section on supranational rule of law, the EU promotes multilateral governance through the ENP structure merely by its existence – it provides an opportunity for non-member states to join in multilateral solutions. Additionally, if the

EU is effective in facilitating change in the ENP states, membership opportunities may open in other multilateral frameworks. However, the structure of the ENP poses great challenges to the promotion of civil society (Cameron 2006, 16). As the ENP inherently facilitates relations with the state, funding is primarily supplied to the state; no framework exists through which the EU can independently fund civil society through the ENP. The involvement of civil society in the policy-making process is unequivocally supported in the ENP Action Plans, but the EU's inability to financially support civil society's involvement renders its inclusion in the Action Plans impotent (Noutcheva and Emerson 2007). The absence of civil society inherently negates the ability of civil society to participate in the policy making process. Although the EU consistently promotes multilateral governance and civil society participation in the ENP states, its lack of direct discourse with civil society actors makes true change unlikely.

In order to evaluate the impact of the EU on ENP states' adhesion to the multilateral governance component of good governance, it is necessary to use the same data as were used in the evaluation of supranational rule of law. Referring briefly back to Table 3.6 suggests that the ENP states have, on average, increased their membership in multilateral frameworks since signing association agreements with the EU. In the April 2008 Communication of sectoral progress, the Commission stated that, overall, civil society requires further strengthening in the ENP states (European Commission c). As such it can be inferred that sufficient change has not been experienced in the influence of civil society in the ENP states.

Conclusion

This study of the ENP gives mixed results on the normative character of the EU. As table 3.11 demonstrates, the EU is promoting normative ethics that it embodies. Otherwise stated, the EU is certainly leading by example. In the context of the ENP, the

EU adheres to the basic premise of the deontological school about half of the time. The biggest pitfall for the EU from this standpoint is its lack of consistency in promoting these norms. Lastly, from the consequences standpoint, the EU is effectively promoting these norms about half of the time. Clearly, the ENP has not been operational for a sufficiently long period of time to garner a definitive assessment and understanding of the EU's impact on its partnering states. This preliminary data, however, suggests that the EU is generally promoting these norms in the ENP framework.

Table 3.11: Normative Evaluation of the ENP

	Principles	Actions	Impact
Sustainable Peace	Yes	Yes	Yes
Social Freedom	Yes	Mixed	Yes
Consensual Democracy	Yes	Yes but not consistent	Yes
Associative Human Rights	Yes	No	No
Supranational Rule of Law	Yes	Yes	Moderately
Inclusive Equality	Yes	No	Mixed
Social Solidarity	Yes	Yes	No
Sustainable Development	Yes	Yes but not consistent	No
Good Governance	Yes	Yes - Multilateral, No - Civil Society	Yes - Multilateral, No - Civil Society

CHAPTER 4

EUROPEAN ENERGY POLICIES

European energy policies represent an interesting case in the study of European power. Evidenced by the European Coal and Steel Community (ECSC), one of the earliest manifestation of what is now the EU and a framework that was addressed security concerns through economic interdependence and energy and resource concerns, energy has always been an important policy area for the EU (and its preceding institutions). For the majority of European Union history, member state governments have had the power to administer energy policy (Coll-Mayor, Paget, and Lightner 2007). Current EU thought, however, recognizes this policy area as best undertaken at the community level. The idea of a community level energy policy was first approved in October 2005 at a summit in London (BBC News 2007a). As a result, the Commission released a Green Paper in March 2006 that outlined the necessity of a common energy policy (BBC News 2007a). This need, according to the Commission, is based upon the aspiration to integrate member states' energy markets, to foster "solidarity among member states", to guarantee a "sustainable, efficient and diverse energy mix", to tackle global warming, to ensure a common "strategic energy technology plan", and to create a "common external energy policy" (European Commission 2006b). Subsequently, in January 2007, the Commission outlined a preliminary Energy Policy (BBC News 2007a). Finally, in March 2007, the European Council released an Action Plan regarding the implementation of a common energy policy (European Commission 2007a).

In terms of content, the EU has been treating environmental policy and energy policy within the same policy arena. This blending of policies has resulted from the argument that climate change and energy consumption are inextricably linked. This harmonization has yielded a policy that advocates reducing greenhouse gas (GHG) emissions and increasing the use of renewable energy sources while simultaneously

liberalizing energy markets and fostering a supranational energy regime. These policy foci are intended to combat the twin concerns of climate change and security of supply. Liberalizing energy markets includes privatization and a structural change from large, vertically integrated firms to dynamic companies that control different aspects of the supply chain (more commonly referred to as "unbundling") (EurActiv 2004/2007). While superficially unproblematic, unbundling pits France and Germany, who oppose unbundling, against states that promote unbundling, such as the United Kingdom (EurActiv 2004/2007).

Given this current period of transition from national to supranational authority, European energy policies provide us with a fascinating, and extremely important, case. If the EU is indeed a normative power the case of its energy policies will provide evidence of this power structure in internal relations, external relations (e.g. relationships with supplying states), community level governance, and national governance within the EU. The three major facets of European energy policy are the creation of an internal market, climate change, and relations with external suppliers. I will evaluate the effectiveness of each universal normative principle's promotion based upon each procedural normative ethic through Europe's energy related policies. In order to most effectively evaluate European energy policies, it is helpful to disaggregate this area from its nascent policy framework. I will therefore consider European energy policies throughout the history of the EU. This will allow us, for example, to evaluate the effectiveness of subsidiarity in promoting the universal normative principle of social solidarity through energy relations as well as to analyze the historical tradition of normative power Europe. Additionally, this will allow us to situate the nascent European Energy Policy into the normative power Europe framework. As this supranational-level policy crystallizes, we will be able to see how these norms and values emerge through this policy area.

Traditionally, energy is seen as both a means and an end in debates over power. Energy relations are often used as an expression of a states existing power, these relations

are equally leveraged to acquire power. Logically, it is argued that supplier states – those that have an abundance of scarce resources, such as oil, natural gas, or coal – have the ability to affect receiving states economically and politically. Energy powers a state's economy through industry and its military through its ability to increase wealth and power munitions. As such, it is reasonable that many understand energy in terms of the traditional power (e.g. hard power and economic power), the wealth or the prestige that it affords the supplier state. These materialistic explanations fail to explain why Germany and France, after decades of mistrust and mutual carnage, chose to enter the ECSC – an arrangement that essentially made these bitter enemies economically and politically dependent upon each other. This is particularly surprising given the significance of coal and steel as the ingredients of warfare and the primary source of energy during that time period. Following the traditional logic, France and Germany should have made all efforts to maintain autonomy in the coal and steel industries. This would allow each state to control the flow of these raw materials to recipient states, thereby allowing them to affect the price of these materials, increase their economic strength and maintain power through autonomy and (once the raw materials were refined) munitions. The existence of the ECSC highlights the challenges of a materialistic explanation of European energy relations.

A more recent example poses a challenge to the economic materialist arguments regarding European Union energy policies. If the member states chose to band together in external energy relations, they would achieve greater leverage against supplier states than they currently have. Logically, if Russia, for example, is bargaining with 27 separate entities, it will be able to play each member state off of the others. As such, if France wished to bargain for a lower price in petroleum, but the preponderance of other member states were paying a greater price, Russia could stop supplying to France with very few economic ramifications. Likewise, France could change suppliers away from Russia, and this would have very little effect on Russia. If, however, the 27 member states created a

common energy market by which they could all bargain with Russia for a "fair" price, the threat of importing petroleum from other sources would be much more damaging to the Russian economy. The leverage afforded by a common external energy policy allows for a more economically secure Europe. The difficulty that the EU has faced in creating a common external energy policy suggests that economic materialism does not explain the EU's energy policies. Given the challenges of materialistic theories in understanding Europe's energy relations, it is important to test this case using the normative power Europe argument.

Adherence to Universal Normative Principles

Sustainable Peace

Europe's approach to energy policies focuses largely on the interaction of climate change and energy consumption. Speaking during the German presidency, German Federal Minister for the Environment, Nature Conservation, and Nuclear Safety, Sigmar Gabriel, stated that "climate change and energy policy are two sides of the same coin" (Gabriel 2007). Recent climate change has exacerbated conflicts in many regions. The EU's focus on renewable and alternative energy sources that promote climate stability will "address the roots or causes of conflict" (Manners 2008, 48; 2006, 185) in many strategic regions, including the ACP, the Middle East, and many of Europe's neighbors (Solana 2008). Logically, climate change results in the depletion of scarce resources. This promotes, at minimum, two events. First, groups of people dependent upon the diminishing resources come into conflict with one another over which group, or which individuals within the group, should have access to the remaining resources. This situation can create ethnic, class, or other conflict that can turn violent. Second, diminishing resources can drive a group of people off of their land in order to seek a greater supply of the resource(s) in question. Migration is likely to lead the mobile group

to land "occupied" by other ethnic, linguistic, or national groups who may be unwilling to share their land and/or other resources. This event may also cause violent conflict. While it is insufficient to argue that all manifestations of climate change ignite destabilizing conflict, it is also insufficient to argue that climate change never yields conflict.

The relationship between climate change and conflict is troubling from both human security and traditional security perspectives. From a human security perspective it is unacceptable to allow individuals to needlessly endure conflict and suffering. From a traditional security perspective, the EU has historical and economic ties with regions that are greatly affected by climate change. Destabilization of these regions can affect the EU by interrupting economic interactions and, in some cases, invoking European intervention (peacekeeping missions, for example). Whether the EU's motivations for green energy are humanitarian, geo-strategic, or both the EU's implementation of a climate-friendly energy policy promotes sustainable peace in many of its most vulnerable trading partners. It does so by limiting climate change that results in the depletion of already-scarce resources. In the promotion of sustainable peace through energy policies, the EU adheres to the basic premise of virtue ethics. In the realm of climate change, in particular, the EU leads by example. Europe has chosen to strictly adhere to, if not surpass, the conditions of the Kyoto protocol. Rather than merely advocating participation in a multilateral effort to combat climate change, the EU is aggressively pursuing policies that promote environmental well-being and will, in turn, facilitate sustainable peace.

An additional facet of the energy policy through which the EU is virtuously promoting sustainable peace is through its desire to advance renewable energy sources in developing countries (European Commission 2007a). In a 2007 Communication the Commission linked development policy to renewable energy sources. High energy prices and an insecure supply system hinder development in many LDCs. As such the

Commission proposes to advance renewable energy sources in these states. This facilitates development in several ways. First, it ensures energy supply regardless of the geopolitical situation. Second, it decreases LDCs dependence upon energy exporters. Third, it will, in the long run, decrease the cost of energy – freeing up resources to assist in other areas of development. This, in turn, advances sustainable peace in two ways. First it decreases the chance of conflict over scarce resources as said resources will be more abundant. Second, it decreases the chance of conflict with supplier states as the LDCs will be less dependent upon their supply – temporary disruptions in natural resource supply will not have a devastating effect.

From the basic premise of deontological ethics, the EU's record is more mixed. First, to the extent that the EU has reduced its GHG emissions, it is decreasing the negative effect that it has on the environment (a public good) and is thereby affecting the extent to which environmental degradation affects LDCs. As described above, this action promotes sustainable peace. To date, however, there has been little real progress in transferring renewable energy technologies to LDCs. This is to be expected, as this plan was only articulated in 2007, but until we do see progress we cannot argue that the EU is clearly promoting sustainable peace through its energy policies from the basic premise of deontological ethics.

It is exceptionally challenging to evaluate the outcome of the EU's energy policies on sustainable peace. If there is, for example, a decrease in violent conflict over resources in any region of the world one could say that the EU, and other actors for that matter, have had a positive impact. This is obviously unacceptable. Owing to the fact that energy policies and security have only recently been linked in addition to the fact that targeted renewable energy technology transfer was only recently articulated, I do not believe that we will be able to see the impact of the EU for a number of years. As such, in order to maintain methodological rigor, I must assign the EU a negative evaluation.

Social Freedom

Recent developments towards a common European energy policy appear to advance the normative principle of social freedom from the basic premise of virtue ethics. Through efforts to liberalize the energy sector in Europe, the EU will foster the freedom of supply by allowing citizens to choose their energy supplier and the free movement of energy by building infrastructure that facilitates inter-EU energy flow (EurActiv 2004/2007). In the late 1990's the EU began to liberalize the electricity markets within the EU, this process, however, continues to prove a challenge and is, to date, incomplete (EurActiv 2004/2007). Additionally, proposed changes in the structure of the gas market will facilitate in the advancement of the free movement of goods as well as foster open markets (Balmaceda 2002, 27). The true liberalization of these two markets (gas and electricity) will advance the normative principle of social freedom. Clearly, the EU is promoting social freedom through its energy policies from the basic tenet of virtue ethics.

From the basic premise of deontological ethics, however, it is difficult to assign a positive evaluation to the EU's promotion of social freedom through energy policy. The market is moving slower than the policy recommendations and promises flowing from Brussels. Otherwise stated, while the EU is certainly promoting normative ideas pertaining to social freedom, the ineffectiveness of this rhetoric to translate into consistent policies (at least to date) warrants a negative evaluation from the basic tenet on deontological ethics.

The vast majority of studies focus on citizens' access to affordable energy in the developing world; reports on Western access, even for the poorest citizens, are rare. The electricity market provides perhaps the strongest evidence on the outcomes of European energy policies on social freedom. Electricity market liberalization is the area that has gained the most momentum in terms of social freedom – it has a relatively long time horizon compared to other policies that encompass feasible access concerns. A Eurobarometer report provides a positive teleological evaluation for the EU and its

promotion of social freedom through its energy policies (European Commission 2007c). The report surveyed a cross-section of European citizens, and then compared those considered "vulnerable" to the rest of the respondents. Indicators of vulnerability included those "ages 65 or older, living in rural zones, possessing a low level of education (left school at the age of 15 or earlier), inactive (but not a student), and have no access to internet" (European Commission 2007c, 23). Additionally, the report approximates that the vulnerable demographic comprises approximately "11% of all consumers" (European Commission 2007c, 23). This report demonstrates that in 2006 93% of EU citizens stated that they had "easy access" to electricity and that there were no significant differences based upon socio-cultural identifiers (European Commission 2007c). This suggests that European citizens have access to electricity regardless of their status in society.

Consensual Democracy

The EU leads by example in the promotion of consensual democracy through its energy policies. Despite the fact that the Commission unequivocally supports unbundling energy supply companies, it cannot enforce its will upon the member states (EurActiv 2004/2007). Instead, the resultant policy of energy market liberalization will have to be an outgrowth of debates between entities that oppose unbundling, such as France and Germany, and those that promote unbundling, including the United Kingdom and the Commission itself (EurActiv 2004/2007). The presence of democratic decision making at the supranational level provides strong evidence towards the EU's promotion of democratic norms.

In terms of energy, it can be argued that consensual democracy should not be considered a substantive normative principle. Logically, each member state has its own interests pertaining to energy and consensual democracy facilitates self-interested state action. If, on the other had, energy policies were handled purely by the Commission,

community-level interests would be advanced. Additionally what is good for the individual (or in the case of the EU, the member states) may not be good for the group as a whole. Taking decisions out of the hands of the member states could produce a better overall policy. This logic is flawed. Consensual democracy at the community level forces member states to engage with one another, as well as with the Commission, to formulate a policy that is acceptable to the vast majority, if not all (where unanimity voting is implemented), of the member states. Although this process appears superficially akin to intergovernmental bargaining, the pooling of member states' sovereignty in the EU renders the consequences of policy making deeper than mere bargaining. Instead, EU level policies reflect the convergent norms of the member states. Community level consensual democracy allows EU member states and the Commission to agree to policies that adhere to shared norms and promote the needs of the EU as a whole while respecting national level proclivities. Additionally, under the failed Treaty of Lisbon, decisions pertaining to energy policies at the Community level would have been decided using qualified majority voting. While there is some uncertainty owing to the Irish rejection of the Treaty, all indicators suggest that QMV is the preferred decision making mechanism for energy policies.

Though perhaps counterintuitive, the slow progress on a common energy policy may signify the promotion of consensual democracy from the basic premise of the consequentialist school of thought. Logically, what is seen as slow progress is likely the result of consensus-building between the 27 member states and the Commission. If this is truly the case, then the EU is effectively promoting consensual democracy. However, until there is a complete and agreed upon common energy policy, we can only assign the EU a negative evaluation. Methodologically, this biases the study against my core argument, but until there is clear demonstration that the member states and the Commission have implemented consensual democracy in the decision making process relating to energy, it is important to remain cautious.

Associative Human Rights

In a recent address to the noted French think tank, the French Institute for International Relations (IFRI), EU High Representative for CFSP Javier Solana highlighted the link between energy policies and human rights.

> Oil and gas rich countries are nine times more likely to suffer from violent conflicts than those which are non-resource rich. Nearly all experience political instability, poor governance and human rights abuses. This is partly because oil and gas revenues often lead to corruption, rent-seeking behaviour and insufficient economic diversification. But also because they shield countries from external pressure, including us, to promote good governance (Solana 2008).

What is disappointing about this reference is the fact that it is relatively unique. There is very little effort devoted to the nexus between energy policy and human rights. In order for the EU to lead by example in promoting associative human rights through its energy policy it must first acknowledge the intersection of these two policy areas and then formulate appropriate policies. This condition is not borne out in the policy realm.

Subsistence rights or the rights to obtain "a minimum degree of economic security" are integral to human rights (Sachs 2004, 43). This is based upon the logic that without a basic level of subsistence, survival is impossible. As such, environmental degradation, caused by climate change, affects the basic human rights for those whose subsistence comes from natural, and increasingly scarce, resources. Inextricably linked to the argument for Europe's promotion of sustainable peace, the EU is promoting associative human rights by combating climate change. The logic behind this argument purports that if the EU is mitigating climate change it is thereby diminishing the resultant environmental effects. In so doing, the EU is facilitating the subsistence rights of individuals who wholly are dependent upon resources that are affected by climate change. As with the argument pertaining to sustainable peace, it is insufficient to argue that combating climate change alone advances human rights, but it is equally unsatisfying to suggest that the benefits of environmentally friendly energy policies are so negligible

as to be discounted. As such, the evidence suggests that, from the basic premise of deontological ethics, the EU advances associative human rights through environmentally conscious energy policies.

As with the discussion on the outcomes of Europe's energy policies on sustainable peace, links between the EU's energy policies and associative human rights could only, at best, show correlation. This challenge is increased by the fact that articulated links between energy and environmental policies and human rights are only a recent development. In the absence of evidence to the contrary, I cannot argue that the EU is promoting associative human rights from the basic premise of teleological ethics through its energy policies.

Supranational Rule of Law

Advances towards a common energy policy promote the normative principle of the supranational rule of law by advancing a "multilateral solution to a common problem" (Manners 2008, 51-52). Prior to the proposition of a common energy policy, energy supply in the EU could be characterized as "a string of national markets with bilateral connections" (Helm 2005, 1). This market configuration resulted in limited trade and insufficient market competition (Helm 2005, 1). Moreover, the chasm between European positions on unbundling, with the UK for this process and France and Germany against it, has left European countries in the regrettably weak position of continuing to pursue bilateral negotiations with Russian energy giant, GazProm (Helm 2008a). The implementation of a common energy policy and a fully realized common energy market will provide a solution to the pervasive problems of market underperformance in the areas of trade and competition. It will do so by allowing EU member states to speak with one voice when negotiating with GazProm, and other external energy suppliers, rather than competing with one another in the energy marketplace. With each step towards the creation of a common energy market, the EU increases the degree to which it leads by

example in promoting the normative principle of supranational rule of law through its energy policies.

In evaluating the EU's promotion of supranational rule of law from the basic premise of deontological ethics it is important to consider adherence to this principle at and above the community level. As a common energy policy is nascent at best following 50 years of integration, we cannot assign the EU as positive evaluation for this component. This, however, does not mean that the EU has failed on this component. Clearly, the recent efforts towards creating a common energy policy show normative actions in promoting supranational rule of law at the community level through its energy policies. Above the community level, the EU continues to encourage other global actors to adhere to multilateral climate change conventions such as the Kyoto Protocol. The Energy Charter (1994), which was opened up to non-member states, purports that "energy trade should be governed by World Trade Organization rules" (Balmaceda 2002, 21). This is a stark example of an EU policy that promotes supranational rule of law above the community level (the WTO), to EU member states and non-member states (non-EU signatories to the Energy Charter) alike. Given the weak application of supranational rule of law at the community level and the strong adherence to that same principle above the community level, it appears that the EU is moderately promoting the universal normative principle of supranational rule of law through its energy policies.

In terms of outcomes, however, the EU is failing to promote supranational rule of law at the community level. This is primarily owing to the fact that a common "energy policy remains at an embryonic stage" (Cafruny and Ryner 2007: 114). As with the previous section, the evaluation of the EU above the community level is far more optimistic than the community level evaluation. European leadership in supranational environmental policies has resulted in 183 states ratifying the Kyoto Protocol. Despite some notable absences, namely Turkey (a Candidate Country), the US and China (major players in the international system), the overwhelming commitment to environmental

sustainability through decreased emissions is evidence that the EU is normatively promoting supranational rule of law above the community level through its energy policies. Additionally, the absence of US leadership in regards to the Kyoto Protocol suggests that the EU's efforts, as opposed to any other polity, have encouraged global participation.

Inclusive Equality

Inclusive equality is perhaps the most challenging area through which we must evaluate the EU on its energy policies. In a 2007 Commission Communication entitled "An Energy Policy for Europe", the Commission proposes an "Energy Consumers Charter" which would, among other tasks, "assist in establishing schemes to help the most EU vulnerable [sic] citizens deal with increases in energy prices" (European Commission 2007a). As the "most vulnerable citizens" are often those who face other forms of discrimination, the EU is leading by example through its energy policies by ensuring the access to energy for these citizens.

Despite discussion of an "Energy Consumers Charter," aimed to be finalized and signed by December 2007, there is currently no such Charter. Until this Charter, or policies that fulfill its same purpose, come to fruition, then we must negatively evaluate the EU, from the basic premise of deontological ethics, for its promotion of inclusive equality through its energy policies.

As argued in the section on social freedom and based upon a Eurobarometer study, EU citizens generally enjoy accessible energy regardless of demographic indicators (European Commission 2007c). Although the EU currently lacks adequate legislation on citizens rights to energy, European citizens presently receive the benefits that a Charter would codify. Based upon the consequences, the EU is promoting inclusive equality through its energy policies.

Social Solidarity

The EU virtuously promotes social solidarity through its energy policies by proposing mechanisms by which a member state's energy supply could be supplemented in times of need (European Commission 2006c). As stated earlier, the EU is a normative power in part because it is unique in the world of states. This is perhaps the most concrete example of how the *sui generis* structure of the EU – a group of states that have pooled a measure of their sovereignty – has made it a normative global actor. In the self-help international system of the Realists, it is irrational to forgo a modicum of your resources in order to assist other fully sovereign states in their time of need. However, the structure of the EU has fostered an environment where it is desirable to assist other member states in time of crisis. Solidarity between member states has been forged through the power of ideas and is no longer dependent upon zero-sum calculations of material power.

One concern with a liberalized energy market is its potential negative effects on some sectors of the community. In order to address the concerns that certain sectors of society will face "energy poverty" the Commission has proposed developing an "Energy Customers' Charter" to "encourage the implementation of aid schemes for the most vulnerable citizens" (European Commission 2007a). In particular, the Charter would ensure that increasing energy prices would not obviate citizens' ability to obtain energy (European Commission 2007a). In facilitating energy access for all European citizens, regardless of social standing, the EU is promoting the normative principle of social solidarity from the basic premise of deontological ethics.

From the basic premise of teleological ethics, however, the EU is not promoting social solidarity through its energy policies. Despite the rhetoric and efforts to promote cohesion and group benefit in energy relations "the EU finds it very difficult to stick to its principle of "speaking with one voice", particularly towards […] Russia" (Droge and Geden 2008, 208). If the EU could speak as a single entity when dealing with Russia it

would amass immense bargaining power given the sheer size of its market – comprised of over 500 million people, 27 countries and a GDP larger than that of the US (Ricard-Nihoul and Fabry 2008). However, this veritable prisoner's dilemma encourages states to pursue bilateral relations with Russia in order to achieve a lower price for their national economy. Logically, if the 27 EU member states band together in bargaining to set a price for natural resources from Russia the outcome will be the best price for the EU overall. However, if a single EU member state chooses to bargain bilaterally with Russia it may be able to secure a better price for itself. Given the fear that other states may defect and seek bilateral relations with Russia, a particular state may also choose to defect and seek bilateral energy agreements. This creates a situation where every individual member state and the EU as a whole will be unable to barter for a lower price with Russia. Put another way, in the absence of a common external energy regime the equilibrium price for imported energy will be an undesirable outcome for all. It is important that the EU establish a binding external energy policy that profits from the weight of the European economy and punishes states that seek agreements that benefit a single member state at the expense of the Union as a whole.

Sustainable Development

Another stated goal of Europe's energy policies is sustainable development. This component is highly related to the advancement of sustainable peace and human rights in that all three rely heavily upon the implementation of an eco-friendly energy policy. In Manners' words, sustainable development essentially targets a "balance between uninhibited economic growth and biocentric ecological crisis" (Manners 2008, 54). EU initiatives to reduce greenhouse gas emissions and increase the use of renewable energy sources exemplify the EU's commitment to sustainable development (European

Commission 2007a). The unequivocal support for environmentally sound energy policies that permeates EU documents provides strong evidence that the EU is leading by example in the promotion of sustainable development through its energy policies.

EU support for sustainable development is more than just rhetorical. Through the Competitiveness and Innovation Framework Programme (CIP), the EU has earmarked €1.16 billion for the 2007 to 2013 time period that is to be used for the promotion of eco-innovation and to sustain the Intelligent Energy – Europe Programme – a program to advance research, design and implementation of sustainable energy sources (European Commission a). The EU has recently come under intense pressure from automakers to ease sanctions against car makers who fail to adhere to emissions quotas (Agence France-Presse 2008). Although divided, the Parliament voted to maintain strict targets and to continue to punish non-compliance. While this provides evidence that the EU is promoting sustainable development through its energy policies, it also provides evidence regarding civil society participation in the policy making process – this will be addressed later in the chapter.

Based upon the basic premise of teleological ethics, the EU is promoting sustainable development through its energy policies. Studies show that the share of European energy coming from renewable sources increased marginally from 1990 to 2003: .3% increase for EU-15 and .6% increase for EU 25 (Jefferson 2006). While this is certainly nothing to gloat about, it is significant to note that the share of energy supplied by renewable sources actually decreased in a number of other developed regions, including North America, Australia, New Zealand, Japan, Norway, and Turkey (Jefferson 2006). Additionally, over the past decade the EU has decreased CO_2 emissions (2% below 1990 levels), sulfur dioxide emission (by 66.9%) and nitrogen oxide emissions (by 32.2%) (European Commission 2006a). Although better performance is desirable, the positive changes in emissions levels and the increased use of renewable energies provides

strong evidence that the EU is promoting sustainable development through the energy policy from the basic standpoint of consequentialist ethics.

Good Governance

The EU's vocal support of reducing greenhouse gas emissions through the Kyoto framework attests to its adherence to the multilateral action portion of good governance. The Kyoto framework is certainly flawed as it focuses on production as opposed to consumption (Helm 2008b). In order to assess the EU on the multilateral aspect of good governance from the basic premise of virtue ethics, however, the Kyoto framework provides a clear example of the EU's adherence to this principle. Moreover, as an incentive for increased multilateral action against climate change the EU is proposing reducing greenhouse gas emissions by 30% of 1990 levels by 2020 under the condition that other countries agree to the same terms (European Commission 2007a). The EU's commitment to multilateral cooperation in tackling global problems, including environmental degradation, provides evidence of Europe's commitment to the normative principle of good governance. As a party to the UN's "Aarhus Convention," the EU is obligated to encourage public participation in the decision-making process for environmental policies (European Commission 2006a). Through its energy policies the EU is virtuously promoting good governance by affording civil society organizations the right to participate in the policy making process.

Some authors have levied criticism at the EU for "delegating" energy security strategy to multilateral organizations (Ciambra 2008). According to these authors the promotion of multilateral action in regards to energy security reflects the EU's penchant for economically rational action as opposed to normative or civilian action. Based upon the assumption that multilateral governance is an integral component of good governance which is, in turn, a normative ethic it is impossible to portray multilateral delegation as a purely pejorative action. I argue, moreover, that this assumption is correct. Multilateral

support for any action, whether economic, political or military in nature, represents consent by all participating entities. The greater the participation rate the closer the particular action comes to being accepted universally. Consistent promotion of multilateral solutions to economic, political and military problems thereby must be considered as adherence to and promotion of the normative ethic of good governance.

The EU encouraged civil society participation in energy related matters by facilitating an Agora in June 2008 (De Girolamo 2008). This event provided a forum where civil society organizations could meet with European elites in order to promote policies relating to climate change and energy policies. As the EU is actively facilitating civil society participation in the policy-making process, then it is promoting the civil society component of good governance based upon the basic premise of deontological ethics.

As was argued in the section on supranational rule of law, the outcomes of EU action promote the multilateral aspect of good governance through its energy policies. More specifically, the EU is seeking, and achieving, multilateral solutions to environmental degradation through its active leadership in the Kyoto Protocol and related initiatives. As mentioned in the section on sustainable development, auto manufacturers recently lobbied the European Parliament (EP) to decrease sanctions against automakers that do not adhere to emissions targets (Agence France-Presse 2008). The automakers lobby was defeated in its attempt to diminish fines. This defeat, however, was only a narrow one – the two largest political groups in the EP supported the automakers' position (Agence France-Presse 2008). This serves as an example of the ability of civil society organizations to affect the energy related policy making process in Brussels. From a consequentialist standpoint, the ability of civil society organizations to effectively bargain for particular energy policies provides strong evidence that the EU is promoting the civil society component of good governance through its energy policies.

Conclusion

The evidence provided in this chapter, which is summarized in Table 4.1, supports the conclusions of the previous chapter. With the exception of associative human rights, the EU is a normative power from the basic tenets of virtue ethics. More specifically, the EU generally embodies the norms that it is purported to promote. The EU's actions are normative in approximately two thirds of the considered principles. In most cases, a negative evaluation for this component of each principle is the result of inadequate policy formation for a particular indicator. Essentially, the EU either fails to recognize the link between energy policy and an indicator, or progress towards policy formation has been insufficient. Lastly, the consequences of EU policies are normative for about half of the indicators. In several cases (sustainable peace, associative human rights, and social solidarity), this is attributable to a lack of evidence to the contrary. While these may well have been assigned a value of "n/a" by some, I have chosen to assign a negative evaluation until given adequate proof otherwise in order to maintain methodological rigor. If all 27 indicators (nine universal normative principles each evaluated on three procedural normative ethics) are considered, the EU is a normative power about three fourths of the time, this finding is consistent with that of the analysis of the ENP.

Table 4.1: Normative Evaluation of Europe's Energy Policies

	Principles	Actions	Impact
Sustainable Peace	Yes	Mixed	No
Social Freedom	Yes	No	Yes
Consensual Democracy	Yes	Yes	No
Associative Human Rights	No	Yes	No
Supranational Rule of Law	Yes	Mixed - Community Level; Yes - Above Community Level	No - Community Level; Yes - Above Community Level
Inclusive Equality	Yes	No	Yes
Social Solidarity	Yes	Yes	No
Sustainable Development	Yes	Yes	Yes
Good Governance	Yes	Yes	Yes

Normative Power Europe: No Contradiction in Terms

The achievements of the European Union are incredible and innumerable. While it is difficult to imagine exactly what Jean Monnet or Robert Schuman envisioned for European integration, it is safe to presume that today's EU has far surpassed their goals. Beginning as a mechanism to allay the Franco-German acrimony, many now argue that the Franco-German motor has propelled European integration forward throughout much of its 50 plus years of existence. For younger generations, it is difficult to imagine, outside of history text books, the bitter and bloody rivalry that characterized Western European relations during the first half of the 20th century. For our grandparents' generation, however, the prospect of amicable, or even neutral, relations seems implausible. "[T]he initial objectives of European interation have been largely met: 27 countries and nearly 500 million individuals benefit from peace, democracy and an increasing standard of living" (Ricard-Nihoul and Fabry 2008, 11-12). As this quote

suggests, the EU goes far beyond Franco-German peace – enlargement into Central and Eastern Europe represents the extension of the founding fathers' dreams to a much larger group than originally considered.

As this thesis has demonstrated, the EU has gone beyond fostering peace. Its existence as a normative power challenges the status quo of the Westphalian nation state and forces scholars and policy-makers to consider post-Westphalian political arrangements and policy options (see Kirchner and Sperling 2007). It is minimizing to argue that the EU is entirely, and to the expense of all else, a normative power. As with my critique of Karen Smith's work in Chapter 2, here I argue that "ideal types", including normative power, are seldom fully adhered to in reality. Instead, the most effective and realistic argument is that the EU has a preponderance of normative power as opposed to military or economic power. Additionally, this judgement is not static. Just as any polity changes over time, the EU will undoubtedly become more (or less) of a normative power in the future. Certainly the structure of the EU and its current trajectory suggest that it will become more, as opposed to less, normative in the future. This is by no means a parsimonious theory, but to sacrifice the nuances of reality for parsimony is foolish. It is in the nuances of a theory that scholars can truly understand the theoretical and empirical complexity of a polity, and for this reason reality must trump parsimony.

While an actor such as the EU *should* strive to be a normative power, based upon the intrinsic value thereof, "defending global public goods such as sustainable development […] is in European's interest" (Ricard-Nihoul and Fabry 2008, 12). It is essential that scholars and policymakers understand the nexus between values and interests. If an actor promotes principles that it adheres to, principles that have intrinsic

value and principles that promote good outcomes then the actor cannot be charged with hypocrisy, the actor will "do right" by its peers and the actor will engender positive outcomes for its peers. In a world where terror and security are atop the hierarchy of scholarly and popular concerns it is more important now than ever that powerful actors use values and norms, as opposed to weapons and posturing, to promote perpetual peace such as is present within the European Union.

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