



## **GLOBAL EUROPE**

### ***Report 2: New Terms of Engagement***

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**The Foreign Policy Centre  
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## GLOBAL EUROPE

*Global Europe* is a project devised by **The Foreign Policy Centre** (London) to promote new thinking on the EU's evolution as an international actor. Its goal is to provide concrete policy recommendations concerning the *European Security Strategy* and new initiatives for European action. An overview of its approach is set out in *Global Europe: Implementing the European Security Strategy* by Mark Leonard and Richard Gowan (available at <http://fpc.org.uk/publications/>).

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1. *Effective Multilateralism*, edited by Espen Barth Eide
2. *New Terms of Engagement*, edited by Richard Youngs
3. *Rescuing the State: Europe's Next Challenge*, edited by Malcolm Chalmers
4. *Institutions and Identity*, edited by Richard Gowan

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## Foreword

British Council Brussels is committed to posing questions about Europe that extend beyond short-term wrangling, and to creating spaces for fresh thinking and creative new partnerships. With *Global Europe*, we aim to stimulate honest, open debate about the future of European security, rather than arrive at consensus. Some of the essays in this pamphlet, like the issues themselves, are controversial. None express a British Council viewpoint. They are the work of individual authors of distinction from whom we have sought views.

Over the past year, *Global Europe* has brought together over 200 thinkers from across the EU and wider Europe. This pamphlet is part of a series tackling four of the most pressing policy areas for the EU: the series also includes *Effective Multilateralism*, edited by Espen Barth Eide, *Rescuing the State*, edited by Malcolm Chalmers; and *Institutions and Identity*, edited by Richard Gowan. This series of pamphlets reflects the insights of a series of seminars in Brussels, London and Oslo, and an experts' retreat at Wilton Park in June 2004.

*Global Europe* is part of a programme which addresses broad questions of security, identity, democracy and migration in Europe. Our work in partnership with The Foreign Policy Centre is one element of our creative programme aimed at putting such issues on the European agenda.

*Ray Thomas, Director*  
*Sharon Memis, Head Europe Programme*  
**British Council Brussels**

**We need to extend the benefits of political and economic cooperation to our neighbours in the East while tackling political problems there. . . . The European Union's interests require a continued engagement with Mediterranean partners . . . A broader engagement with the Arab world should also be considered.**

*Javier Solana, A Secure Europe in a Better World*

## Preface

In December 2004, the European Union confronted the extent of its power. As the Ukraine fractured between pro-Western and pro-Russian factions, even the staunchly neoconservative American commentator Robert Kagan recognised that the EU 'has become a gigantic political and economic magnet whose greatest strength is the attractive pull it exerts on its neighbours'.<sup>1</sup> But if Europeans were becoming aware of their own strength, their priority was not its projection but its limitation. Two senior commentators warned from London:

*The EU should and probably will rethink its longstanding position that Ukraine 'has as much reason to be in the EU as New Zealand', in the words of Romano Prodi . . . But now is not the time to make a big noise about Ukraine becoming an EU member.*<sup>2</sup>

This note of caution captures a recurrent dilemma for the EU that may come to both characterise and retard its evolution as a strategic actor: how can and should we control the spread of our own influence? As the authors in this volume emphasise, Europe's power rests on its ability to exploit its 'attractive pull' through policies of engagement and conditionality. But in trying to direct and ration access to our resources, we risk being overwhelmed: democratic revolutions and political and economic opportunities will frequently force new temptations and obligations upon us.

The last year has seen this process played out around our periphery. In Georgia and the Ukraine popular uprisings have been fuelled by talk of EU membership. In Kyrgyzstan and the Lebanon, similar protests represented further challenges to back our values with actions. And in Libya and Iran, authoritarian

<sup>1</sup> Robert Kagan, 5 December 2004, "Embraceable EU", *The Washington Post*

<sup>2</sup> Katinka Barysch and Charles Grant, "Ukraine should not be part of a 'great game'", 7 December 2004, [www.opendemocracy.org](http://www.opendemocracy.org)

governments have effectively tied concessions on WMD to portfolios of European political and economic incentives.

While many of these developments may be interpreted as proof of European influence – and the potential of conditionality in dealing with proliferation – they have also raised doubts about the viability of our overall strategy. In 2003, both the European Council and Commission had emphasised the need to transform the 'wider neighbourhood' into a 'ring of friends'. In centring on the gradual and formalised reform of states, markets and governments, this approach implied that the EU could assert a high degree of control over such transformative processes. But this is yet to prove the case, and four key flaws in the EU's strategy may continue to promote volatility in its neighbourhood – and beyond:

1. A lack of political commitment to engagement and conditionality;
2. A fear of 'European overstretch';
3. The emergence of strategic competitors for soft power, notably Russia;
4. A defensive approach to engagement by the EU.

### Political commitment and overstretch

Criticisms of Europe's insufficient *political commitment* to reshaping its neighbours are persistent and persuasive. As **Michael Emerson** notes in this volume, the Commission's attitude to the 'wider neighbourhood' is vitiated by 'tokenism', and key Action Plans are insubstantial: 'neither the incentives nor the conditions are spelled out'. If European institutions and states are often slow to detail the benefits they can offer, their uses of conditionality can be equally tokenistic – as **Karen Smith** argues, the EU's over-cautious approach to reform in the Southern Mediterranean has been a tale of wasted leverage.

Thus, while the EU may pride itself on creating frameworks for engagement, their formulation and realisation are often self-defeating. The credibility of European promises are at risk of

being further undermined by concerns over **overstretch**: a growing sense that the EU may lack the political coherence and democratic mandate to develop better-functioning frameworks in future. While the Commission may have defined the ‘wider neighbourhood’ as stretching from the Maghreb to the former Soviet space, there are well-known tensions among member-states over where along this arc the EU should focus. Whereas as France may look south to its former colonies, Poland and Lithuania were instrumental in turning attention to the Ukraine. Can such priorities be reconciled?

An attractive and intuitive answer is that individual member-states should take the lead on their differing areas of concern. Yet such flexibility risks increasing divergence between ‘first-class’ and ‘second-class’ forms of engagement, with certain member-states able to offer greater incentives to their partners than others. This may be a present reality, but it must compromise Commission policies and run counter to the philosophy of a coherent ‘ring of friends’ treated with relatively consistent conditionality. Beyond our neighbourhood, selectivity and inconsistency may equally undermine the EU’s claims to be a ‘global actor’ rather than a conglomeration of declining post-colonial powers.

Moreover, one crucial symptom of overstretch lies not in differences between European governments, but between governments and their electorates. The development of the EU’s strategic identity has frequently encountered public doubts be they Irish concerns for neutrality at the time of the Nice treaty or widespread fears over enlargement and migration revealed in the current round of referendums. In Karen Smith’s phrase, ‘any actor that seeks to impose conditionality should ensure that its own house is in order’. Public debates over the relative merits of ‘social Europe’ and ‘global Europe’ suggest significant public concerns over our political commitments to others.

## Strategic competition and defensive engagement

Yet the need to confront such internal questions should not completely distract from the external ramifications of the EU’s engagement policies. A clear feature of the last year has been a growing recognition that Europe’s ‘soft power’ is drawing it into **strategic competition** with other global players – most notably Russia. It is a comforting fallacy that soft power does not make enemies. But as one Moscow-based commentator has remarked in *The Economist*, ‘the Russian leadership has concluded that “the European Union is just a new kind of empire”: one that threatens to expand into Russia’s historic sphere of influence’.<sup>3</sup>

This form of competition – exacerbated by events in Georgia and the Ukraine – should not be a complete surprise. If Europeans see engagement and conditionality as soft power mechanisms, it has been argued that Russia is undergoing its own ‘soft power revival’ in Eurasia, drawing on commerce, migration and (above all) energy resources.<sup>4</sup> In so far as the EU’s wider neighbourhood overlaps with the former Soviet space, ‘soft power competition’ is inevitable. Looking beyond our immediate periphery, the EU must recognise the growing influence of China and regional leaders. In so far as we wish to export our values and build economic links, we must recognise that we will encounter similar competition globally. Many synergies and balances will arise – as will tensions.

In this context, the question of whether our engagement and conditionality strategies are overly **defensive** is of increasing relevance. As **Richard Youngs** notes, Mark Leonard has defined the EU’s approach as one of ‘passive aggression’, but this form of attack may often be used as a form of defence. The Commission’s focus on a ‘ring of friends’, combined with the 2003 *European Security Strategy*’s prioritisation of the ‘near

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<sup>3</sup> “Taking on the bear”, 7-13 May 2005, *The Economist*

<sup>4</sup> See Fiona Hill, (2004) *Energy Empire: oil, gas and Russia’s revival* (The Foreign Policy Centre)

neighbourhood', has led some to fear that the EU is inclined to use its non-military power to create a buffer zone of stability around it. While this would be no mean strategic goal in itself, it runs counter to the *Strategy's* own emphasis on 'global threats'. But at the global level, as Youngs notes here, the EU is increasingly using conditionality to address security issues without sufficient reference to their political contexts:

*One wonders what political capital remains to exert conditionality over longer term political and economic change in third countries, and whether recent gains – the WMD negotiations with Iran, most notably – have been bought at the cost of diminished engagement on issues of internal reform.*

Engagement and conditionality must not be allowed to become too parochial and security-focussed, even if more ambitious strategies risk external tensions and domestic disgruntlement. The alternative to defensive engagement is not the sort of cultural and economic offensive launched by Washington against the USSR after 1945. Rather, it can be framed in the 'post-Westphalian' terms of values advocated by **Richard Whitman** in this volume – a process of interpretation between states and cultures that may, over time, reduce competition between them.

### **Engagement and conditionality: moving forwards**

How should we address these flaws in European strategy? The authors in this volume offer elements of a strategic framework resting on greater clarity, consistency and vision in the employment of conditionality and engagement. As Michael Emerson indicates, this should involve not only the reform of our methods and practices, but also of our institutional framework. Richard Whitman suggests that an enhanced framework may require new EU agencies operating beyond its borders. These are deliberately far-reaching proposals. To achieve them, some shorter-term tactical decisions may be necessary.

Recent debates over the European futures of Turkey and the Ukraine, fuelled by referendums on the constitutional treaty,

have created an impression that the problem of overstretch has already had a corrosive effect on Europe's political will. In the course of 2005, the EU must explicitly reaffirm its commitment to these two countries, far apart as they are already on the road to accession. In October, the Commission will launch a new phase of negotiations with Turkey, while an EU-Ukraine summit will offer a significant platform for a clear statement of intent from the Union – it may be time for a 'big noise' on the Ukraine.

A similar act of reassurance may also be required in the Western Balkans, where a committee of experts has recently identified 'pessimism and dissatisfaction' undermining reform processes.<sup>5</sup> More generally, European officials should take every opportunity to give concrete demonstrations that engagement is not 'tokenism' – yet they must also build on recent efforts to reassure Moscow that the EU's goal is partnership with Russia, not competition.<sup>6</sup>

Moreover, the European institutions should work with governments to ensure that current debates over the proposed EU 'Foreign Minister' and External Action Service should be more than lowest-common-denominator turf wars. In rethinking our institutional frameworks, we should aim not for retrenchment, but a more credible set of tools for employing 'soft power' resources. By combining clearer doctrines of engagement and conditionality with the mechanisms required to enforce them, we may begin to take firmer control of our power of attraction – and to use it to greater effect.

*Richard Gowan*

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<sup>5</sup>International Commission on the Balkans, (2005), *The Balkans in Europe's Future* (Centre for Liberal Strategies)

<sup>6</sup>"EU and Russia forge closer ties", 10 May 2005, [www.bbc.co.uk/news](http://www.bbc.co.uk/news)

## Engagement: Sharpening European Influence

*Richard Youngs*

It is universally acknowledged that engagement is central to the EU's external relations philosophy. The proclivity for engagement appears deeply embedded; integral to European distinctiveness on the world stage; and a reflection of the lessons of European integration itself during the last fifty years. While this should be retained, the EU's understanding and use of engagement needs sharpening.

This collection of essays analyses how European forms of engagement with third countries might best be strengthened and assesses the challenges involved in mitigating prevailing shortcomings in EU foreign policy. Michael Emerson explores the EU's incipient Neighbourhood Policy; Karen Smith examines the use of conditionality; while Richard Whitman focuses on the EU's use of value-based public diplomacy.

The EU has focused considerable attention on its engagement in central and eastern Europe since the fall of the Berlin Wall. This in turn built upon its role in southern Europe's democratic transformations over the 1980s. But dealing with the next ring of neighbouring states will be more challenging, as in many places EU aims will be working against, rather than with, the grain of domestic political developments. And beyond the EU's immediate periphery, engagement will be called upon to deal with a panoply of increasingly acute threats. Robert Cooper has pleaded for Europe to get used to double standards; to accept that a post-modern logic might work internally, but that rougher 'laws of the jungle' are often required beyond the EU's borders; and to move beyond the illusion of a strategy based solely on expanding the geographical range of a 'cooperative empire' predicated on the EU's own internal dynamics.<sup>1</sup>

<sup>1</sup> Cooper R. (2004) *The Breaking of Nations* (Atlantic Books): 62, 78 and 160

In consequence, the question arises of how the EU can retain the strong points of its positive engagement model whilst developing new aspects of its approach more pertinent to future challenges. How can deeply institutionalised partnerships actually work to transform the societies of partner countries, and avoid becoming nothing more than – in Chris Patten's words – 'liberal mush'?<sup>2</sup>

Addressing this question requires us to distinguish between engagement strategies aimed at two different types of objective: one relates to the aim gradually and over the long term to transform the societies of the EU's partner states; another relates to the form of engagement able to obtain concrete results in a particular issue area in the shorter term. These two aspects of engagement are habitually conflated, masking the very different issues to which they give rise. One change necessary to current thinking is to unpack the concept of engagement, and examine the contrasting purposes for which it is deployed.

### European Power?

As an initial step, analysis must be better informed by an understanding of European power; one based on engagement, but with a clearer notion of how this is to be harnessed to promote objectives in a more concrete fashion.

Robert Kagan's influential account asserts that the EU has moved 'beyond power into a self-contained world of laws and rules and transnational negotiation and cooperation', that the European aim is merely 'to bind nations together' through trade, diplomacy, inducements, compromise and social interdependencies.<sup>3</sup>

<sup>2</sup> Patten C. (2002) 'Engagement is Not Liberal Mush', *New Perspectives Quarterly*, 19/2: 36-8

<sup>3</sup> Kagan R. (2003) *Of Paradise and Power: America and Europe in the New World Order* (Alfred Knopf, New York): 3, 5 and 58

While Kagan locates the roots of such strategies in a rationalized attempt to correct for Europe's own power deficiencies, others see them more as a reflection of accumulated European identity.<sup>4</sup> The general thrust of work on EU external relations in recent years has been very strongly centred on this identity dimension. The EU is commonly seen as driven by the 'normative difference' that constitutes its fundamental essence; its foreign policy representing a common 'principled' dimension to Europeans' multifaceted identities; and its influence confined mainly to the EU's standing as a 'normative model'.<sup>5</sup> Eastern enlargement was seen as driven by the need to underpin the credibility of the EU's own core values and legitimacy, while intervention in Kosovo was, in Tony Blair's often quoted words, undertaken for values not interests.<sup>6</sup> Even ESDP is seen as reflecting this normative dimension, with proactive external projection in the name of European values now central to identity-formation.<sup>7</sup> The nature of social learning in the evolution of European identity and deliberative European democratic space, are seen as having provided the key to taking the EU beyond power-interest dynamics.<sup>8</sup> In sum, as *The Economist* recently asserted 'The EU is comfortable talking about values, but uncomfortable talking about interests'.<sup>9</sup>

<sup>4</sup> Fukuyama F. (2002) 'The US vs. the Rest', *New Perspectives Quarterly*, 19/4: 8-24

<sup>5</sup> Manners I. and Whitman R. (2003) 'The 'difference engine': constructing and representing the international identity of the European Union', *Journal of European Public Policy* 10/3: 380-404

<sup>6</sup> Smith K. (2001) 'The EU, Human Rights and Relations with Third Countries: 'Foreign Policy with an Ethical Dimension?', in Smith K. and Light M. (eds) *Ethics and Foreign Policy* (Cambridge, Cambridge University Press)

<sup>7</sup> Howarth J. (2001) 'European Defence and the Changing Politics of the European Union: Hanging Together or Hanging Separately?', *Journal of Common Market Studies*: 782; Ortega M. (2001) *Military Intervention and the European Union*, WEU Chaillot Paper 45 (Paris, WEU Institute for Security Studies): 117

<sup>8</sup> Checkel J. (2001) 'Why Comply? Social Change and European Identity Change', *International Organization*, 55/3, 553-588; Eriksen E. O. and Fossum J. E. (2000b) 'Conclusion: legitimation through deliberation', in Eriksen E. O. and Fossum J. E. (eds) (2000) *Democracy in the European Union: Integration through Deliberation?* (London, Routledge)

<sup>9</sup> *The Economist*, 13 March 2004: 48

But such accounts underplay the gradual harnessing of norms and identity to more instrumentalist power interests. Norms are both identity and interest for the EU, with identity formation part of its interest calculus. Human rights norms have, for example, been used in 'shaming' reputation-conscious states into particular behaviour.<sup>10</sup> It has been argued elsewhere that identity dynamics set the parameters of EU policies, within which more instrumental options have been pursued in the way that rights based policies have been conceived and implemented in different contexts.<sup>11</sup> The EU's use of norms and values is not a policy bereft of power, but rather has exhibited real strategic purpose.

In short, as Richard Whitman argues in this volume, the key is to build more instrumental forms of engagement from a recognition of how 'embedded in the EU's foreign policy DNA is this tendency to remake the world in its own image..[as]..negotiated order'. This properly constitutes the foundations of a European concept of power – and not a dereliction of instrumentalism. It is from this incipient logic that better strategies of engagement must rightfully proceed.

### Transformative engagement

The general picture is well known of EU comprehensive partnerships incorporating regularized cooperation on every imaginable subject and committed to encouraging far reaching economic, political and social change in third country partners states. The Euro-Mediterranean Partnership, the Cotonou convention, the Stabilisation and Association process in the Balkans, the Russia common strategy, and now both the Neighbourhood Strategy and the EU's Security Strategy all structure a similar form of holistic engagement to the end of

<sup>10</sup> Schimmelfennig F. (2001) 'The Community Trap: Liberal Norms, Rhetorical Action, and the Eastern Enlargement of the European Union', *International Organization*, 55/1; Matlary J. H. (2002) *Intervention for Human Rights in Europe* (Basingstoke, Palgrave)

<sup>11</sup> Youngs R. (2004) 'Normative Dynamics and Strategic Interests in the EU's External Identity', *Journal of Common Market Studies*, 42/2

transformation. This purports to fashion a deeply intrusive, embedded and proactive transformative power. Approximation by stealth is the leitmotif of this intensely European form of strategic engagement.

A typical view is that US forms of engagement are more sporadic, less institutionalized and less consistent, aiming at particular problems only when their symptoms assume urgency; the US has been widely berated since 9/11 for focusing more on the symptoms than the causes of terrorism. But it remains unclear, in practice, that the EU's deeply embedded partnerships themselves attack the roots of instability in a significantly more systematic fashion.

Questions arise over the use of the EU's internal model as an external instrument on its immediate periphery. It should not uncritically be assumed that the 'everything but institutions' notion can work in fundamentally different terrain to that encountered in states who proceeded to accession.

The EU's patterns of institutionalised engagement exhibit a potential tension. The aim is to transform societies into more tolerant and open societies, and this is seen as beneficial for the EU over the long term. But they also purport to aim at promoting greater tolerance for other norms, with a logic of mutual respect being presented as key to European interest. Even if these twin strands of European policy are not necessarily mutually incompatible, there is a very delicate balance to strike. A purported dynamic of 'passive aggression', the EU surreptitiously getting under the skin of other societies to affect profound cognitive change, may easily dissipate into 'active passivity', the EU soaking up differences in basic political norms.<sup>12</sup>

Liberal thinkers have criticized the Bush administration not for its aim radically to transform societies breeding instability and terrorism, but for the fact that in pursuing this objective it has

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<sup>12</sup> Leonard M. (2005) *Why Europe will Run the 21st Century* (Fourth Estate, New York), p51

resorted to heavy-handed social engineering, and that with such a strategic perspective on democracy it has been disinclined to follow through on the promotion of liberal norms in any sustained or comprehensive fashion in practice.<sup>13</sup> With European governments so eager to stake out a distinctive approach in this area, it might be asked whether the EU's forms of engagement do indeed avoid these shortcomings while remaining an effective base from which to engage on reforms.

Michael Emerson offers grounds for optimism on many of these accounts. He highlights how comprehensive approaches such as that now enshrined within the European Neighbourhood Policy gradually seep into policy-making consciousness in a pervasive fashion, moving from the 'intuitive advocacy of a big idea', through a 'maturing of awareness' to a situation where a 'new part of the system is constructed'. But if this model is to succeed out into the wider periphery, Emerson argues the key will be precisely in fashioning a multifaceted interlinking of different forms of engagement, combining norms, integrated policies, multi-level networks, involvement in agencies and institutions, and support for regional cooperation. Returning to a previously developed concept, he suggests that building on these types of approaches could and should successfully 'blur the frontiers between in and out...of inclusion versus exclusion'.

When we move down to the operational level, many of the issues surrounding European engagement strategies relate to the question of the conditions attached to EU trade and aid benefits. Much skepticism has been expressed over the post-Cold War use of conditionality, even from those highly sympathetic to the increased focus on human rights. Many have increasingly doubted the utility of punitive conditionality. Coercive measures have been found often simply to encourage further retrenchment of already unaccountable political elites. In imposing further economic hardship, sanctions might also further delay difficult governance reforms, as actors rely even more heavily on the

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<sup>13</sup> Asmus R. and Pollack K. (2003) 'The NeoLiberal Take on the Middle East', *The Washington Post*, 22 July 2003

patronage-based distribution of immediate favours and benefits. Most tellingly, it is pointed out that sanctions hit hardest the incipient entrepreneurial class, precisely the group whose prosperity is most likely to lead to pressure for political change. The feasibility of targeted sanctions to affect only the hard-line government elite is widely doubted. Sanctions may also fracture nascent deals over reforms between soft- and hard-liners in non-democratic states. In addition, of course, the almost inevitable double standards involved in the imposition of punitive measures often produce a counter-productive effect. It has been argued that the mushrooming of diverse and technologically complex forms of economic interdependence anyway militates against making sanctions watertight.

A constant concern of aid experts has been that governments can often implement a few showpiece, cosmetic reforms, satisfying donors without occasioning far-reaching political or economic change. It is widely pointed out that, in order to be sustained, reforms must enjoy widespread consent, the kind of positive support unlikely to emerge where change is adopted primarily as a result of external pressure. Such consent, it is suggested, requires patient dialogue and an enhanced 'capacity' for reform – both harder where partnerships are interrupted by sanctions. Conditionality might in this sense be appropriate only in very specific circumstances: in moments of acute crisis when pressure can make a tangible immediate difference in hastening the end of an authoritarian regime; or in response to fundamental reversals away from incipient reform back to greater authoritarianism.<sup>14</sup> More broadly, coercive action carried out in the name of democracy might simply undermine democracy's moral appeal.

<sup>14</sup> Critiques of conditionality include: Sorensen G. (ed), *Political Conditionality* (London, Frank Cass); Haass R (1997) 'Sanctioning Madness', *Foreign Affairs* 76/6: 74-85; Nelson J. (1992) *Encouraging Democracy: What Role for Conditioned Aid?* (Washington, Overseas Development Council, Policy Essay No.4); Stokke O. (ed) *Aid and Political Conditionality* (London, Frank Cass, 1995); Burnell P. (1994) 'Good Government and Democratization: A Sideways Look at Aid and Political Conditionality', *Democratization*, 1/3: 485-503

In the light of such concerns, we must assess exactly how and in what form the EU can usefully attach conditions to its forms of long-term engagement. The use of conditionality has established itself as a central element of the EU's conception of engagement, with third country agreements now incorporating clauses relating to economic reform, democracy and human rights, cooperation on combating illegal migration, the readmission of migrants, and counter-terrorism cooperation. But, in practice, a common strategy on the actual use of conditionality must still be elaborated. When senior figures assert that the 'rule of law' is the distinctive European contribution to international relations they tend to mean multilateralism internationally more than muscular approaches to reforms *within* partner states. If economic and social engagement is not transmitting itself into effective political change, more attention must be given to ascertaining what is preventing this. Such weaknesses reflect more than the routinely mentioned internal CFSP divisions, and their correction remains elusive.

Karen Smith's contribution to this volume paints a mixed picture of the EU's use of conditionality. She cautions that the EU often fails to provide the kind of conditioned 'rewards' most desired by third countries. She also points out that, for all the much vaunted success of the 'enlargement model', in eastern Europe it was not EU conditionality in itself that convinced governments of the need to undertake reform. On the other hand, she sees the EU as already 'comfortable' with the use of positive conditionality. If, however, we recognise that 'conditionality...is necessarily one coin with two sides', often requiring more negative sticks to maintain the influence of positive carrots, then she awards the EU poorer marks in its failure to grasp such duality.

For our authors here the key is consistency in the application of conditionality. Conditionality should not be conceived as a stand-alone, episodic policy instrument, but act as one element in the formation of a broader orbit of attraction. Karen Smith judges the 'double standards' problem still to be one of the most debilitating factors undermining EU credibility in many third countries. Michael Emerson warns us that 'perceived exclusion' affects the

chances for democratising and governance reforms in the states that are not drawn into the powerful mechanism of EU political conditionality. For such an orbit effectively to be created, Emerson suggests a need for equally intensive efforts across 'seven European policy spaces'. But he does see positive signs, in this respect, in the more consistent treatment of norms under the first action plans agreed under the Neighbourhood Policy.

Complementing such conditionality, there has been an expansion of good governance and human rights funding within EU partnership frameworks. But doubts remain over how effective these have been and whether these more politically oriented aid projects have engaged the right kind of partners. Many analysts express concern that non-democratic regimes have easily been able to ring-fence or co-opt such funding, to prevent the emergence of any spill-over momentum capable of undermining the essential nature of political control.

While better coordination is needed between European donors, the diversity of European funding should not be flattened out. Such diversity can act like a system of checks and balances, preventing any one sector of third country societies being over supported and any one approach becoming too dominant. Aid in most sectors of political work is nowhere near to saturation point, and thus concerns over duplication between EU donors can easily be overstated.

Richard Whitman's essay identifies this as the area where European policies are most in need of more effective 'instrumentalisation'. He fears that the EU is currently seeking merely to replicate existing state-based strategies, developing rather uneasily as a 'Westphalian post-Westphalian power', aspiring 'to create a 20<sup>th</sup> century diplomatic infrastructure in a 21<sup>st</sup> century world'. He consequently argues that more potent European engagement should be achieved through the use of EU resources to strengthen public diplomacy – 'the current Cinderella of the EU's global engagement' – and more proactive support for 'value transmitters' in third countries.

One concern relevant to both positive and negative instruments is the EU's failure to develop sophisticated assessment measures to assess what impact its different frameworks of engagement are actually having – especially in terms of how this impact might be evolving over time. So far, it has far too loosely been assumed that holistic engagement can simply be left to gestate providing the EU with fully transformed and stable partners. Within the context of the Global Europe programme, it has already been argued that partnerships based on the notion of cooperation around underlying reform need to be monitored through an independent agency.<sup>15</sup>

Imagine successful, multi-faceted engagement in terms of the metaphor of baking a cake. The EU might be accused of using all the right ingredients, but throwing these together rather haphazardly into the oven and expecting a perfect outcome. More attention is needed to the precise combination of ingredients, the order in which each element is added, and how fine adjustments and additions are needed during preparation.

On all these issues, our contributors recognise how the EU cannot be said to have passed one of the most difficult tests for its engagement policies, namely Russia. Here, a plethora of initiatives, inducements and attempted linkages between economic and political changes appear so far to have had little impact. Successive EU initiatives have left Russia in rejectionist mood, shunning new ideas such as the Neighbourhood Policy. While this situation persists, EU claims to a comprehensively valid form of engagement will be less than fully convincing.

### **Instrumental engagement**

A second form of engagement requisite to a comprehensive European security policy is that which is able to achieve particular results at a specific moment in time. One reason for inviting a consideration of how European power should be better

<sup>15</sup> Leonard M. and Gowan R., (2004) *Global Europe: Making the European Security Strategy Work* (London, Foreign Policy Centre): 20

conceptualised is that in much EU logic this second form of engagement is presented as flowing naturally from long-term transformative engagement. Instrumental engagement is seen as building upon and in its turn facilitating transformative engagement.

Critical assessment must explore whether these two forms of engagement do indeed form a seamless whole, and are in fact two sides of the same coin.

First, we might ask whether the EU does indeed wield a form of engagement effective enough to secure concession and change in moments of high uncertainty. This form of engagement requires a step change from the long haul engagement aimed at underlying transformations. In instances where immediate change is sought from partner states – over conflict, migration, proliferation – European engagement has been insufficiently far sighted and fleet of foot. Beyond its immediate periphery, the EU has yet to build adequate foundations for preventive engagement. The EU has invariably reacted to crises – the rose revolution in Georgia, violence in Zimbabwe, WMD in Iran – when matters have become urgent, and it is obvious that preventive strategies have failed to divert real anxiety and instability.

Second, this links into perhaps the most pertinent question of all: can you have both forms of engagement simultaneously? Is it possible for the EU to head off crises without prejudicing long term transformative engagement? In practice, the EU has struggled to craft a structured form of engagement aiming at long term reform *and* have interjections with regimes to secure short term results. The EU has made inadequate linkage between different aims, treating long- and short-term issues as unduly discreet.

In light of the intense focus on the EU's new WMD strategies, this dilemma has been seen most notably perhaps in relation to non-proliferation policy. Much has been made of recent European engagement aimed at securing positive moves on

WMD from the likes of Iran, Syria and most recently, Libya. But has European engagement in these cases really been significant enough to secure meaningful change from recalcitrant regimes? It has often been suggested that EU engagement might facilitate momentary advances in this field, but that this functions only because of the US's overall strategic superiority and muscularity. It is suggested that such approaches betray the EU's lack of a culture of responsibility: critics charge the EU with moulding forms of engagement around cosmetic, momentary gains in the knowledge that only the US will be called definitely to resolve high politics strategic issues.

Such general issues must be investigated through the concrete use of European policy instruments. There are grounds, for example, to suspect that the use of conditionality has recently become far more defensive, far more targeted at instrumental objectives rather than long term change. Pressure has been ratcheted-up on the signing of anti-terrorist clauses, readmission clauses, cooperation on combating migration, and now on a new non-proliferation clause – this last, for example, having held up the signing of an association agreement with Syria for over a year. One wonders what political capital remains to exert conditionality over longer term political and economic change in third countries, and whether recent gains – the WMD negotiations with Iran, most notably – have been bought at the cost of diminished engagement on issues of internal reform.

Lastly, it remains unclear what the effect of ESDP will be on such forms of engagement, and their impact in crisis situations. European governments are still bereft of a strong notion of the political ends to which ESDP instruments are to be used. ESDP 'puts the cart before the horse', agreeing to formal institutional and hardware commitments with little idea of what these will actually be used for.<sup>16</sup> The EU's new defence dimension may risk undercutting engagement with little positive pay-off in return. ESDP may merely render civilian engagement more difficult as

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<sup>16</sup> Everts S. (2002) *Shaping a Credible European Union Foreign Policy* (London, Centre for European Reform): 5

perceptions of the EU change. Yet the potential undoubtedly exists for it to function as an additional arm of positive engagement, for example as a framework for cooperating with police and security forces in third countries. Thus questions arise of how relevant ESDP might be to traditional civilian engagement, and how third countries' requests for cooperation with ESDP will relate to patterns of transformative engagement. In this sense, the EU's first military mission in the Democratic Republic of Congo did not appear to engender a broader engagement in structuring a political process for conflict resolution after the intervention concluded.

The essays in this volume argue that the aim should indeed be to ensure that short- and long-term forms of engagement dovetail more effectively together. What is needed for the EU, our authors suggest, is not a more standard form of instrumental hard power, but a deepening of the transformative foundations upon which instrumental engagement is predicated. Experience is read as suggesting that the EU has not been wrong in its conceptualisation of power, but has rather erred in failing fully to develop the dynamics of engagement often attributed to it.

## Summary

Each of our authors builds from their respective analysis a set of policy recommendations. A degree of coherence can be detected between these recommendations, enabling us to group the suggestions made in this volume into five groups, advocating that the EU:-

- Work at developing a multifaceted linking together of different forms of engagement, that combine a use of norms and networks with more instrumental policy measures;
- Not assume that the same logic that underpinned the 'accession model' can be extended wholesale to the EU's new periphery, but systematically examine where the points of similarity and differences with this model are likely to reside;

- Sharpen the use of positive conditionality through clearer benchmarks and rewards more tailored to the needs of individual third countries;
- Use the EU's normative identity in a more targeted fashion to achieve tangible policy outcomes;
- Increase the EU's credibility through balancing a more consistent application of basic norms with initiatives suited to the specificities of each partner country.

## Is there to be a real European Neighbourhood Policy?

*Michael Emerson*

All incoming Commissions have to work out fairly quickly where to try to innovate with contributions that could become hallmarks of their period of office. The inevitable agenda of ongoing business facing the Barroso Commission from the outset has been a heavy burden: Constitution, Stability Pact, Lisbon agenda, Financial Perspectives, Turkey, relations with the US, and so the list can go on.

Yet could the new European Neighbourhood Policy emerge as the big initiative of the EU's new political period? To be sure, all of the inevitable agenda items just listed are important, yet some of these now present serious difficulties in ways that makes the Neighbourhood Policy even more important. In particular the difficulties over ratification of the Constitution may curb future enlargements (notably affecting Turkey, even if Bulgaria and Romania were to scrape through before the guillotine fell).

One of the patterns of the EU's systemic development over the last four decades is that of staged processes. The model starts in stage one with the intuitive advocacy of a big idea, which collects political commitment at the rhetorical level. It enters European political discourse durably, which is a first test of validity. In stage two the policy starts to be implemented, but with only token measures, usually because of inertial resistance in the member states to creating new European competences. The new policy stagnates. Yet the intuition behind the big idea was sound. Europe waits therefore upon a maturing of awareness of what needs to be done, and of the risks of doing nothing more than tokenism. Only then, having secured the support of a critical mass of member states, the Commission presents fresh

proposals, and a real policy emerges as stage three of the process, and a new component of the system is constructed.

On repeated occasions the history of the new EU policies has followed this pattern. The story was seen in the history of the Regional Fund, which started as little more than a toy under the Commission presided by Roy Jenkins, but became later a major component of the economic and monetary union project. This story was seen then during the decade-long presidency of the Commission under Jacques Delors, who started by picking up the single market idea, which was limping along until given the '1992 programme' boost. The launch of the Euro is a third example, which had languished for years in interminable meetings of officials and ministers pursuing the Holy Grail of monetary convergence and coordination, until the overriding logic had to be accepted: either there would be a real monetary union, or the single market-plus-pegged exchange rate system would fail systemically.

The Neighbourhood Policy seems now to follow this model of staged processes of European policy and system development. The idea has taken root at stage one. As soon as the Council and Commission began to use the terminology of the Wider Europe, and/or of European Neighbourhood Policy, it immediately filled a seeming vacuum in the speeches of foreign ministers within the EU and among the neighbours. It has passed the first test of entering European political discourse with flying colours.

What then could be the forces driving the neighbourhood concept into an important action? The logic is as strategically compelling. While the EU's huge enlargement has been an impressive success for the new member states, the perception of exclusion on the part of the new neighbours has intensified, and quite reasonably so. Are the new frontiers to become Europe's new Berlin Wall? 'Oh no', cry EU Commissioners, foreign ministers and officials in unison. 'Of course not. The EU's eastern enlargement marks the end of Europe's division.' But tell that to the person in the visa queue at the EU consulates in the

neighbouring states. And then what about the trade and investment diversion effects, as the new Baltic and Central European tigers aggressively succeed in becoming new magnets for foreign investment, uniquely combining low wages, low corporation taxes and completely assured access to the EU market? What do Ukraine, Moldova, Armenia or Egypt look like as investment locations by comparison? Most fundamental of all is how the perceived inclusion or exclusion in relation to the enlargement process can affect the chances for democratisation and political reforms.

Observe how this has been working in the recently acceding states, and also Bulgaria, Romania, Turkey and Croatia, with the six-monthly term reports from the Commission on every aspect of the Copenhagen criteria: 'Johnny has made steady progress this term on judicial reform, made a real breakthrough on minority rights, but does not try hard enough on corruption, a subject that he still finds very difficult'. The credible threat of repeating a year, or of permanent exclusion, is there. The whole process of EU conditionality would be profoundly insulting for grown-up political leaders of the candidate states, if it were not for the fact that they are making a voluntary and calculated choice, which their peoples in the end supported with overwhelming majorities in referenda. They needed the anchor and incentives to overcome domestic political economy resistance to reform in depth.

All of the European neighbours except Russia want a long-term 'perspective' of EU membership, but which the EU so far denies. Of course the EU has to see first how the current enlargement works out. Maybe there has to be a long pause, for example after 2007 when Bulgaria and Romania are set to enter. But in the meantime, what might be done to raise the neighbourhood policy to the level of a strategic action?

The Commission already made a first improvement in May 2004 to its very thin original proposal a year earlier for a 'Wider Europe' initiative aimed at Belarus, Moldova and Ukraine and a few Mediterranean states. In May 2004 it responded to criticisms

of being too fragmentary geographically, and so brought in the South Caucasus states, all the Mediterranean and up to a point Russia also. At least the geography is now clear: the whole of the rest of Europe and the Mediterranean basin. Consistent with this, the name has been changed from 'Wider Europe' to 'European Neighbourhood Policy'. Also positive is the way in which all the country reports published in May 2004 were consistent in their treatment of democracy and human rights issues. The values of the system were marked out.

The next big improvement should have been to work out a comprehensive set of green or white papers on the European policy spaces. This would have drawn inspiration from the way Delors redeveloped the single market programme some twenty years ago. Almost every department of the Commission, and of course the Commissioners concerned, have to be driven with a common purpose, requiring a very serious coordination function at the level of the President himself, in support of the Neighbourhood Commissioner. Elsewhere I have offered a detailed description of what this could involve.<sup>17</sup> In summary seven European policy spaces should be specified, in three major dimensions:

A/ Political and human dimension

1. *Space of democracy and human rights*
2. *Space of education, culture and research*

B/ Economic dimension

3. *Area for trade and market integration*
4. *Macroeconomic and monetary area*
5. *Infrastructure and network area*

C/ Security dimension

6. *Space of freedom, security and justice*
7. *Space for external security*

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<sup>17</sup> M. Emerson (2004) *The Wider Europe Matrix*, CEPS.

The task of internal Commission coordination is heightened by the advent now of a 25 member Commission. Of these one can identify about half of their number who would have some role in an integrated Neighbourhood Policy.<sup>18</sup> Grouped under these seven European policy spaces, the Commissioners concerned would have a first task of drawing up the seven green or white papers. For each policy space there should be a review of how all categories of European and neighbouring states would be treated, from the EU member states themselves, on to the EEA states, accession candidates, and the Balkan states as well as the new neighbours of the former Soviet Union and Mediterranean states. The matrix has to be worked out consistently – considering its geographic and policy vectors together. The documents on the seven policy spaces could be combined in a ‘Neighbourhood Policy Handbook’, whose analytical content should be an exercise in cost-benefit analysis on which parts of the EU *acquis* might be usefully adopted (or not) by the partner states in function of their economic and administrative capacities.

However, in practice the Commission went ahead with just one dimension of the matrix, publishing in October 2004 a first set of bilateral Action Plans for Ukraine and Moldova to the north, and Morocco, Tunisia, Jordan and the Palestinian Authority to the south. These documents turned out to be the typical tokenism of stage two. Their structure is a derivative of the enlargement process, due to the fact that the task was given to the Enlargement Directorate-General. They did what they knew how to do. There is presented the same long, exhaustive list of chapters which the accession candidates faced. Yet the neighbourhood policy is not about accession, and so the whole *acquis* cannot be made mandatory for non-candidates. The Action Plans, jointly negotiated with the partner state, became a blend of EU *acquis* material and the partner state’s own national reform agenda. The content of the Action Plans were long lists of

<sup>18</sup> The list of responsible Commissioners would include the President and Commissioners for external relations and neighbourhood policy, education, enlargement, research, trade, single market, macroeconomics, transport, energy, environment, justice and home affairs, and development aid. This makes 13.

about 300 bulleted action points, each just announced but hardly defined - for example ‘improve the system of regulating financial markets in line with EU *acquis*’. There were only vague remarks about incentives for the partner states, such as achieving ‘a stake in the EU’s single market’.

As a result the Action Plans are misnomers. They do not define the actions in policy operational terms, and merely present the huge lists of summary objectives. The incentives for the partner state to act are equally vague, talking of market opening, a new financial instrument and a new category of Neighbourhood Agreement. Neither the incentives nor the conditions are spelled out.

However all is not lost. The process has been launched. The partner states went along with the task of jointly agreeing the Action Plans. In some cases the timing has been extremely propitious, for example for Ukraine and Georgia, struggling to give shape to their Orange and Rose revolutions, with strong motivation to connect with any official European perspectives. Here the Action Plan process seems to fit in nicely. The governments of these two states need anchorage for their revolutions.

The next task is one of specifying the so-called Action Plans in policy operational detail, and connecting this policy shaping process with better defined economic and political incentives. The need for the ‘Neighbourhood Policy Handbook’ is clearer than ever. The President of the Commission should take responsibility for setting in motion the preparation of the green or white papers for the seven policy spaces, filtering through the vast *acquis* for the elements most relevant for the partner states. Then a stage three could really begin. The Commission should invite the World Bank to engage in a division of labour over the policy shaping process for each partner state, in which the Commission would do the work for areas where the *acquis* content and its negotiating role was most important. For other areas where the *acquis* content was slight or non-existent the policy shaping role could be delegated to the World Bank or IMF.

The 300 bulleted action points of the Action Plans should be surely reduced to a more compact list for priority attention. These priority items should see policy recommendations spelt out in all necessary detail.

This in turn could provide the linkage to a more explicit presentation of the incentives offered by the EU to the partner states. The EU does not lack instruments: financial grants and loans, trade and market access, rules on migration and visas, institutional links etc. But they have not been put together in the stage two Neighbourhood Policy. Some improvements can be easily envisaged in the use of the EU instruments and their coordination with the World Bank and IMF. The Commission could use its grant resources less on large technical assistance grants, which under both Meda and Tacis have been extremely difficult to use in a timely and effective way. Some of these resources could now be redeployed in the shape of structural adjustment grants, alongside structural adjustment loans from the World Bank. In addition the time seems to have come for the European Investment Bank to attach its huge investment resources to the policy shaping process, with some at least of its loans conditioned on the policy recommendations worked out by the Commission and World Bank.

This task of policy definition for the entire Neighbourhood space will be one of great complexity, requiring that detailed knowledge and competences be fused together with a strong vision of the underlying objective. This may be defined as follows: to create a system facilitating maximum incorporation of non-member states of the neighbourhood into the values, norms and policies of the EU, where this maximum is graduated according to the interests and capabilities of groups of partner states, but where the spectrum of possibilities extends to operations at the level of the pan-European and Neighbourhood area. As Richard Youngs' chapter in this volume argues, the purpose of maximum inclusion is both because the EU sees the extension of these values into its Neighbourhood as being in its strategic interest, and because the EU conceives its identity as values based.

The strategy would be to blur the frontiers between in and out, such that it is not a black and white affair, of inclusion versus exclusion. Functionalism, at the heart of the EEC method at the beginning, can ride again. Of course there will be a certain democratic and legitimacy deficit for the partner states as they become policy takers from the EU, which acts as the continent's leading policy maker. But there is a long road ahead before anyone can be sure what the final map of Europe is going to look like, if ever there is to be one. The partner states themselves should come to understand that it is not going to be in their long-term interests to have an EU that overextends its decision-making group to the point of gridlock. However there can also be an open mind for methods of partial institutional integration of the neighbours, such as for participation in the work of various agencies, association with various policy initiatives, observer status in institutions such as the Parliament and consultative committees, and a new lease of life for some pan-European organisations such as the Council of Europe.

Even for Russia, presently a critic of the Neighbourhood Policy on the grounds that it detracts from its priority of re-integrating the CIS, there would be a message to be both realistic and more idealistic at the same time. Russia today, while having some strong cards to play, is not a normatively attractive state in international relations. It regresses in terms of its domestic democracy, and does worse than nothing to promote enlightened reform in its so-called 'near abroad', even propping up a number of dubious secessionist entities on grounds of archaic conceptions of national interest. With a vigorous EU Neighbourhood Policy in its 'near abroad' Russia may conclude that it would be better to try a different line for its own policy – 'if you can't beat them, join them'.

## Engagement and conditionality: incompatible or mutually reinforcing?

Karen E. Smith

First, a few definitions. 'Engagement' is a foreign policy strategy of building close ties with the government and/or civil society and/or business community of another state. The intention of this strategy is to undermine illiberal political and economic practices, and socialise government and other domestic actors into more liberal ways. Most cases of engagement entail primarily building economic links, and encouraging trade and investment in particular. Some observers have variously labelled this strategy one of interdependence, or of 'oxygen': economic activity leads to positive political consequences.<sup>19</sup>

'Conditionality', in contrast, is the linking, by a state or international organisation, of perceived benefits to another state (such as aid or trade concessions) to the fulfilment of economic and/or political conditions. 'Positive conditionality' entails promising benefits to a state if it fulfils the conditions; 'negative conditionality' involves reducing, suspending, or terminating those benefits if the state violates the conditions (in other words, applying sanctions, or a strategy of 'asphyxiation').<sup>20</sup> To put it simply, engagement implies ties, but with no strings attached; conditionality attaches the strings. In another way of looking at it, engagement is more of a bottom-up strategy to induce change in another country, conditionality more of a top-down strategy.

There are well-known advantages and disadvantages to both approaches. Engagement can help to establish the conditions

<sup>19</sup> See Jan Zielonka, (1991), 'Introduction: Eastern Europe in Transition', in Gary Bertsch, Heinrich Vogel, and Jan Zielonka, eds, *After the Revolutions: East-West Trade and Technology Transfer in the 1990s* (Boulder: Westview Press), pp. 2-4; and Franklin Lavin, (Fall 1996) 'Asphyxiation or Oxygen? The Sanctions Dilemma', *Foreign Policy*, no. 104

<sup>20</sup> Lavin, 'Asphyxiation or Oxygen?'

under which democratic principles and human rights, for example, can be protected. It can foster the long-term processes (learning; development of a middle class; strengthening of the freedom of the press) that allow local actors to effect political and economic change. Engagement challenges sovereignty less than conditionality does, and so will be more acceptable to governments. It could be more effective to persuade governments to comply with liberal norms than to coerce them to do so – as coercion may simply induce stubborn resistance.

But put 'constructive' in front of the term, and some of its negative connotations become clearer: constructive engagement with apartheid South Africa was criticised for allowing Western/Northern governments (in particular the US and UK) to continue with business as usual, putting at risk no important commercial exchanges, yet to claim to domestic audiences that quiet diplomacy was more effective. Engagement, in other words, can allow trade and investment to proceed unhindered even with quite despicable regimes.

But there is another, more practical problem with engagement: such a strategy will work only if domestic actors want to trade, invest, 'engage' with the target state. Where practices are so illiberal as to make the economic environment unattractive, or where conditions are impossible (in war-torn states, for example), or where the general state of development or level of natural resources is low, engagement does not seem likely to work well.

A strategy of conditionality has the potential to be quite effective if the target state wants the benefits on offer or fears losing them. Some observers have argued that conditionality is of most use in encouraging countries to improve their human rights records or implement specific economic reforms, but is not well suited for grander objectives such as encouraging democracy (which depends overwhelmingly on local conditions and cannot be imposed by outsiders). But there are serious drawbacks to using conditionality, and negative conditionality in particular.

Negative conditionality does not address the causes of human rights violations or other illiberal political practices and can even worsen the situation. The assumption is that governments can respond to outside pressure, but they may not be able to do so. And the inconsistent way in which many Western states – and the EU – apply conditionality diminishes its potency: some states suffer from sanctions more than others, and the reason can often be traced back to their relative strategic and commercial importance to donors.

In practice, the EU has tended to prefer using engagement and positive conditionality over negative conditionality. It is quite good at engagement, though one can always criticise the resources available for it. The EU has numerous policy instruments suitable for engagement: trade, cooperation and association agreements; aid; soft loans; and institutionalised dialogue. It has in fact set up a wide range of institutionalised, structured partnerships with countries and regional groupings around the world.

But the EU is increasingly and extensively using positive conditionality. Its instruments of engagement are less and less condition-free: agreements, aid, loans, and dialogue are now regularly promised, provided partner countries fulfil certain conditions. This can be extraordinarily effective: the promise of EU membership, held out to European countries if they meet certain political and economic conditions, is without doubt the most successful foreign policy instrument the EU has.

Granted, several of the new member states and current applicant states have not really needed the EU's conditionality to encourage them to undertake reforms, but in some cases it has clearly had an impact. For example, Romania and Hungary, and Slovakia and Hungary, were all (eventually) prodded into concluding good-neighbourly agreements, covering borders and the treatment of minorities, with each other. The electorate of Slovakia, left out of the initial round of membership negotiations because it did not meet the political conditions, punished the

Meciar government in elections in 1998 in favour of a government that promised to make EU accession a priority.

There are still problems with the way the EU uses positive conditionality: it does not always deliver the incentives promised (extra aid, for example), or at least it does not deliver them quickly. And the benefits the EU holds out may not be the most desirable: the exclusion of free trade in agricultural products from its contractual agreements with third countries is a classic example of this. But in general, the EU is comfortable with applying positive conditionality and third states continue to demand the benefits that are on offer.

The EU's use of negative conditionality is a different matter: the EU finds it quite difficult to apply negative conditionality, not least because the member states often cannot all agree to take a hard stance. It thus often ends up behaving inconsistently towards violators of the EU's conditions. Some states suffer negative measures; others don't. This is due mostly to calculations of the relative strategic and commercial importance of targeted countries, but is also – to be fair – due to serious doubts within the EU about the merits of applying sanctions or negative measures. All of the concerns about the use of sanctions, of 'asphyxiation', discussed above can and do also figure in EU discussions over what to do in particular cases (such as, for example, Algeria, China, or Russia).

But regardless of why there is the reluctance to use negative conditionality, the outcome is inconsistent. Yet arguably, you cannot use positive conditionality exclusively: once 'carrots are consumed' (the benefits offered and taken up), there must be a way to keep up the pressure on third countries to continue with or at least not reverse reforms. Conditionality, in other words, is necessarily one coin with two sides.

Now, as to whether the two strategies of engagement and conditionality are incompatible or mutually reinforcing, important questions to consider are whether the strategies are to be applied by the same actor (the EU, in our case) or by different

international actors (the EU and the US, say), and whether both strategies are to be used on the same target country, or within the same region (south-eastern Europe, the former Soviet Union, the Mediterranean), or globally. We already have several cases in which the EU and the US have used different strategies towards the same country: Cuba, Iran, and Libya spring to mind. The US has tried to 'asphyxiate' all three countries, the EU has taken a much softer stance – in particular offering engagement, but with conditions attached. Granted, there is little coordination between the US and EU over strategies, but in none of those cases can we categorically say that the combination of strategies has been mutually reinforcing – which does not augur well for the use of both by the same actor towards the same country.

There are also clear difficulties in using both strategies within the same region or even globally. This is because, inevitably, some target countries will question why they are subjected to conditionality while others are not. Unless this can be justified to outsiders (as well as to any domestic critics) the impact of both strategies could be diminished: in one case because conditionality could spark resistance, in the other because engagement could be seen by the target government as implying it has a free hand to do as it pleases.

In the case of policy towards the EU's neighbours, a mix of engagement and conditionality is unlikely to be effective because of the 'double standards' problem: some neighbours will want to know why they are subject to conditionality while others are merely 'engaged'. And it is clear that the EU cannot just engage with several of its neighbours, precisely because it would be seen as rewarding 'bad behaviour' but also because engagement is unlikely to work in practice given conditions in some of the neighbours (Belarus is arguably the most obvious example here). Creating ties without strings is infeasible and impractical.

Therefore, to try to avoid the pitfalls of using conditionality in its neighbourhood policy, the EU could do the following:

- 1) Ensure that the benefits on offer are desirable to the neighbours. 'All but institutions' should mean what it implies, and the EU should be much more generous and open than it has so far indicated it will be. At the very least, this entails promising additional aid, softer visa requirements, and freer trade in agricultural products.

Not only could this inspire reformers to undertake hard political and economic choices, but the benefits themselves – once extended – could reinforce processes of reform, because such 'engagement' can help create the basis for lasting change. The Neighbourhood Policy has been launched because the EU is trying – rightly – to reduce the effects of 'exclusion', of leaving out countries from the enlarging EU. This means minimising the importance of the border between the enlarging EU and its neighbours - as it stands, the Neighbourhood Policy does not yet do this sufficiently.

- 2) Be clear about what neighbours must do to 'earn' the benefits on offer – and then follow through with extending them. This means setting clear 'benchmarks', to use the European Commission's original language.

This will also require the EU to be much clearer about all of its policy priorities with respect to particular neighbours – including the promotion of human rights and democracy, and the fight against terrorism, organised crime, the proliferation of weapons of mass destruction, or illegal immigration. Better yet, the EU needs to think about how best it could combine such policy objectives so as to avoid having them cancel each other out. For example, the fight against illegal immigration should not entail the violation of the human rights of presumed 'illegals' on the EU's periphery.

- 3) Just as the conditions for the benefits on offer need to be made clear, so do the conditions for having such benefits withdrawn or other negative measures taken. And again, the EU must follow through. It does not make sense to insert

'human rights clauses' in all the EU's agreements with its neighbours and then not utilise them when human rights violations occur.

Of course, this means that all of the member states – and the EU institutions - will need to agree to use negative measures in certain circumstances, and such agreement in an enlarged EU could continue to be quite difficult. Yet if the EU is to derive leverage from its policy instruments, then it must be firmer in its demands on third countries – including the southern Mediterranean countries, where until recently the EU was very hesitant to insist on political and economic reform. As the European Security Strategy promises, the EU should not hesitate to withdraw benefits if conditions are not fulfilled. Needless to say, it should ensure that it acts consistently, that all countries are treated similarly.

- 4) Finally, any actor that seeks to impose conditionality should ensure that its own house is in order. The treatment of third country nationals and asylum seekers within the EU, the 'democratic deficit', the failure of member states to implement EC laws on time and in full – all of these do not help to give the EU legitimacy when making demands on its neighbours. And without legitimacy, the EU's influence will suffer.

## Winning Hearts and Minds for Europe

*Richard Whitman*

### Gone Global

The European Union's imperative for engagement with the world beyond itself has deep roots and was an integral component of the earliest stages of European integration.<sup>21</sup> Being an innovative development in international relations – a regional organisation that has sought to 'go global' in the exercise of its influence – there is no previous model for it to follow. There is, however, a danger in being seduced by wanting to be a Westphalian post-Westphalian power: to want to play the games that states play rather than seeking to be an innovator in international relations.<sup>22</sup>

The EU has already established the panoply of instruments that any respectable state might want to run a foreign policy: a diplomatic infrastructure (embryonic, imperfect but in place), membership of key international organisations, a network of bilateral and multilateral relationships, and military power (albeit small but now with its boots on the ground). More innovatively the EU has developed the novel approach of increasing its size by persuading third countries that membership is the only respectable course of action for a (post-)modern European state.

The European Union thus has a very well established relationship with its near neighbours – both prospective members and aspirants - but what of engagement with the world beyond? The EU has already 'gone global'. From early in its history it developed a network of association agreements and

<sup>21</sup> See Dirk Spierenburg, (1994), 'The History of the High Authority of the European Coal and Steel Community: Supranationality in Operation' (Weidenfeld & Nicolson)

<sup>22</sup> For the notion of post-modern, post-Westphalian states see Robert Cooper, (2003), 'The Breaking of Nations' (Atlantic Books)

other forms of economic relationships. To these were added as 'political dialogues' exchanges of views with third countries. Consequently embedded in the EU's foreign policy DNA is this tendency to re-make the world in its own image – to create a negotiated order – largely through multilateralism.<sup>23</sup>

More recently the European Security Strategy has placed multilateralism as the touch-stone, and arguably the *raison d'être*, of the EU's international presence. The security strategy also contains a (too) long list of countries who are possible strategic partners which is largely a list of great and rising powers.<sup>24</sup> As Richard Youngs makes clear in the introduction to this volume there is real need to harness European power to promote objectives in a more concrete fashion and to make these relationships work in Europe's best interests.

At present there is a huge commitment of time for the EU Presidency, the High Representative and the European Commission in the conduct of EU diplomacy, but the direct benefits for the EU are not always apparent. In the absence of an External Action Service the routine aspect of diplomacy creates unnecessary burdens for these two institutions and often with indeterminate effect. Setting aside these capacity problems of making EU diplomacy work, it at best aspires to create a 20<sup>th</sup> century diplomatic infrastructure in a 21<sup>st</sup> century world. The EU currently underplays the need to engage with peoples as much as states.<sup>25</sup>

<sup>23</sup> Michael Smith, (1996), 'The European Union and a Changing Europe: Establishing the Boundaries of Order', *Journal of Common Market Studies* 43, 1, pp.5-28

<sup>24</sup> 'A Secure Europe in a Better World' Brussels, 12 December 2003. The list extends to USA, Russia, Japan, China, Canada and India but excludes a state in the Middle East

<sup>25</sup> For a discussion on the need to build relationships with overseas publics see Mark Leonard, (2002), 'Public Diplomacy' (The British Council/FPC, London)

## Going Public

Public diplomacy is the current Cinderella of the EU's global engagement. There is the need to strengthen the transmission of collective European norms, identities and values beyond the confines of diplomatic interaction. There is the pressing need to ensure that there is the effective transmission of European norms and values to those that should be reached - the wider publics in third countries.

As Robert Cooper has noted, as the EU's global presence develops there will be the need to revert to double standards if Europe is to engage effectively.<sup>26</sup> Pursuing EU policies through diplomatic tactics such as constructive engagement with third parties may appear to validate unsavoury elites through those contacts. We need to ensure that the publics of these third parties are aware that we are not legitimising those to whom we are speaking. In short we need to work harder at what Kagan identifies as Europe's strength in forging the relationships created with peoples - alongside our connections with their governments.<sup>27</sup>

This is not 'liberal mush', but rather would serve a more instrumental and transformative purpose.<sup>28</sup> The current attitudes of publics to U.S. foreign policy across the globe illustrates how not having a systematic approach to 'winning hearts and minds' in third countries generates a more difficult climate for the pursuit of interests.<sup>29</sup>

<sup>26</sup> In Cooper's terms for 'post-modern states' to conduct politics with 'modern states' may result in a qualitatively different form of relationship. Cooper, op.cit pp.40-41

<sup>27</sup> Robert Kagan, (2003), 'Of Paradise and Power: America and Europe in the New World Order' (Alfred Knopf, New York).

p.5, p.58

<sup>28</sup> Chris Patten, 'Engagement is not Liberal Mush' *New Perspectives Quarterly*, 19/2: 36-8

<sup>29</sup> For a set of polls that highlight the poor perceptions of U.S. foreign policy held across the globe see The Pew Research Center, Trends 2005 (Pew Research Center, 2005)

This was not always the case for the U.S. The power and influence that the U.S. exercised during the cold war was comprised of a number of hard power components – military strength and alliances. However, as an important adjunct the U.S. created strategic shared value communities with allies (the ‘West’) and acted tactically through the education of the elites of its allies through educational opportunities in the U.S. and the training of present and future military leaders. This created a unique reservoir of sympathetic elites. Albeit one largely squandered over the last two decades.

Post-colonial states in Europe followed a similar practice facilitating education for the nascent elites of the newly independent states. Education in the former colonial power still represents an attractive proposition to the successor generations of those that were colonised.<sup>30</sup> In the earlier colonial period education at the heart of the empire provided the spring board for turning back the ideas of the colonisers against themselves in de-colonial struggles. The transformative potential of generating such ‘social independencies’ is considerable.

### Winning Minds

There are lessons to be drawn here for the EU as a ‘co-operative empire’. We need to devote greater attention to producing ‘value transmitters’ in third countries – those individuals and social actors who have developed an intuitive understanding of European norms and values, how these impact upon the development of political and social institutions in Europe and how they impact on a European world-view. As an adjunct to our diplomacy we need to ensure that there is a reservoir of understanding in third countries as to the purposes to which short-term diplomatic decisions are intended eventually to lead.

This is not to create apologists for a European foreign policy, which will not always constitute international best practice.

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<sup>30</sup> As illustrative, testimonials from Chevening Scholars are found at [www.chevening.com](http://www.chevening.com)

Rather, it is to avoid a repeat of the experience of the U.S., which has witnessed an ongoing decline in the number of ‘value interpreters’ willing even-handedly to critique its foreign policy.<sup>31</sup> Value interpreters are political and social commentators, and those who command the respect of their publics, who are willing to interpret European actions in an open-minded manner.

There are two ways in which we can seek to build a body of value interpreters: first to bring people to us; second to give greater attention to European ‘value transfers’. This is the process through which European values are experienced, received, interpreted and passed-on. There is already a considerable intellectual exchange between Europe and third countries. Short and longer duration migration has provided an important pool of value interpreters as migration to post-colonial societies have created kinship links that generate the transmission of ideas between states and societies outside Europe. Scholarships and educational exchange opportunities are structured approaches to facilitating the exchange of ideas. All of these are important and provide an informed view of European ‘inside’ views of European societies, facilitating the view that collective European attempts to engage with the world beyond Europe are not inspired by malicious and malevolent design.

There is, however, more that can be done through public policy to facilitate greater numbers of value interpreters. The ‘humane’ handling of visa applications for travel to the EU and less daunting entry-point experiences do not conflict with appropriate border control arrangements and travel restrictions but would give the EU a competitive advantage over the present and future arrangements that will prevail for the U.S. The Erasmus and Socrates education exchange programmes are a remarkable success story in having brought university students from the then Member States and the then applicant states and have created

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<sup>31</sup> See Pew Research Center polls

social bonds within an EU of 25.<sup>32</sup> There are minor educational initiatives attached to existing trade and aid agreements with third countries and the EU needs to approach these more strategically and systematically. We need to use these to stimulate greater society-to-society contact as the adjunct of EU diplomacy.

It is also possible to go further with in-country cultural diplomacy and in-country education. In-country cultural diplomacy goes beyond the role of European Commission offices in third countries generating publicity about the practices and policy of the EU. What is needed is a systematic approach to the transmission of the ideas and information about European cultures and peoples and the functioning of European societies and cultures within third countries. Censorship and other forms of control of information in third countries often ensure that peoples are not well served by the information that they possess on Europe.

Such barriers to entry can be tackled by the same manner in which the automotive industry has approached barriers to entry in important markets - by creating 'transplant' factories in those third countries. We need to enhance our presence in third countries to create generators of agreed collective values. The models of the British Council and the Alliance Francaise are instructive in that their work in third countries generates remarkable loyalty and affection through their educational and cultural activities. The EU needs a similar but more instrumentalist presence in third countries.

As an adjunct to the EU's Rapid Reaction Facility that promotes the strengthening of law and order in third countries we need to be able to deploy a longer-term presence that promotes civil society 'best practice' through education and the promotion of

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<sup>32</sup> The number of Erasmus students exchanged has gone from 3,244 in 1997/8 to over 120,000 in 2002/3. For a full breakdown of statistics see [www.erasmus.ac.uk/statistics](http://www.erasmus.ac.uk/statistics)

the free exchange of ideas.<sup>33</sup> This presence would take place through the creation of a network of European 'freedom houses' which would unashamedly promote governance best practice, the appropriate role of the media, social institutions and the role of the state in democratic societies. This would take place by providing both the means to facilitate the gathering of intellectuals and other social actors within the 'freedom house' host country, from the neighbouring countries and regions and to bring individuals and organisations from the EU Member States, and beyond, to exchange experiences and ideas.

An immediate riposte to this idea might be 'which' Europe is being promoted? It was not, however, difficult to measure and promote the 'Copenhagen criteria' for applicant states. It should therefore not be insurmountable to decide what European norms and values we wish to transmit to third countries. The capacity of European governments and societies to facilitate the rights and cultures of minorities is an obvious norm to present in third countries, for example. Leverage will need to be exercised over some governments, who will be reluctant to see their control over information relinquished.

A regional-based approach to this idea would also encompass a network of European universities transplanted in each region. These should be initially located in China, Central Asia, Sub-Saharan Africa and South East Asia. These would not be institutions to teach 'European integration' as is the focus of EU current educational initiatives in third countries. Nor should they be 'full-spectrum' universities engaged in all of the scientific and technical pursuits as other European universities are already creating such transplants or satellites in third countries. Rather their central remit would be as schools of public administration, law, journalism and civil-military relations.

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<sup>33</sup> The non-military Rapid Reaction Facility is for re-establishing civilian structures necessary to ensure political, social and economic stability and to give a civilian capacity to the EU's rapid reaction military force by being able to mobilise police, customs officials, judges etc and with a Headline Goal to have up to 5,000 police officers available by 2003 and to be able to deploy 1,000 within 30 days

Their purpose would be to offer short and long-term education to the next generation of top civil servants, lawyers, judges, journalists and the senior military personnel. The curriculum would be devoted to examining how such professions are organised and practiced across the Member States of the EU. Once established, interference in the functioning of these universities, and the freedom houses, by their host countries would not be tolerated and would invoke the full panoply of Member State and EU diplomatic and financial sanctions.

### **Remaining Distinctive**

The EU needs to become more muscular in its approach towards public diplomacy and focusing upon value transplants and value interpreters operating in third countries is crucial. If the ends of EU diplomacy are to be appropriately understood in third countries there is the need to be more aggressive in ensuring that there is an audience sympathetic to the EU's aspirations. This does require an instrumental form of engagement which is itself intended to facilitate the greater exercise of European power. It will not be an approach that will yield quick results but is an essential component to smoothing the path of the EU as it goes global.

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