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Abstract
The Euro-Mediterranean Partnership, and the later ENP, were both born with the ambition to promote economic and political interests alongside normative issues. The Union’s aspiration was to set itself up as the regime’s norm-sender to inculcate European practices and Europeanness in the Mediterranean space by ways of civil society actors. However, to date the record of progress is rather scant. This article will outline the main EU instruments which have been created to promote civil society action in Euro-Mediterranean relations as well as to contextualize the main reasons for their failure to achieve their purpose. Regime theory will be used to clarify some conceptual points of the Union’s lack of success in civil society promotion in this area.

Keywords
Euro-Mediterranean Partnership, European Neighborhood Policy, civil society, regime theory, socialization, normative promotion
Were one to look for a gauge on EU willingness to pursue values and identitarian issues internationally, one could perhaps infer that an eminent indicator to use is the Union’s engagement with civil society actors in third countries. This is, on the one hand, because the EU tends to be timid in terms of confronting third partner governments head-on and prefers indirect normative promotion through non-governmental actors. However, this is also, on the other hand, because the EU perceives civil society as valuable actors assisting political and socioeconomic transformation. The EU has on many occasions commended the role played by civil society in Central and Eastern Europe, where studies have revealed the important role played by civil society actors in both acting as watchdogs guarding against e.g. democratic or human rights abuses, as well as providers of crucial expertise to help design and implement reform-programs. For this reason, the Union has often professed itself as eager to duplicate their experience elsewhere. The EU’s declared faith in the reformative capacity of civil society would be one of the reasons behind the decision to make such cooperation an important component of the Euro-Mediterranean Partnership (EMP), as it was launched in 1995, as well as of the European Neighborhood Policy (ENP) in 2003.

This working paper will examine what has happened in the past decade with the Barcelona Declaration’s ambition to create and foment a Euro-Mediterranean civil society for normative pursuits. The present work will explore the issue from the angle of cognitive regime theory with a view to glean further understandings of the variables determining the EU normative actorness. The present discussion will thus clearly differentiate itself from the ‘normative power Europe’ (NPEU) debate which has gained great currency in past few years in the academic literature. The NPEU argument has to a large extent tried to write up the EU as an increasingly unified actor with a growing ability and willingness to promote norms beyond its borders. In particular, the discussion on NPEU has argued that the pursuit of normative foreign policy objectives eases the tensions inherent in the Union’s hybrid supranational-intergovernmental foreign policy set-up. This paper yields very different conclusions of EU as a normative promoter. For this reason it will be argued that cognitive-based regime theory has a distinct advantage over the NPEU argument in that the former allows us to contextualize the EU’s normative promotion in its relation to the norm-takers, while the latter only focuses on the characteristics of the norm-sender (‘what the EU is’) — and, as we will see, the success or failure of normative promotion may depend equally much on the agency as the structure.

The first section will forward a few definitions and outline the conceptual framework of this paper. In continuation there will be a survey of the different instruments and initiatives which the EU has created to foment Euro-Mediterranean civil society actors since 1995. The third section examines the Euro-Mediterranean track record in terms of civil society and the final section will ponder the EU’s shortcomings in achieving normative socialization in Euro-Mediterranean relations.

**Terminology and Theory**

‘Civil society’ is a fairly ambiguous term. The multitude of interpretations used among practitioners and in the academic literature makes it difficult to pinpoint exactly which actors are covered by this term. The European Union has itself employed various different definitions over time. The notion of civil society found in the Barcelona Declaration’s work program, for example, appears to refer to: ‘officials, scientists, academics, businessmen, students and sportsmen’ (Euro-Mediterranean minister meeting, 1995). This is, however, a very vague and conceptually not very satisfactory definition given that it captures a too wide and indiscriminate range of actors. Another definition frequently cited in the context of civil society action is the MEDA Regulation (2000: 8), which conceptualizes the Euro-Mediterranean civil society as encompassing ‘local authorities, rural and village groups, mutual-aid associations, trade unions, the media and organisations supporting business.’ This description of civil

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1 Cf. special issue on ‘normative power Europe’ in *Journal of European Public Policy*, March 2006. For a critique, see Johansson-Nogués (forthcoming).
society is more precise than that of the Barcelona Declaration, but also to some extent troublesome in that it can be argued that it erroneously mixes together non-profit organizations with actors more properly related to the economic sector. Moreover, it is worth noting that this already considerable conceptual confusion is further exacerbated by the practice in some EU documents to employ the terms ‘civil society’ and ‘decentralized cooperation’ as synonyms for each other.

This paper will therefore side with Jünemann (2002) in holding that the concept of civil society should rather be limited to refer to actors independent from the state, independent from private business and independent from ‘primordial structures’ i.e. family, clan or tribe. This definition of ‘negatives’ are not free from controversy in that there is sometimes a very thin line distinguishing one actor from another. A classic example is the so-called ‘governmental non-governmental organizations’ (GONGOs). The GONGOs, whether overtly or covertly run by their respective governments, can at times be hard to tell apart from regular NGOs (ibid.). Nevertheless, the definitions employed in continuation will refer to civil society as a component part of society characterized by voluntary, non-profit, associative activity in the spirit of the three negatives noted above. The much broader term of ‘decentralized cooperation’ will be used to designate a more extensive set of actors including local and regional governments and certain actors belonging to the business sector (e.g. trade unions).

Having so forwarded a few terminological clarifications, we now turn our attention to theory. The supportive conceptual framework informing this paper draws inspiration from regime theory. It will be sustained in continuation that in spite of regular criticisms lodged at regime theory for its failure to predict future political change one can argue that this theoretical vein still holds great explanatory power to help elucidate past and current EU-third country interaction. Regime theory, in its cognitive or sociological version, focus on behavioural adaptation and common language at the core of the inter-state cooperation also makes it particularly apt for the purposes of this working paper, in that these can be utilized as yardsticks to determine the success, or not, of the regime.

International regimes are essentially social institutions, governing the actions of the participants and whose core element rests on a set of rights and obligations which can be explicitly or implicitly formulated. A regime is usually established, as Krasner (1985: 1) suggests, to promote principles, norms, rules and decision-making procedures. As such, an international regime has been said to consist of intervening variables standing between basic causal factors on the one hand and outcomes and behaviour on the other. The principles, norms and rules at the heart of the international regime can either exist already at the regime’s creation, or emerge over time. In the first instance, where there are commonly held values at the outset of the regime, a situation of ‘harmony’ exists (Keohane, 1984: 32). In the second instance, common principles and norms are not present at the regime’s inception; however, they may take hold over time. The most extreme form of such initial absence of jointly held values is a regime based on ‘common aversion’. Haas (1985: 27) used this concept to describe situations in which the contracting parties have very divergent interests for accepting to participate in a regime, only deriving their rationale for cooperating from being desirous to avoid a determined outcome.

Furthermore, cognitive regime theory predicts that the learning process inherent in such an evolutionary regime may lead actors to alter the means hitherto used to achieve a determined end, modify states’ perceptions of each other as well as even contribute to change the objectives pursued by a state. In such an event one can speak of regimes as instruments to promote cognitive change and behavioural adaptation. One could argue that there are two distinct ways to bring about such change in an evolutionary regime. In a first scenario, all participants have more or less equal standing in the regime, i.e. there is no single participant (or a group of participants) which has larger sway than its homologues in the regime. In such a state of affairs norms-emission is shared, or even amorphous, in that the impulse behind the socialization process leading to the adoption of a certain norms or decision-making procedure can come from any component part of the regime. What is more, the gradual convergence towards a common set of values and principles is, more often than not, a fruit of compromise amongst participants. In a second scenario, there is a power asymmetry among the regime
partners and, as Young (1980: 332-3) has noted, the most dominant actor—a hegemon or, in less loaded terms, a ‘norm-sender’—succeeds in getting others to conform to its norms. The dominant norm-sender uses its economic and political leverage within the regime to communicate and defend the collection of rights, rules and norms underpinning the regime, which more often than not consists of its own values and/or its reading or interpretation of universally accepted norms (e.g. human rights, civil liberties).

To further explore socialization processes in evolutionary regimes, it will here be argued that the dominant actor sustaining the regime can foment processes of cognitive change through some combination of cohesion, cooperation and manipulation of incentives in a direct or an indirect manner. The direct socialization would be operationalized through the mechanisms established for political dialogue or by the use of incentives (positive conditionality). The norm-sender could also use instruments to sanction, such as political demarches, the (threat of) reduction of financial assistance or the suspension of partial or full relations (negative conditionality) (Smith, 2003: 134-41). One could argue that the norm-sender mobilizes its instruments in order to generate changes in third country national laws and political practices in regards to the milieu value it is trying to promote, and/or to open channels of communication between the government and non-state actors. The indirect socialization would fall in the terrain of encouraging the spread of values, ideas and behavioural patterns by means of facilitating resources and know-how to decentralized actors, but without necessarily establishing direct contact between the norm-sender and norm-recipients. The indirect socialization thus relies to a great extent on either intermediary actors or on the attractiveness of the norm-sender’s model. There is no incompatibility between the direct and indirect socialization channels, indeed they are very often used in a simultaneous fashion. As we will see, the EU has shown evidence of wanting to employ a mixture of direct and indirect manners over the past decade to try to prod on change in southern Mediterranean partner countries.

The Evolution of a Policy Objective: Promoting a Euro-Mediterranean Civil Society

Southern Mediterranean civil society actors have become a regular feature on the EU agenda since the early 1990s for three principal reasons. First, the signing of the Oslo Accords in 1993 appeared to open a window of opportunity for closer contacts between civil societies as a means to normalize relations between the countries and territories of the Mashreq. It was thought in most European capitals, at that moment, that the most effective way to overcome the mental barriers and antagonism that nearly five decades of conflict had generated was to reconnect different levels of society across the borderlines through cooperation in mundane, apolitical tasks such as, for example, culture, preservation of patrimony, and youth exchanges. Second, France and Spain, the two principal drafters of the Barcelona Declaration, were eager to see the civil society involved in the Partnership. From Paris and Madrid’s perspective, civil society dialogues on human rights and democratization across the Mediterranean were seen as an instrument to diffuse what seemed at the time to be a growing anti-European rhetoric used by determined segments of the Maghreb public. Finally, the EU was almost obliged to introduce the civil society element in the Barcelona Declaration, as Youngs (2002: 41) has argued, lest seen in contradiction with its engagement with civil society actors working for normative pursuits elsewhere, such as in the ACP countries or in Central and Eastern Europe (i.e. foreign policy ‘standardization’).

Given the expectations of peace raised in 1995 in the Mediterranean region, it is no surprise that the Barcelona Declaration would rather ambitiously lay claims to ‘the essential contribution civil society

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2 The Gulf War in 1990-1 had led to popular demonstrations and flag-burnings in some Western Mediterranean countries in protest against European involvement in Iraq, and resentment had since continued to simmer under the surface. The third basket and the people-to-people component into the Barcelona Declaration was conceived by France and Spain as a means to counteract the growing political influence of the radical Islamic groups feeding off such discontent.
can make in the process of development of the Euro-Mediterranean partnership’ (Euro-Mediterranean minister meeting, 1995). What is more, civil society dialogue and exchange of ideas was made the centrepiece of the Declaration’s third chapter devoted to the social, cultural and human affairs partnership. However, although the Barcelona Declaration was adopted unanimously by all Euro-Mediterranean partners, the difference in opinion over how to put such a civil society dialogue into practice created tensions visible already during the inaugural foreign ministers’ conference in Barcelona 1995. While some northern EU member states favoured a fairly free and self-sustained interaction between components of civil society across the Mediterranean basin, most North African and Middle Eastern governments were adamant that control was needed. The argument of the latter was that the growth of third sector associations needed to be carefully checked out of fear that terrorist groups and/or political opposition would be given free reigns to multiply. The southern EU member states, apprehensive of a destabilization in areas close to their borders, would accept the Arab partners’ pleas for a (very) timid and gradual introduction of growing civil liberties over an (unspecified) period of time, including a measured easing of restrictions on organized society. The result would be that the Work Program, attached to the Barcelona Declaration, would be void of any clear way forward for how the Euro-Mediterranean civil society dialogue should be structured. Nor does it reveal how civil society actors could be linked to the pursuit of the objectives espoused in third chapter of the Euro-Mediterranean Partnership. The disagreement in terms of the role of civil society at the inaugural conference in Barcelona—and the derailment of the Middle East Peace Process soon after—led to that the third basket would in the early years of the Partnership find itself virtually at a standstill.3

Seeing the limitations of the third chapter as a means to promote genuine civil society contacts in favour of normative pursuits, the European Parliament would in 1996 make its approval of the first financial protocol (MEDA I) conditional on the establishment of a special budget line for this purpose (MEDA Democracy). The concrete objective of this new budgetary line was to:

grant subsidies to non-profit-making associations, universities, centres of research and to public bodies to implement projects which aim to promote democracy, the rule of law, freedom of expression, of meeting and of association, to protect target groups (women, youth, minorities) and to increase the awareness of socio-economic rights (European Commission, 1997).

The MEDA Democracy initiative was thus an attempt to foment pluralism in southern Mediterranean societies through direct financial support to civil society action. It was believed that the MEDA Democracy funds could be used to circumvent the southern Mediterranean regimes’ restrictions on decentralized cooperation by channelling the money directly to the associations concerned. However, the impact of the MEDA Democracy during its brief existence was going to be very limited. Moreover, after a ruling by the European Court of Justice, finding the program’s legal basis unclear, the funds were suspended during 1998 and 1999. In 2001, MEDA Democracy was fused with the European Initiative for Democracy and Human Rights (EIDHR) which grants financial assistance on a very similar basis to non-governmental actors worldwide.

As a consequence of these setbacks, the formal role of the civil society within the Barcelona Process was virtually inexistent previous to the 2002 Valencia Euro-Mediterranean minister meeting. In Valencia, however, against the backdrop of the 11 September 2001 attacks, the European ministers present at the meeting pushed for the Barcelona Process to make inroads in the partner countries in terms of good governance, democracy and human rights (Gillespie 2002). The most important outcome of the Valencia ministerial meeting would be an Action Plan calling for the third basket to be revived and new emphasis placed on civil society action. The highlight of the Valencia Action Plan was the decision to launch the ‘Anna Lindh Euro-Mediterranean Foundation for the Dialogue of Cultures’. The Foundation came about as a joint Hispano-Swedish proposal with the objective to

3 The only areas related to third chapter in which some activity would be observed would be those related to decentralized cooperation, such as e.g. Euromed Heritage, Euromed Audiovisual, Euromed Youth (Jünemann, 2002; Psychogiopoulou, 2005: 239).
foment greater understanding amongst the peoples inhabiting the Mediterranean region (Schumacher, 2001). The Foundation is essentially the central node in an extensive network of decentralized actors working on issues such as culture, education and human affairs. The purpose of the entity is to serve as an institution that ‘catalyzes’ and ‘provides an inventory of cooperation’ between the existing national networks of foundations, NGOs and other institutions of civil society which operate in the Euro-Mediterranean area (Malmvig, 2005).

The main ideas underpinning the Valencia Action Plan would later be incorporated into different EU initiatives, giving the impression that the European Union was trying to further strengthen its hand as a norm-sender in the Mediterranean area. A first example would be the launch of the European Neighborhood Policy in 2003, in which civil society cooperation is given more significant attention. In particular, the ENP aspired to make civil society cooperation a central aspect of a reinforced political dialogue with partner governments (top-down). The 2004 ENP Action Plans agreed with five southern Mediterranean partners (Israel, Jordan, Morocco, the Palestine Authority and Tunisia) would to some extent represent a timid advance in this sense. In particular, it was decided to create technical subcommittees dealing with different issues related to human rights, democratization and governance. The agenda of such subcommittee is different for each partner country, but in principle they may undertake discussions for how national legal frameworks can better ensure basic liberties such as freedom of expression and association (including the rights of NGOs and other non-state actors), or create such legal guarantees where absent.4

Another example would be the Commission’s Communication titled Reinvigorating EU actions on Human Rights and democratisation with Mediterranean partners – Strategic guidelines (European Commission, 2003). The Communication set out ten concrete recommendations for how the EU’s should pursue these issues and several related to boosting civil society action. At the bottom-up level, the Communication proposed that the Commission’s delegations map local conditions under which civil society actors operate and in different ways provide technical assistance to the work of national associations, foundations and NGOs. The Commission’s external service, in collaboration with member state representatives, are also encouraged to organize regular informative workshops which may serve to communicate to local civil society activists EU policies and provide know-how. Such activity is now under way as a part of the most recent set of reforms related to the Commission’s deconcentration of its external services.5

Civil society cooperation would also remain relatively high on the agendas of the Euro-Mediterranean ministerial meetings in Naples (December 2003), and again at the Dublin mid-term meeting in June 2004. Overall these meetings following upon the Valencia Action Plan seemed to suggest a gradually greater acceptance for civil society action in the southern Mediterranean even among the Union’s southern partners. This positive evolution toward a more firm commitment on decentralized cooperation, in particular civil society actors, would reach a climax at the Luxembourg Euro-Mediterranean minister meeting in May 2005. The breakthrough at the Luxembourg meeting in favour of civil society seemed important at the time. The meeting’s Conclusions contained a significant number of proposals for how to bring the Partnership ‘closer to the people’ by ways of civil society and decentralized cooperation (Euro-Mediterranean mid-term minister meeting, 2005). The sentiment of witnessing progress on all sides of the Mediterranean was further reinforced by the fact that the Luxembourg Conclusions were, for the first time ever in any Barcelona Process minister meeting, adopted jointly by all partners present.

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4 Reportedly, however, few of these subcommittees have to date not moved much beyond the stage of deliberating the committees’ concrete purpose.

5 However, the success of this approach hinges on Brussels’ capacity for financial agility to fund worthy initiatives identified by the Commission’s delegations. Grumbles from some delegations have highlighted that so far this needed flexibility is all too often absent.
However, the Luxembourg meeting would with hindsight stand in stark contrast with the tenth anniversary meeting held in Barcelona in November 2005. An avid reader of the Chairman’s Statement and the Five Year Work Program forthcoming from the meeting would be forgiven if suddenly experiencing a flashback to the documents linked to the inception of the Barcelona Process (Council of the European Union, 2005a and 2005b). The British and (above all) the Spanish co-hosts of the Anniversary meeting had worked hard on finding a consensus in regards to the Statement and the Work Program amongst all Euro-Mediterranean partners in the months before the summit. The hope had been to be able to repeat the Luxembourg feat of a joint declaration; however, this was not to materialize as a consequence of the delicate moment which some partner countries were going through. Therefore, in terms of civil society cooperation the Statement and Work Program would appear to a large extent as a restatement of the objectives in the social, cultural and human affairs basket of the Euro-Mediterranean Partnership, with few exceptions. Moreover, what is potentially worse is that the Five Year Work Program, while detailed on many points marking the way forward in to the political and economic baskets, is lamentably vague on how the objectives set for civil society dialogues for the period 2005-2010 shall be achieved (Council of the European Union, 2005b). The parallels drawn with the Barcelona Declaration are thus inevitable.

The internal situation in some southern Mediterranean partners (Lebanon, Palestinian Authority) has, in the aftermath of the Anniversary meeting, worsen and therefore further complicated efforts related to (however timid) political reform processes. Moreover, the international momentum in favour of democratization and human rights seems to have been lost to some extent behind the growing insecurity in Iraq and Afghanistan—or, on a different scale, Iran and North Korea—which are turning the European (and US) political attention elsewhere. For this reason, few advances have been made in 2006. This standstill has irked European civil society actors and the European Parliament. The latter, in particular, has lobbied the other European institutions hard in order to keep good governance, democracy and human rights high on the agenda. The Parliament has called for the creation of a European Democracy Foundation as a new EU instrument to engage with political and civil society in third countries in support of democracy and human rights beyond the European Union’s borders. The idea is modelled on the US National Endowment for Democracy and the argument is that such an independent EU-financed institution could faster identify civil society partners, act to form networks and speed up financial disbursement to a better extent than the existing, rather cumbersome, EU structures. Moreover, the Parliament, prodded on by European NGOs, has also played a key role in saving the EIDHR from extinction. The Commission, in an urge to streamline the EU’s external financial assistance instruments, proposed in 2004 that the EIDHR disappear and its function be incorporated into the different geographical financial assistance programs, such as for example the European Neighborhood and Partnership Instrument (ENPI) starting in 2007. This proposal led to a heated inter-institutional debate in the early 2006, which terminated with a compromise in the month of June: the EIDHR will continue as an independent financial instrument (under this name or another), but the Commission will simultaneously try to boost the contents of the ENPI to make it more efficient in terms of promoting good governance, democracy and human rights compared to its predecessors (TACIS, MEDA etc.).

A Complex Approach: What Results?

In the past decade the issue of civil society actors has clearly become a mainstay on the Euro-Mediterranean agenda, whether through the Barcelona Process or through the ENP. In the same time

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6 In Israel the country found itself awaiting the March 2006 elections, as Ariel Sharon abandoned the Likud party and founded the Kadima party; in Lebanon the withdrawal of the Syrian troops and subsequent elections earlier in 2005 had left the country in an unclear situation, in Egypt the outcome of the December parliamentary elections had set off a new wave of repression and the Syrian government was feeling the pressure of the international community over the Rafik Hariri assassination.
period the EU has also arguably developed a host of initiatives aimed at improving the lot of the third sector in the Mediterranean South. However, a quick glance at the situation in many Arab southern Mediterranean countries alerts us to the fact that, a decade down the road from the Barcelona Declaration and several years into the ENP, the situation of the civil society in the southern Mediterranean remains fairly precarious. Indeed, a recent set of UNDP and EU reports testify to the almost complete absence of positive developments in terms of southern Mediterranean civil society since 1995. What factors can thus explain such a scarce impact on the EU’s policies? In essence, it will be contended, there are three main obstacles: partner governments’ resistance, the EU’s internal structural deficiencies as a foreign policy actor and the lack of enthusiasm for European overtures on the behalf of the southern Mediterranean civil society actors.

**Partner Governments’ Resistance**

For most southern Mediterranean governments, the third basket’s focus on civil society in the Barcelona Declaration was not going to be a welcome addition in Euro-Mediterranean relations. However, their economic dependence on EU markets in mid-1990s made for little leverage to fight the introduction of such novel dimensions of the Euro-Mediterranean relationship. Their efforts would instead concentrate on working to limit or neutralize the repercussions of such activity. For example, the southern Mediterranean governments most resistant to change made clear, during the negotiation process of the Barcelona Declaration, that they would not adopt the Declaration if it was to become more than a politically non-binding charter. They also managed to introduce a major condition in the Barcelona Declaration: the specification that civil society projects must be developed ‘within the framework of national law’ (Euro-Mediterranean Minister Meeting, 1995).

There are many examples for how this latter phrase has been used to prevent a host of different actors from acquiring more public space within southern Mediterranean countries. One of the most frequent ways of regulating the activities of southern Mediterranean civil society organizations is by outlawing the existence of independent associations and by tightly controlling the granting of legal permission for their operations. The plight of Tunisian NGOs is an illustrative example. Tunisian associations are required to present a detailed description of their activity plans and budget to the authorities before being given the green light to operate legally and must, in addition, have all their elections, leaders and members cleared by the security apparatus. The process to obtain legal recognition is therefore lengthy; the process may take months after the filing association has lodged the required papers. This process might be even lengthier (or finally unsuccessful) for those organizations working in domains considered sensitive for the authoritarian regime, e.g. in the areas of human rights or democratization. Foreign NGOs operating in determined southern Mediterranean countries are submitted to an even closer scrutiny. A foreign association may not be established or operate in Tunisia unless its articles of association have been approved by the Secretary of State for the Interior, following an opinion by the Foreign Secretary. Such approvals are only rarely granted to foreign NGOs involved in human rights (apart from gender issues) or democracy. Moreover, Tunis can at any time control the activities of the NGOs through a range of means of repression, whether by effectuating outright detentions or by more subtle measures such as decelerating/denying passport applications, or simply shutting off the electricity needed for computers, lights or air conditioning. The situation in Tunisia is repeated in other Arab southern Mediterranean countries where civil society actors, with more or less virulence, are confronted with a host of obstacles by the authorities. For these reasons, the 2004 ENP Country Report for Tunisia estimated that out of the approximately 8000 NGOs operating in Tunisia only a small fraction can be considered genuinely independent (European Commission, 2004).

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7 Cf. Annual Arab UNDP Human Development Reports since 2002 or the ENP Country Reports from 2004.
Southern Mediterranean governments have also been active in controlling the flow of financial assistance to the associations operating on their national territories. As a rule, foreign funding for southern Mediterranean NGOs should be channelled through the state or through intermediary bodies approved by the host government. In theory, the MEDA Democracy and the EIDHR were created to be able to get around such restrictions. However, in practice the EU has always shown itself sensitive to its partner countries’ preferences and on the whole EU consultation with the target country’s government over which projects to fund has been the standard practice. What is more, the EU financial assistance has not been forthcoming in the absence of an explicit southern Mediterranean governmental consent (Netherlands Institute for Multiparty Democracy 2005: 11). As a result, only those civil society organizations approved by the Mediterranean partner governments have been eligible for MEDA/EIDHR money and any prospect that EU funds could be used to support unregistered or controversial NGOs—for example, political opposition parties, NGOs providing support for ethnic groups (for example the Kurds in Turkey or in Syria, or Saharawis in the Algerian desert) or associations with Islamic affiliations—has been effectively undermined. This susceptibility of the EU vis-à-vis the wishes of the partner governments has regularly been criticized. However, indignation in the NGO community would run especially high when the Commission in 2003 withdrew the funding of already approved projects to civil society actors in Egypt, due to the insistence of that country’s authorities that some of them were linked to Islamic terrorism.

The close control over the southern Mediterranean civil society actors does not only limit itself to the workings of these within the national territory, but in effect extends to all areas of Euro-Mediterranean civil society cooperation. For example, the Anna Lindh Foundation was according to the Valencia Action Plan meant to be an encounter between non-governmental representatives. However, at the Naples Euro-Mediterranean minister meeting some southern Mediterranean governments demanded, and were granted, the right to designate the national participants involved in the Foundation’s work. This right has resulted in that only ‘safe’ civil society actors, trusted by their regimes, participate. For example, heads of the national networks composing the Anna Lindh Foundation have all been appointed and approved by their respective governments. Several heads of networks are even directly employed by their national governments whether in National Libraries or in other state-supported cultural institutes. Such state-meddling was originally accepted in that it was perceived as a temporary measure until genuine civil society actors could replace the state-appointed. Malmvig (2005: 360), nevertheless, draws our attention to the fact that the objective of opening up the inter-civilizational dialogue to ‘cultural circles outside official diplomatic and cultural forums’ which was formulated in Naples (Euro-Mediterranean, 2003) has subsequently disappeared in the Foundation’s freshly minted statutes. Unsurprisingly, one might say, given that the drafting of the statutes was supervised by the current interim Board of Governors of the Anna Lindh Foundation composed of nationally appointed representatives.

The EU’s Internal Structural Deficiencies as a Foreign Policy Actor

The EU’s tribulations in terms of promoting civil society action is in many ways not a problem specific to the Euro-Mediterranean relations, but a problem at large in terms of its foreign policy. One of the biggest problems in external action over the years has been the Union’s lack of intra-institutional coordination. As Panbianco (2004: 10) has remarked, the actuation of EU institutions must at times seem ‘schizophrenic’ to an outside observer. The European Commission, in its capacity as a policy initiator, often writes together elaborate policy documents giving the appearance of a solid strategy for how to pursue European values and interests. However, behind the scenes the bureaucratic turf wars between DG External Relations, DG Commerce and DG Development have at times impeded the development of well-functioning of programs destined to benefit civil society cooperation.
as a consequence of differentiated prioritization. On its account, the European Parliament is regularly described as a public watchdog keeping an eye on human rights and democracy. Nevertheless, it has equally regularly been accused of using normative questions as a platform for self-aggrandizement and as a means to attain policy leverage over the other European institutions. Finally, we have the Council, where identity (common values, shared history etc.) sometimes clash with interests (commercial, geopolitical etc.). The Council’s rather patchy record in terms of protecting human rights and other milieu values, has led Panebianco (ibid.) to lay the blame for EU’s seeming incoherence and ‘double standards’ squarely on the Council.

However, while it is debatable whether one single institution—rather than the whole institutional set-up—is to blame for what is seen as inconsistencies in EU’s foreign policy, one must side with Panebianco on her finding that the current institutional set-up has since long generated a considerable amount of institutional myopia in EU’s relations with third countries. The various internal restructuring processes within the EU over the years—allegedly taking place to improve the Union’s foreign policy coherence and delivery—has still not yielded conclusive evidence that intra- and inter-institutional policy coordination has improved. Many contradictions remain. It is beyond the scope of this paper to make an in-depth discussion of all the different factors contributing to the perception of a certain myopia in terms of civil society promotion, however, we will point to a few clear paradoxes in terms of the Union’s engagement with Euro-Mediterranean civil society.

First, a problem affecting the EU, and the Commission in particular, when dealing with civil society actors is that there is an excessively weak link between political analysis and the EU financial assistance. One must infer that it seems paradoxical that the Commission tends to show great interest in investing money in programs targeting partner countries whose main claims to attention are massive political repression or human rights violations, while surprisingly scarce interest for civil society in those countries with proven political liberalization potential. The NGOs working in moderately reformist Morocco, for example, regularly complain of the Union’s relative neglect for their causes. Gillespie (2004: 8-9) even denounces that pro-democracy NGOs in Morocco have had their possibilities for EU financial and technical support curbed as a result of the disappearance of the MEDA Democracy. In contrast, the EIDHR would in 2002-2004 designate increasingly illiberal Egypt, among other 30 countries, as a target country slated to received additional funds to finance democracy and human rights reforms. The result was that large EU sums were unused at the end of the period, whether as a consequence of the already noted withdrawal of the assigned funds, out of Cairo’s fear that Islamic or opposition forces would benefit, or the want of viable partners and/or projects in a country increasingly repressive of its civil society actors. Such imbalance in EU prioritization seem to indicate that its democracy and human rights assistance is more ruled by newspaper headlines than by a profound analysis of where the greatest added value for furthering long-term strategic norm promotion could be made. The Commission’s proposals for how to use the ENPI funds does not seem to alter this pattern given that the Commission has pledged to pay greater attention to the most intransigent political regimes (cf. Youngs, 2006).

The rigidity and inflexibility of funding procedures is also a fact of EU financial assistance which paradoxically discourage, rather than encourage, non-European civil society actors to benefit from EU funds. The Commission’s complex application processes, with long lead times and onerous financial management and reporting requirements, are very often beyond the capacity and resources of local southern Mediterranean civil society organizations and so they refrain from seeking EU assistance. As a result, large international NGOs that are often not well-rooted in local communities remain the main beneficiaries of EU resources, receiving more than two-thirds of the funds (Netherlands Institute for Multiparty Democracy, 2005). Their work is valuable, but often hamstrung by the fact that they often operate outside the territory of the target country and lack deeper knowledge and understanding of

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8 While DG External Relations might show relatively greater interest for e.g. democracy promotion, while DG Development tends to worry that such a focus undermines attention to poverty reduction.
local conditions. It can thus be very difficult for an external NGO to act with swiftness and apply the most adequate means as political conditions might change for the better or the worse in the target country. The contacts between European civil society associations and their southern Mediterranean homologues are also relatively restricted. European NGOs can, according to the EU financial regulations, only engage in EU financed cooperation with registered southern associations and hence the occasions for positive policy transfer of European best practices and institutional organization to a broad segment of civil society actors are rather limited.

Finally, EU myopia can also to some extent be found in the tacit support determined European governments provide their southern Mediterranean homologues, whether as a consequence of historical and cultural ties or fear of the Islamic factor. Such collusion has even had concrete circumscribing effects on activities not formally linked to the Barcelona Process, such as for example the Euro-Mediterranean Civil Forum. Despite its independent character away from the formal Euro-Mediterranean structures, the Civil Forum has, since its foundation in 1995, been marked by considerable state-meddling. The Civil Forum is in principle organized by a non-governmental actor in the country holding the EU Presidency of the Council in turn. However, more often than not governmental pressures have come to bear on the organizer whether in terms of the Forum’s agenda or its participants in order to not offend southern Mediterranean sensibilities. Jünemann (2002) cites the case when the French EU Presidency—one of the proponents of civil society dialogue in 1995—pressed the French organizers of the Marseille Civil Forum in 2000 to change the name of the human rights panel in fear of causing annoyance among the southern Mediterranean governmental elites. Along the same vein, denying or conveniently ‘loosing’ Schengen visa applications by determined participants of the Civil Forum have also been practice by different European hosts governments. This has meant that, on more than one occasion, some of the more controversial reformist leaders from the Mediterranean South have simply not been able to attend a Civil Forum meeting for want of a valid visa permit to enter the European country where the Forum was held.

Southern Mediterranean Civil Society’s Lack of Enthusiasm

Third and finally, it has been quite widely sustained that the Union’s model of pluralism may have a gravitational effect on outside societies (‘pull effect’ or ‘contagion’). Indeed, some European policy makers have in recent years tried to write up the European way of democracy and market economy as a model (civilian/normative power) to be emulated for neighbouring peoples. They base their assessment on the fact that the EU so successfully managed to lure Central and Eastern European countries into peaceful transition. However, it is pertinent to note that the situation in southern Mediterranean is radically different than that of the early-1990s Central and Eastern Europe. In contrast to the latter, broad sectors of southern Mediterranean countries are not convinced about the benefits of liberal pluralism, at least not the model espoused by the EU. This lack of enthusiasm stems from the fact that the European approach has been rather blunt and arguably ill-adapted to Southern Mediterranean societal constructions and mental imaginary. For example, there are some southern Mediterranean Arab observers who find the notions of ‘civil society’ or ‘decentralized cooperation’ problematic. These same observers would argue that these concepts respond to necessities, history and traditions in the Western societies as they developed in the wake of the 19th century Industrial Revolution. As directly transposed concepts onto the present Arab world these concepts have, however, little meaningful resonance. Indeed, their argument would sustain that voluntary, non-profit associative networks are alien to Arab societies, in which traditional structures of society such as the family, clan and especially the religious institutions are the natural outlets of association (Baroudi, 

9 The Civil Forum was created as a non-governmental initiative to open up the debate on Euro-Mediterranean issues to other actors apart from central governments. The inaugural Civil Forum was celebrated just days before the 1995 Barcelona minister meeting and gathered over 1000 civil society participants from diverse backgrounds such as universities, companies, trade unions, artists, chamber of commerce and host of different associations (Oliván, 2002).
2004). The EU’s associative formula, seen from such a perspective, becomes a threat against the existing culture and models of society and rejected from the instinct of wishing to preserve the distinctive traits of these societies. The fear of introducing Western-promoted reforms is thus at all times linked to the fear of being co-opted into new forms of colonialism or dependency. Moreover, the reluctance of the European institutions to finance cooperative ventures involving religiously affiliated Muslim organizations, even moderate ones, together with certain recent diplomatic incidents (e.g. the ‘cartoon war’) have spurred a sentiment among Muslim Arabs that Europeans are disdainful of their religion and identity. Some civil society activists in the southern Mediterranean have, for this reason, resisted their European homologues’ overtures for cooperation to a greater extent than what occurred in Central and Eastern Europe because of ‘a widespread suspicion that EU democracy and human rights promotion has a subtext in the Mediterranean of undermining the Islamic identity of societies’ (Gillespie 2004: 6).

**What Success of the EMP/ENP as a Regime?**

We had noted that a regime could either depart from a situation where common principles, language and norms were present at the outset of the regime or where they were not. In the case of the Euro-Mediterranean Partnership it is fairly easy to concur with those numerous authors who have pointed to the highly divergent domestic political and social situations among the participants in 1995 and the mental gap which separated the northern and the southern shores of the Mediterranean (cf. Barbé, 1996; Gomez, 2004). What is more, southern and northern motivations for engaging in the Barcelona Process were noticeably disparate from each other and one could infer that the participants did not agree on much aside the outcome which all wished to avoid: Euro-Mediterranean instability. What is interesting to note is that this common aversion spurring on the cooperation across the Mediterranean in 1995 continues to be one of the major factors behind the persistence of the EMP/ENP regime today. There have, for example, been many predictions of the early death of the Barcelona Process. However, even if the EMP currently appears to be badly wounded at the time of writing, it can still be argued that it continues to have relevance as a regime for its participants out of fear of a generalized destabilization of the area.

Second, the main assumption behind the setting up the EMP/ENP was the prospect of the EU becoming the dominant norm-sender in a Euro-Mediterranean asymmetric regime. One of the main motivations for the EU member states to engage with the southern Mediterranean countries has indeed been the conviction that the EMP/ENP could assist the eventual modification of entrenched points of view and to teach new sociopolitical habits. In 1995, in particular, there was a naïve hope in some European capitals that the Barcelona Process would cause ‘Europeanness’ to automatically rub off on the southern Mediterranean partners, whether in terms of a functioning civil society or other normative pursuits. Hence, the idea of setting up the EMP was attractive in view of the potential reform it could produce in southern Mediterranean partners, especially for those EU northern member states keen on pursuing a normative foreign policy on the international stage.

Nevertheless, as we have seen, there is scant evidence for that the EU has been successful in constructing itself the role of the unified and coherent actor needed in order to become an effective norm-sender. The EU’s engagement with southern Mediterranean civil society rather reveals the many contradictions which value-oriented foreign policy creates within the Union. Normative promotion is a topic which has sorely divided the member states and the different European institutions in the past decade and, to date, there is still no true consensus on how milieu goals are best pursued in relation to third countries. Perhaps one could infer that this is a result of the incomplete processes of socialization (or Europeanization) within the EU foreign policy in terms of normative promotion, whereby different policy cultures continues to live side by side (whether between DGs or between northern and southern EU members) without meshing. This lack of consensus around how to and where promote normative objectives has been the principal cause behind the EU’s normative actorness falling apart when faced with southern Mediterranean governments’ resistance. What is more, the EU’s normative strategy has
sometimes appeared as held hostage by southern Mediterranean governments (and determined EU member states), much to the detriment of the credibility and legitimacy of the EU as a norm-sender.

The failure of the EU to coalesce into a more coherent norm-sender has seriously compromised the Union’s objective of achieving normative socialization in Euro-Mediterranean relations, whether through the developing of a common language or behavioural adaptation. The EU’s failure to combine its direct and indirect mechanisms into a coherent strategy has resulted in an ambiguous norms-emission in which objectives and actions have sometimes cancelled each other out. Our theoretical discussion alerted us to that a successful norm-sender uses cohesion, cooperation and a manipulation of incentives to sustain norms-emission. The EU has rather undermined, than fomented, Euro-Mediterranean cohesion by being seen as pushing Europeanness and Euro-centric structures and values too openly and in scant respect of local societal and identitarian constructions. The cooperation needed to generate Euro-Mediterranean socialization has come to naught as a consequence, for example, of rigid EU regulations not allowing financial assistance to benefit unregistered southern Mediterranean NGOs, although they might be collaborating with European NGO networks and on European projects. Finally, there has been a clear absence of strategic thinking in terms of how the EU’s different instruments (‘carrots’) could be combined to motivate and/or safeguard reform. The credibility of the Union’s political conditionality has repeatedly been undermined, especially when outright abuses has triggered no repercussions from Brussels and normative backsliding, as we have seen in the case of Egypt, has been rewarded with increased EU political attention and aid. It was hoped that the ENP would be able to improve on this situation by introducing concrete benchmarks to guide the EU political conditionality, making the progress in ENP partner reform, including on normative issues, a prerequisite for obtaining further EU carrots. However, although much touted around the launch of the ENP, the issue of benchmarks has reportedly almost disappeared off the EU’s radar since.

Such lack of normative actorness has resulted in a very limited identification in the southern Mediterranean with the European political agenda, whether at governmental or at civil society levels. What is perhaps even worse is that the EU’s failure as a norm-sender and its incoherent or stunted defence of milieu values has entailed that the EU as a democratic, pluralistic social model to emulate has been rather thoroughly undermined, and so has its attraction power—or normative power—for the near to medium future. Southern Mediterranean societies see the Union’s approach as too Euro-centric and too collusive with southern Mediterranean authoritarian governments to have any relevance to their social realities. Socialization, as we have seen, is in part based on the attractiveness of the norm-sender’s values and in this aspect Europe has come up short in Euro-Mediterranean relations. Diez (2004: 26) argues rightly that the key for the future of EU’s normative promotion is that it is rescued from becoming ‘a self-righteous, messianistic project that claims to know what Europe is and what others should be like.’ But until then, the failure of the norms-emission in the past decade has left the EU with little leverage to draw these societies into a positive and beneficial relationship for the future.

10 Although, as Youngs (2002) has noted, EU officials regularly point to ‘discursive socialization’ as a positive step in the right direction of developing a common language in the Euro-Mediterranean regime. Political elites on the southern Mediterranean rim have not been able to completely escape the effects of the EU rhetoric on normative promotion. They have had to embrace norms in, at least, an instrumental fashion by currying the international favor that political liberalization promises (Grüntert, 2003). Some elites—wanting to preserve appearances or at least to avoid excesses—have at times adopted a conciliatory stance vis-à-vis Europe. The southern Mediterranean governments’ concessions on civil society at the Naples, Dublin and Luxembourg ministerial meetings are examples of this phenomenon. An even clearer example is the, by media much hailed, 2004 Tunis Declaration by the Arab League which plainly was designed as an exercise of politically correctness vis-à-vis Western donors. The Tunis Declaration makes an explicit connection between modernization of Arab societies and the evolution of some factors of good governance, among those ‘enlarging participation in political and public life, by fostering the role of all components of the civil society, including NGOs, in conceiving of the guidelines of the society of tomorrow, among those a more vibrant civil society’ (Arab League, 2004). EU officials point to such conciliatory stances as proof of that the Union’s involvement in the Mediterranean area has managed to inculcate a common language and make it appear as if this phenomenon proves the Euro-Mediterranean regime a partial success.
Rather than looking to the EU for guidance in transition, these societies are bound to look elsewhere (e.g. the US).

Conclusions

The use of regime theory in this work has attempted to further our understanding of the Union’s role in the spread of ideas and values beyond its borders, in particular in terms of Euro-Mediterranean relations. The EMP, and the later ENP, were both born with the ambition to promote economic and political interests alongside normative, identitarian issues. The Union’s aspiration was to set itself up as the regime’s norm-sender to inculcate European practices and Europeanness across the Mediterranean space. Given the unwillingness in most European capitals to challenge southern Mediterranean governments head-on in the normative terrain, the bottom-up, indirect promotion of and support for civil society became the central component of Union’s normative approach. This, in consequence, has made EU’s normative promotion as unique as complex. It has created, if underutilized, structures to communicate its norms and its readings of those norms (e.g. strengthened political dialogues, Anna Lindh Foundation). The EU has also focused on strengthening civil society by ways of capacity-building of third sector actors and provided a considerable amount of assistance (MEDA/EIDHR) in a decentralized and, for international standards, rather loose fashion.

However, as we have seen, the Union has not succeeded as a norm-sender or in its objective to promote normative change. First, the EMP/ENP are based on the expectation that the EU is (or soon becoming) a much more unified foreign policy actor in the normative terrain than realistically can be expected. This notion is the same as that which underpins the NPEU argument. However, the findings in this paper points to that normative promotion is a topic which deeply divides the EU member states and the European institutions to an extent that the EU as a foreign policy actor virtually disappears when external pressure or resistance is applied, with no quick remedies within sight. The EU’s commitment to the Euro-Mediterranean civil society in the past decade is therefore a reliable gauge or indicator of the continued weakness of the EU’s commitment to normative promotion.

Second, yet another fallacy was the expectation that Europeanness would rub off rather easily on southern Mediterranean partners in the same way it had in Central and Eastern Europe. Such hopes not only reveal a serious lack of grasp of southern Mediterranean social realities, but also rely—as the NPEU argument—on an excessive faith in the attractiveness of the European sociopolitical model. With the gravitational attraction of Europe in tatters, the way forward in Euro-Mediterranean relations could benefit from the lessons inherent in a symmetric regime in regards to finding common ground through compromise. The EU and the southern Mediterranean civil society should work to find a common language by finding joint normative constructions by ways of dialectical processes edging toward compromise. In regimes, as social orders overall, it is through a communicative process in which norms are rationally assessed that their relevance and legitimacy for all norm-takers is established. Such thinking is relevant in view of the current and growing cultural misunderstandings across the Mediterranean divide and helps us to predict that until the EU decides to sit down and listen to the concerns of the southern Mediterranean civil society when questioning the Western, secular model and until it tries to adapt to the strong social cohesion that Islam represents, any ‘dialogues between civilizations’ and/or fruitful cooperation in non-economic fields will simply not be successful. The Union should not only reach out to embrace moderate Islamic actors on the southern Mediterranean side, but also show willingness to make good on the promises inherent in the Barcelona Declaration and of the ENP of co-ownership making the external civil society partner party to what and how norms should be promoted. The proposed European Democracy Foundation could perhaps be a first promising step in this direction—if safeguarded from too much state-muddling whether European or southern Mediterranean.
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