

CAN THE EU BECOME A NORMATIVE POWER IN THE SOUTH?:

THE EGYPTIAN CASE¹

M. Gülce Kumrulu

Abstract

The launch of the European Neighbourhood Policy has increased the relevance of the concept of “the EU as a normative power”. Egypt is an important test case to assess whether the EU can become a normative power in its Southern neighbourhood. In this context, this article attempts to evaluate the impact of ENP in the areas of democratization and proliferation of human rights in Egypt. It examines the political developments in the country before and after the inception of the Action Plan and points out the obstacles curtailing the EU’s normative role in Egypt. It argues that domestic factors and the credibility of conditionality are two possible explanations for the limitations to the EU’s normative power in Egypt as well as in its Southern neighbourhood in general.

Key Words

ENP, Action Plan, normative power, conditionality, credibility, democratization.

Introduction

Since the Camp David Peace Accords, Egypt has always been a significant partner for the West and an important pillar of peace and security in the Middle East. Similarly, Europe has traditionally played an important role for Egypt due to its geographical proximity and historical ties. Today, the European Union (EU) is Egypt’s main trading partner. The trade volume which has reached € 16.3 billion in 2006 represents about 40% of Egypt’s total trade with the world. Furthermore, EU is the main investor in the country and the second largest aid donor after the USA.² However, the main flaw of EU’s

¹ This article analyzes the developments until the first anniversary of the conclusion of the Action Plan between Egypt and the EU. It is based on a paper which the author submitted for the Degree of Master of Arts in European Studies, Faculty of Arts and Culture, University of Maastricht, Academic Year 2007-2008. Views expressed here solely represent the author’s own opinions and assessments.

² European Commission’s Delegation to Egypt, Association Agreement: Three Years Anniversary, 2007. Retrieved on 18 January 2008 from <http://www.delegy.ec.europa.eu/en/index.htm>.

external relations is also prevalent in the Egyptian-EU relations: Whether the EU can or will translate this economic influence in the Egyptian economy into political leverage remains to be answered.

After introducing the concept of “EU as a normative power” spreading its norms and values beyond its borders, this article attempts to evaluate the impact of the EU in the areas of democratization and proliferation of human rights in Egypt. It tries to assess whether the European Neighbourhood Policy (ENP) can provide an incentive for Egypt to carry out reforms in these areas. Due to its strategic role, the impact of the domestic developments in Egypt reaches out to the whole region. Therefore, Egypt is an important case to test whether the EU can become a “normative power” in the Middle East, projecting its values and norms in the region, or whether it will continue to be an economic giant short of political muscle in that part of the world. In this context, the obstacles curtailing EU’s normative role in Egypt will be analysed in this article.

The Action Plan for Egypt within the framework of ENP, which was concluded in March 2007 after lengthy negotiations, includes specific agreed commitments on political reform and human rights. These commitments are in line with the reform programme that the Egyptian Administration had already committed itself to since late 2004. In order to analyze whether the Action Plan has been able to trigger this programme, the political developments in Egypt before and after the Action Plan will be evaluated throughout the article.

The EU as a Normative Power

According to constructivist theory, normative and ideational structures shape the identities as well as the behaviour of actors. The application of this main tenet of constructivism to international relations aimed to demonstrate the power of ideas, norms and values in shaping world politics.³ This has also brought the notion of “normative power”, a power which wants to spread its norms and values at the international level.

As an international actor, the EU cannot be immune from the conditioning of its foreign policy by certain norms and values. In contrast, the foreign policy of the EU, as a unique hybrid polity within the international

³ Christian Reus-Smit, “Constructivism”, in Scott Burchill et al. (eds.), *Theories of International Relations*, New York, Palgrave Macmillan, 2005, p. 196, 207.

system, provides to be an important test case for constructivist claims, as the development of the concept of “EU as a normative power” demonstrates. The EU has traditionally been defined as a “civilian power”, a power short of military muscle but strong on economy. However, the introduction of the concept of the EU as a “normative power” has brought an additional value to the foreign policy of the EU. While realists and rationalists argue that the EU only promotes its self-interests; normative power arguments imply that self-interests are not the sole driver of EU foreign policy, they might be coupled or replaced by values and norms.⁴

As a proponent of this concept, Manners claims that the difference of the EU from “pre-existing political forces predisposes it to act in a normative way”. In other words, the EU is destined to follow such a normative path due to its history and organization, the logic behind its establishment and its core values. Manners defines five core norms constituting the normative basis of the EU: centrality of peace, liberty, democracy, rule of law and respect for human rights and fundamental freedoms. He refers to the relevant articles of the Treaty on European Union, which stipulate that the Union is founded on and has as its foreign and development policy objectives the consolidation of democracy, rule of law and respect for human rights and fundamental freedoms.⁵

Similarly, Sjursen states that the normative power argument makes sense, by “expecting consistency between the internal and external standards of a polity such as the EU”.⁶ In fact, such a consistency should be a natural outcome, since constitutional norms of the EU such as democracy, rule of law, social justice, and respect for human rights also condition its international identity and, thus, its foreign policy. Therefore, it is only natural to expect the Common Foreign and Security Policy of the EU to reflect its own norms.

By embracing their consolidation as an objective, CFSP diffuses these norms through several ways. Manners gives the examples of Enlargement and trade and aid agreements with third countries, in which a “carrot and stick policy” is used. Therefore, conditionality serves as an important mechanism helping the diffusion of the norms.⁷ This article builds on this notion of the EU’s diffusion of its norms by “civilian power” instruments in its toolbox, such as conditionality.

⁴ Helene Sjursen, “The EU as a ‘Normative Power: How can this be?’”, *Journal of European Public Policy*, Vol. 13, No. 2 (March 2006), p. 239.

⁵ Ian Manners, “Normative Power Europe: A Contradiction in Terms?”, *Journal of Common Market Studies*, Vol. 40, No. 2 (2002), p. 240-242.

⁶ Helene Sjursen, *op.cit.*, p. 244.

⁷ Ian Manners, *op.cit.*, p. 244-245.

While diffusing its norms and values to the outside world, EU has naturally started from its immediate neighbourhood. For instance, the Central and Eastern European Enlargement has become a significant opportunity for the Union to project its system to the rest of the Continent. With the incentives for reform it has created, Enlargement proved to be one of the most successful external policies of the Union and the ideational impact of the EU's international normative role was observed in Enlargement. As Kelley argues, this has also inspired the ENP.⁸

Smith defines the ENP as “an attempt to create good neighbours namely, the kind who conform to...EU values”.⁹ However, the success of the EU as a normative power in the Enlargement process does not necessarily mean that it will be automatically applicable to other policy areas. Furthermore, normative power also has its own restraints, such as external factors. The normative “actorness” of the EU, which can be calculated by its political impact, is not only dependent on its own capabilities and willingness, but also on external variables like domestic factors in ENP countries. In addition, credibility of conditionality is also an important factor in seeking to promote particular norms. Therefore, in order to discuss the extent and the limits of EU's pursuit of normative power within ENP, Egypt has been chosen as a case study to apply these concepts.

The Development of Egyptian-EU Relations and the Action Plan

The year 2007 was not only the 30th anniversary of the partnership between the EEC/EU and Egypt but also the witness of “the opening of a new chapter in the relations”, as the EU Commissioner for External Affairs and ENP Ferrero-Waldner defined the Action Plan.¹⁰ The relations between Egypt and the EEC/EU have constantly developed since the Cooperation Agreement which entered into force in 1977 as a typical trade and technical assistance agreement concluded within the framework of the Global Mediterranean Policy of the EEC. In fact, the EU-Egyptian relations have always developed under the umbrella of the EEC/EU's Mediterranean policies. This is, of course, without prejudice to the well-established historical and commercial ties between Egypt and some of the biggest EU Member States such as UK, France, Italy and Germany.

⁸ Judith Kelley, “New Wine in Old Wineskins: Promoting Political Reforms Through the New European Neighbourhood Policy”, *Journal of Common Market Studies*, Vol. 44, No. 1 (2006).

⁹ Karen Smith, “The Outsiders: The European Neighbourhood Policy”, *International Affairs*, Vol. 81, No. 4 (2005), p. 763.

¹⁰ Commission of the European Communities, EU-Egypt: European Neighbourhood Policy Action Plan Adopted. Press release (IP/07/284), Brussels, 6 March 2007. Retrieved on 18 January 2008 from <http://europa.eu/rActionPlanid/pressReleasesAction.do?reference=IP/07/284&format=HTML&aged=1&language=EN&guiLanguage=en>.

In 1995, an ambitious step was taken in the Mediterranean Policy of the EU with the introduction of the Euro-Mediterranean Partnership (EMP), also known as the Barcelona Process. This process was welcomed by Egypt and it has become the main determinant defining the EU-Egyptian relations afterwards. Since its inception, Egypt has been playing a very active role within the process as the spokesperson of the Arab Group within EMP.

In 2004, the Association Agreement between the EU and Egypt within the framework of the EMP entered into force. It includes three pillars, namely political, economic and social relations, just like the structure of the EMP itself. Its overall objective is to establish the appropriate framework for co-operation and partnership, which will contribute to the economic and social development of Egypt. However it also makes reference to political issues. For instance, the Article 2 of the said Agreement states that “relations between the parties shall be based on the respect of democratic principles and fundamental human rights, which constitutes an essential element of the Agreement.”¹¹

As a result of the importance it attaches to the EMP and its prominent role within it, Egypt was “cautious” and to some extent “reluctant” to welcome the introduction of the ENP. It saw the ENP as an initiative “diluting” the EMP.¹² Therefore, Egypt has been a laggard country within ENP from the beginning. Its scepticism contributed to the delay in concluding its Action Plan.

The other factor in this delay was the problems faced in the negotiations of the Action Plan. Human rights and the Weapons of Mass Destruction in the Middle East were two thorny issues that led to a stalemate in the negotiations. Egypt, who has been promoting a Middle East free of nuclear weapons under the initiative of President Mubarak, wanted to refer to the Israeli nuclear programme in the Action Plan. Yet, this proposal was not welcomed by the EU.¹³ As a matter of fact, there is no direct reference to Israel in the final text of the Action Plan.

The problem with the human rights issue was regarding how to handle it within the framework of the Action Plan.¹⁴ In the end, it was decided that this

¹¹ EU/Egypt Association Agreement, which was signed in June 2001 and entered into force on 1 June 2004.

¹² Thomas Demmelhuber, *The European Neighbourhood Policy (ENP) and Its Implementation in the Southern Mediterranean The Case of Egypt*, Discussion Paper C170, Center for European Integration Studies (ZEI), Rheinische-Friedrich-Wilhelms-Universität Bonn, 2007, p.10.

¹³ GulfNews, EU and Egypt Fail to Unblock Association Deal, 15 June 2006. Retrieved on 28 January 2008 from <http://archive.gulfnews.com/articles/06/06/15/10046985.html>

¹⁴ Ibid.

issue would be dealt with by one of the sub-committees that would be formed to monitor the implementation of the Action Plan, namely the sub-committee on political matters, human rights and democracy, international and regional issues.

Finally, the Action Plan between Egypt and the EU was formally adopted at the EU/Egypt Association Council in Brussels on 6 March 2007. It was coupled with an aid package of €558 million under the European Neighbourhood and Partnership Instrument (ENPI) framework for the period of 2007-2010. This was an increased budget compared to previous funds allocated to Egypt through the MEDA Programme which was the principal financial instrument for the implementation of EMP, that had amounted to €1.1 billion from 1996 to 2006.¹⁵ The main aim of the Action Plan and the attached aid programme is to support Egypt's own national political and economic reform programme, including the areas of democracy and human rights. This "supportive" feature of the Action Plan has been constantly emphasised by the EU officials since then, as well as being stated in the Plan itself.

In contrast to the Association Agreement which includes very few and weak references to democracy and human rights, the Action Plan consists of a list of priorities for action as well as a list of actions to be taken. These areas of action include strengthening, inter alia, democracy and the rule of law, independence of the judiciary, human rights and fundamental freedoms, rights of the women and children, freedom of association and expression, pluralism of the media, fight against discrimination, intolerance, racism and xenophobia, and civil society.

Developments in the Areas of Democratization and Human Rights in Egypt

In order to see whether the Action Plan have had any substantial impact in the areas of democratization and human rights, the political situation in Egypt before and after the conclusion of the Plan should be examined.

Egypt embarked on a broad political and economic reform project with the Ahmed Nazif Government which came to power in summer 2004. The project, which has also been supported later by the Action Plan, basically aimed at economic liberalisation and democratization.¹⁶ The greatest political reform in that context was the first-ever multi-candidate presidential election

¹⁵ Commission of the European Communities, *EU-Egypt: Commissioner Ferrero-Waldner presents €558 million assistance package during her visit*, IP/07/241, Press release, Brussels, 28 February 2007.

¹⁶ For a detailed account of the reforms, see Michelle Dunne, *Evaluating Egyptian Reform*, Carnegie Papers No: 66, Washington, Carnegie Endowment for International Peace, January 2006.

in September 2005. While several candidates ran for the election, President Mubarak was re-elected with an overwhelming majority.

This was followed by parliamentary elections in autumn 2005, which were monitored by the judiciary. Only some local NGOs were allowed to observe the elections. Some irregularities regarding these elections were mentioned in the relevant Statement by the EU Presidency.¹⁷ The elections resulted with the victory of the governing party. The opposition parties could obtain only a marginal number of seats, whereas the biggest challenge of the elections was the 88 seats gained by the Muslim Brotherhood.¹⁸ Consequently, the Muslim Brotherhood has become the largest opposition bloc in the parliament. This has had some implications in the Egyptian political life. Shehata and Stacher argue that, for the first time there has been an active and efficient opposition in the Egyptian parliament.¹⁹

However, as a result of this changing political climate, the pace of reform in the country slowed down. For instance, the reform programme included abolishing the State of Emergency that has been in force since the assassination of the late President Sadat in 1981. However, it was renewed for another two years in 2006. Prime Minister Nazif stated the recently witnessed sectarian incidents and terrorist operations as the reason of the extension and announced that the State of Emergency would continue until the enactment of a new anti-terrorist law.²⁰ Furthermore, local elections which had been scheduled for April 2006 were postponed. This development was viewed as a response to the unprecedented success of the Muslim Brotherhood in the parliamentary elections.²¹

Another development that led to international criticism was the sentencing of the opposition leader Ayman Nour to five years in jail in December 2005. Nour, who was the first runner-up in the presidential elections, was charged with forgery. The EU expressed its concern and stated that this development sent negative signals about democratic political reform in Egypt.²²

¹⁷ Council of the European Union, *Statement by the EU Presidency on behalf of the European Union on the Egyptian Parliamentary Elections*, 15631/05 (Presse 355), P 144/05, Brussels, 9 December 2005.

¹⁸ Since they are not allowed to establish a political party, Muslim Brotherhood members run for elections as independent candidates.

¹⁹ S. Shehata, J. Stacher, "The Brotherhood Goes to Parliament", *Middle East Report*, 240 (Fall 2006).

²⁰ Daily Star, *Egypt Renews State of Emergency for Two Years*, 29 April 2006. Retrieved on 4 March 2008 from <http://dailystar-egypt.com/printerfriendly.aspx?ArticleID=1351>.

²¹ Michael Slackman, "Egypt Moves to Postpone Local Elections for Two Years", *International Herald Tribune*, 14 February 2006. Retrieved on 4 March 2008 from <http://www.iht.com/articles/2006/02/14/news/egypt.php>.

²² Council of the European Union, *EU Presidency Statement on the Outcome of the Trial of Mr. Ayman Nour in Egypt*, 27 December 2005. Retrieved on 4 March 2008 from <http://www.eu2005.gov.uk/servlet/ Front?pagename=OpenMarket/Xcelerate/ShowPage&c=Page&cid=1115146994806&a=KArticle&aid=1134650253515&date=2005-12-27>.

In the period from the 2005 elections until the Action Plan, other criticisms were also directed at the Egyptian Administration regarding its practices vis-à-vis Muslim Brothers, journalists, bloggers, activists and judges.

This trend continued in the aftermath of the adoption of the Action Plan. Only days after the conclusion of the Plan, a comprehensive constitutional amendment package was adopted by the parliament and approved by a referendum, which was boycotted by the opposition.

While the Egyptian Administration presented the amendments as a crucial step in reform, this was rejected by several domestic and international circles. Amnesty International claimed the amendments to be the “greatest erosion of human rights in 26 years”. It was perceived as an attempt to preserve the status quo and to curb the power of the Muslim Brotherhood in the future.²³ For instance, running for elections has been made more difficult for independents and political activity based on religion was banned. Among the most criticised amendments were the erosion of full judicial supervision in the elections and the special powers given to the executive in order to fight terrorism. These caused concerns regarding the protection of human rights and fundamental freedoms.²⁴

The EU’s reaction to the amendments was confined to a declaration by the Presidency. The Declaration had a very cautious wording, only reiterating EU’s support for reform in the country. The only criticism in the Declaration was about the short period of time between the parliamentary approval and the referendum that left little time for public debate.²⁵ There was neither any criticism directed at the substance of the amendments nor any resort to conditionality. This was another sign of the declaratory nature of the EU’s foreign policy, short of political muscle.

Egypt ranked as “not free” in the 2007 survey of Freedom House, *Freedom in the World*. On a scale of 1 to 7, with 7 as the lowest, Egypt’s rating was 6 and 5 for political rights and civil liberties, respectively.

²³ Amnesty International, *Egypt: Proposed Constitutional Amendments Greatest Erosion of Human Rights in 26 Years*, Press Release, No. 53, 18 March 2007. Retrieved on 4 March 2008 from <http://www.amnestyusa.org/document.php?lang=e&id=ENGMDE120082007>.

²⁴ For a detailed analysis of the constitutional amendments, see Nathan Brown, Michele Dunne, Amr Hamzawy, *Egypt’s Controversial Constitutional Amendments*, Carnegie Endowment for International Peace, 23 March 2007. Available at http://www.carnegieendowment.org/files/egypt_constitution_webcommentary01.pdf

²⁵ Council of the European Union, Declaration by the Presidency on behalf of the European Union on the Constitutional Reform Process in Egypt, P/07/29, Brussels, 3 April 2007.

Furthermore, it was depicted in a downward trend arrow “due to security forces’ ruthless suppression of political dissent”. Freedom House also referred to the detainment and prosecution of internet bloggers who criticise the administration in their blogs.²⁶ As a matter of fact, Egypt is depicted as “not free” in the Map of Press Freedom 2007 of the same organization. It scored 62 in the assessment in which countries scoring 0 to 30 are regarded as having “Free” media; 31 to 60, “Partly Free” media; and 61 to 100, “Not Free” media. Freedom House argued that “press freedom continued to suffer from repressive laws and extralegal intimidation of journalists”.²⁷

Freedom of religion in Egypt is another issue raising international interest. In collaboration with an Egyptian civil society organization, Human Rights Watch published a report on the situation of Bahais in Egypt.²⁸ The European Parliament referred to the murder of two young Copts on October 3, 2007 in its resolution of 15 November 2007 on serious events which compromise Christian communities’ existence and those of other religious communities.²⁹

The 2007 Annual Human Rights Report of the EU also stated serious concerns regarding the continued arrest and prosecution of political opponents, the number of complaints about torture and detention. The increasing control of the internet and the restrictions on the freedom of religion were also mentioned in the report.³⁰

Looking at the EU’s overall role regarding democratization and human rights in Egypt after the Action Plan, one can claim that it continued to be mostly declaratory and reactive rather than active. EU made a weak Presidential Declaration regarding the constitutional amendments which brought wide domestic and international criticism. It also carried out demarches to Egypt on death penalty, torture and ill-treatment.³¹

²⁶ Freedom House, Map of Freedom in the World 2007, Country Report: Egypt, 2007. Available at <http://www.freedomhouse.org/template.cfm?page=363&year=2007>.

²⁷ Freedom House, Map of Press Freedom 2007, Country Report: Egypt, 2007. Available at <http://www.freedomhouse.org/template.cfm?page=251&year=2007>.

²⁸ Human Rights Watch & Egyptian Initiative for Personal Rights, *Prohibited Identities: State Interference with Religious Freedom*, November 2007. Retrieved on 28 January 2008 from <http://hrw.org/reports/2007/egypt1107/egypt1107web.pdf>.

²⁹ European Parliament, Resolution on serious events which compromise Christian communities’ existence and those of other religious communities, P6_TA-PROV(2007)0542, Strasbourg, 15 November 2007. Available at <http://www.europarl.europa.eu/sides/getDoc.do?type=TA&reference=P6-TA-2007-0542&language=EN>.

³⁰ Council of the European Union & The European Commission, *EU Annual Report on Human Rights 2007*, Luxembourg, Office of the Official Publications of the European Communities, 2007, p. 71.

³¹ *Ibid.*, p. 29-33.

Therefore, in its relations with Egypt, the EU continued resorting to the classical tools of its foreign policy, strengthening its conception as a civilian power. Even after the adoption of the Action Plan, it has not started yet to use conditionality. This trend strengthens the doubts on whether the EU can really become a normative power, projecting its values and norms in its neighbourhood. The relevance of this question increases when it comes to the southern neighbourhood of the Union. The recent strain in the EU-Egyptian relations in human rights, that will be explained in the next section, is a testament to the relevance of this question.

The Recent Crisis in Human Rights and the Future of EU-Egyptian Cooperation

It is still too early to evaluate the impact of the Action Plan, as also stated in the Progress Report issued by the European Commission in April 2008.³² Nevertheless, the developments that strained the Egyptian-EU relations at the beginning of 2008 may provide some hints.

The European Parliament (EP) adopted a resolution regarding Egypt on January 17, 2008, which highlights several deficiencies in the democratization and human rights record of the country. The non-binding resolution mentions broad priorities such as the necessity to conduct fair and free elections and underlines the non-compliance of the Egyptian authorities with their promise to put an end to the imprisonment of journalists as well as the continuing sectarian isolation of religious minorities. It also refers to specific cases such as the continuing sentence of the opposition leader Ayman Nour whose health conditions are deteriorating and the recent closure of certain NGOs. It expresses the support of the EP for the human rights and reform advocacy NGOs and activists in the country and calls on the Egyptian authorities to end the harassment and detention of these activists as well as Ayman Nour. Another important point voiced in the resolution was the call to the Egyptian government to end the state of emergency on 31 May 2008 as promised. The EP urges the Egyptian administration to strengthen the independence of the judiciary. On the other hand, the EP also calls on the EU to put human rights developments very high on its agenda during the forthcoming meeting of the EU-Egypt Subcommittee on Political Matters.³³

³² Commission of the European Communities, *Commission Staff Working Document Accompanying the Communication from the Commission to the Council and the European Parliament 'Implementation of the European Neighbourhood Policy in 2007' Progress Report Egypt*, SEC(2008)395, Brussels, 3 April 2008. Retrieved on 10 July 2008 from http://ec.europa.eu/world/enp/pdf/progress2008/sec08_395_en.pdf.

³³ European Parliament, Resolution on the Situation in Egypt, P6_TA(2008)0023, Strasbourg, 17 January 2008. Available at <http://www.europarl.europa.eu/sides/getDoc.do?pubRef=-//EP//TEXT+TA+P6-TA-2008-0023+0+DOC+XML+V0//EN&language=EN>.

The resolution caused great rage in Egypt. It was perceived as a blatant intervention into domestic affairs. On the same day with the adoption of the resolution, the Egyptian Ministry of Foreign Affairs summoned the Ambassadors of the 27 EU Member States in order to announce the “complete rejection” of the resolution. It informed the EU Ambassadors that “it will not accept any attempt by any country or institution to comment on the human rights situation in Egypt, or ...lecture other countries over their domestic affairs.”³⁴

Several Egyptian official figures made very strong statements. Egyptian Foreign Minister Aboul Gheit stated:

“The resolution reveals the European Parliament’s inadequate ignorance of means of handling Egypt’s position, as well as the political, economic and social developments in Egypt during the last few years. Egypt does not need to be dictated by any party particularly if such a party is arrogantly ignorant. (emphasis added)...Egypt totally rejects attempts by any party to appoint himself as an inspector of human rights in the country or a guardian for the Egyptian people.”³⁵

In retaliation to the EP Resolution, the Egyptian Ministry of Foreign Affairs expressed deep concern regarding the deterioration of the rights of ethnic and religious minorities and immigrants in Europe. In this context, it condemned xenophobia and discrimination in Europe towards Muslims, pointing at a recent OSCE report confirming these ongoing trends in the Continent. Consequently, it advised European countries to “better consider the systematic human rights violations their citizens are suffering before judging other countries”.³⁶

Egyptians also warned about the negative impact the resolution would have in Egyptian-EU relations. As a matter of fact, the Egyptian side later informed the European Commission that it was unsuitable to convene the political consultations sub-committee meeting, scheduled for 23-24 January 2008, in the current phase. The reason for this postponement was stated as

³⁴ Ministry of Foreign Affairs of the Arab Republic of Egypt, EU Ambassadors in Cairo Summoned to Inform Them of Egypt’s Rejection of the European Parliament Draft Resolution on the Human Rights in Egypt, Press release, 17 January 2008. Available at http://www.mfa.gov.eg/MFA_Portal/en-GB/MFA_News/Press_Releases/17-1-demanderlesambassadeurs.

³⁵ Ahmed Aboul Gheit, Minister of Foreign Affairs of the Arab Republic of Egypt, EU Parliament’s Resolution Entitled “Human rights situation in Egypt” Totally Rejected, Press Statement, 18 January 2008. Available at http://www.mfa.gov.eg/MFA_Portal/enGB/MFA_News/Press_Releases/rejection%20of%20EU%20parliament%20resolution.

³⁶ Ibid.

the impossibility of “profound and calm exchange of viewpoints”.³⁷ As an additional measure, the Egyptian People’s Assembly (Lower House of the Parliament) decided to boycott the meeting of the Euro-Med Parliamentary Assembly. Egypt also brought the issue to the agenda of the Fifth Conference of the Parliamentary Union of the Organization of Islamic Conference Member States, which was held in Cairo between 28 January-1 February 2008.

What are the Factors Curtailing the Possibility of the EU to Become a Credible Normative Power in Egypt?

In order to have a better assessment of the role of the EU in Egypt, and in the Middle East in general, the USA factor should be added to the broader picture. In that context, one can easily argue that the EU’s chances of success are constrained by the role of USA, and therefore, cross-conditionality is a factor curtailing EU’s normative reach in Egypt. Although this seems as a plausible assumption in the first analysis, it is not without problems.

USA has been the largest donor of aid to Egypt since the Camp David Peace Accords. This annual military and economic aid had been sustained at a level close to \$2 billion for years.³⁸ The comparison of this amount with the €558 million allocated to Egypt under the ENPI framework for the period of 2007-2010 gives an idea about the comparative advantage of the US in terms of political leverage. Nevertheless, as summarised below, the US policy of conditionality also has its limits.

Egypt was among the countries in the Broader Middle East and North Africa (BMENA) Project of the USA, which aimed at a comprehensive transformation in the region through the attainment of certain objectives such as democratization, good governance and strengthening of the civil society. In fact, the official launch of the BMENA Project and the rise of the reformist government to power in Egypt were realised almost consecutively. The reform agenda of the new government was supported by the USA.³⁹ This US policy was interpreted in different ways, varying from mere support to stimulus, or pressure for reform.

³⁷ Ministry of Foreign Affairs of the Arab Republic of Egypt. Official Spokesman Indicates that Holding the Political Consultations Subcommittee between Egypt and the European Commission is Currently Unsuitable. Press release, 19 January 2008. Available at http://www.mfa.gov.eg/MFA_Portal/en-GB/MFA_News/Press_Releases/Egypt%20EU%20political%20consultations%20committee.

³⁸ European Commission, Egypt Country Strategy Paper 2007-2013, January 2007, p.18. Available at http://ec.europa.eu/world/enp/pdf/country/enpi_csp_egypt_en.pdf.

³⁹ US Secretary of State Condoleezza Rice delivered an important speech in Cairo in June 2005, in which she explicitly stated what was expected from Egypt in terms of political reform. Available at <http://www.state.gov/secretary/rm/2005/48328.htm>.

While important reform steps were taken in Egypt in 2005, the pace of the process slowed down afterwards. An explanation for that may be the loosening of the external stimulus provided by the US, due to the change in the political picture of the region after the elections in Egypt and in Palestine. After the success of the Muslim Brotherhood in the Egyptian parliamentary elections and the rise of Hamas to power in Palestine, the BMENA Project has gradually ceased to be the number-one priority of the US in the region.

Nevertheless, in 2007, the US Congress decided to curtail \$100 million of the annual aid to Egypt as a reaction to its human rights record. This stirred great reaction in the country, just like the EP report. Yet, as Secretary of State Rice announced in her visit to Cairo on March 4, 2008, the Bush Administration waived the Congressional restriction and released \$100 million in military aid to Egypt due to national security reasons.⁴⁰

Therefore, conditionality had its limits even in the US policy vis-à-vis Egypt. Consequently, in the current situation, cross-conditionality cannot be a factor curbing EU's normative role in Egypt. In that case, domestic factors and the credibility of conditionality are two possible explanations for the limitations to the EU's normative power in Egypt.

The domestic factors have two aspects. First of all, if full democratization is achieved in Egypt, will that carry the risk of leading to the rise of Muslim Brotherhood to power? If yes, would that be desirable for the the EU? Should the EU pursue a value-driven or a security-driven foreign policy vis-à-vis the Egyptian regime?

The possible rise of Muslim Brotherhood to power in Egypt might have radical consequences for the whole region. Muslim Brotherhood, established in 1927, is the father of all fundamentalist trends in the Middle East. Having links with Hamas and adopting an anti-Israeli discourse, it declared its aim to revise the Camp David Accords in case it comes to power.⁴¹ These accords are the main pillar of stability in the region today. Therefore, apart from its domestic challenges, such a development might have unintended consequences for the whole region. It might have a destabilizing effect rather than the ENP's desired aim of stabilizing the neighbourhood. Taking into consideration the interdependence between the two shores of

⁴⁰ Reuters, *U.S. Waived Congressional Restriction on Egypt Aid*, 4 March 2008. Retrieved on 5 March 2008 from <http://www.reuters.com/article/politicsNews/idUSL0482173620080304?feedType=RSS&feedName=politicsNews>.

⁴¹ A. Howeidy, "We Take Nobody's Permission", Interview with Mohamed Mahdi Akef, the Supreme Guide of Muslim Brotherhood, *Al Ahran Weekly*, 773, 15-21 December 2005. Retrieved on 28 January 2008 from <http://weekly.ahram.org.eg/2005/773/eg5.htm>.

the Mediterranean and the related soft-security threats, this should not be a desired option for the EU.

Hence, the EU should make a cost-benefit analysis regarding the sustainability of its “normative” approach towards Egypt. It should reassess whether such an approach may contribute to the ENP’s declared aim of establishing “a ring of well-governed countries” who have adopted its norms and values, or whether it may have countereffects.

Secondly, even if the EU opts for acting as a “value community” rather than a security one, the likelihood of success is still contested. This is due to the lack of domestic political will. Joint ownership is crucial in the ENP and the success of the implementation of the Action Plan depends on the commitment of the partner country as well as the EU. The partner countries must be committed to political and economic reforms themselves. However, in the Egyptian case, the administration is faltering to implement its own reform programme first and foremost. The Action Plan was adopted at a time of decreasing momentum in the reform process. Thus, the lack of progress in its implementation is the result of the domestic delay.

The Egyptian case is important to demonstrate the role of domestic factors in the success of EU policies. Although Ferrero-Waldner declared the Action Plan to be the “expression of ...partnership that is being shaped between equals”, the Egyptian reaction shows that it is not perceived in the same vein by the other side.⁴²

In the lack of a credible conditionality policy, EU will not be able to overcome this reluctance. The Egyptian case demonstrates that the EU policy towards its East -whether Enlargement or ENP- can not yield the same results automatically or easily in its southern neighbourhood. The relations between the EU and these two neighbourhood areas have not developed in the same historical context.

This historical context makes southern neighbouring societies quite sensitive about their sovereignty and perceive any normative initiative as an attempt to interfere in their domestic affairs. The asymmetrical nature of the relationship between the two sides reinforces this perception. ENP carries the risk of being perceived as “Eurocentric imperialism” or “hypocrisy to

⁴² Benita Ferrero-Waldner, EU and Egypt-Partners for the Future, Speech delivered in the luncheon hosted by the Egyptian-European Council, Speech-07-677, Cairo, 31 October 2007. Retrieved on 18 January 2008 from <http://europa.eu/rapid/pressReleasesAction.do?reference=SPEECH/07/677&format=HTML&aged=0&language=EN&guiLanguage=en>.

justify pursuing particular interests”.⁴³ Therefore, this perception distorts the possibility of the application of the “logic of appropriateness” or the possibility of socialization to generate behaviour change in the South through persuasion. As Schimmelfennig&Sedelmeier argue, these constructivist factors play minimal role in democratic laggards.⁴⁴ If we look at the Egyptian case, the EU is viewed as “wanting to impose its model”, as Demmelhuber concluded from his interviews with Egyptian officials who warn against “a language that implies master-servant atmosphere”.

Cultural factors and different conceptions of democracy and human rights on the two shores of the Mediterranean also play a role in shaping these perceptions. Demmelhuber points at this “perception gap” and argues that a differing understanding of democratic reform and priorities shape EU-Egyptian relations.⁴⁵

Furthermore, conditionality has further limits in the South. In the context of Enlargement, conditionality proved to be a very successful policy. However, as Lavanex argues, the “lack of membership prospects or other serious attractive incentives poses serious limits to external governance” through the ENP. Since the door for accession has not been fully closed, conditionality can still prove to be a successful tool in countries such as Moldova and Ukraine who are aspiring to become EU members. However, “the template for external action offered by Enlargement” will be less efficient in the southern neighbours who are not eligible for membership.⁴⁶ In the lack of a membership prospect, the vaguely stated incentives are less appealing. In other words, the carrots are less appetizing.

Implementation of the Action Plan in a partner country depends on the domestic political elites’ perception of how it will affect their status. Democratization is difficult since governments view the reforms as threatening their own power. Schimmelfennig and Sedelmeier explain this with the “domestic costs of rule adoption”. They argue that in democratic conditionality, these costs severely limit the effectiveness of EU conditionality, even when it is credible and the rewards are sizeable. “Where authoritarian governments are in power, the domestic costs of complying with EU rules is

⁴³ Helene Sjursen, *op.cit.*, p. 242-244.

⁴⁴ Frank Schimmelfennig and Ulrich Sedelmeier, “Governance by Conditionality: EU Rule Transfer to the Candidate Countries of Central and Eastern Europe”, *Journal of European Public Policy*, Vol. 11, No. 4 (August 2004), p. 671.

⁴⁵ Demmelhuber, *The European Neighbourhood Policy (ENP) and Its Implementation in the Southern Mediterranean The Case of Egypt*, p. 4, 13, 16.

⁴⁶ Sandra Lavanex, “EU External Governance in ‘Wider Europe’ ”, *Journal of European Public Policy*, Vol. 11, No. 4 (August 2004), p. 694.

high, since it requires these governments to give up the very instruments on which their power rests.”⁴⁷

Besides, the credibility of conditionality is highly contested in the southern neighbourhood. Until now, the EU has not generally applied political conditionality or emphasised democracy and human rights in the South, with the fear of the rise of fundamentalist movements.⁴⁸ Thus, as Kelley argues, the use of political conditionality comes along with a historical credibility problem, since it was never used before.⁴⁹

Preliminary Conclusions

For the time being, the Action Plan has not yielded a substantial impact in the democratization of Egypt. The pace of development in the relations with the EU depends on the partner country’s degree of commitment to ENP. Thus, under the current circumstances, it does not seem likely that Egypt will benefit from the Governance Facility offered to leading countries within the ENP. Instead, Egypt may continue to be an ENP laggard.

The Egyptian case is a good test case to see the limits of the EU’s normative power. The chances of the EU to be a “normative” power in its southern neighbourhood are less, compared to the East. It seems like the EU will continue to be a civilian power in the South, since it has not really started to apply political conditionality there. Besides, even if it applies conditionality, its chances for success are curbed by domestic factors.

The normative “actorness” of the EU, which can be calculated by its political impact, is not only dependent on its own capabilities and willingness, but also on external variables like domestic factors. Therefore, the EU should take into consideration domestic factors of the partner country. The success of implementation depends mainly on the partner country’s political will. In the lack of domestic political will and a membership prospect, the process cannot easily function in a smooth way. This domestic reluctance, coupled with the lack of credibility of conditionality and the domestic costs of rule adoption, hampers the EU’s normative power.

⁴⁷ Schimmelfennig&Sedelmeier, “Governance by Conditionality: EU Rule Transfer to the Candidate Countries of Central and Eastern Europe”, p. 663, 670.

⁴⁸ Karen Smith, *op.cit.*, p. 770.

⁴⁹ Judith Kelley, *op.cit.*, p. 44-45, 50.