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Abstract:

The argument advanced here is that EU policies helped to trigger the so-called Arab Spring, not by intention but by default. This contention is advanced through an examination of four strands of EU policy towards those countries designated as Mediterranean Partner Countries (MPCs) under the Euro-Mediterranean Partnership Programme (EMP) and the European Neighbourhood Policy (ENP), namely: trade and economic development, political reform, security cooperation and migration control. What emerges is not just that the EU has departed from its own normative principles and aspirations for Arab reform in some instances, but that it has consistently prioritized European security interests over 'shared prosperity' and democracy promotion in the Mediterranean. The net result is a set of structured, institutionalized and securitized relationships which will be difficult to reconfigure and will not help Arab reformers attain their goals.

Given the gravity of the debt crisis that overtook the euro-zone and thence the EU in autumn 2011, it may seem curious that Europeans regard the EU experience as something to be emulated. Nevertheless, for two decades the EU has sought to 'export' its model of liberal economics and democracy to its neighbours—or so, at least, EU members have claimed.

EU initiatives for promoting reform in neighbouring Arab countries have consistently featured accountable government, the rule of law, freedom of expression and assembly, and respect for human rights. EU members espouse democracy as one of their core values, and democracy promotion has been embraced by the EU as a central facet of its policies towards its neighbours. Consequently, when in Tunisia in December 2010, and within a couple of months in Egypt, then in Bahrain, Jordan, Morocco, Yemen and Syria, the people came

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out onto the streets in the name of freedom, dignity and justice, it would seem logical for the EU to view this 'Arab Spring' as a vindication of its policies and a welcome advancement of its goals.

In its formal pronouncements and new initiatives the EU has indeed welcomed the 'Arab Spring',¹ and has said that it wants to be on the side of the people in their call for freedom. It even goes so far as to acknowledge that its policies hitherto need revisiting, and that there should be more outreach to Arab civil society as opposed to government-to-government relations.² However, on closer examination it is evident that the EU has more to answer for than its members are prepared to recognize, and that the eruption of the Arab revolts has actually demonstrated the failure of EU policies.

For over two decades the EU has been promoting and justifying its policies on the grounds that they will help create 'shared prosperity' and more jobs for all the countries of the Mediterranean. Yet persistent and gross disparities in wealth and high unemployment were among the grievances that triggered the Arab revolts in 2010–2011. And, while declaring its commitment to promoting human rights and democracy, by its actions the EU has favoured regimes and practices that ultimately proved intolerable to a broad stratum of Arab society.

What follows is an examination of successive and overlapping EU initiatives with respect to Europe's Arab neighbours around the Mediterranean in order to

¹ EC High Representative of the Union for Foreign Affairs and Security Policy, 'A partnership for democracy and shared prosperity with the southern Mediterranean', COM(2011) 200 Final, Brussels, 8 March 2011.

² EC High Representative of the Union for Foreign Affairs and Security Policy, 'A new response to a changing neighbourhood', COM(2011) 303, Brussels, 25 May 2011.

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assess the role of EU policies in the genesis of the so-called Arab Spring.³ The analysis does not cover EU policies towards the Arabian Peninsula states or Iraq, and is not concerned with European policies since the start of the Arab Spring—though the contention here is that a thoroughgoing assessment of European reactions to the Arab revolts during the course of 2011 can only be meaningful if the EU's role in the incubation of these eruptions is adequately understood. The focus here is on EU policies in the Mediterranean in the two decades preceding the Arab uprisings, including the Euro-Mediterranean Partnership Programme; the European Neighbourhood Policy in the Mediterranean; the Union for the Mediterranean; EU engagement in the moribund Middle East peace process; and EU counterterrorism policies, which are entangled with EU strategies for controlling immigration.

The Euro-Mediterranean Partnership (EMP)

In 1995 the member states of the EU (15 at the time), together with Morocco, Algeria, Tunisia, Egypt, Israel, Jordan, Syria, Lebanon, Turkey, the Palestinian Authority on behalf of the Occupied Palestinian Territories, Cyprus and Malta signed the Barcelona Declaration which launched the EMP.⁴ This represented a

³ Arab commentators differ on whether the 'Arab Spring' is a satisfactory name for the series of uprisings that started in Tunisia in late 2010 and erupted in one form or another in most other Arab countries in early to mid-2011. Some see the term as a western invention derived from earlier uprisings in Central and Eastern Europe and reject it because it does not capture the Arab essence of current developments. However, there seems to be no consensus on whether to call the phenomenon an 'awakening', the 'Second Arab Awakening', the 'Arab revolutions' or the 'Arab *intifadas*'. For present purposes the term 'Arab Spring' has been adopted precisely *because* it is the term most commonly used in Europe.

⁴ Barcelona Declaration, 28 Nov. 1995, http://eeas.europa.eu/euromed/docs/bd_en.pdf, accessed 16 Dec. 2011.

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significant departure from the pattern of bilateral relations that had hitherto linked Europe and its Mediterranean neighbours in the sense that it embraced the concept of a partnership between the EU on the one hand and a group of Mediterranean Partner Countries (MPCs) on the other.⁵

As outlined in the Barcelona Declaration and fleshed out subsequently in various procedural arrangements, there were to be three complementary facets to the partnership. Chapter 1 of the declaration envisaged political and security cooperation to establish a common area of peace and stability;⁶ Chapter 2 called for an economic and financial partnership to create an area of shared prosperity (including a free trade area); and Chapter 3 anticipated the enhancement of social and cultural ties, to develop human resources, promote understanding between cultures and facilitate interaction at the level of civil society.

On the face of it the EMP was a bold initiative that promised to turn the Mediterranean into a shared geopolitical, strategic and economic space and through this to address some of the very problems that in the end led to the Arab revolts. In structural terms, however, the EMP failed to take serious account of institutional imbalances that would impede realization of the vision. While the Europeans were already joined together in a political and economic union, defined by common interests and values broadly termed 'liberal democracy', the same could not be said of their neighbours on the southern and eastern shores of the Mediterranean. Thus, instead of an equal partnership between two distinct blocs of states, what emerged was a 'hub and spokes' arrangement between the

⁵ When Malta and the Greek Cypriot government gained EU membership and Turkey became a candidate member they ceased to be part of the southern bloc.

⁶ Rosemary Hollis, 'Barcelona's first pillar: an appropriate concept for security relations?', in Sven Behrendt and Christian Peter Hanelt, eds, *Bound to cooperate: Europe and the Middle East* (Gütersloh: Bertelsmann Foundation, 2000).

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EU on the one hand and individual MPCs on the other, with the EU setting the pace and the southern states responding bilaterally.

Admittedly, the EU allocated funds to promote south–south economic integration and infrastructure development, in emulation of the EU model. Recognizing the value of regional cooperation, in 2004 Morocco, Tunisia, Egypt and Jordan signed a free trade pact of their own—the Agadir Agreement; however, according to the European Commission, the results were 'modest'.⁷ Overall, the MPCs were not well placed to form a common market among themselves, since they all had more to sell to Europe than to one another. Their future economic growth (and therefore job creation) depended on attracting inward investment and expanding their share of the EU internal market. In so far as the EMP promised both it was attractive to the MPCs, but they also faced risks.

The Barcelona Declaration envisaged the creation of a free trade area in the Mediterranean, to come into full effect by 2010. Yet the procedure by which this was to be achieved privileged the Europeans more than the Arab partner countries. The removal of tariff and non-tariff barriers to trade in manufactured goods—wherein the Europeans enjoyed the advantage—was to proceed rapidly, whereas liberalization of trade in agricultural products, the main export of the North African states aside from energy, was to be phased in more slowly. For this imbalance the EU was to blame, because the south European states lobbied successfully against opening up the EU agricultural sector to unfettered competition from North African producers.⁸ In terms of capital flows, the EMP did

⁷ <http://ec.europa.eu/trade/creating-opportunities/bilateral-relations/countries/morocco/>; http://trade.ec.europa.eu/doclib/docs/2006/march/tradoc_127912.pdf, accessed 16 Dec. 2011.

⁸ See George Joffé, ed., *Perspectives on development: the Euro-Mediterranean Partnership* (London: Frank Cass, 1999); Samir Radwan and Jean-Louis Reiffers, *The*

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encourage investment in the MPCs, yet in the name of free market economics the MPCs were expected to open up their economies to European companies with the capacity to outperform local producers and so drive them out of business. Crucially, under the EMP arrangements there was to be no free movement of labour between the MPCs and Europe.

Thus it was that the EU promoted a formula for 'shared prosperity' and economic growth in the Mediterranean which was at odds with the logic of the EU's strategy for development inside Europe. Within the EU the attainment of shared prosperity is expected to result from the free movement of goods, capital, labour and services. Yet the same logic was not applied within the EMP. Instead, the market was skewed and the Europeans retained their comparative advantages, even though they anticipated that the MPCs would still derive benefits from the partnership.

Several commentators have concluded in their assessments of the EMP that, rather than addressing the needs of Europe's Arab neighbours in objective terms, the partnership was actually a vehicle for Europeans to try to stem the flow of migrants into the Union by throwing money at the problem.⁹ If European companies could generate jobs in the Arab states through inward investment, it was argued, then hopefully there would be less migration northwards. However, prosperity has eluded the majority of people in the MPCs and the gap between

Euro-Mediterranean Partnership, 10 years after Barcelona: achievements and perspectives (Marseille: FEMISE, Institut de la Méditerranée, 2005).

⁹ See Jon Marks, 'High hopes and low motives: the New Euro-Mediterranean Partnership initiative', *Mediterranean Politics* 1: 1, 1996, pp. 1–24; Joffé, ed., *Perspectives on development*.

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standards of living in the north and south has widened.¹⁰ In stark contrast, the only non-Arab MPC, Israel, flourished as a result of improved access to the EU market and the size of the Israeli economy has actually overtaken that of some EU countries.¹¹{1}

The kinds of formulae for enhancing economic growth pursued under the EMP were more likely to promote efficiency measures that actually cut jobs, at least in the short term, as opposed to generating them. Meanwhile, without reforms in the educational sector there was a mismatch between the jobs on offer and the skills of the available labour force. At the same time, the elite strata of society in the Arab states proved able to adapt to market liberalization and negotiate new monopoly deals that perpetuated their privileged status and comparative wealth.¹²

The European Neighbourhood{2 singular is correct} Policy (ENP)

In 2003–2004 the EU introduced a new instrument for dealing with the MPCs—the European Neighbourhood{2} Policy (ENP).¹³ Three factors contributed to this move which, in contrast to the EMP, was a purely EU initiative as opposed to a

¹⁰ See Radwan and Reiffers, *The Euro-Mediterranean Partnership*; Haizam Amirah Fernández and Richard Youngs, eds, *The Euro-Mediterranean Partnership: assessing the first decade* (Barcelona: Fundación para las Relaciones Internacionales y el Diálogo Exterior (FRIDE){?}, 2005).

¹¹ See Roby Nathanson and Stephan Stetter, eds, *Israeli–European policy network reader* (Tel Aviv: Freidrich-Ebert-Stiftung, 2005).

¹² Amr Hamzawy, 'Euro-Mediterranean Partnership and democratic reform in Egypt: contemporary policy debates', in Fernández and Youngs, eds. *The Euro-Mediterranean Partnership*, pp. 131–42.

¹³ http://ec.europa.eu/world/enp/pdf/com03_104_en.pdf;
http://ec.europa.eu/world/enp/pdf/strategy/strategy_paper_en.pdf, accessed 16 Dec. 2011.

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multilateral agreement. One factor was the realization in Europe that the MPC economies and political systems were so diverse as to require a differentiated approach by the EU.¹⁴ Another factor derived from EU thinking about the countries on its eastern border, Belarus and Ukraine, which might at some point aspire to enter the EU, but which, for the foreseeable future at least, were not considered candidates for membership. Wanting a framework for cooperative relations with these states, the EU came up with the ENP and then reasoned that this formula could be applied to the MPCs as well.

The third factor had to do with developments in the Middle East in the aftermath of 9/11 and the US invasion of Iraq. When the United States was attacked on 11 September 2001 the Europeans were swift to offer sympathy and support and subsequently, through NATO, contributed to the campaign in pursuit of Al-Qaeda in Afghanistan. However, Europe was divided over the invasion of Iraq, Germany and France in particular refusing to go along with it, and a period of tension in their relations with Washington ensued.¹⁵ Meanwhile, the neo-conservatives who held sway in Washington during this period were highly critical of the Europeans in general for what they perceived as Europe's inability to muster a serious defence capability. Europe's role, according to the 'neo-cons', was to do the so-called 'nation-building' that Washington eschewed in favour of war-fighting. In time, of course, the Americans came to recognize the necessity for post-conflict reconstruction in political and economic terms as well as the provision of security in occupied Iraq.

In any case, the Americans formulated a vision for transforming the whole Middle East, starting with Iraq, and in 2004 they came up with an initiative for wholesale

¹⁴ http://ec.europa.eu/world/enp/index_en.htm, accessed 16 Dec. 2011.

¹⁵ See Philip Gordon and Jeremy Shapiro, *Allies at war: America, Europe and the crisis over Iraq* (New York: McGraw Hill, 2004).

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political, economic and social reform for the region—the Broader Middle East and North Africa Initiative, launched at the G8 Sea Island summit that June.¹⁶ It was in this context that the EU formulated the ENP as a parallel initiative that would build on their declared commitment over the preceding years to promoting good governance, economic stability, democracy and human rights. Compared to the Americans, the EU had a stronger track record on Arab reform, at least in terms of initiatives such as the EMP in all its facets and the amount of money spent and pledged to the endeavour. The EU could also claim to have demonstrated its capacity to export liberal democracy on the basis of its support for and incorporation of the fledgling democracies of Eastern Europe after the collapse of the Soviet Union. There was, therefore, an element of competition between the EU and the United States in their initiatives for Arab reform after 2004.

Neither the US nor the EU strategy met with a particularly warm response in the Arab world.¹⁷ By their very nature Arab autocrats were not inclined to loosen their hold on power in the name of democracy though some, notably in Jordan and Morocco, professed otherwise and launched their own initiatives, with limited

¹⁶ <http://bmena.state.gov/>, accessed 16 Dec. 2011.

¹⁷ See e.g. Gareth Harding, 'Europe lukewarm about Bush Mideast plan', *Washington Times*, 11 Feb. 2004; Carnegie Endowment for International Peace, 'Arabs react to greater Middle East initiative', 22 March 2004, <http://www.carnegieendowment.org/2008/08/22/arabs-react-to-greater-middle-east-initiative/6bjt>, accessed 16 Dec. 2011; Yasmin Ghrawi and Peter Sass, 'The political reform debate in the Middle East and North Africa', Stiftung Wissenschaft und Politik, working paper FG 6, May 2005, http://www.swp-berlin.org/fileadmin/contents/products/arbeitspapiere/WP_Arab_Reform_ks.pdf, accessed 16 Dec. 2011; Euromed Survey of Experts and Actors, *Assessment of the Euro-Mediterranean Partnership: perceptions and realities* (Barcelona: European Institute of the Mediterranean, 2010), pp. 33–8, 49–55.

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results.¹⁸ More tellingly, the general public across the Arab world, which had become increasingly hostile towards American interventionism as a result of the war in Iraq, manifested little enthusiasm for these western initiatives that purported to be in their support.¹⁹ They were also not inclined to make distinctions between the EU approach and the American one, notwithstanding Europe's largely negative reaction to the Iraq invasion. Also, the Americans were accused of blatant double standards over their support for Israel in relation to the Palestinians,²⁰ and the Europeans were tainted by association.

That the ENP did nevertheless make some progress had more to do with the calculations of the Arab regimes than the attractiveness of the initiative to disenfranchised Arab populations. As had been the case with the EMP, Arab governments went along simply because the European market was too important to them to ignore and the ENP promised both greater access and aid. And, as noted above, the ENP was not a partnership, but rather an instrument developed by the bureaucrats in Brussels to introduce reform programmes tailored to respond to what they identified as the individual needs and objectives of each of the MPCs.

Only for Israel did the ENP represent a genuinely positive opportunity, because it opened the way for privileged access to the EU market and cooperation on

¹⁸ For a discussion on the fate of the Jordanian initiative, see Marwan Muasher, *A decade of struggling reform efforts in Jordan: the resilience of the rentier system*, Carnegie Papers, Middle East (Carnegie Endowment for International Peace), May 2011.

¹⁹ Roula Khalaf, 'Arabs cry foul as America borrows their reform agenda', *Financial Times*, 9 March 2004; Rami Khouri, 'America talks about building democracy in the Middle East: in fact, it fosters mainly violence and failed states', *Newsweek*, 5 June 2006.

²⁰ See e.g. Abdel-Fattah Mady, 'American foreign policy and peace in the Middle East', *Contemporary Arab Affairs* 3: 3, 2010, pp. 271–96.

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scientific research.²¹ For the Arab MPCs by contrast, the initiative was baffling.²² It rested on the assumption that those neighbours of Europe not destined for EU membership could nonetheless benefit from adopting some elements of the *acquis communautaire*, in the name of gradual harmonization with EU standards. Yet the menu of measures from which the MPCs were supposed to choose a shortlist for adoption in the form of 'Action Plans' was drawn up by Brussels. As the Egyptians argued,²³ they could not make an informed choice without themselves translating and wading through the whole *acquis*. Rather than do this, the Egyptians simply resorted to hard bargaining, and in the process avoided accepting any internal political and judicial reforms they did not want.²⁴

²¹ As is evident in the EU documentation on several aspects of EU–Israeli relations under the ENP, except in respect to Israeli policies on the occupation. See e.g. http://ec.europa.eu/world/enp/pdf/country/2011_enpi_nip_israel_en.pdf, p. 4, accessed 16 Dec. 2011.

²² Rosemary Hollis, 'European elites and the Middle East', in Andrew Gamble and David Lane, eds, *The European Union and world politics: consensus and division* (London: Palgrave Macmillan, 2009); Michelle Pace, 'Norm shifting from EMP to ENP: the EU as a norm entrepreneur in the south?', *Cambridge Review of International Affairs* 20: 4, 2007, pp. 659–75.

²³ Author interviews with Egyptian officials dealing with the ENP, Cairo, Jan. 2006; Michelle Pace, *Perceptions from Egypt and Palestine on the EU's role and impact on democracy building in the Middle East* (Stockholm: International Institute for Democracy and Electoral Assistance, 2010).

²⁴ Author interviews with EU and Egyptian officials, Dec. 2005 to March 2006; Rosemary Hollis, 'Europe and the Middle East: has the EU missed its moment of opportunity?', *Ortadoğu Etütleri (Middle Eastern Studies-Turkey)* 2: 2, January 2011, pp. 33–56{?}; Richard Youngs, ed., *Survey of European democracy promotion policies 2000–2006*, (Madrid: FRIDE, 2006).

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For the Jordanians, by contrast, the ENP sounded like an opportunity to gain EU financial and technical assistance for introducing measures that would sit well with their own reform plan. However, as they would discover, they simply did not have the capacity in either their public or their private sector to implement all the measures incorporated in the Action Plan they agreed with the EU.²⁵ In the case of Lebanon, the government of Fouad Seniora was enthusiastic to sign up to the ENP, less because of the intrinsic benefits it offered than because the government calculated that having the Europeans on side could bolster it in the face of domestic rivals and Syrian interference.²⁶

Overall, European hopes that the ENP Action Plans could be used to introduce in neighbouring Arab states the political and economic reforms that had proved elusive under the EMP met with disappointment. As I have argued elsewhere,²⁷ the problem here was that the Europeans failed to understand that the *acquis communautaire* does not embody universal goods. The laws and regulations involved are value-laden and expressive of European priorities that make sense within the Union—with all the benefits of membership—but not necessarily beyond it, especially when adopted piecemeal and selectively.

The Union for the Mediterranean (UfM)

As originally conceived by Nicolas Sarkozy, when he was running for the French presidency in 2007{3}, the Union for the Mediterranean was only supposed to encompass a handful of Mediterranean littoral states, and so threatened to

²⁵ Author interviews with EU and Jordanian officials, Dec. 2005–March 2006.

²⁶ Author interviews with EU officials and Lebanese commentators, Dec. 2005–March 2006.

²⁷ Hollis, 'European elites and the Middle East'; 'Europe and the Middle East: has the EU missed its moment of opportunity?'

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undercut or bypass both the EMP and the EU.²⁸ When President Sarkozy subsequently pursued the idea he ran into opposition. The Spanish discerned a challenge to their central role in the genesis of the EMP.²⁹ The Germans bridled at Sarkozy's seeming indifference to EU solidarity.³⁰ Turkey, which Sarkozy wanted to include in his initiative, also reacted negatively, suspicious that the French were manoeuvring to keep it out of the EU.³¹

After much wrangling and repositioning, the UfM went ahead as a reformulation of the EMP with an extended membership.³² As such, the new UfM–EMP represented a recognition that the EMP had fallen short of realizing most of its goals. The aspirations embodied in Chapter 1 had not been met, not least because of Arab resistance to cooperating with Israel on regional security, absent an end to the Israeli occupation of the Palestinian Occupied Territories, the Golan Heights (captured from Syria) and the Sheba Farms area claimed by Lebanon. Some schemes for cultural dialogue and civil society contacts, as

²⁸ Michael Emerson, 'Making sense of Sarkozy's Union for the Mediterranean', Centre for European Policy Studies policy brief 155 (2008); Mireia Delgado, 'France and the Union for the Mediterranean: individualism versus cooperation', *Mediterranean Politics* 16: 1, 2011, pp. 39–57.

²⁹ Richard Gillespie, 'Adapting to French "leadership"? Spain's role in the Union for the Mediterranean', *Mediterranean Politics* 16: 1, 2011, pp. 59–78.

³⁰ See Federica Bicchì and Richard Gillespie, eds, *Mediterranean Politics*, special issue, 'The Union for the Mediterranean', 16: 1, 2011.

³¹ Rosa Balfour and Dorothée Schmid, 'Union for the Mediterranean, disunity for the EU?' European Policy Centre policy brief, Feb. 2008; Emerson, 'Making sense of Sarkozy's Union for the Mediterranean'.

³² http://www.ufmsecretariat.org/en/wp-content/uploads/2010/11/ufm_paris_declaration1.pdf;
<http://www.ufmsecretariat.org/en/institutional-documents/>, accessed 16 Dec. 2011.

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envisaged in Chapter 3, had gone ahead, but with limited results; the only measurable impact was in the area of economic and trade links in accordance with Chapter 2. Yet even in this area, as discussed above, few if any of the economic reforms introduced under the EMP umbrella had benefited ordinary people in the Arab MPCs.

Instead of trying to tackle this problem, the UfM prioritized a set of commercial projects to be undertaken jointly by Europeans and North Africans in areas such as energy, infrastructure, transport and the environment. Perhaps the only element with the potential to generate new economic activity that might benefit the Arab economies directly was a plan to promote new Small and Medium Enterprises{4}. However, all the proposals had surfaced before in some shape or form and most have yet to be implemented.³³

In terms of the structural underpinnings of the UfM, the way it was supposed to rejuvenate the idea of partnership looked more like a regression from the EMP than an improvement on it.³⁴ It introduced the idea of a joint presidency, with a European and an Arab head of state serving side by side, along with a new secretariat to be located in Spain. In theory these arrangements were supposed to give the initiative a higher profile than the EMP by elevating the partnership to the intergovernmental level. In practice it spelled more bureaucracy, attendant new costs and a focus on state-to-state diplomacy rather than business or civil

³³ Nathalie Tocci, 'State (un)sustainability in the Southern Mediterranean and scenarios to 2030: the EU's response', *Mediterranean Projects* (MEPRO){?} policy paper 1, Aug. 2011.

³⁴ Dimitar Bechev and Kalypso Nicolaidis, 'The Union for the Mediterranean: a genuine breakthrough or more of the same?' *International Spectator* 43: 3, 2008, pp. 13–20; Tony Barber, 'EU's Union for the Mediterranean drifts into irrelevance', ft.com/brusselsblog, 1 June 2010.

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society engagement. Particularly telling was the designation of Sarkozy and President Mubarak of Egypt as the first joint presidents. This recognition of Mubarak as a suitable champion for the initiative was questionable in the first place and has proved an embarrassment since his ouster by Egyptian demonstrators at the height of the Arab Spring. Equally embarrassing, in retrospect, was the way Sarkozy feted President Bashar al-Assad of Syria when he attended the launch of the UfM in Paris in July 2008.

By mid-2011 it was evident that the UfM was moribund. It may be remembered, however, as an illustration of how far the EU had departed from the idealism which had suffused its earlier pronouncements and initiatives for promoting reform in the Arab world. The UfM largely dispensed with the normative agenda that characterized EU aspirations for the EMP in its early years.³⁵ And while it paid lip service to the need for resolution of the Arab–Israeli conflict (Joint Declaration of the Paris Summit, 2008, Article 7),³⁶ this objective was never emphasized. In fact, the UfM implicitly assumed that the conflict could be 'parked' the better to enable European and MPC governments to proceed with state-to-state cooperation on other security issues, not least counterterrorism, as well as shared business interests.³⁷

³⁵ Roberto Aliboni and Fouad Ammor, 'Under the shadow of "Barcelona": from the EMP to the Union for the Mediterranean', EuroMeSCo Paper 77, 2009; Kristina Kausch and Richard Youngs, 'The end of the "Euro-Mediterranean vision"', *International Affairs* 85: 5, Nov. 2009, pp. 963–75; Bechev and Nicolaidis, 'The Union for the Mediterranean'.

³⁶ http://www.ufmsecretariat.org/en/wp-content/uploads/2010/11/ufm_paris_declaration1.pdf, accessed 16 Dec. 2011.

³⁷ See Rosemary Hollis, 'The UfM and the Middle East 'peace process': an unhappy symbiosis', *Mediterranean Politics* 16: 1, 2011, pp. 99–116; Kausch and Youngs, 'The end of the "Euro-Mediterranean vision"'; Bechev and Nicolaidis, 'The Union for the Mediterranean'.

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The EU and the Middle East peace process (MEPP)

The EU does not bear sole or even primary responsibility for the failure of the Middle East peace process, initiated in the early 1990s, to deliver an end to conflict. Yet an examination of European contributions to that process indicates that the EU does bear responsibility for going along with a US-led approach that has failed, partly because that approach was flawed,³⁸ and partly because EU efforts in some ways helped to sustain rather than end the Israeli occupation of the West Bank and Gaza during the life of the so-called Oslo process, initiated in 1994.³⁹ Since the Israeli withdrawal from Gaza in 2005, the EU has also played a role in the sequence of events that has led to the isolation of Gaza under Hamas control from 2007; and, despite EU opposition to the Israeli blockade on the area thereafter, this remains in place.

Clearly there is plenty of blame to go around, and there was never any possibility that the EU could by itself initiate and direct a peace process more likely to succeed than the one so far pursued. In addition, the Europeans were not alone in seeing the Oslo process as a promising approach in the mid-1990s. Conceived under Norwegian auspices, the Oslo formula was adopted by the United States, which at the time was the preferred mediator of both the Palestinians and the Israelis, and for the duration of the Clinton administration in the 1990s the US spared no effort in pursuing a peace deal between the parties on the various final status issues in dispute, including borders, refugees, Jerusalem, security and

³⁸ See Aaron David Miller, *The much too promised land: America's elusive search for Arab-Israeli peace* (New York: Bantam Books, 2008).

³⁹ See Michael Keating, Anne Le More and Robert Lowe, eds, *Aid, diplomacy and facts on the ground: the case of Palestine* (London: Royal Institute of International Affairs, 2005); David Cronin, *Europe's alliance with Israel: aiding the occupation* (Norwich: Pluto Press, 2011).

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water. It would have been fruitless or even counterproductive for the Europeans to have broken ranks during that period.⁴⁰ Meanwhile it was Clinton, along with the then Israeli Prime Minister Ehud Barak, who pushed for a summit at Camp David in July 2000 without adequately preparing the ground.

Once that summit had failed, further negotiations did take place between Barak and the Palestinian leader Yasser Arafat, to which the United States was party but the EU was not. However, the Palestinian resort to violence in the second *intifada* or uprising, including suicide bombings against Israeli civilians, together with Arafat's failure to accept the so-called Clinton Parameters, at least in principle, scuppered the whole process. The Israeli peace camp lost heart; Ariel Sharon was elected Israeli Prime Minister and presided over a crackdown on the Palestinians that essentially destroyed much of the infrastructure that the EU had been helping to build. Meanwhile George W. Bush entered the White House and apparently saw little value in intervening personally, leaving his envoys to try to retrieve the situation.

At this time the Europeans, collectively and severally, were active in the margins, but could not put back together the process that had unravelled. They resorted to a policy of keeping the Palestinian Authority (PA) afloat as a vehicle to disperse aid to the wider Palestinian population and to counter the Israeli claim that it had no partner with which to pursue peace. When the attacks on New York and Washington occurred in September 2001 the whole regional and international context was transformed, and by 2002 the Iraq crisis had taken centre stage. In the background Sharon argued that the Palestinians were integral to the broader terrorist threat facing 'the West'. The Europeans did not agree but the general

⁴⁰ Rosemary Hollis, 'The Israeli-Palestinian road block: can Europeans make a difference?', *International Affairs* 80: 2, March 2004, pp. 191-201.

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mood was such, especially in Washington, that their counterarguments could not be heard.

The contention here is not that the Europeans missed a chance to resolve the situation. Instead, the concern is with the lessons drawn by the EU and its member states that came into play once a new iteration of the MEPP was launched in 2002. When President Bush announced his support for a 'two-state solution' to the conflict the EU set about devising the so-called 'road-map' that would outline the steps by which to achieve that goal. In the process they revealed their reliance on US leadership, which by then was more accommodating to Israeli concerns than Palestinian aspirations. Adoption of the road-map, released by Bush in 2003 following the invasion of Iraq,⁴¹ was made dependent on a change in the Palestinian leadership through the marginalization of Arafat. But the Palestinian president refused to hand over powers to his new prime minister, the Israelis paid little attention to the road-map, and only the EU showed much enthusiasm for its implementation.

Nevertheless, in the interests of giving it maximum traction, the road-map was adopted by a new international grouping known as the Quartet, wherein the EU, the United States, Russia and the UN agreed to pool their efforts in the interests of managing the conflict and reviving negotiations. In fact, this development essentially ended any prospect of the EU acting as a counterweight to the US. Thereafter, achieving agreement across the (enlarged) EU and the Quartet became an end in itself.⁴² The task of coordinating 27 different positions is problematic at the best of times; now the effort to do so effectively took

⁴¹ For the full text of the 'road-map', see <http://news.bbc.co.uk/1/hi/2989783.stm>, accessed 16 Dec. 2011.

⁴² See Esra Bulut, ed., *European involvement in the Arab–Israeli conflict*, Chaillot Paper 124 (Paris: European Union Institute for Security Studies (EUISS){?}, 2010).

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precedence over questioning the usefulness of the policy itself or the value of the putative peace process. Instead of asking those key questions, the EU clung to the formula derived from Oslo, namely face-to-face negotiations under US auspices, and kept repeating their desire for a two-state solution. So long as the Israelis paid lip service to the same goal, they faced no serious impediment to their simultaneous expansion of Jewish settlements in the West Bank.

As the land on which the Palestinian state was supposed to emerge was transformed into a series of separate Palestinian enclaves in between Israeli settlements and link roads, the EU put its efforts into keeping the PA afloat. It is in this sense that Michael Keating and others have argued that the donor community, albeit unintentionally, helped perpetuate the occupation, by making it marginally more bearable for the Palestinians.⁴³ European aid also relieved Israel of the costs it would otherwise have had to bear as the occupying power.

While the EU and other donors may be excused for not anticipating this situation, they are at fault for their handling of the Palestinian legislative elections of 2006.⁴⁴ The EU both funded and monitored those elections, which were pronounced free and fair. What they failed to foresee, however, was the victory achieved by Hamas at the polls. Having previously placed Hamas on the EU list of terrorist organizations barred from receiving EU funds, and in the context of

⁴³ Keating et al., eds, *Aid, diplomacy and facts on the ground*; Anne Le More, 'Killing with kindness: funding the demise of a Palestinian state,' *International Affairs* 81: 5, Sept. 2005, pp. 981–99; Nathalie Tocci, *The widening gap between rhetoric and reality in EU policy towards the Israeli–Palestinian conflict*, working document 217, (Brussels: Centre for European Policy Studies, 2005).

⁴⁴ Rouba Al-Fattal, *European Union foreign policy in the occupied Palestinian territory* (Jerusalem: Palestinian Academic Society for the Study of International Affairs (PASSIA){?}, 2010); Pace, 'Perceptions from Egypt and Palestine'.

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the 'war on terror', European leaders apparently felt they could not recognize the victors as the new legitimate government. Unwilling to take Hamas off the list or find another way around the problem, under US (and Israeli) pressure the EU then went along with the rest of the Quartet in refusing to deal with any PA members (except the office of the President, Fatah leader Mahmoud Abbas) unless and until they accepted three principles: renunciation of violence; recognition of Israel; and acceptance of all previous Palestinian agreements.

This was not only a blow for the Palestinians; it sent the message to all Arabs that European (and American) advocacy of democracy was hollow. The move also meant that the rebuilding of Palestinian infrastructure was suspended. It was resumed in late 2007, but only after Hamas took over complete control of Gaza in a putsch and Abbas formed a new administration of mostly unelected technocrats in the West Bank. Ignoring Gaza, the EU then joined forces with the US and others in helping the Abbas administration build what they hoped would be the infrastructure for a state.⁴⁵ Central to their efforts has been the recruitment and training of a security force to protect the PA (including cracking down on Hamas in the West Bank) and police the Palestinian areas.

EU investment in this endeavour has been justified on the grounds that it will prepare the Palestinians for statehood. However, the EU has been unable to deliver a peace deal (as has the Quartet), and in September 2011 an exasperated Abbas took his case to the UN. His initiative called the bluff of the EU and others—but, rather than seizing the opportunity to change the parameters of the MEPP, the Quartet renewed its call for direct negotiations. Declaratory policy, that is, repeated statements about what the Israelis and

⁴⁵ Nathan J. Brown, 'Are Palestinians building a state?', 2010, <http://www.carnegieendowment.org/publications/index.cfm?fa=view&id=41093>, accessed 16 Dec. 2011.

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Palestinians should do, and what is illegal under international law, is apparently preferable to facing up to reality. Perhaps worse, the Europeans (and certainly the Americans) have taken solace from the fact that the continuation of the Israeli–Palestinian conflict has not featured prominently among the concerns of the Arabs demonstrating against dictatorship; but they delude themselves if they think this means that the problem will quietly recede. The credibility of European and American support for democracy and human rights is undermined by their track record on the Palestinians.

Regional security

While much fanfare has accompanied the launch of the various EU initiatives reviewed above, there has been much less publicity for EU policies on counterterrorism and migration. However, since the mid-1990s a plethora of structures, procedures and agreements have been put in place to deal with the so-called 'soft security' issues of concern to the EU, and for these the Europeans need the cooperation of neighbouring countries. As a recent report spells out, 'the kind of "dialogue and partnership" that the EU is promising to give third countries on "migration and mobility" is one in which the security of the Union and its member states still function as the *sine qua non*'.⁴⁶ Furthermore, in fulfilment of the EU's security agenda, deals were made with the very dictatorial regimes that have come under pressure from their populations in the Arab Spring.

Fear that migrant communities inside Europe, particularly Muslims with links to Arab and other Muslim countries, could harbour radicals with a violent Islamist agenda was evident in Europe several years before 9/11 prompted the United States to declare a war on terrorism. In the mid-1990s France was the target of

⁴⁶ Sergio Carrera, 'The EU's dialogue on migration, mobility and security with the southern Mediterranean' (Brussels: Centre for European Policy Studies (CEPS), June 2011), p. 4.

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several bomb attacks attributed to radical elements with links to North Africa.⁴⁷ Thus, cooperation with the Maghreb states on intelligence-gathering as well as migration control was high on the list of interests of some EU members when the Barcelona Declaration was signed in 1995. As mentioned above, the economic aspects of the EMP were designed in part to serve EU security concerns by, it was hoped, generating jobs in the MPCs that would reduce the pressure for migration.

More explicitly, all the EU initiatives and bilateral agreements with Arab and other neighbouring states have included commitments to cooperate on border controls and in combating terrorism. Under the ENP, the implementation of specific measures for migration control is among the conditions to be met by the MPCs in order to receive more EU financial assistance. Thus, in the Action Plan agreed with Morocco, to cite one example, clause (47) on 'Ensuring the effective management of migration flows' stipulates:

- Exchange of information and dialogue on illegal migration; practical support for activities to prevent illegal migration.
- Assistance in implementing the strategy to combat illegal immigration, in particular through cooperation with the Migration and Border Surveillance Directorate.
- Development of a regional cooperation formula for the prevention of illegal migration.

⁴⁷ Marks, 'High hopes and low motives'; Claire Spencer, 'Building confidence in the Mediterranean', *Mediterranean Politics* 2: 2, 2008, pp. 000–00{?}; George Joffé, 'The European Union, democracy and counter-terrorism in the Maghreb', *Journal of Common Market Studies* 46: 1, 2008, pp. 147–71.

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- EU action upstream with regard to countries of transit and origin and implementation of the ACP agreements, in particular regarding readmission.⁴⁸

Realization of the importance accorded to migration control and combating terrorism by the EU enabled Arab governments to use these issues to exert leverage in their dealings with Europe. It is in this sense that the EU stands accused of helping to perpetuate and bolster dictatorial regimes at the expense of democracy and human rights for their populations.⁴⁹ As argued by Fernández and Youngs,⁵⁰ among others, the EU allowed Arab governments to avoid implementing any serious political reforms in the interests of ensuring their cooperation on security and intelligence-sharing.

At the same time, as indicated above, EU counterterrorism policies, and fears of political Islam in particular, prejudiced EU support for democracy in the Arab world. The EU decision to designate Hamas a terrorist organization in 2003 was taken in part as a result of US pressure.⁵¹ When the movement then triumphed in the Palestinian elections of 2006, which had been called for, funded and monitored by the EU, the Europeans went along with the US in boycotting the victors. In her analysis of EU aid and policies to build a functioning democracy in

⁴⁸ http://trade.ec.europa.eu/doclib/docs/2006/march/tradoc_127912.pdf, accessed 16 Dec. 2011.

⁴⁹ Michelle Pace, 'Norm shifting from EMP to ENP: the EU as a norm entrepreneur in the south?' *Cambridge Review of International Affairs* 20: 4, 2007, pp. 659–75; Aliboni and Ammor, 'Under the Shadow of "Barcelona"'.

⁵⁰ Fernández and Youngs, eds, *The Euro-Mediterranean Partnership*.

⁵¹ Federica Bicchì and Mary Martin, 'Talking tough or talking together? European security discourses towards the Mediterranean' *Mediterranean Politics* 11: 2, 2006, pp. 189–207.

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the Occupied Palestinian Territories, Rouba Al-Fattal charges the EU with reneging on its own principles and promises, to the detriment of the Palestinian people and their prospects of statehood.⁵² Michelle Pace and Nathalie correct as here{5} Tocci, among others, contend that the normative approach of the EU was not only betrayed by its actions, but actually served as a cover for policies which fundamentally undermined democracy promotion in the MPCs.⁵³

In her critical analysis of EU policies on migration control, Tugba Basaran reveals a much deeper problem with EU conduct.⁵⁴ She shows how ordinary law and practices have been used by liberal states to define borders in ways that have changed 'the balance between security and liberties'. She questions the idea that liberal democracies have departed from their normal commitment to upholding civil liberties and human rights only in exceptional cases, justified on the basis of exceptional security threats, arguing that 'the problem of security . . . is not its exceptionality, but rather its banality' and that 'security is a normal mode of government in the repertoire of liberal democracies'.⁵⁵ She argues that border zones 'are characterized by legal proliferation rather than being outside the law, by juridical complicity rather than executives acting on their own, and often also [by] international consensus rather than unilateral approaches by states'.⁵⁶

⁵² Al-Fattal, *European Union foreign policy in the occupied Palestinian territory*.

⁵³ Pace, 'Norm shifting from EMP to ENP'; Michelle Pace, *Liberal or social democracy? Aspects of the EU's democracy promotion agenda in the Middle East* (Stockholm: International Institute for Democracy and Electoral Assistance, 2009){?}; Tocci, 'The widening gap'.

⁵⁴ Tugba Basaran, 'Security, law, borders: spaces of exclusion', *International Security Review* 2:4 {?}, 2008, pp. 339–54.

⁵⁵ Basaran, 'Security, law, borders: spaces of exclusion', p. 340.

⁵⁶ Basaran, 'Security, law, borders: spaces of exclusion', p. 340.

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Conclusions

The verdict reached here is that, on balance, EU policies did help to trigger the Arab revolts, but by default rather than design. The problem is not simply one of omission, or that the EU could have done more to promote economic development and democracy, even if its intentions were benign. Instead, the case made here is that EU policies have actually betrayed the professed European values of freedom, democracy and the rule of law rather than exporting them. And they have prioritized European prosperity and stability at the expense of both in the Arab world.

EU policies on the Middle East peace process have compounded this mismatch between professed EU goals and actual outcomes. In some ways the EU has helped to sustain the Israeli occupation of the Palestinian Territories rather than end it. By teaming up with the United States, the UN and Russia in the Quartet after 2002, the EU has demonstrated a greater commitment to harmonization of positions within the EU and the Quartet than to the defence of human rights and international law per se. And by refusing to recognize the winners of the 2006 Palestinian elections and withholding aid, the Europeans have sent the message that their advocacy of democracy is limited and partial.

The net result is a set of structured, institutionalized and securitized relationships and activities which infuse and overlay all aspects of EU relations with neighbouring Arab states and the Occupied Palestinian Territories. The EU may say it wants to expand its relations to encompass more contacts and partners at the civil society level, but that support may not amount to much unless EU priorities change. More likely the EU will continue to seek government and official-level cooperation on counterterrorism and migration control strategies which use the law to manage space and people in the interests of European security, not Arab civil society. As for selling the European free market model to post-Ben Ali Tunisia and post-Mubarak Egypt—that may still go down well with

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the old guard elites, but is unlikely to be welcomed by all those seeking jobs and fairer wealth distribution. In any case, EU economic and financial strategies have now lost credibility with Europeans themselves, let alone with their neighbours.