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On the fringes of the European peace project: The neighbourhood policy's functionalist hubris and political myopia

Sandra Lavenex

Abstract

The destabilization of Eastern Europe and of the Southern Mediterranean has exposed the limits of the European peace project. Obviously, the European Neighbourhood Policy has not succeeded in boosting peace and prosperity. This article attributes this failure to a combination of functionalist hubris and political myopia that emanates from the European Union's peculiar constitution as a regulatory power with weak political union. While the projection of the European Union's single market *acquis* has set over-ambitious targets, the needs of the partner countries and the wider geopolitical implications of the Neighbourhood Policy have received little political attention. In sum, the experience at the fringes of the European peace project not only unveils the limits of the European Union as a foreign policy actor, but it also raises more theoretical questions on the notion of 'liberal peace'.

Keywords

European neighbourhood policy, European Union, external governance, functionalism, liberal peace, security community

Introduction

For most of its existence, the European peace project has been inward-looking, launched with a view to promoting peace and prosperity for the participating European states. The key to realizing this objective was a genuinely liberal agenda of functionalist integration, promoting welfare through market integration and capitalizing on societal interdependence for fostering the development of common policies and institutions. This strategy was conducive to the development of a 'security community' among the founding and acceding members (Deutsch et al., 1957), in which war among them became unthinkable.

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After eastern enlargement, the European Union (EU) faced the unprecedented challenge of defining its relations with neighbouring countries, which would not, at least in the foreseeable future, receive the prospect of EU membership, but which matter greatly for the maintenance of security and stability in Europe. The EU's response has drawn on its liberal foundations: the promotion of market integration based on the *acquis communautaire* and the promotion of 'shared values', such as democracy, human rights and the rule of law (Commission, 2003). With this agenda, the European Neighbourhood Policy (ENP) combined the core elements of a 'liberal peace' project: free trade and democratic institutions, as warrants for peace (Chandler, 2007; Doyle and Sambanis, 2006; O'Neill and Russett, 2000).

Looking back, there is little doubt that this attempt to extend the European peace project through 'everything [the *acquis communautaire*] but institutions [without membership in the EU]' (Prodi, 2002) has failed. Rather than avoiding the creation of 'sharp edges' in Europe (Grabbe, 2002), the ENP has contributed to Russia's geopolitical revindications over its 'near abroad', and it has done little to sustain peaceful democratic change in the south, with the exception perhaps of Tunisia.

Many developments have prompted the destabilization of the region, and it cannot be ruled out that under more peaceful circumstances, the ENP would have allowed a 'ring' of closely associated stable 'friends' (Prodi, 2002) to emerge at the EU's borders. Yet even so, the ENP has failed to adapt to rapidly deteriorating circumstances over the last 10 years and has had difficulties addressing the negative unintended effects it has produced. This article posits that the reason for the ENP's failure is a paradoxical combination of hubris and myopia, rooted in a misguided projection of the EU's own experience. From a functionalist perspective, the EU has overestimated its association capacity and the impetus of market forces. The ENP's strategy to associate the neighbourhood proposed to expand the EU's model of market integration through regulatory approximation to the EU's *acquis communautaire*. Yet, this project paid little attention to the absence of social, economic, cultural and political preconditions for functionalist integration in the target countries. This functionalist hubris has been aptly characterized as the expectation that 'our size fits all' (Bicchi, 2006), with little consideration of the diverse needs of the neighbouring countries.

While overestimating its integration potential, the ENP has simultaneously underestimated its political implications. The ENP's myopia rests in the inability to recognise the differentiated needs of its target countries and the failure to anticipate the wider geopolitical reverberations of seemingly technocratic rapprochement. The perspective of deeper association has encouraged democratic rebellions in the east and the south, but the EU has proved unable or unwilling to take a clear political stance in support of these uprisings. Conversely, the ENP's regulatory outreach has infringed on the geopolitical aspirations of other actors, notably Russia, but the EU has failed to dissipate or at least attenuate these rivalries.

After briefly reviewing the EU's trajectory from an internal to a—potentially—external force for peace, this article addresses the factors that have constrained the expansion of the Union's internal 'security community' based on economic integration and democratization to its neighbourhood. The conclusion recapitulates the limits of the ENP and argues that while reflecting the EU's bias towards functionalist rather than political integration, this policy also bears several insights for broader debates around the notion of liberal peace.

The European peace project and its fringes

The European peace project has been based on a functionalist strategy of incremental regulatory integration based on socio-economic interdependence, backed by the empowerment of supranational actors. Its fundament is the combination of (supranational) market integration with (domestic) democratic institutions and welfare states. Herewith, the EU has been viewed as the archetype of the liberal peace approach (Doyle and Sambanis, 2006; O'Neill and Russett, 2000).

The consolidation of a 'security community' has not occurred in isolation but rather has been deeply entrenched in the geopolitical landscape of the Post–World War II period (Howorth, 2017; Patel, 2017). The relative stability of the bipolar world order provided fertile ground for the depoliticized and technocratic dynamics of functionalist integration. The consensus around the shared desire to overcome the divisions that had driven Europe into two world wars and countries' willingness to assert their place on the world map, with a clear pro-Western orientation and US protection, also contributed.

Within this liberal context, the deepening and widening European *acquis communautaire* soon began to reverberate in the outside world. The sectoral policies adopted in the EU developed an external dimension not only through trade and market regulations but also in matters regarding environmental norms, consumer standards, energy and migration policies. Through its sectoral policies, the EU gradually assumed its own international presence, affecting third countries and international institutions on a different level and disconnected from the hesitant steps towards a Common European Foreign and Security Policy (Bretherton and Vogler, 2006). Key to this external radiation were the attraction of the EU's single market (Damro, 2012), the appeal of its underlying values (Manners, 2002) and the development of common regulatory standards that diffused to third countries and international organizations (Bradford, 2012; Lavenex, 2014).

The collapse of communism in Eastern Europe in 1989 accentuated the EU's international role. Within a short period of time, the EU was propelled from the relatively shielded context of the Cold War to an environment riddled with overt conflict. To the east, the demise of the Soviet Union and its regional order threatened to create a vacuum with the risk of deep political instability and economic turmoil, as exemplified with the civil war and the demise of Yugoslavia. To the south, Morocco's application to join the EU in 1987 and the socio-economic challenges facing the Maghreb and Mashreq countries highlighted the limits of the existing commercial links. In sum, after four decades of relatively inward-looking, predominantly functionalist-driven integration, in the 1990s the deepening EU came to face an increasingly unstable periphery. In the 25 years since the end of the Cold War, 'there has rarely been a year without conflict in one or other of [the EU's] neighbours' (Biscop, 2015: 369). Perceived as a potential security threat, the 'troubled areas' of the European neighbourhood called for an expansion of the EU's internal zone of relative peace and prosperity (European Council, 2003).

The EU's response to this unprecedented challenge has been to project its liberal peace experience, in variable geometries. To the countries of central and eastern (CEECs) and south-eastern Europe, the EU has offered full membership based on their full adoption of the *acquis communautaire* as well as, importantly, their successful embrace of democratic institutions and values (Wallace, 2017). With this enlargement strategy, the Union opted for the 'internalization of disturbance rather than its containment' (Smith, 1996: 23).

The EU's response to the countries further east, as well as to the south, has been more partial. In essence, the ENP consisted of the extension of the EU's sectoral policies through regulatory approximation, but without granting either full access to the single market (e.g. including freedom of movement) or a 'membership perspective'. Although genuine political goals, such as the promotion of human rights and democracy, have been added to this regulatory agenda, the backbone of the ENP has been a strategy of sectoral integration through legislative approximation. As we will see below, this externalisation of internal rules has failed to meet the needs of the target countries and has masked deeper political challenges in the region.

The functionalist bias of EU external relations

EU external relations mirror the Union's internal constitution. Internally, the EU combines a weak political core with strong regulatory integration. Internationally, it is a weak foreign policy actor but a global regulator for various sectoral policies (Bradford, 2012; Damro, 2012; Lavenex, 2014; Young and Peterson, 2014). This constellation means that in the absence of a strong common foreign policy, the ENP has tried to capitalize on the integration potential of its sectoral policies for promoting peace and prosperity.

This strategy of *acquis* extension was modelled on the experience of eastern enlargement (Kelley, 2006). Its configuration is, however, closer to the case of the EU's western neighbours who have come to enjoy a deep form of association without becoming formal members while lacking the former's hierarchical elements, at least until the negotiation of the Deep and Comprehensive Free Trade Areas (from 2008) (Lavenex, 2011). In fact, the ENP aspires for the closest possible participation in EU sectoral policies and approximation to the *acquis communautaire*, albeit with important exceptions, such as freedom of movement, and, importantly, without institutional membership and the political obligations it entails. This functionalist bias towards regulatory and not political integration moves the ENP closer to the associations developed with Switzerland and the countries of the European Economic Area (Iceland, Liechtenstein and Norway). The problem is that unlike the EU's western neighbours, whose decentred integration into EU sectoral regimes was driven bottom-up by functional interdependence and was facilitated by relatively homogeneous political–administrative structures, under the ENP regulatory approximation with EU policies has been dictated from above and applied to quite heterogeneous contexts (Lavenex, 2015).

When studying regional initiatives outside Europe, Ernst Haas and Philippe Schmitter (1964) identified the following four key background conditions for functionalist integration: a limited number of relatively homogeneous countries; a high intensity of cross-border transactions at the level of societies, economy and elites; societal pluralism; and a relative convergence of elites' perceptions. In contrast, the ENP involves no fewer than 16 heterogeneous countries (to the East Armenia, Azerbaijan, Belarus, Georgia, Moldova, Ukraine and, in Northern Africa and the Middle East, Algeria, Egypt, Israel, Jordan, Lebanon, Libya, Morocco, Palestine, Syria and Tunisia). Whereas most of these countries have come to trade a considerable share of their goods with the EU, the same cannot be said for the Union itself, which trades little with them. In most policy areas, interdependence between the EU and the ENP countries is asymmetric, with either the EU (such as on energy or immigration) or the ENP countries (such as on trade) being more dependent on the cooperation of the other side. Most of these countries have been or are still ruled by authoritarian regimes under which civil society has hardly flourished. And whereas

some governments have held strong pro-EU attitudes, it is difficult to speak of a clear convergence of goals, values and expectations with the EU counterpart.

In sum, the ENP has sought to expand the Union's internal model of functionalist integration through the projection of the EU's own rules and regulations, paying little attention to the adverse socio-economic and political contexts on the ground. As a foreign policy, this strategy has thus underestimated the weakness of bottom-up integration dynamics and has overestimated the transformational potential of its sectoral policies. While this functionalist hubris might have worked well as a long-term strategy in a peaceful and stable environment, in the short term, it has failed to recognize the distinct socio-economic needs of the target countries and the implications of these allegedly technocratic politics in a rapidly deteriorating geopolitical context. In other words, it has been coupled with political myopia.

The ENP between ambition and reality

This section substantiates the argument of functionalist hubris and political myopia focusing on two pillars central to the ENP's extended peace project: economic integration and democracy promotion. It will be shown that while emphasizing regulatory approximation, both ENP pillars have neglected their larger political implications. As a result, economic outreach and support for democratization have failed to deliver the expected results and may even have contributed to the difficult transition dynamics that we observe today.

Economic integration

The idea that economic integration generates wealth and promotes transnational ties and thus is conducive to peace is central to the liberal theory of international relations and the notion of 'liberal peace' (O'Neill and Russett, 2010). It has underpinned European integration from the outset and has been at the basis of EU external relations from its inception. Under the ENP, however, the EU has shifted from a shallower agenda of economic cooperation to an ambitious association policy based on the extension of large parts of its single market *acquis*, bringing heavy regulatory obligations on the partner countries and limiting the scope for divergent domestic policies.

Economic relations with the countries that became parties to the ENP started with the southern neighbours in the late 1970s with the signing of economic cooperation agreements with Morocco and Tunisia in 1978. They were reinvigorated at the turn of the millennium with the conclusion of more comprehensive association agreements after 1989 with both the southern and the new eastern neighbours. A new step was reached with the launch of the Eastern Partnership (EaP) and the negotiation of Deep and Comprehensive Free Trade Agreements (DCFTAs). These agreements were first offered to the eastern neighbours from 2008 onwards and—in the aftermath of the Arab Spring upheavals in 2011—to four Mediterranean states (Egypt, Jordan, Morocco and Tunisia). Four DCFTAs (with Armenia, Georgia, Moldova and Ukraine) had been concluded by mid-2016. Those with Georgia and Moldova began to be applied on a provisional basis in 2014. The one with Ukraine became operational in January 2016.[1] The agreement with Armenia, which was concluded in 2013, did not enter into force due to the Armenian government's decision to join the Eurasian Economic Union instead (Hoekman, 2016).

These agreements depart from earlier cooperation and association agreements in scope, depth and ambition. First, they mark a shift from a cooperative relationship towards

a hard-law integration framework with the Union. Second, they follow an ambitious agenda of regulatory extension prescribing alignment with EU product and process standards, corresponding verification mechanisms, as well as legislation in politically sensitive areas, such as competition policy (including disciplines on state aid), public procurement, intellectual property legislation and services markets. This apparently technocratic agenda has not been tailored to the needs of the target countries and it has failed to address the political challenges associated with externalizing large parts of the EU's single market *acquis*.

The first challenge, which became undeniable with the signing of the DCFTA with Ukraine, is Russia. Russian pressure on the former Ukrainian government not to sign the agreement motivated mass protest in the Ukraine and then culminated in the annexation of Crimea and the war in Eastern Ukraine. Why did the EU not anticipate these conflicts, and why did it not embed its approach towards Ukraine and the other eastern neighbours in a more comprehensive diplomatic initiative, including Russia? Indeed, Moscow's resentments against the ENP were salient from the early 2000s and certainly after the Colour Revolutions in Georgia (2003) and Ukraine (2004) (Ademmer et al., 2016; Delcour and Wolczuk, 2013). These resentments developed a new quality with the launch of the EaP in 2008 and the move towards the DCFTAs. This initiative, launched by Poland and Sweden, occurred in a hardening geopolitical context, marked by tensions over Georgia's and Ukraine's possible accession to the North Atlantic Treaty Organization (NATO), the independence of Kosovo and, finally, the war in Georgia (Delcour and Kostanyan, 2014). Presented by the EU as technocratic economic treaties designed to foster economic integration and welfare (and, thereby, contributing to peace), the DCFTA did introduce a new dimension in EU–Neighbourhood relations because they excluded parallel participation in Russia's 'near abroad' project, the Eurasian Economic Union.

Russia's opposition to what it saw as intrusion into its sphere of influence became very clear in the run-up to the Vilnius Summit in November 2013. Russian destabilization tactics intensified, including economic sanctions against Armenia, Georgia, Moldova and Ukraine. Ultimately, they culminated in the violation of Ukraine's territorial integrity and sovereignty (Delcour and Kostanyan, 2014; Dragneva and Wolczuk, 2015).

Notwithstanding this gradual deterioration, the European Commission and the Member States unfolded the association agenda as if it were 'business as usual'. It was no more than a bureaucratic routine learned from the experience of eastern enlargement. It is telling that no EU policy document related to the ENP, the EaP or the DCFTA addressed these challenges until 2014 when the crisis was undeniable.

The second challenge involved in the ENP's economic agenda has less to do with external actors than with the suitability of EU market rules to the situations of the ENP countries themselves. Doubts have been raised as to whether the provisions of the DCFTA are really all in the interest of the partner countries from an economic point of view, at least in the short term. On one hand, the agreements foresee a phasing out of tariffs. As with the association agreements concluded with the candidate CEECs of Europe, this process is to occur in an asymmetric manner with the EU liberalizing immediately and the ENP countries enjoying a transition period of 10 years. Nevertheless, as is the case with the CEECs, the EU enjoys longer protection for sensitive sectors, such as agriculture. Generally speaking, tariff liberalization may stimulate growth in the partner countries, but it is likely to benefit the more competitive segments of the economy, while other segments may prove unable to adapt to changing market requirements. In the case of eastern enlargement, economic transition was coupled with quite extensive financial transfers, as

well as the political encouragement of foreign direct investment, facilitated through the perspective of EU accession (Bruszt and Langbein, 2015). These mechanisms were important to sustain the transformation of domestic economies and the build-up of competitiveness, and they worked particularly well when sustained by organized sectoral interests cooperating with capable domestic state authorities (Bruszt and Langbein, 2015). In the case of the ENP, compensatory mechanisms designed to absorb the shock of market opening, as well as external stimuli for industrial modernization, are much weaker (Langbein, 2014). Examining the case of Ukraine's car industry, for instance, Julia Langbein has found that trade liberalization primarily benefitted European car producers by improving their market access. The lack of support under ENP for restructuring Ukraine's car industry, however, left 'the sector without a chance to benefit from liberalization' (Langbein, 2016: 19). In short, these analyses mirror the argument made by Alasdair Young and John Peterson (2014: 183) on EU trade policy as foreign policy more generally: that 'however normatively informed the EU's foreign policy goals may be, the politics shaping how they are realized are deeply coloured by economic interests, even very narrow ones, which often distorts policy and compromises its objectives'.

A third problem with the DCFTAs relates to their comprehensive regulatory agenda. Analyses suggest that the agreements request signatory parties to adopt between 80% and 90% of EU single market regulations (Hoekman, 2016; Wisniewski, 2013). Especially in the fields of technical and sanitary standards, regulatory alignment is overly costly and is, according to analysts, probably doomed to fail (Dreyer, 2015; Hoekman, 2016). This observation is not new. For instance, the 2006 Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH) regulation regarding chemical substances and the heavy bureaucratic burdens it imposes has been a contentious issue in EU neighbourhood relations for years (Dreyer, 2015: 35). Convergence with the stringent regulatory and administrative requirements of EU food safety standards also implies massive reforms and involves high costs for ENP countries, state authorities and private businesses alike (Delcour, 2016). Researchers have been warning for some years that, while in the long run such comprehensive reforms might indeed improve the investment climate and export opportunities, in the short and medium term the tight obligations of the DCFTAs are circumscribed by the lack of fit between EU templates and regulatory needs in the target countries. They are also hampered by a lack of administrative capacity on the part of these countries' bureaucracies to digest and implement these regulations (Dimitrova and Dragneva, 2009; Dragneva and Wolczuk, 2012).

Another challenge linked to regulatory harmonization concerns its trade-distorting effects. Harmonization of technical standards is only welfare enhancing when the participating economies are already closely integrated and trade occurs at very significant levels (Dreyer, 2015). The reason is that when a country aligns its standards with another's, then trade with third parties with different standards is significantly reduced. Yet the EU accounts for only about a third of Ukraine's or Georgia's external trade (Dreyer, 2015: 36). Trade distortions can also result from political reactions to such an external regulatory agenda. And in fact Russia has repeatedly imposed trade sanctions against imports from ENP countries (Delcour, 2016).

Designed as a (functionalist) market-making policy and not as a more comprehensive policy of economic development—including compensatory redistributive mechanisms or industrial policies—the ENP has been ill-suited to absorb the negative externalities it produces. Coupled with the geopolitical implications discussed earlier, the ENP has thus potentially had more destabilizing effects than economically beneficial ones. In retrospect,

Morocco's decision in 2014 to halt negotiations because of its doubts about potential negative impacts on its industry (Hoekman, 2016: 2) may have been wise.[2]

In conclusion, the idea to expand gradually the EU's single market to the neighbouring countries was born out of good intentions and reflected the wish to mobilize the 'normative power' attached to free trade as a motor for wealth and peace. In retrospect, it must be asked whether this liberal agenda was the appropriate response, both in the way it was executed and in essence. In terms of execution, the ENP has failed to internalize the negative externalities of liberalization on non-competitive economic sectors in the target countries and has requested the adoption of ill-adapted regulatory standards. Some of the short-term costs associated with these policies could have been mitigated with dedicated political interventions and financial transfers, thus paving the way towards a more sustainable and ultimately economically beneficial transformation. While a more strongly political engagement would seem a necessary complement for the Southern Mediterranean countries, for the Eastern European neighbours it would likely have exacerbated the existing tensions with Russia. In the absence of a foreign policy agreement with Russia, it seems that every policy of preferential regionalism to the east risks eroding former economic, social and political ties, thus contributing to further destabilization and questioning the ENP's very viability as a project for peace.

Democracy promotion

While economic integration constitutes the main pillar of EU relations with its neighbourhood, the second element central to liberal peace theory—democracy promotion—was also included from the start. As stated in the ENP's founding documents, the association process was to be based on 'shared values', notably democracy, human rights and the rule of law (Commission, 2003: 4). These values have become 'essential elements' in almost all EU agreements with third countries as both an objective and condition for institutionalized relationships (Horng, 2003).

In practice, the ENP has embraced different approaches to promoting these values, with various intensities and mixed results. The following three approaches to democracy promotion have been distinguished (Freyburg et al., 2015; Lavenex and Schimmelfennig, 2011): the invigoration of economic links and support for domestic democratization forces in order to promote democratization 'from below' ('linkage'), the use of political conditionality in order to induce democratic reforms 'from above' ('leverage') and the promotion of democratic governance norms through sectoral cooperation at the level of public administrations.

Empirical studies investigating the linkage model in EU democracy promotion have usually come to sobering conclusions. Reviewing democracy promotion in the context of the Barcelona process (the predecessor of the ENP with the southern neighbours), Jünemann (2003: 7) observes that although the EU's bottom-up programmes at the level of civil society were 'taken up […] with great enthusiasm' by democratic forces in the target countries, 'high expectations were soon disappointed by the EU's unexpected reluctance and caution when putting these programmes into practice'. In the case of the European Initiative for Democracy and Human Rights (EIDHR), which explicitly targets civil society organisations with the purpose of promoting democracy and human rights, it has been shown that the implementation was modest, with only part of the funds devoted to Mediterranean countries being disbursed. Even in those cases when funds did reach the intended recipients, the political content of projects was watered down by privileging

uncontroversial human rights (such as women's and children's rights), as opposed to democracy assistance in the form of institutional activities or (for instance) protection of the right of association (Bicchi, 2010; Gillespie and Whitehead, 2002: 197; Haddadi, 2002, 2003; Jünemann, 2002; Schlumberger, 2006: 45; Youngs, 2002: 55–57). Summing up, Youngs (2001: 193) concludes that 'the EU did not push hard' and was 'unwilling to risk tension with recipient governments'.

Similar findings apply to the second direct strategy of democracy promotion: political conditionality or 'leverage'. While clearly successful in the context of eastern enlargement (Schimmelfennig and Sedelmeier, 2005), the use of political conditionality has proved highly inconsistent in relations with the neighbourhood. Although lacking the EU's main incentive for exerting leverage—the prospect of accession—ENP documents do invoke elements of political conditionality. Strategy documents link participation in the ENP and the intensity and level of cooperation to the ENP partners' adherence to liberal values and norms (Mayer and Schimmelfennig, 2007: 40–42). In addition, the 'essential elements' clause features in most legal agreements between the EU and partner countries in the region. However, comparisons of ENP Action Plans reveal an incoherent democracy promotion policy and the overriding importance of the EU's geostrategic and partner countries' political interests (Baracani, 2009; Bosse, 2007; Del Sarto and Schumacher, 2011; Pace et al., 2009). In a comparative analysis of EU responses to violations of democratic norms in the post-Soviet area, Warkotsch (2006) has shown that although the existence of a democracy clause in EU–third country agreements significantly increased the likelihood of an EU response to anti-democratic policies, it was not significantly correlated with responses that go beyond verbal denunciation. Strong sanctions were more likely to be used against geographically proximate states and less likely against resource-rich countries. Studies of EU democracy promotion in the Mediterranean until the Arab uprisings confirm this picture (Del Sarto and Schumacher, 2011; Pace et al., 2009). In sum, it has been argued that the EU, and particularly its southern member states, appeared to prefer stable, authoritarian and Western-oriented regimes to the instability and Islamist electoral victories that genuine democratization processes in this region were likely to produce (Gillespie and Whitehead, 2002; Gillespie and Youngs, 2002; Jünemann, 2002; Youngs, 2001). This judgement seems confirmed in the EU's lukewarm reaction to the 'Arabellions'. After initial sympathy for the upheavals, the EU has returned to prioritizing security and stability (Börzel and Van Hüllen, 2014). This behaviour has been explained with concern to preserve European regional interests (Börzel et al., 2014) as well as with the maintenance of institutional routines in the EU apparatus (Noutcheva, 2014). A similar situation has been stated for the eastern neighbours where the EU has continued to speak in favour of democratic change but has not significantly revamped its assistance to democratization (Buscaneanu, 2015, see also Smith, 2015).

In conclusion, the EU's ability or willingness to explicitly promote democratization through linkage or leverage has been put into question. Rather than pushing neighbouring countries towards regime change, it seems that the EU has played a more cautious and modest role in promoting democratic norms through indirect means at best. Beyond inspiring democratic values by '"what it is" and not (necessarily) "what it does"' (Manners, 2002), the EU has promoted norms related to democratic governance indirectly through its sectoral cooperation in the ENP. As indicated in the following quote, the European Commission (2006: 6) hoped that its strategy of regulatory extension (i.e., the promotion of the *acquis communautaire*) could contribute to democratization: '[d]emocratic governance is to be approached holistically, taking account of all its dimensions

(political, economic, social, cultural, environmental, etc.). […] Accordingly, the concept of democratic governance has to be integrated into each and every sectoral programme' (European Commission, 2006: 6). The effectiveness and reach of such sectoral norm promotion, however, are limited. An analysis of the diffusion of democratic governance norms through *acquis* promotion in three policy areas (competition/state aid, environment/water management and migration/asylum policy) and four countries (Jordan, Moldova, Morocco and Ukraine) has shown that democratic governance provisions related to participation, accountability or transparency in public policy making indeed have travelled through sectoral cooperation. While ENP countries have transposed norms related to civil society involvement, access to administrative documents or control and sanctioning provisions when aligning their legislation with the *acquis communautaire*, studies also show that actual implementation has been wanting, thus limiting the significance of these changes (Freyburg et al., 2011, 2015). First, the effectiveness of such indirect democratic governance promotion via the *acquis communautaire* is innately linked to the success of sectoral cooperation and regulatory approximation which, as mentioned above, has not been straightforward given the very heterogeneous socio-economic and political–administrative context of the ENP countries. Second, it seems that given the continuous importance of non-democratic forces in these countries, in the absence of an actual foreign policy of democratic transformation, including possibly leverage and capacity-building for civil society actors, the indirect technocratic mode of democracy promotion will not by itself develop a major dynamic.

In sum, the democratic agenda of the ENP has been ambiguous. Both in situations of democratic upheaval and during more stable periods, the EU has refrained from pushing for democratic reforms in ENP countries or providing strong support to democratic forces. In line with the strategy of rule transfer in the field of market integration, the EU rather has trusted in the more subtle transformative effects of regulatory approximation to the *acquis communautaire*, as well as in the general appeal of democratic values. For critiques of interventionist liberal peace promotion, this more humble approach may have had its advantages as it has avoided direct interference and thus overt destabilization of established regimes. This de facto humility, however, contrasts with the EU's own rhetoric of normative power, thus weakening its credibility.

Conclusion

It has been said that how the EU operates in its neighbourhood and the effectiveness of what it does will define the EU and its role in the international stage in the future (Blockmans, 2014). The first decade of the ENP does not prompt much optimism.

For sure, a multitude of challenges have come up over the last years that are not attributable to either the EU or its ENP. Geopolitical shifts, financial instability, economic downturn, the break-out of violent conflicts all have defied the wider context in which the EU has sought to shape its neighbourhood. In many respects, the EU has acted as a liberal-functionalist force in an increasingly illiberal context. The ENP was inspired by the wave of integration following the end of the Cold War. The idea that peace and prosperity could be expanded to the neighbouring countries through economic and regulatory approximation found support in the gravitational pull of the EU's single market on its western and eastern neighbours, as well as in the success of eastern enlargement. This approach resonated perfectly with the theoretical notion of 'liberal peace', the idea that opening up markets and promoting democratic change would eliminate the causes of war

(Doyle and Sambanis, 2006; O'Neill and Russett, 2010). The difficulties encountered in the ENP, however, also corroborate the critiques that have been invoked against the liberal peace agenda as 'mirroring an idealised understanding of the West's own historical development' (Chandler, 2010: 142).

In retrospect, the EU has overestimated the transferability and the transformatory potential of its *acquis* and has underestimated its unintended effects. In particular, the shift to more compelling regulatory alignment under the DCFTAs has put forward standards that are often ill-adapted to local circumstances, imposing high costs on the ENP countries, overstretching their administrative capacity and diverting trade flows, thus undermining prior economic, social and political links. While some of these negative effects could have been mitigated by dedicated intervention, to the East the political challenge remains how to avoid the creation of new divisions and not to further alienate Russia. In contrast with this increasingly ambitious economic agenda, in the field of democracy promotion the EU has been very hesitant to wield its leverage or to openly strengthen pro-democratic forces. Instead, it has relied on the transformational potential of its policy *acquis* and the more subtle democratic governance provisions embedded therein.

In sum, the functionalist hubris of the ENP results, to a great extent, from the EU's own constitutional set-up, its status as a regulatory power short of political union and the incumbent weakness of its common foreign policy. Its counterpart is political myopia—that is the lack of attention to local circumstances in target countries and the failure to address yet even realize the wider political and geopolitical limitations of allegedly technocratic action. With the increasing instability of political regimes, this imbalance between strong rules and weak politics has travelled to the ENP countries themselves, eventually reinforcing their internal political vacuums.

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Notes

1. In April 2016, the Dutch rejected the European Union (EU)–Ukraine Agreement in a consultative referendum. While the Dutch Parliament subsequently confirmed its continued support for the Agreement, the Dutch Government has sought to renegotiate some terms of the Agreement, see http://www.politico.eu/article/netherlands-sticks-with-eu-ukraine-deal-despite-referendum-no-vote/.
2. It should also be noted that in contrast with the Eastern Partnership (EaP) countries, the southern neighbours had already signed an earlier generation of association agreements, which included the abolition of tariffs on goods as well as annexed provisions on agriculture and fisheries. The potential value added of a Deep and Comprehensive Free Trade Agreement (DCFTA) had thus to be reviewed.

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