KATHOLIEKE UNIVERSITEIT LEUVEN

THE UNHOLY TRINITY

**CONSTRUCTING THE EXTERNAL IDENTITY
OF THE EUROPEAN UNION**

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INTRODUCTION

Over the past decades, the European Union (EU) has been increasingly active on the international stage. Since the end of the Cold War and the breakdown of global bipolarity, the EU could no longer simply rely on the 'bloc theory' to determine its external policy and had to develop a political message of its own.[1] Furthermore, in the words of Björkdahl, the past decade "created a situation in which state conduct relies less on the distribution of power and more on the soft power of ideas."[2] The fact that the EU started to think about its own message and about the part it wished to play in international politics resulted not only in the establishment of institutional bodies, such as the Common Foreign and Security Policy (CFSP) and the European Security and Defence Policy (ESDP), to manage EU activities, but also in the growing importance of thinking about a European identity in order to guide its actions in a more ideological way. Precisely this identity concept will be examined more closely in this paper. What is this 'European identity' and how can it be conceptualised?

The concept of a European international identity is not a new one and it is often linked to the debate on the role the EU fulfils – or tries to fulfil – on the international stage.[3] Numerous authors have already made contributions to this debate and an equal amount of different kinds of 'power' have been suggested to define the EU's role. The authors proposed concepts such as civilian power, emerging military power, soft power, structural power and normative power, amongst many others. Moreover, there are some who even doubt if the EU is a power at all (Keukeleire and MacNaughten 2008; Manners 2002; Börzel and Risse 2007; Meyer 2009; Matlary 2006; Sjursen 2006 et al.). From the normative perspective, the debate about Europe's identity also focuses on the question of Europe's ethics and whether or not there is such a thing as an 'ethical power'. Authors such as Alyson Bailes are clearly opposed to the idea of 'ethical power Europe' and point towards the EU's 'free-rider status', i.e. clinging on to NATO and the United Stated (US) to see to Europe's world interests without taking strategic responsibility itself.[4] Other authors also considered the fundamental question of the ethical dimension of exporting norms as 'Eurocentric imperialism'.[5]

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[1]   F. Charillon (2005), 'The EU as a Security Regime', p. 521.
[2]   A. Björkdahl (2002), 'Norms in International Relations', p. 9.
[3]   I. Manners and R. Whitman (2003), 'The Difference Engine', pp. 387-391.
[4]   A.J.K. Bailes (2008), 'The EU and a Better World', pp. 119-120.
[5]   H. Sjursen (2006), 'The EU as a Normative Power', p. 242; L. Sebesta (2009), 'To Be or Ought to Be', p. 583.

However, I have no ambition to propose yet another view on the EU's power in world politics. Instead, I want to assess the guiding features behind the EU's actions and consider the forces driving the EU: its identity, i.e. its core set of norms and principles. In line with Orbie's idea that whatever kind of power the EU might be, in the end its main instruments are still economic (Orbie 2008), I say that whatever kind of power the EU might be – be it civilian, military or even normative – in the end its main guiding features are still its norms and principles. After all, as Lerch and Schwellnus already noted, "linking arguments directly to actor motivations is problematic" and a seemingly altruistic attitude might very well hide selfish motives.[6] In other words, playing a role on stage does not automatically reveal the actor's true face. It is not the role that will be analyse, it is the face. Therefore, 'identity' will be interpreted as the set of core norms and principles that guide the Union's actions in international relations.

The identity concept that will be put forward in this paper is that the EU's identity is 'normative, indivisible and conflicted' – the Unholy Trinity. The normative identity conception comprises the idea that the EU is compelled to act in accordance with its internal set of norms and principles, which it sees as universally valid. This would give it a moral high ground compared to other international actors and legitimises its actions. Consequently, this identity, this set of norms, must also be indivisible, since damaging one aspect of the identity, i.e. disregarding one of the norms, implies damaging the moral authority and the entire identity. However, this identity also is problematic: it is 'conflicted', meaning that certain norms within this identity conflict with each other. Hence, every time the EU finds itself confronted with conflicting principles, it has difficulties making choices to give more priority to one principle over another without harming its own identity. Furthermore, when the conflicting norms are fundamental issues, the EU is thrown into an identity crisis.[7] These principles might thus often sound very collaborative in the EU's rhetoric, but in practice, as I will show, 'Unholy' might not be an ill chosen term to define the 'Trinity'.

In short, the basic aim is to answer the following question: how is the European identity problematic in that it is both normative and indivisible, but most of all also conflicted? This paper will consist of three main parts through which I will try to show that the EU's identity is an Unholy Trinity. In the first part the conception of a European identity as an Unholy Trinity presented above will be elucidated, together with some problematic issues. In the second part, the set of norms and principles that the European identity consists of will be listed and categorised, while explaining how they could conflict. I will do this by first looking

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[6] M. Lerch and G. Schwellnus (2006), 'Normative by Nature?', p. 307.
[7] M. Lerch and G. Schwellnus (2006), 'Normative by Nature?', p. 317.

at a number of legal documents of the EU – i.e. the European Security Strategy (ESS), the Treaty on European Union (TEU) and the Treaty on the Functioning of the European Union (TFEU) – and extracting the key norms and principles from them. These will then be divided into larger categories, which will be used in the third and final part: the case studies.

Two case studies will be worked out in order to provide our basic assumptions with some empirical foundations and evidence. The first case study will treat the relationship between the EU and the African, Caribbean and Pacific (ACP) countries, and the second case study will deal with the EU's policies towards the Cyprus Problem and especially its enlargement policy towards Cyprus. These cases are of great value for this paper because they are situations which can clearly illustrate how the EU is guided by certain norms and principles, but how these simultaneously put the EU in a difficult position because of their conflicting nature.

UNHOLY TRINITY

Why refer to the EU's external identity as an 'Unholy Trinity'? As stated above, our conception of the EU's identity consists of three elements: it is normative, indivisible and conflicted. These three aspects cause this identity to bring about difficulty in carrying out external EU policies and sometimes even cause crises within the EU. The concept of Unholy Trinity comes from the area of economics, where it is often labelled the 'Impossible Trinity'. The basic idea is that there are three elements between which a state has to choose in order to have a running economy. However, from the moment all three elements are combined, it all blows up. (Pak-Hung 2009) In this paper, I would like to apply this model on the EU's identity in two different ways. Firstly, it consists of three elements – normative, indivisible and conflicted – that are in essence not problematic, but when put together problems pop up like mushrooms. Furthermore, when looking at the norms and principles themselves, also they can be harmless and consistent at first sight, but inconsistency might reign beneath the surface, which caused problems when stressed.

Nevertheless, just like the Trinity in Christian religions, they are all also vital parts of the EU and its identity. Hence, a Trinity that causes difficulty can be labelled an 'Unholy Trinity'. The first section of this paper will explain those three elements and deal with some problematic issues surrounding the conception: the Unholy Trinity will be unravelled.

Normative Identity

The first to introduce the idea of 'normative power Europe' was Ian Manners, who basically opened the debate on the normative dimension of the EU. (Manners 2002) However, his ideas are not uncontested and many authors have reacted critically to his statements. Authors such as Diez and Sjursen don't reject the concept of normative power, but are critical to accept the model proposed by Manners that normative power is about the "ability to shape the conception of 'normal'" and that "the central component of normative power Europe is that the EU exists as being different to pre-existing political forms, and that this particular difference predisposes it to act in a normative way".[8] Diez, for example, is not convinced of the EU's uniqueness as a normative actor nor does he agree with the core principles proposed by Manners.[9] Sjursen goes further in that she critically reviews the very

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[8] I. Manners (2002), 'A Contradiction in Terms?', p. 239.
[9] T. Diez (2005), 'Constructing the Self', pp. 614-615; T. Diez (2010), 'European Value Triangle', pp. 2-3.

concept of normative power: she asks "how, if at all, [we can] know, as it is implied, that 'acting in a normative way' is a good thing" and she tries to put up standards to assess the EU's normative claims.[10] Other authors, such as Keukeleire and MacNaughtan, are happy to state that "while values are undoubtedly a cornerstone of EU foreign policy, the EU is just as quick to protect its narrower self-interests."[11] Crawford is even more critical and simply denounces the EU's ethical discourse as a façade "to conceal lowly self-interests".[12]

In this part of the paper, these different views will be brought together and I will present a clear different conception of the EU's normative dimension. I do not, however, want to analyse whether or not the EU actually uses its normative 'power' to shape the ideas of others, as Manners says, nor do I want to look into any other kinds of instruments the EU uses, what kind of power the EU would be or the ethical dimension of a normative discourse. The aim of this paper in general is to propose a conception of the EU's identity as an actor that presents itself through a set of norms and principles, which is problematic in that it is a conflicting set.

For this reason, I would like to distance myself from the concept of normative power, which focuses too much on either the actual instruments and actions of the EU or the ethical dimension of norms. I argue in line with Eriksen's view that "every organized community acts on [its] interests and on preferences that may be good or bad in ethical terms. The propensity to act on honourable motives cannot itself represent the criteria for judging the polity's [ethical[13]] quality because they may very well be arbitrary."[14] Therefore, the concept of normative identity is introduced to simply point to the central role of norms and principles within the EU without any further claims towards actions or ethics – a discussion that would take us too far beyond the means of this paper. As Sjursen puts it, the EU's motives or goals may very well be self-regarding, but this does not mean that it does not act according to a certain set of norms.[15] This issue points out one of the basic traits of the EU's normative identity: the fact that it essentially refers to its self-image, rather than to any kind of objective

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[10] H. Sjursen (2006), 'The EU as a Normative Power', pp. 236.
[11] S. Keukeleire and J. MacNaughtan, *The Foreign Policy of the European Union*, p. 334.
[12] G. Crawford, 'Human Rights and Democracy Promotion', pp. 188-189.
[13] Eriksen uses the term 'normative' rather than 'ethical', however he uses it in its ethical definition, which is why we changed it to 'ethical' in order to prevent any misunderstandings.
[14] E.O. Eriksen (2006), 'A Cosmopolitan Polity?', pp. 252-253.
[15] H. Sjursen (2006), 'The EU as a Normative Power', p. 239. This view is also put forward by Nathalie Tocci when she states that the EU can represent different profiles of international actors, ranging from a normative actor to a blatant *realpolitik* actor. (Tocci 2008)

measurement of norms and principles or an assessment of the moral value of the EU's actions – which are, according to Sjursen, in essence impossible to make.[16]

Next to the representation of a self-image, the concept of the normative identity of the EU further consists of two essential elements: firstly, it considers an EU that acts according to a core set of norms and principles and, secondly, it considers an EU that believes to act from a moral high ground and is keen on maintaining this appearance. It has been stated by many authors that in its external policies the EU pursues the spread of norms and values, rather than the traditional military instruments actors tend to use in their foreign policy.[17] More important, however, is the fact that this emphasis on norms "constructs a particular self of the EU", in the words of Thomas Diez, implying that a certain set norms and principles is an inherent part of the EU's being and identity.[18] In this respect, one could point out the many references to the concept of principles in the EU treaties. In article 21 of the Treaty of European Union (TEU) the EU clearly states that "the Union's action on the international scene shall be guided by the principles which have inspired its own creation, development and enlargement, and which it seeks to advance in the wider world". Hence, acting through norms and principles is considered a vital element in the EU's external identity.

Moreover, these norms and principles are considered to be universally valid and acting accordingly is believed to give the EU a moral high ground compared to its competitors on the international stage, thereby legitimising its actions. As the Union states in its preamble on the TEU, it draws inspiration "from the cultural, religious and humanist inheritance of Europe, from which have developed the universal values of the inviolable and inalienable rights of the human person, freedom, democracy, equality and the rule of law". The EU thus sees itself not only as the carrier of such universal principles, it also regards itself to be the very creator of such principles. Regardless of the contestable concept of 'universal norms' – a discussion that goes beyond the scope of this paper – the EU considers the consequential moral authority to be a vital aspect of its foreign relations.[19] This is best illustrated by pointing out how the EU "in numerous documents, declarations and policy statements (…) has distanced itself from the power politics of traditional states in international relations".[20] The 'power politics of traditional states' are considered to be purely selfish and not in accordance with the universal principles the EU claims to hold high. In

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[16] H. Sjursen (2006), 'The EU as a Normative Power', pp. 248-249.
[17] H. Sjursen (2006), 'What Kind of Power?', p. 172.
[18] T. Diez (2005), 'Constructing the Self', p. 614.
[19] E.O. Eriksen (2006), 'A Cosmopolitan Polity?', pp. 252-253.
[20] E.O. Eriksen (2006), 'A Cosmopolitan Polity?', p. 262.

doing so, they give the EU the moral high ground, making it a fundamentally different kind of actor.

The fact that its norms and moral high ground have such a key position in the EU's identity can be explained – blame me for being a historian – by looking at the historical development of the idea of the Union. Also, the very historical experience of the European continent created some trauma's that left scars in the identity of modern day Europe. For example, Reboutte points towards the fact that the famine that held Europe by its throat during the first and Second World War created a trauma and a fear of hunger with the people – the masses as well as the elites. The European states saw the Union as the answer and therefore this experience can be seen as one of the reasons why the EU is so very protective over its Common Agricultural Policy (CAP). (Reboutte 2008) For this reason, the historical ideational evolution of 'European union' is key to assessing the EU's contemporary identity. Concerning that subject, I would like to refer to Ian Manners' article on the mythology of European union in which he gives an overview of how the EU was conceived from its very beginning until the post 9/11 period. His overview gives a clear idea of how the EU is conceived of as an actor that acts by norms and principles and that has a moral authority against other actors.

Manners argues that, from its onset the Union was thought of as a post-national entity that promotes values that go beyond the national level – referring to the myth of the 'transition of Europe' which sees Europe's violent history as a "metaphorical 'critical life transition' in which the Europe of nationalism died and a post-national Europe is reborn", i.e. the EU.[21] This conception was strengthened throughout the Cold War, when the idea of an independent Europe that renounces all forms of power politics was formed – referring to the 'federalist third force' myth which saw the EU as "a peaceful, united continent separating the two super powers", i.e. the EU as an independent third power among the US and Soviet-Russia that can form its own external policies.[22] Furthermore, in the words of Canterbury, within a Cold War context of a *Western Bloc* versus an *Eastern Bloc* "Europe began to take action to form itself into a *European Bloc*" (own emphasis), implying that the European states deliberately sought to create some typically *European* characteristics.[23]

These foundations caused the formation of an EU-conception as a 'Minervan elephant': a heavyweight, but placid player that combines soft and hard means with normative justification through universal values. This idea of a Minervan elephant is formed

[21] I. Manners (2010), 'Global Europa', p. 69.
[22] I. Manners (2010), 'Global Europa', pp. 71-72.
[23] D.C. Canterbury, 'European Bloc Imperialism', pp. 805-806.

through the combined myths of a 'Minervan metrosexual EU' – i.e. an EU that uses both Martian masculine coercive instruments, commonly attributed to the US, and Venusian feminine diplomatic instruments – and of an 'EU elephant' – i.e. the EU as an animal that is "placid and readily domesticated and (…) moves only slowly but with great weight" and has to stand up against other international figures such as the Russian bear, the Chinese dragon or the American Uncle Sam.[24] Hence, this conception of the EU by the EU and its member states brings with it a normative EU identity that considers itself fundamentally different from other actors by acting from a moral high ground and in accordance with universally valid norms and principles.

Making a Fuss: Indivisible and Conflicted Identity

Now the concept of 'normative identity' has been elucidated, the problematic features of that identity will be made clear: first the 'indivisible identity' and then the 'conflicted identity'. The aspect of indivisibility stems from the normative aspect and is made problematic by the conflicted aspect. The concept of an indivisible identity is understood as an 'all or nothing' formula: all parts of the identity are necessary for its integrity and damaging one aspect damages the entire identity. Considering its normative identity and the EU's cherished moral high ground, it is all but surprising that it is not inclined to drop any of its norms or principles when they conflict, which is, considering its conflicted identity, not a rare occurrence.

So basically, what happens is that, when conducting external policy, the EU sees itself as acting from a moral high ground caused by its upholding of universal norms and principles, which also deliver the legitimacy of its actions. Consequently, when these norms conflict – and the whole idea of this paper is that they *do* –, the EU cannot simply drop one of them. The reason for this is quite simple: if the EU would disregard a principle it would no longer uphold *all* of its universal norms and thus lose legitimacy and credibility as a moral authority, which is the most fundamental aspect of the EU's self. Nevertheless, as Diez already stated, it "seems impossible to simply focus on the pursuit of values without recognizing the need to take political decisions between sometimes conflicting values".[25] Moreover, it not only *seems* impossible, it simply *is* impossible.

However, the impasse explained above makes it very difficult for the EU to make such choices without damaging its identity. Confrontation with conflicting norms causes the EU to be a very unconfident international actor. Moreover, when the more fundamental

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[24] I. Manners (2010), 'Global Europa', pp. 79-80.
[25] T. Diez (2010), 'European Value Triangle', p. 12.

norms are touched, such conflict can even cause a severe identity crisis within the EU, as was the case with the Iraq war, which "became caught up in the constitutional debate and the questions concerning Europe's future".[26] So the problem basically is that, on the one hand, these norms and principles sometimes conflict with each other and that, on the other hand, the EU is often incapable of coping with such conflicts – that is the bottom line subject of this paper. However, in order to continue to the actual empirical proof, another question will first have to be answered: what norms and principles are we actually talking about?

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[26] T. Salmon (2005), 'Built on Rocks or Sand?', p. 367.

HERETIC ASSUMPTIONS

As has been previously shown, at the core of the Union's identity we find a set of norms and principles. But what does the EU do with it – besides 'being guided by' and 'acting in accordance with'? And also, what principles does this set consist of?

On Norms and Principles

Norms and principles basically have three functions within the EU: first, the EU actively promotes these principles in its external actions, whether they are of military, civilian or any other nature; second, the EU wants its own actions not to be contrary to those principles; and last, in addition to their external dimension, the EU also wants to set an example and live up to them internally. (Manners 2002; Sjursen 2006; Bailes 2008; Diez 2005) The point basically is that these principles are to give the EU a moral authority, but in turn the EU must also give the impression it lives up to them itself, both internally and externally, in order for them not to generate a moral backlash. In this respect, one could point to art. 21 TEU, where the EU states that "the Union's action on the international scene shall be guided by the principles which have inspired its own creation, development and enlargement, and which it seeks to advance in the wider world". This one line confirms the EU's view on principles as being its foundation, its guide and its reason. Or in the words of Björkdahl, norms and principles "serve the purpose of guiding behaviour by providing motivations for action."[27]

A question that needs to be answered before continuing, however, is the question of defining what is a 'norm' and what is a 'principle', since these two concepts have up to now been used simultaneously. Regarding this issue, I would like to refer to Annika Björkdahl's article on norms in international relations in which the many different perspectives on norms are comprehensively explained. (A. Björkdahl 2002) Her own definition of norms goes as followed: "Norms are intersubjective understandings that constitute actors' interests and identities, and create expectations as well as prescribe what appropriate behaviour ought to be."[28] I would agree with this in that, as mentioned above, one of the basic ideas of this paper is indeed that norms define an actor's interests – in this case those of the EU. I would also agree on the creation of expectations and appropriate behaviour, which can easily be linked to Diez's discourse on the 'othering' qualities of norms, whereby norms and identity

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[27] A. Björkdahl (2002), 'Norms in International Relations', p. 9.
[28] A. Björkdahl (2002), 'Norms in International Relations', p. 21.

forms as much an image of 'the other' as it does of 'the self'. However, that discussion is beyond the scope of this paper.[29]

A conception of a 'principle' can also be found in Björkdahl's article, in that she points out that norms reflect principles. Therefore, a principle could be defined as a larger ideological concept that is expressed through the pursuance of certain norms. Hence the core set of norms and principles of the EU consists of certain broader principles that comprise certain more 'practical' norms, "institutionalised into the everyday practices (…) [and focusing] on commonly accepted notions of 'best practices'"[30]. There is one important feature of the Union's norms and principles that needs to be added: the aspect of universality. As stated before, one of the most important features of the set of norms and principles is that it gives the EU a moral high ground due to their claimed universal validity. Although this debate goes beyond the scope of this paper, I would like to briefly refer to Eriksen's article on the EU as a cosmopolitan polity and Tocci's book on the EU as a normative actor. (Eriksen 2006; Tocci 2008) They both basically say that the only criterion for assessing universal validity of norms is international law, since that is "the most universal and universalisable 'normative boundary'", a view I would agree with.[31]

But what norms and principles does this set actually consist of? In order to answer this question, I will work in two phases. First, it is important to outline the recent debate on the role of norms and principles in the EU's policies. Second, the legal documents of the EU will be more closely examined – the ESS and the TEU/TFEU – in order to extract the key norms the EU's identity consists of. In doing this, I will try to distinguish some larger categories – principles – in which specific norms can be placed.

The Debate

The first to introduce the concept of a normative dimension to the EU was Ian Manners. (Manners 2002) When he tries to outline the normative basis of the EU, he distinguishes five 'core' norms – peace, liberty, democracy, rule of law and human rights. Next to that, he also states that in addition to these core norms there are four 'minor' norms – social solidarity, anti-discrimination, sustainable development and good governance. Manners found all of these norms in the official documents of the EU: the treaties, legal documents, declarations, papers, etc. Nevertheless, the most important of these documents, Manners says, is the in

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[29] T. Diez (2005), 'Constructing the Self', pp. 628-630.
[30] A. Björkdahl (2002), 'Norms in International Relations', p. 16.
[31] E.O. Eriksen (2006), A Cosmopolitan Polity', p. 253; N. Tocci ed. (2008), 'The EU and its Global Partners', p. 21.

December 2000 adopted charter of fundamental rights of the EU, which "restates and re-emphasises the core and minor norms, except good governance".[32] He also points out the historical context of those norms, which represent the (Western) European features from the immediate post-war period, over the Cold War, into the post-Cold War period.

As already mentioned, many authors have contested this model. Thomas Diez, for example, is not convinced of the five core norms presented by Manners. In his article on the European value triangle, Diez distinguishes three core values: peace, justice and democracy – the value triangle. (Diez 2010) These three values are considered to be the founding norms of European integration. Diez's 'peace' and 'democracy' correspond to Manners' conception of the same norms. His value of 'justice', on the contrary, combines some of Manners' core and minor norms, such as human rights, rule of law, human rights and social solidarity. Also Manners' norm of liberty is wiped out and divided amongst democracy and justice, since, according to Diez, liberty is thought of as "being achieved through democracy and justice".[33] The point Diez makes throughout his article is that, although these three values are intrinsically linked through a common background in European integration history, they are also of a conflicting nature – especially when applied to international politics. Their linkage with two incompatible societal systems – the international society and the world society – causes the tensions between these norms. As a consequence, "it therefore seems impossible", so Diez says, "to simply focus on the pursuit of values without recognizing the need to take political decisions between sometimes conflicting values".[34]

Other authors also question Manners. Some authors have already been mentioned that plainly reject the idea of a normative actor, point out that blatant and ruthless self-interests are at the bottom of the EU's normative discourse. (Youngs 2004) Sjursen does not deny the normative dimension to an actor's behaviour, but she questions how we are to objectively assess such a dimension, since norms are in essence of a very subjective nature. (Sjursen 2006) This view is shared by Tocci, who has attempted to put forward some objective and set standards to analyse normativity, since "simply asserting the subjectivity and relativity of specific norms leaves us without a solid basis" for analysis.[35] Neither Tocci nor Sjursen puts forward a strict set of norms or principles to work with. Tocci refers to the Unions "all-encompassing norms", comprising democracy, peace, justice and order.[36]

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[32] I. Manners (2002), 'Normative Power Europe', p. 244.
[33] T. Diez (2010), 'European Value Triangle', pp. 2-3.
[34] T. Diez (2010), 'European Value Triangle', p. 12.
[35] N. Tocci ed. (2008), 'The EU and its Global Partners', p. 5.
[36] N. Tocci ed. (2008), 'The EU and its Global Partners', p. 6.

Sjursen then refers to the "constitutional norms": democracy, rule of law, social justice and human rights.[37]

In sum, the norms and principles the EU would promote are subject of quite some debate, ranging from very concrete norms such as anti-discrimination to some rather abstract conceptions of 'order' or 'peace'. The academic world seems divided over which of these are actual 'core' norms – maybe going straight to the sources might bring some salvation. These sources, the legal documents of the EU, are the best reference to examine the use of a normative rhetoric, since they are the outcome of a discourse in which norms and principles are used.[38] Furthermore, as Tocci, Sjursen and Erikssen have already pointed out, (international) law and the binding legal documents are the best – if not the only – normative benchmark available.[39]

The Documents

"5. In its relations with the wider world, the Union shall uphold and promote its values and interests and contribute to the protection of its citizens. It shall contribute to peace, security, the sustainable development of the Earth, solidarity and mutual respect among peoples, free and fair trade, eradication of poverty and the protection of human rights, in particular the rights of the child, as well as to the strict observance and the development of international law, including respect for the principles of the United Nations Charter." – Art. 3 TEU

By taking a closer look at the European Security Strategy and the TEU/TFEU, a whole catalogue of declared norms can be distinguished – as the article cited above already shows. As previously mentioned, this extensive referencing to norms and principles confirms our statement that they are at the core of EU external action. Despite the many different norms that are put forward in these documents, there is one broader idea that binds all the others: the utopian idea of a rule-based international order. While the ESS focuses more in the establishment of an international order, on which a whole chapter is dedicated, and the treaties focus on the upholding of international law, in both the concept of an international system based on common rules is strongly put forward. The ESS clearly states that the development of a strong and rule-based international order is the main objective of the

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[37] H. Sjursen (2006), 'The EU as a Normative Power', p. 242.
[38] I would like to thank prof. dr. Kolja Raube for his help in formulating this description.
[39] E.O. Eriksen (2006), A Cosmopolitan Polity', p. 253; N. Tocci ed. (2008), 'The EU and its Global Partners', p. 21.

Union. The end-goal of the EU is "a world of well-governed democratic states (…) offering justice and opportunity for everyone".[40] This utopian objective binds all other norms together in that the objective would be achieved by spreading those norms over the world. The ESS names human rights, multilateralism, good governance, democracy and the rule of law amongst any others, including development aid, regional integration, a functioning state, social order and the strengthening of international organisation.

The treaties basically put forward the same norms and principles. In the preamble to the TEU the ideas of democracy, human rights and the rule of law are stated, assisted by the notions of liberty and fundamental freedoms – which are strikingly absent in the ESS. Also the treaties constantly refer to the United Nations Charter (UNC) and the Charter of Fundamental Rights of the European Union as the benchmarks to which should be adhered. These Charters chiefly put forward the very same norms as the ESS, although the UNC puts an extra emphasis on sovereignty of states. (Art. 2 UNC) One of the most important parts of the treaties in order to discern the key norms of the Union is Art. 21 TEU:

"1. The Union's action on the international scene shall be guided by the principles which have inspired its own creation, development and enlargement, and which it seeks to advance in the wider world: democracy, the rule of law, the universality and indivisibility of human rights and fundamental freedoms, respect for human dignity, the principles of equality and solidarity, and respect for the principles of the United Nations Charter and international law." – Art. 21 TEU

As these citations show, the main norms and principles put forward in the treaties are broadly the same as put forward in the ESS. Equally important in this excerpt, however, is that the EU refers to the set of norms as those that "have inspired its own creation, development and enlargement". This confirms the previously stated thought that the EU's norms and its attachment to it are strongly historically founded. Beyond these legal documents, Diez has also shown how in other declarations and speeches, EU officials have been stating norms and principles which, according to them, are core to EU behaviour. In their Berlin Declaration the European Council also refers to the principles of peace, freedom, democracy, justice, security, solidarity and the rule of law. In a speech in 2009, Barroso has stated freedom, human rights, rule of law and peace and the European values. That is why Diez is correct to stay that even the EU officials themselves do not entirely agree upon which

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[40] European Security Strategy, p. 10.

norms and principles are key.[41]

However, many authors that deal with the normative dimension of EU external policies often neglect the economic principles the EU upholds in its foreign policies. As Meunier and Nicolaïdis mention in their work, trade is one of the main pillars of EU external relations and "since the EU is itself a system of market liberalization, its external efforts are about replication".[42] I believe that the idea of liberalisation of the market can be seen as one of those principles that "have inspired [the EU's] own creation, development and enlargement" (Art. 21 TEU) since the EU was after all founded as an organisation with an outspoken, though not exclusive, economic profile.

Although the term liberalisation is used quite often in the TEU/TFEU, the most explicit reference to its importance for the EU can be found in art. 21 TEU, stating that the Union shall "encourage the integration of all countries into the world economy, including through the progressive abolition of restrictions on international trade". Orbie's idea that the main instruments of the EU are of economic nature has already been referred to. (Orbie 2008) If one takes a closer look at these economic instruments – e.g. the Economic Partnership Agreements with the African, Caribbean and Pacific countries – one can see that the main goal stated by the EU is the encouragement of international trade and the integration of countries into the world economy. Hence, the idea of a comprehensive world economy seems to be a rather important aspect of EU external policies.

Another aspect that is very often overlooked is the fact that in its treaties and documents, the EU *also* constantly refers to its own security and the security of its citizens, implying the centrality of its own survival through the survival of its citizens. Art. 3 TEU states "the protection of its citizens" as one of the core functions of the Union, while Art. 21 TEU also refers to the safeguarding of the EU's "security, independence and integrity". In a way, even the very creation of something like an ESDP can be seen as an expression of the EU's concern with its own survival.[43] As a result, the concern of survival and self-preservation – interpretations varying from military over economic to cultural wellbeing – can definitely be seen as core to the Union. This consideration might be contrary to the general constructivist nature of this paper, but it is clearly in line with the previously explained idea of a normative identity. Since I do not see normativity as any kind of ethically justified 'good' action, this rather selfish principle can effortlessly be included in the EU's core set.

After all, the EU has been created to ensure that no World War, which brought war

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[41]   T. Diez (2010), 'The European Value Triangle', p. 2.
[42]   S. Meunier and K. Nicolaïdis (2006), 'Conflicted Trade Power', p. 912.
[43]   A.J.K. Bailes (2008), 'The EU and a Better World', pp. 118-119.

and destruction all over the world, would ever again be able to arise on the European continent. Consequently, the EU was and is perceived as the "solution to war"[44] and not only by European states. This historical factor is very important in that it definitely conceives the EU's survival as key to achieving the end-goal of a rule-based international order. Its historical experience is of essential importance to how the Union sees itself and the world, how it thinks it ought to act and how the world ought to look like – i.e. a rule-based international order, the advancement of which is perceived as the Union's task in the contemporary world.

The Ultimate Set

The debate on EU norms and the position of the legal documents has been briefly outlined, together with some neglected dimensions. I will now give a summary of these norms and principles, through which the core set of norms and principles by which the EU acts will be presented. Bringing together Manners, Diez, Sjursen and Tocci and combining these with my own assessment of the EU documents, I have come to a set five broader categories or principles – peace, justice, liberty, order and self-preservation – which represent the EU's grand aim of establishing a rule-based international order. As made clear by Björkdahl's definitions mentioned above, these principles are reflected by certain more 'practical' norms. The aim of this chapter is to categorise these principles and norms in order to construct the final core set that will be used in the case studies.

The first of these broad principles is the *principle of peace*: the EU's aim of establishing European and global security and a peaceful world environment. This principle is reflected by the norms of *multilateralism* – including the aim of establishing strong international organisations –, *regionalism* – i.e. regional integration – and *sustainable development*. The main goal of this principle and these norms is to establish a peaceful world where there is no insecurity. Therefore, when acting in line with its principle of peace, the EU shall always try to achieve a *peaceful* solution to crises in order to eradicate any *insecure* situations.[45]

Peace and its related norms are strongly tied to Europe's history. As Manners argues, peace was one of the "defining features of west European politics in the immediate post-war period"[46]. After Europe's 'rape' (cf. infra) the European states achieved peace

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[44] M. Eilstrup-Sangiovanni and D. Verdier, 'European Integration', pp. 104-105.
[45] T. Diez (2010), 'European Value Triangle', pp. 6-11.
[46] I. Manners (2002), 'Normative Power Europe', p. 243.

through their integration efforts, as explained by Diez.[47] They saw their salvation in international organisations – the ECSC etc. – that pushed the integration process and acted in a multilateral context, bringing peace to its members. Also, the 'third force myth' created an image of Europe during the Cold War as a "peaceful, united continent separating the two super powers" and as an ideological keeper of global peace and security.[48] So the Union's history created an image of it as a keeper of peace by safeguarding global security through the export of its own "solution to war"[49]: regional integration and the creation of international organisations to manage the relations between its members in a multilateral context.

When exporting these norms to the wider world, the EU saw, however, that regionalism and multilateralism might not be sufficient and that (in)security is intrinsically linked with the economic situation of a country, or in the words of the ESS, "economic failure is linked to political problems and violent conflict". Hence, to the norms of multilateralism and regionalism, which stem from the Union own experience, the norm of sustainable development of regions was added. If not attended to, the underdevelopment of a region might lead to a "cycle of conflict, insecurity and poverty"[50], thereby damaging the Union's peace efforts. Consequently, the development of a region is to create a secure and stable, peaceful environment that could support further advancement in other areas. This points out one of the main features – flaws if you must – of this core set: the separations made are not absolute, the norms and principles are all connected to each other. This norm of development, for example, supports the EU's efforts to ensure the rule of law or to integrate regions into the world economy (cf. infra).

The second principle is the *principle of justice*: bringing the law to the people. Regarding justice, I agree with Diez's suggestion to combine Manners' norms of rule of law and human rights and fundamental freedoms to a larger principle of justice. However, I would like to add the norm of maintaining international law, as defended by Tocci, Eriksen and Sjursen. (Tocci 2008, Erisken 2006, Sjursen 2006) The principle of justice thus reflects the norms of *human rights*, *rule of law* and *internationalism* – the support for international law. This principle also has a historical background. In accordance with the 'bull myth' idea, Europe has been 'raped' by extreme ideologies – Nazism and fascism – during World War II and by another extreme ideology – communism – during the Cold War.[51] As a result, Europe wanted to distinguish itself as 'just' against their own past and their contemporary

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[47] T. Diez (2010), 'European Value Triangle', p. 3.
[48] I. Manners (2010), 'Global Europa', pp. 71-72.
[49] M. Eilstrup-Sangiovanni and D. Verdier, 'European Integration', pp. 104-105.
[50] European Security Strategy (2003), p. 2.
[51] I. Manners (2010), 'Global Europa', pp. 68-70.

neighbours by focusing on the rule of law and the upholding of universal human rights and fundamental freedoms.

The norm of internationalism needs some further explanation. In a way, it can be linked to the rule of law and to the principle of peace: international organisations are not only to manage the relations between states, they are also to bind these states through and to international law. When looking at Europe's history, it is the binding of the European states to international agreements that assured peace on the continent. Or in the words of Barroso: "by building on law, we achieved peace". (Barroso 2008) However, compatible as peace and justice may seem from this perspective, both Diez and Tocci have pointed out that that is not always so. Tocci refers to a practical situation where "pursuing the prosecution of war criminals may be considered to harm the goals of promoting a peace agreement between warring parties"[52]. More generally, Diez points out the international system, guaranteeing peace through the ideas of sovereignty and non-intervention, is at conflict with the world order, guaranteeing justice though international law and universal human rights since these justify and necessitate foreign intervention.[53]

The third principle is the *principle of liberty*, which comprises both political liberty – *democracy* – and economic liberty – a *world economy*. Liberty is very often mentioned in the legal documents of the EU, but is also debated in the literature. Manners mentions political liberty as one of the key features of Europe when it wanted to distinguish itself from both its totalitarian past and its communist enemy.[54] Diez argues that political liberty is achieved through democracy and justice and as such disregards it as a separate norm. He does, however, link the concept of liberty to the liberal economic model the EU promotes, confirming the separation of political and economic liberty, which are both promoted by the EU.[55] Accordingly,he principle of liberty is reflected through the norms of democracy and a world economy (cf. supra). The norms of economic liberty or a world economy can be perceived as both linked to and conflicting with the norm of development – a subject that will be dealt with in the third chapter.

The fourth principle is the *principle of order*. Different from the previously mentioned international order, the kind of order meant here is state order – the establishment of a *functioning state* that behaves in line with *good governance* ideas and enjoys *state sovereignty*. In its European Security Strategy (ESS) the EU clearly names 'state failure' as

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[52] N. Tocci ed. (2008), 'The EU and its Global Partners', p. 6.
[53] T. Diez (2010), 'European Value Triangle', p. 5.
[54] I. Manners (2002), 'Normative Power Europe', pp. 242-243.
[55] T. Diez (2010), 'European Value Triangle', pp. 2-3.

one the main threats to the security of the modern world and the EU member states.[56] According to the ESS, this dysfunctional state is characterised by bad governance – corruption, weak institutions, abuse of power and lack of accountability – which undermines global governance and the international state system based on the sovereignty of those states, as explained by Diez.[57] The sovereign functional state thus answers the standards of the good governance norm: no corruption and strong institutions that prevent the abuse of power by government – in short: an orderly state.

The principle of state order can be linked to the norm of democracy in that 'bad governance' – which looks a lot like 'not a democracy' based on the features in the ESS outlined above – is the cause of state failure. As a result, through the eyes of the EU, a country can only be a good functioning state if it also is a firm democracy. Linking this to the principle of peace, the ESS states that "the best protection for our security is a world of well-governed democratic states"[58]. This implies that peace and security might only be gained if all countries are orderly states. However, as Diez points out, this principle also conflicts with the principles of peace and justice, in that these two principles disregard the sovereignty of states in favour of supranational organisations and approve of intervention in 'bad states' in order to enforce international law.[59]

The last principle is the *principle of self-preservation*. As explained above, not only does the EU sees its own survival and that of its members as one of its core objectives, it also sees it as being of utmost importance to the world in order to achieve peace and order, the Union being the "solution to war"[60]. One could of course also ask the question which organisation – be it a nation-state or a loose association – does not naturally see its own survival as key, but that may be the subject of another paper.

In conclusion, I present the core set of norms and principles in the EU's external policies: (i) *peace*, reflected through multilateralism, regionalism and sustainable development; (ii) *justice*, reflected through human rights, the rule of law and internationalism; (iii) *liberty*, reflected through democracy as political and a world economy as economic liberty; (iv) *order*, reflected through good governance, a functioning state and sovereignty; and finally (v) *self-preservation*, normless but powerful. In line with Diez, it will also be argued that there are "multiple tensions" between these principles and norms.[61] When the

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[56] European Security Strategy, p. 4.
[57] European Security Strategy, pp. 4-5; T. Diez (2010), 'European Value Triangle', p. 4-5.
[58] European Security Strategy (2003), p. 10.
[59] T. Diez (2010), 'European Value Triangle', pp. 2-4.
[60] M. Eilstrup-Sangiovanni and D. Verdier, 'European Integration', pp. 104-105.
[61] T. Diez (2010), 'European Value Triangle', p. 1.

broader principles crash, it are the norms that fight the battle. The basic point here is that the EU has a rhetoric of pursuing norms and principles in its external policies, but that simply pursuing them is not enough and political choices between them sometimes have to be made. Considering its triple identity, however, choosing one principle over another is very difficult for the EU. The last chapter of this paper will deal with providing empirical evidence for these assertions: Divine Existence will be confirmed.

DIVINE EXISTENCE

With the core set of norms and principles explained above, it is now case to provide this paper with empirical evidence. This shall be done through two case studies: one on the relationship between the EU and the ACP countries, focussing on the trade and development policies, and one on the enlargement policies of the EU regarding the Cyprus Problem. I will try to prove that in both cases the EU has had to deal with conflicting principles and norms, but was uncomfortable in making a choice and setting a priority. The main idea of this chapter stems from Diez's thought that "it (…) seems impossible to simply focus on the pursuit of values without recognizing the need to take political decisions between sometimes conflicting values".[62] The EU is an important international actor that cannot simply *not* make choices between normative priorities. In the two following case studies, I will try to show where and how the Unholy Trinity is at work – hence the title of this chapter, Divine Existence.

On EU Foreign Policy

Before continuing to the case studies, however, there is one issue we will briefly have to explain: what is EU foreign policy? Trade, development and enlargement are not part of the CFSP or ESDP but are 'first pillar' policy areas. Then how can the EU's external identity be explained by looking at two policy areas that are officially not part of the EU's foreign policies? The definition of 'foreign policy' that will be used in this paper is the one put forward by Keukeleire and MacNaughtan. They define foreign policy as "that area of politics which is directed at the external environment with the objective of influencing that environment and the behaviour of other actors within it, in order to pursue interests, values and goals."[63] I would further also agree with their view that "it is archaic to assess the foreign policy of the EU, or any other actor, using a conventional understanding of foreign policy as strictly centred on state and military structure. Today, we require a more comprehensive understanding (…)."[64]

Considering their definition of foreign policy as focused on the entire external environment, this 'more comprehensive understanding' obviously also includes aspects such as trade and enlargement. A decade before, Christopher Hill has already argued that

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[62] T. Diez (2010), 'European Value Triangle', p. 12.
[63] S. Keukeleire and J. MacNaughtan (2008), *The Foreign Policy of the European Union*, p. 19.
[64] Ibid.

managing world trade is one of the main functions of the Union in the international system.[65] Hill also suggested the EU could extend its global activity by assuming the role as regional pacifier, which at that time – 1993 – of course focused on the stabilisation of the Central and Eastern European Countries (CEECs), recently unwrapped from Soviet dominance.[66] Not surprisingly, the EU did take up this role in its enlargement policies towards the CEECs. Membership is one of the strongest instruments the EU has in conducting foreign policy towards its neighbours, such as in the case of Turkey and Cyprus or the CEECs. As Keukeleire and MacNaughtan show, through its promise of membership, the EU has succeeded in "reshaping the political, legal, socio-economic and mental structures"[67] in the CEECs. Sjursen strengthens this view by arguing in favour of the acknowledgment of the strong relation between the traditional CFSP and the policies of enlargement. (Sjursen 1998)

In line with Hill and Keukeleire and MacNaughtan, many other authors have also argued that foreign policy should be considered to be much more than playing soldier. (Bailes 2008; Aggestam 1999; Carlsnaes 2002; Cooper 2003) In turn, these non-CFSP policies are also ever more used for more than simply trade, development or enlargement goals. For example, as Baldwin states, EU trade policies became gradually less autonomous and they are now "increasingly asked to serve other needs, such as promoting competitiveness as part of the Lisbon process or serving as a tool of EU foreign policy."[68] Consequently, I believe that it is no mistake to consider trade, enlargement and development, together with all other aspects that involve third parties and go beyond merely the military, as being part of the Union's foreign policy.

As a result, "pursuing interests, values and goals" becomes a very broad function of foreign policy. It is in this broad function that the EU is guided by a core set of norms and principles, as explained above. The Union's normative identity compels it to act according to such a set and, moreover, the indivisibility of this set makes in hard for the EU to prioritise a certain principle when they conflict, which they occasionally do. This set is the EU's benchmark when conducting a broad foreign policy. Although the goals or interests might be singular, e.g. in the case of the EU policies towards developing countries this can be 'modernisation', I believe the apparatus at work in establishing and pursuing this foreign policy goal is always determined by the same core set of norms and principles.

There is one more part in answering the question of 'what is EU foreign policy?', namely the EU part: who is the EU? Although a comprehensive answer to this question goes

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[65] C. Hill (1993), 'The Capability-Expectations Gap', pp. 310-311.
[66] C. Hill (1993), 'The Capability-Expectations Gap', pp. 312-313.
[67] S. Keukeleire and J. MacNaughtan (2008), *The Foreign Policy of the European Union*, pp. 60-61.
[68] M. Baldwin (2006), 'Heaven or Hell?', p. 928.

beyond the means of this paper, it is important to ask who actually conducts EU foreign policy. In answering this, Keukeleire and MacNaughtan say the Union's framework is "singly by name, dual by regime, multiple by nature", meaning that, although there is one overarching institutional framework for conducting foreign policy by the Union, there is a more complex reality in which the different methods of policy making, the member states and European actors – Commission, Council, Parliament, etc. – all play a role.[69] As such it is very difficult to say whom *the EU* is in conducting foreign policy based on institutional arrangements.

My idea of who the EU is, is based on the concepts of the Union's *actorness*, i.e. having *presence* in world politics. I believe the Union as an entity can be seen as an international actor: negotiating agreements, participating in peace-keeping operations, joining international organisations, etc. – in short, trying to leave a mark. Many authors also give me reason to believe so. For one, Bretherton and Vogler already state that "in many cases (…) the EU is simply assumed to be an important actor"[70]. Allen and Smith associated actorness with "the ability to exert influence, to shape the perceptions and expectations of others"[71], which basically means simply to *have* a foreign policy as defined above – something I believe the EU does. Linking this to Toje's idea that having a "willed behaviour" and "possessing a self" are the prerequisites of actorness, one can honestly say that the EU as an entity has got presence on the international stage.[72]

Considering EU-ACP Relations

In this first case study I will have a closer look at the relationship between the EU and the African, Caribbean and Pacific (ACP) countries. I will try to show how in this relationship many of the above stated norms and principles by which the EU is guided are at work – or maybe better, at war. It is difficult to tag all the separate principles and their norms at work here since, as mentioned above, they are all connected to each other and trade policy itself, being the main instrument of EU foreign policy, is increasingly less autonomous, popping up in every policy area of the EU.[73] Hence, I will not use a split approach, clarifying every norm or principle. Rather, I will use a comprehensive approach, giving a brief overview of the EU-

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[69] S. Keukeleire and J. MacNaughtan (2008), *The Foreign Policy of the European Union*, p. 66-97.
[70] C. Bretherton and J. Vogler (2006), 'The EU as a Global Actor', p.36.
[71] D. Allen and M. Smith (1990), 'Western Europe's Presence', pp. 19-37; quoted in A. Toje (2008), 'The EU as a Small Power', p. 203.
[72] A. Toje (2008), 'The EU as a Small Power', p. 203.
[73] M. Baldwin (2006), 'Heaven or Hell?', p. 928; S. Meunier and K. Nicolaïdis (2006), 'Conflicted Trade Power', p. 912.

ACP relationship and in the process explaining the normativity at work. The point I will try to make, is that the relationship became ever more conditional, introducing norms and principles in a relationship that was originally merely a 'trade and aid' bond. Through this, I will show that this increased normative conditionality expresses the EU's struggle with conflicting norms and principles.

The Story of EU-ACP Relations

When the remains of the European colonial system collapsed at the end of the Second World War, newly independent states in Africa, Asia and the Caribbean were created. The European states, however, immediately aimed at establishing a 'special relationship' between the European Economic Community (EEC) and these new countries.[74] The result was the establishment of the first European Development Fund (EDF) in 1958 and the 1963 Yaoundé Convention. The concepts of development and trade were already strongly present in this early stage of the relationship. Although the ideas of regional integration and economic growth were already present, this Convention was mainly based on "reciprocity and non-discrimination in exchange for EDF grants"[75], meaning that the only way for these countries to get European aid was to allow the Europeans to enter their markets.[76] This ambiguous position of Europe, both giving aid to the developing countries *and* demanding the opening of their markets, which might hurt their development efforts, will be the root of later normative conflicts in the EU's policies – especially when the European states began to emphasise their normative identity.

In 1975 the Lomé Convention replaced the Yaoundé regime when the British colonies together with the countries of the Yaoundé Convention signed the Georgetown Agreement, thereby formally establishing the African, Caribbean and Pacific (ACP) group.[77] In this new arrangement "the demands for reciprocity and Free Trade Zones inherent in Yaoundé were dispensed with in favour of non-reciprocal tariff preferences for ACP countries."[78] This was a result of joint action by the ACP countries, forcing Europe to deal with them as a whole, resulting in a stronger negotiation position.[79]

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[74] A. Flint (2009), 'The End of a 'Special Relationship'?', p. 80.
[75] Ibid.
[76] T. Avafia and D. Hansohm (2004), 'Political Conditions', p. 3.
[77] A. Flint (2009), 'The End of a 'Special Relationship'?', p. 81.
[78] Ibid.
[79] Ibid.

The Lomé regime was, however, bound to be contrary to world trade rules and it "was a clear breach of the Most Favoured Nation (MFN) principle inherent in the General Agreement on Tariffs and Trade (GATT)"[80]. The MFN principle means that if you grant someone a favour you have to do the same for all other GATT members.[81] By granting the ACP countries special favours, the European states disregarded this principle and they were required to seek a number of waivers[82] from other GATT – later to be replaced by the WTO – members in order to enable the continuation of its special trade regime for the ACP.[83] This conflict between the EU's principle support for free market economies and the WTO, on the one hand, and its principle support for ACP development, on the other hand, will be the main fracture in the EU-ACP relationship and will remain to be so up until now. It also already shows how the EU is unwilling to make a choice between either adhering to WTO rules, or pursuing ACP development goals, but would rather pay up in order to be able to maintain both.

However, when the EU made it clear it did not want to pay up for a new waiver the situation became increasingly difficult and as a result the Lomé regime eventually had to be replaced by an arrangement that would be compatible with WTO rules, thus not needing a new waiver.[84] Regarding the reason why the EU did not want to renew the waiver, Adrian Flint points out that when the waivers for Lomé expired, simultaneously the EU's Common Agricultural Policy (CAP) was being criticised in the WTO. Hence, "the EU viewed an additional battle over preferences to third countries as being too 'costly'."[85] Also, with the end of the Cold War, the international situation has altered dramatically – especially the raised EU attention for the CEECs and the shrinking geopolitical importance of African states in Cold War terms.[86] Therefore, the Lomé Convention, with its effectiveness already challenged, had to make way for a new WTO compatible regime: the 2000 Cotonou Partnership Agreement (CPA).[87]

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[80] N. Girvan (2010), 'Technification, Sweetification, Treatyfication', p. 101; A. Flint (2009), 'The End of a 'Special Relationship'?', p. 81.
[81] http://www.wto.org/english/thewto_e/whatis_e/tif_e/fact2_e.htm
[82] A waiver is a "permission granted by WTO members allowing a WTO member not to comply with normal commitments. Waivers have time limits and extensions have to be justified." However, this permission is in practice only granted if the other WTO members get some other privileges in return. - http://www.wto.org/english/thewto_e/glossary_e/waiver_e.htm
[83] L. Curran, L. Nilsson and D. Brew (2008), 'The Economic Partnership Agreements', p. 529.
[84] R. Bernal (2008), 'Why and How', p. 3.
[85] A. Flint (2009), 'The End of a 'Special Relationship'?', p. 84.
[86] T. Avafia and D. Hansohm (2004), 'Political Conditions', pp. 4-5; R. Bernal (2008), 'Why and How', p. 4; A. Flint (2009), 'The End of a 'Special Relationship'?', p. 83.
[87] T. Avafia and D. Hansohm (2004), 'Political Conditions', p. 4.

The CPA was mainly focused on the encouragement of the economic, social and cultural development of the ACP states, while also guaranteeing peace, law, democracy and order in the region.[88] When looking at the normative conditionality in the CPA, it becomes clear how the EU has been guided by ideological considerations in negotiation this agreement. However, the CPA also denotes a fundamentally different kind of relationship than the Lomé regime – called the 'rationalisation' of EU-ACP relations by Adrian Flint.[89] Due to the diminished importance of the ACP countries for reasons explained above, that group of states became "just one amongst many"[90] such as the ASEAN and MERCOSUR states. Where in the Lomé Convention a sense of 'partnership' prevailed, the ACP countries had the CPA "thrust upon them"[91]. However, this evolution towards EU dominance was already discernible in the late Lomé regime – which will lead us to the discovery of a new conflict of principles.

Contrary to the supposed ideas of equality and partnership, the 1970s and 1980s saw the transformation of the Lomé Convention under the influence of neo-liberal economic reform, in line with the IMF and World Bank policies. As such, the relationship with the ACP countries got injected with economic conditionalities of trade and market liberalisation. However, when the developed countries noticed their policies weren't doing anything, they figured that "any failure in promoting development was as a result of poor implementation rather than any inherent policy deficiency."[92] Consequently, the EU, again going along with IMF and World Bank preferences, introduced political conditionality in the form of good governance on top of the economic demands. Beyond the fact that this points out the egocentric position of the West, which hasn't even thought of questioning its own position, this also shows how one by one the norms and principles stated above became essential in the EU's ACP policies.

In the mid-1990s there was a shift in the developed countries' policies "towards 'pro-poor' strategies aimed at promoting poverty alleviation"[93]. The focus of the relationship shifted from solely economic goals to including development goals: poverty reduction; economic growth and competitiveness; good governance, democracy and human rights; and institutional stability. The concern that aid is only effective if the target country is open to the world economy also reinforced these objectives. Consequently, the integration of ACP

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[88] Art. 1 Cotonou Partnership Agreement.
[89] A. Flint (2009), 'The End of a 'Special Relationship'?', p. 83.
[90] Ibid.
[91] A. Flint (2009), 'The End of a 'Special Relationship'?', p. 84.
[92] A. Flint (2009), 'The End of a 'Special Relationship'?', p. 83.
[93] A. Flint (2009), 'The End of a 'Special Relationship'?', p. 82.

economies into the world economy became an additional objective for the European states.[94] This norm still lives in the current CPA and is linked to the norm of regional integration, as Art. 35 CPA says that "economic and trade cooperation shall be built on regional integration initiatives of ACP states, bearing in mind that regional integration is a key instrument for the integration of ACP countries into the world economy". Again, this shows how the normative set explained above became increasingly important in the EU-ACP relationship.

However, these poverty strategies were not to interfere the IMF and World Bank priorities of neo-liberal reform and "once again, the EU rapidly fell in line with the IMF/World Bank view of development"[95] – i.e. development that is based on economic growth and market liberalisation. Even today this cleavage between either development or liberalisation is strongly present in the EU's policies towards ACP countries. In the CARIFORUM EPA, an economic partnership agreement the EU has concluded with the Caribbean states, the EU tries to combine both liberalisation and development objectives. In the agreement the parties say that both "the objective of sustainable development is to be applied and integrated at every level of their economic partnership" (Art. 3 CARIFORUM EPA) and they recognise the importance of free and undistorted competition in their trade relations." (Art. 26 CARIFORUM EPA)

Normative Conflict

As becomes clear from the brief overview of the evolution of EU-ACP relations, this relationship has become increasingly normative and conditional of nature. Over time, the EU has infused its relationship with the ACP countries with conditionality, in line with its core set of norms and principles. The first Economic Partnership Agreement (EPA) the EU has signed with the Caribbean states within the CPA framework implicitly refers to this, as the partners say they consider "the need to promote and expedite the economic, cultural and social development of the CARIFORUM States, with a view to contributing to peace and security and to promoting a stable and democratic political environment". (Preamble of the CARIFORUM EPA) Indeed, as Avafia and Hansohm state, "that what had begun as an economic partnership was turning into a list of demands and conditions".[96] However, these

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[94]   European Commission (2000), 'European Policy to Support Rural Development', p. 5.
[95]   A. Flint (2009), 'The End of a 'Special Relationship'?', pp. 84-85.
[96]   T. Avafia and D. Hansohm (2004), 'Political Conditions', pp. 4-5.

normative concerns do not always coalesce and, on the contrary, often conflict, as will be explained now.

Although the whole range of norms and principles of the EU play a role in its relationship with the ACP countries, as can be concluded from looking at the CPA and other legal texts, the principles that most clearly conflict are the principles of peace, liberty and self-preservation. This can be illustrated by two moments of crisis in the EU-ACP relations: the refusal of the EU to pay up for a new waiver in order to ensure its preferential arrangement with the ACP countries and the concern of the WTO that the pro-poor strategies should not interfere neo-liberal reform.

In the case of the renewal of the Lomé waiver, a conflict of principles clearly presents itself. The situation was that, since both the CAP and the Lomé regime were simultaneously under WTO attack, "the EU viewed an additional battle over preferences to third countries as being too 'costly'."[97] In this situation, the self-preservation principle conflicts with the principle of peace and the norm of sustainable development as they have been introduced earlier. While the EU wants to act according to both principles, it seems that promoting a peaceful environment through sustainable development in the ACP countries is incompatible with also maintaining its precious CAP, which represents the EU's concerns over its own well-being, as explained by Reboutte and his theory of hunger. (Reboutte 2008; cf. supra)

This situation also show how the EU dislikes making choices and how the principles of peace and liberty conflict. For years the Union has paid up for waivers so to be able to both maintain its preferential relations with ACP countries – in line with its peace and development objectives – and in good faith give its support to the principles of a liberal world economy, a world view that is represented by the WTO. It was only when the situation became unendurable and the pressure from the WTO on the Lomé regime with the ACP countries became too high – and risky – that the EU actually made a choice between the two conflicting principles.

A similar situation also presents itself when the EU was confronted with the WTO's demand that the pro-poor strategies should not interfere neo-liberal reform. Here we find another example of again the three principles of peace, liberty and self-preservation collide. On the one hand, according to the principle of peace, the EU should support the sustainable development of the ACP countries in order to construct a peaceful and stable environment – which, of course, also links to the other principles of justice and order. On the other hand, according to the principle of liberty, the EU should also support the liberalisation of the ACP

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[97]   A. Flint (2009), 'The End of a 'Special Relationship'?', p. 84.

markets, in line with the WTO, World Bank and IMF neo-liberal preferences. However, as many authors show, the premature liberalisation of developing economies can have devastating consequences on their development efforts. (Flint 2009; Bernal 2008; Girvan 2010; Storey 2006)

Hence, the EU is caught between the principle of liberty, embodied by the WTO, and the principle of peace, symbolised by the development efforts towards the ACP countries. On top of that, as already mentioned above, the European states had to pay high prices for the WTO waivers to be able to sustain both their support to the international organisations such as the WTO/IMF/World Bank – which, by the way, also relates to an element of conflict with the principle of justice – and their development policies to ACP countries. These high prices triggered a concern over their own position, especially when the precious CAP was being jeopardized, referring to the principle of self-preservation.

In conclusion, these normative conflicts have lead to the signing of the CPA and its EPAs in an attempt to get out of the impasse. However, they also still in a large part trouble the EU's policies up to the present day. The EU is basically trapped between the conflicting interests of three different actors – itself, the ACP countries and the WTO. All of these should be protected by the EU, if it is to act in accordance with its principles – which it, as explained above, desires to do from the perspective of its normative identity. However, as Diez already said, one cannot simply pursue norms and principles without sometimes having to make political choices.[98] The EU thus had to make a choice and it did so in favour of the principle of liberty. Due to its indivisible identity, however, the EU avoids making these choices because it knows that this will weaken its position as an actor with a moral high-ground – which can be illustrated by the storm of critique the EU has had to cope with following its dominant and pro-liberalisation position in the CARIFORUM EPA negotiations. (Girvan 2010; Bernal 2008)

Considering the Cyprus Problem

Similar to the previous case study, I will in this second case try to discern how the set of norms and principles of the EU conflict. The case we will analyse now is the one concerning the Cyprus Problem, focusing on the EU's enlargement policies towards Cyprus. Although the case of the Cyprus Problem does not show an EU that has such an obvious normative

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[98] T. Diez (2010), 'European Value Triangle', p. 12.

rhetoric, it does show clear conflicts of principles in its policies. Again, I will not have a split perspective on the issue, but I will use a comprehensive approach. However, unlike previously, I will not work on the basis of a historical overview, but I will try to go straight to the core of some of the most salient conflicts. Nevertheless, a brief outline of the historical evolution will, of course, be necessary for understanding the dynamics at work.

The Cyprus Problem and the EU's Role

What exactly is the problem in the Cyprus Problem? The problem is that the island is divided into two rivalling parts: a Greek Cypriote (GC) community and a Turkish Cypriote (TC) community. On top of that, since April 2004 the Republic of Cyprus (RoC), representing only the GCs, is a member of the EU. However, before explaining the utterly problematic nature of that situation, I shall first go back to the 1960s, when Cyprus became independent, and explain the roots of the problem.

Already at its foundation in 1960, Cyprus was a divided island, the GCs comprising approximately 80% of the population, the TCs the other 20%. For a long time, however, the island had nothing to fear, being a founding member of the neutral Non Aligned Movement and protected by an independence guarantee of the UK, Greece and Turkey.[99] However, the year 1974 would turn out to be quite a turning point it Cypriote history. That was the year when a coup, sponsored by the Greek government, against the Cypriote government was countered by a Turkish invasion of the northern part of the island, as Turkey and the TCs interpreted the coup "as not only a threat to Turkish Cypriots but also a move to incorporate Cyprus within Greece"[100] – a large part of those Turkish troops are still present today. Ever since, there has been no solution to the division of Cyprus and the Turkish occupation of the northern Turkish part of the island. Today, the island is divided in the Greek Republic of Cyprus (RoC) and the 'illegal' (cf. infra) Turkish Republic of Northern Cyprus (TRNC). So there you have it, the Cyprus Problem.

The role of the EU in this has dramatically changed over the last years. Traditionally, the EU saw a catalytic role for itself, reinforcing "UN-initiated efforts" to reunite the island.[101] One of the main reasons why the EU explicitly asked for the active involvement of the UN in resolving this problem is its own historical relation with the island – i.e. the British colonial history and the fact that Greece was already an EU member state – which weakens the EU's

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[99] N. Nugent (2006), 'Cyprus and the European Union', p. 56.
[100] N. Nugent (2006), 'Cyprus and the European Union', p. 56.
[101] H. Anastasiou (2009), 'Cyprus as the EU Anomaly', p. 130.

position as mediator.[102] The most important of these UN efforts was the so-called Annan Plan, worked out buy former UN secretary general Kofi Annan in 2002. This plan foresaw in a solution that would make Cyprus into "a bi-communal and bi–zonal sovereign state"[103]. According to Anastasiou, the whole EU strategy revolved around the idea that, with EU support, the UN would initiate a settlement before the 2004 accession of Cyprus to the EU – which was applied for by the RoC already in 1990.[104]

This EU support essentially was the promise of membership, which was hoped to work as a catalyst. The main perceived threat to the Annan Plan was the Turkish "traditional secessionist nationalism".[105] According to Ulusoy, "Turkey's strategy was based on rejecting any linkage between the Cyprus issue and her relations with the EC/EU. The governing elite tended to interpret the EU's involvement in the Cyprus dispute as threatening to Turkey's strategic interests in the Eastern Mediterranean if the island became an EU member before Turkey. They deemed the Cyprus dispute to lie within the realm of Turkish national and security interests and therefore adopted a cynical attitude towards the involvement of foreign and some domestic circles in the resolution of the conflict."[106] Also the TC nationalist government, under the leadership of Rauf Denktash, did not see the EU as "force of good" and feared that Greek annexationist efforts were hiding behind EU reunification attempts.[107]

The prospect of EU membership for both Cyprus and Turkey was hoped for to work as a catalyst in making the Annan Plan work. This approach definitely succeeded in convincing Turkey and the TCs to support the UN resolution. In the case of Turkey, the EU has made it very clear from the mid-1990s on that "a resolution of the Problem would be beneficial to EU-Turkey relations and would help Turkey to realise its own ambitions of EU membership."[108] In the case of the TCs, things got a bit more ugly. Set off by a banking crisis in 2001, there were mass demonstration in the TNRC against the TC government, reflecting the frustration of the TCs with Denktash and his government. According to Diez and Pace, during these demonstrations, "the EU became a central reference point in them to articulate claims against the Denktash regime in the attempt to construct a 'non-exclusive Turkish Cypriot identity within the EU'"[109], meaning that the TCs were reluctant of the secessionist

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[102] T. Diez and M. Pace (2007), 'Conflict Transformation', p. 8.
[103] N. Nugent (2006), 'Cyprus and the European Union', p. 56.
[104] H. Anastasiou (2009), 'Cyprus as the EU Anomaly', p. 130.
[105] Ibid.
[106] K. Ulusoy (2008), 'The Europeanization of Turkey', p. 314.
[107] T. Diez and M. Pace (2007), 'Conflict Transformation', pp. 8-9.
[108] N. Nugent (2006), 'Cyprus and the European Union', p. 57.
[109] T. Diez and M. Pace (2007), 'Conflict Transformation', p. 9; quoting H. Lacher and E. Kaymak (2005), 'Transforming Identities', p. 159.

policies of their nationalist government that refused to seriously consider the UN-initiated plans for reunification and EU accession.

These demonstrations resulted in the flushing of Denktash, the installment of Mehmet Ali Talat as the new prime minister and the opening of the borders with the RoC. This new government did see the EU as a 'force of good' in resolving the conflict and were more flexible to Cypriot EU accession "so as to open the way for the economic regeneration of the north"[110]. Hence, the catalytic effect of EU membership seemed to have worked "because membership was seen to be in the interest of ordinary Turkish Cypriots and would force Turkey to change its policy if it did not want to jeopardise its own membership prospects"[111]. As a result, with Turkish support, the TCs voted in favour of the Annan Plan in the 2004 Cypriot referendum concerning the issue.

However, the fate of the Annan Plan would not be sealed by the Turkish part of the island, but by the GCs. With the election of Tassos Papadopoulos as president of the RoC, a Greek equivalent of Denktash was elected, as Papadolpoulos had a strong nationalist agenda. His strategy was "to delay and obstruct any settlement, hoping that if Cyprus joined the European Union and was still divided, the GC government would be in a position to assert the legitimacy of the Republic of Cyprus and impose it on the Turkish side vis-à-vis EU law"[112]. Therefore, he advocated strongly against the Annan Plan, which would reunite the island and establish a bi-communal federative republic on basis of equality with the TCs.[113] So while the TCs were in favour of the Annan Plan, it were the GCs who surprisingly made the plan fail "as the last effort to reunify Cyprus prior to joining the Union."[114] 64.9% of the TCs voted in favour, while an overwhelming 75.8% of the GCs voted against it.

The problems for the EU only really started at that moment, because now the EU had to allow accession of the Republic of Cyprus, although it represented only half of the population. This was so because, in the words of Diez and Pace, "international jurisdiction from Security Council resolutions to European Court of Human Rights rulings was firmly and unequivocally on the side of the Greek Cypriots, and gave all, or at least most of the blame for the conflict and the partition of the island to Turkey. Under these circumstances, the argument that the Greek Cypriots should not be penalised for Turkey's violation of international law became a forceful one that was hard to counter by those who would have

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[110] N. Nugent (2006), 'Cyprus and the European Union', p. 57.
[111] T. Diez and M. Pace (2007), 'Conflict Transformation', p. 8.
[112] H. Anastasiou (2009), 'Cyprus as the EU Anomaly', p. 136.
[113] N. Nugent (2006), 'Cyprus and the European Union', p. 56.
[114] H. Anastasiou (2009), 'Cyprus as the EU Anomaly', p. 130.

preferred to stick to the condition of resolution before membership."[115] Indeed, here the normative identity of the EU clearly pops up, forcing it to do something it would, from a political point of view, rather not do. However, this is subject of the second part of this case.

The result of the whole Annan Plan debacle and the impasse of the Cyprus Problem today, at least for the EU, is best described in the words of Neill Nugent, when he says that "in a supreme and bitter irony, after years of the EU fervently hoping that only a united Cyprus would accede to membership, the part of the island that had supported the Annan Plan was excluded whilst the part that had rejected it joined."[116] The problematic nature of the accession of Cyprus to the EU expresses itself mostly through the normative conflicts it brings about in the EU's policies towards the issue, which will be the subject of the next part of this case study.

Normative Conflict

As mentioned above, the normative identity of the EU has played a significant role in its dealings with the Cyprus Problem. The EU traditionally dealt with the issue through the UN, holding out the carrot of enlargement as a catalyst to resolve the problem, since both the Cypriot communities and Turkey would see the benefits of EU accession.[117] However, with the 2004 rejection of the Annan Plan by the GCs and their subsequent accession to the EU, the Union was deprived of this leverage to tackle the problem, because now any initiative for the accession of Turkey and a settlement with the TRNC would be blocked by the RoC in the Council.[118] This accession also brought forth quite some normative tension in itself, as will be explained below.

First, in itself the accession of the RoC to the EU *was* a normative conflict between the principle of peace and the principle of justice. As Diez shows, in line with the principle of peace, the Union wanted to achieve a peaceful solution to the division of the island, based on the Annan Plan, before Cyprus – meaning both the TC side and GC side – would enter the EU. This became rather impossible though when the GCs entered the EU, despite the fact that there was no solution to the division of the island and that *they* were the ones who blocked one. However, in line with its principle of justice, the EU has no other choice but to

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[115] T. Diez and M. Pace (2007), 'Conflict Transformation', p. 8.
[116] N. Nugent (2006), 'Cyprus and the European Union', p. 58.
[117] T. Diez and M. Pace (2007), 'Conflict Transformation', p. 8; N. Nugent (2006), 'Cyprus and the European Union', p. 57.
[118] S. Keukeleire and J. MacNaughtan (2008), *The Foreign Policy of the European Union*, p. 268; T. Diez and M. Pace (2007), 'Conflict Transformation', p. 9.

allow the RoC accession to its own organisation. According to the norm of internationalism, the EU adheres to international law, which has clearly condemned the illegal Turkish occupation of the northern part of the island.[119] Hence, the EU is not allowed to punish the GCs by refusing their EU accession, not only because Turkey was condemned, but also because the Union is obliged to let the RoC in based on previous legal promises – i.e. the acceptance of their membership application in 1990.[120]

As such, the situation was the following: or the EU holds on to its principle of peace, refusing RoC accession in a continuous effort to achieve a peaceful solution to the conflict through the catalytic politics of enlargement; or it holds on to its principle of justice, which compels it to allow GCs accession, since they should not be "penalised" as a result of illegal Turkish aggression.[121] Contrary to the principle conflicts in its ACP relations, in this case the EU did not have the option of buying time through waivers and it had to make a choice at the very moment. It chose to adhere to international law, something most EU leaders by 2007 have admitted to be a mistake.[122]

Second, related to the problem of accession is the problem of the state legality of the RoC. Here again the principles of peace and justice collide in pretty much the same way: abiding international law is not it the advantage of achieving a peaceful solution to the Cyprus Problem. The EU's strategy was to support the UN-initiated Annan Plan in order to achieve a peaceful solution through the establishment of a bi-communal federative state. However, when the EU allowed the RoC to join the EU, it had, according to international and EU law, no choice but to acknowledge the RoC as the one and only legal Cypriot state entity. This was in conflict with its principle of peace, since "by backing the legality of the Republic of Cyprus, the European Union was in effect reinforcing the very state structure [i.e. a unitary state with dominion of one community over the other and *not* a bi-communal federative state] that in its judgement needed to be superseded in any effort to arrive at a comprehensive settlement of the Cyprus problem".[123]

Therefore, again the EU is trapped between either adhering to international and EU law, in line with its principle of justice, or pursuing a peaceful solution to the Cyprus Problem by backing the UN bi-communal perspective, in line with it principle of peace. However, this time the EU did not have any choice what principle to follow, simply because if it did *not* subscribe to the legality of the RoC, following the principle of justice, it would be disregarding

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[119] T. Diez (2010), 'European Value Triangle', pp. 10-11.
[120] T. Diez (2007), 'Expanding Europe', p. 419; T. Diez (2010), 'European Value Triangle', pp. 7-8.
[121] T. Diez and M. Pace (2007), 'Conflict Transformation', p. 8.
[122] H. Anastasiou (2009), 'Cyprus as the EU Anomaly', p. 134.
[123] H. Anastasiou (2009), 'Cyprus as the EU Anomaly', p. 133-134.

the legality of one of its own member states. By allowing Cyprus' accession, the Union thus "unwittingly entrenched the Cyprus problem" because at this point it is almost impossible for any EU actor "to argue against the Greek Cypriot position, now strengthened by the fact that as a member state, Cyprus can obstruct and veto policies that it sees as interfering with its sovereignty".[124]

In conclusion, it can be said that in the Cyprus case the EU's normative identity, its indivisible and conflicting features have made it very difficult for the EU to remain a credible actor. The question of Cypriot accession to the EU not only formed a normative conflict in itself – being legally preferred but politically undesirable – but its approval also undermined the EU's position in the region – depriving the Union from a mediating position and its enlargement leverage towards Turkey and the TRNC due to the forced acceptance of RoC as the only legal Cypriot state. The principle conflicts between peace and justice put the EU in an impossible situation, because, in the words of Diez and Pace, "the norm of cooperation and peace recommends action different from the norm of sticking to international law"[125]. That is why I believe this is clear proof of how the three components of the EU's identity might not always be collaborative and how the conflicts inherent to this identity put the Union in sometimes very, very awkward positions.

On Divine Existence

How can these case studies be interpreted? They have not been chosen randomly. They have been chosen because they constitute entirely different situations. Despite their differences, however, the EU in both cases acts through norms and has to deal with the conflicting nature of these norms. That is why exactly these cases have been chosen: they are different in many ways, yet the EU behaves the same and is faced with the same normative problem – i.e. conflicting norms and principles. As such, they would seem to have strengthened the basic idea of this paper: the EU's identity is an Unholy Trinity – normative, indivisible and conflicted. Divine Existence would seem to have been proven.

     Nevertheless, a critical remark has to be made. These case studies differ in many ways. For one, their subjects are two entirely different regions. The ACP group is a bloc of more than seventy states spread all over the world, while the Cyprus Problem only concerns

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[124] H. Anastasiou (2009), 'Cyprus as the EU Anomaly', p. 134; T. Diez and M. Pace (2007), 'Conflict Transformation', p. 9.
[125] T. Diez and M. Pace (2007), 'Conflict Transformation', p. 10.

one country – two including Turkey – near to the EU. Also, the policies towards these two issues are not conducted by the same means. For example, the policies towards the ACP group are mostly a matter of the Commission, without any intergovernmental or CFSP interference, while the Cyprus Problem has been high on the agenda of CFSP actors and the Council. (Bernal 2008; Nugent 2006) However, the most important difference is the role of the norms and principles in the different policies – and more precisely, the way they conflict.

One of the fundamental assertions of this paper was that the Union's identity, i.e. its set of norms and principles, is the EU's benchmark when conducting external policies: the apparatus at work when pursuing these policies is always determined by the same core set of norms and principles, which occasionally conflicts. This idea is confirmed by the Cyprus case. Already at the beginning of the EU's involvement in the Cyprus Problem the EU acted upon its norms and principles: its identity was more or less complete and its ideological guidelines were set. This is why it could have a clear strategy of supporting UN initiated plans and could set clear demands to Cyprus and Turkey in the light of their membership negotiations. (Diez 2007; Anastasiou 2009) Hence, when this normative set conflicted, there was a sort of *immediate conflict* the EU could not escape from and a choice had to be made at that very moment.

The ACP case, however, entails something quite different. As the brief historical overview showed, the EU-ACP relationship did become increasingly normative, yet this happened over a period of about fifty years. The EU's norms and principles thus only entered the relationship over time. As a result, the conflict between those principles also only arose over time – which is why we can speak of a *time conflict*. This time conflict gave the EU the opportunity, as the case study showed, to (literally) buy time in order to postpone a choice between principles until the conflict became unbearable.

This opposition between an *immediate conflict* and a *time conflict* suggests three things. First, unsurprisingly, not every case is the same. Despite the fact that in both cases there is a clear normative conflict, the manner of conflict is entirely different. However, this in itself does not need to be a problem. Second and more problematic, is the fact that this opposition also suggests that the process of constructing the EU's identity is a changing process. The ACP case has shown that the EU's identity, its norms and principles, have evolved over time. Where in the beginning the EU's normative concern was limited to the issue of good trade relations in exchange for financial aid, the 1980s saw a focus on neo-liberal concerns, while in the 1990s this shifted to development concerns. (cf. supra) This would suggest that the ideological basis of the Union's identity has not always been the

same. Therefore, it is even possible to see an ideological focus in the EU's identity, depending on the time of observation.

This relates to the third and final point, namely that this is in contradiction with my assumed concept of indivisibility. According to the concept of the Union's indivisible identity, the EU has to take *all* of its principles into account in everything it does. However, one cannot in good faith support this argument if an empirical study shows that the EU has had ideological evolutions – or even foci – in its identity. Also, as I have shown how the EU's normative set has expanded over the past decades, one could also question where this expansion will end: how many more norms or principles will become key or core to the EU in the next twenty years? And so, the concept of indivisibility is contested by my own empirical findings and it might not be a bad idea to reassert the concept – maybe change it from *in*divisibility to *unwelcome* divisibility, since the assumption that the EU has an uneasy feeling when actually having to choose between its principles still stands and is confirmed by both case studies.

CONCLUSION

The aim of this paper was to construct the external identity of the European Union. I have tried to do so by elaborating a comprehensive theoretical framework and working out two case studies. By means of the theoretical framework I have explained my conception of the EU's identity based on secondary literature and legal texts such as the ESS and TEU. The conception of the external identity of the Union I have put forward is based on the idea that an identity essentially stands for the core set of norms and principles of an actor, in this case the EU. I have defended the idea that this identity can be attributed three basic features: it is normative, indivisible and conflicting. I have defined these three features as the 'Unholy Trinity' because they are vital aspects of this concept but also are the cause of its problematic nature.

Normative identity basically refers to the EU's self-image as a foreign policy actor: (i) it acts according to a core set of norms and principles, and (ii) this is believed to give it a moral high ground and (iii) it is keen on maintaining this appearance. I have tried to distance myself from the concept of 'normative power', since I do not wish to take part in the discussion on the ethical value of the EU's normative claims. The concept of normative identity is introduced to simply point to the central role of norms and principles within the EU without any further claims towards actions or ethics.

Due to the cherished moral high ground, the EU's identity, i.e. its core set of norms and principles, must also be indivisible, since damaging one aspect of the identity, i.e. disregarding one of the norms or principles, implies damaging the moral authority and the entire identity. However, the conflicting nature of that core set makes this identity highly problematic, since when principles conflict the EU cannot simply drop one of them. This situation makes it very difficult for the EU to conduct foreign policy, since it is simply impossible to focus on the pursuit of norms and principles without being able to take political decision between sometimes conflicting principles and norms.[126]

Following these definitions, I have tried to elucidate the actual core set of norms and principles. I have distinguished five different key principles that guide the EU's actions. These broad principles are reflected, in the definition of Björkdhal, through different norms.[127] I have distinguished: (i) *the principle of peace*, reflected through the norms of multilateralism, regionalism and sustainable development; (ii) *the principle of justice*, reflected through the norms of human rights, the rule of law and internationalism; (iii) *the*

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[126] T. Diez (2010), 'European Value Triangle', p. 12.
[127] A. Björkdahl (2002), 'Norms in International Relations', p. 16, p. 21.

principle of liberty, reflected through the norms of democracy as political and a world economy as economic liberty; (iv) *the principle of order*, reflected through the norms of good governance, a functioning state and sovereignty; and finally (v) *the principle of self-preservation*, normless but powerful. In line with Diez, I have argued that there are "multiple tensions"[128] between these principles and norms, which I have tried to prove through two case studies on the EU's policies towards the ACP countries and the Cyprus Problem.

Both of these case studies confirmed several assumptions. The EU does indeed act according to a core set of norms and principles and these norms and principles do sometimes conflict. It has also been proven that the EU dislikes making choices in the conflicts because that weakens its own position as an actor with a moral high ground. However, these cases also challenge one of the fundamental assumptions of this paper, the indivisibility of the EU's identity, because they show that there are two different types of conflict: immediate conflict and time conflict. The immediate conflict in the Cyprus case, where the EU had to make a principle choice right away, is not problematic. However, the time conflict in the ACP case, where the principles only conflict over time, does confront us with a problem. It defies the Union's indivisible identity because it demonstrates how the EU had the opportunity to put different foci at different moments in time, contradicting the idea that the EU always has to deal with *all* its principles.

Now the findings in this paper has been summarised above, it is time to ask the question probably every author asks him- or herself at the end of his or her paper: what did I actually learn? This is a difficult question to answer. I have proposed a conception of the EU's external identity as an Unholy Trinity, I have worked out a theoretical framework around this thought and I have tried to prove its validity through empirical case studies. But what did I actually prove? As already mentioned above, I believe I can honestly say that I have proven the EU's identity to be based on a core set of conflicting norms and principles. There is only one aspect of the Unholy Trinity I cannot in good faith defend: the indivisibility of the Union's identity. It is not possible to accept the notion that the EU has to take *all* of its principles in account in everything it does, when my own empirical evidence shows different. Therefore, as stated before, I propose to reassess this notion and accept the undesirability of a division of principles, rather than to underscore the impossibility of putting emphasis on one principle over the other.

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[128] T. Diez (2010), 'European Value Triangle', p. 1.

However, it has to be said that this paper is only a preliminary attempt to explain the EU's identity as an 'Unholy Trinity'. It cannot be expected from a paper of this length to fully enlighten the world on the EU's external identity. As summarized above, I have tried to explain a new conception of this identity, proposing some new concepts and looking at things from a different angle than most – i.e. a normative angle that does not consider norms and principles in their ethical value. If one wants to do this in a comprehensive, exhaustive way, a book might be more appropriate than a thesis. For instance, I have only been able to include two case studies, examining only four of the five EU core principles. Therefore, I also invite others to use the theoretical framework I have proposed, to further develop it and to do more case studies in order to test its empirical validity. A case on the Kosovo issue, for example, might be a fruitful analysis of the principle of order.

In conclusion, despite all that has been said, I believe it is no mistake to agree that the three vital aspects of the Union's external identity – normativity, indivisibility and conflict – cause quite some problems for the EU and its external policies. As such, the tag 'Unholy Trinity' has not been ill chosen. Furthermore, maybe instead of labelling the EU's external identity in such difficult terms, it would be much less troublesome to plainly call it *problematic*.

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Despite all the times I have cursed this paper, this is the part I find hardest to write. Who to thank? Now that is a tricky question. The easiest way, of course, is shooting the usual suspects: my thesis promoter, prof. dr. Kolja Raube at the Centre for European Studies of the Catholic University of Leuven, for guiding and assisting me in my efforts, he has been of incalculable value to this project; my fellow students at the Master of European Studies programme for discussing with me and distracting me; my parents, Guy and Danielle, for their persistence in tolerating me and, obviously, ensuring my very existence; my love, Siem, for standing by me and supporting me in times of high and low need; my brother, Yannic, a.k.a. Mr. Sunshine, for reminding me of the 'bear' necessities; and, last but not least, the unidentified girl from the shop down the street for providing me with the necessary foodstuff provisions.

However, I do not believe in the randomness of a project like this. This paper is the outcome of a process that goes beyond the actual paper. Ever since I was born, other people and events have influenced my mind and thoughts. All these experiences have made me think the way I do now and they all have had their weight on the result of this project. Hence, I would like to thank everybody who has helped me in developing my own ideas and has given me the chance to do so. Thank you.

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