The EU's Normative Power – Its Greatest Strength or its Greatest Weakness?

By Tornike Metreveli

The Starting Point

The growing influence of the European Union (EU) on the international political arena and at the same time its "particular kind" of characteristics as an international player appears to be a widely debated issue among various scholars of social sciences over the last decades. During this period a wide range of theories and concepts have attributed various epithets to the EU and tried to explain its power in different, sometimes controversial ways. Consequently the descriptions of the EU in international relations vary from it being a "Kantian paradise" (Kagan, 2004), a "vanishing mediator" (Manners, 2006:.174) to "an economic giant, a political dwarf, and a military worm" (Eyskens, 1991). For some scholars the concept of the EU goes beyond the bold epithets and is analyzed from the critical-social theoretical perspective, where the latter was hypothesized as an actor that spread its own norms beyond its borders and whose power lies in its system of values and forms of relations with the outer world (Manners, 2002). Having said this, the article tries to focus on this theoretical approach while addressing this "unique political animal" (Piris, 2010: 337).

Thus, the concept pioneered by Ian Manners, particularly the idea of Europe's "normative power" (NPE hereafter), is the central point of departure of this paper; and the critical analysis of its greatest strengths and weaknesses is the article's main objective. Divided in three parts, the paper firstly focuses on the conceptual analysis of the NPE, and its definitions. In the following section, the article concentrates on certain angles of the EU's normative policy such as the promotion of human rights (in particular the EU's efforts for the abolition of death penalty) and sustainable development (the establishment of the Kyoto Protocol). Referring to these case studies, the article suggests that certain norms are being promoted comparatively effectively and thus the practical implications of the NPE concept can be argued to be strengths of the EU's foreign policy. This discourse invites the paper to unfold other references where the case study analysis proves the opposite. Bringing examples of the EU's normative assertions regarding the transformation of the Cyprus dispute and the Israeli-Palestinian conflict (in both cases the EU is suggested to be aiming to "export" its domestic norms externally), the article stresses that the NPE as a concept appears to be controversial and outlines the weakness of the EU's foreign policy. Consequently, the conceptual criticism of the NPE brings the research to conclude that

the concept of NPE can be the source of EU's strengths - in some cases to a particularly strong degree, likewise it can be the source of its weakness.

The Issue - Conceptual Analysis of NPE

Before analyzing the strengths and weaknesses of the EU's normative policy, suffice it to reveal the principles and central arguments of the concept itself. While defining the concept of the "'normative power of Europe" Manners suggests viewing the EU as an ideational, "value-driven" power on the international arena rather than analyzing its international identity in traditional nation-state discourse (Manners, 2002; Youngs, 2004:.416). The term "power" in normative concept is defined in Weberian terms as a form of relationship between the two actors where one of them impacts the other to adopt the norms/values which in different circumstances the latter would not accept (Weber, 2005: 616). Prior to the categorization of the EU's normative basis, Manners suggests that the EU's identity was mostly formed as a response against past "experience" and reflections on Europe's historical failures, particularly committed genocides, violent nationalism, two world wars etc. Thus, rejection of the wars, colonialism and nationalism constitute its normative basis, to certain degree the sources of its norms (Manners, 2006). The EU's unusual political construction ("supranational form of governance") and its legal framework (strong commitment to international norms and multilateralism) represent the EU's "normative difference" from other global powers. Therefore, a mixture of historical memory, "hybrid polity" and the evolution of legal frameworks mostly stipulated modern European adherence to the idea of peace and liberty and at the same time the EU's commitment to international conventions and declarations (Manners, 2002: 240-241).

Against this background, Manners categorizes five "core" and four "minor" norms. He suggests putting "peace, liberty, democracy, human rights, and rule of law" as core norms in the EU's "normative arsenal"; whereas "social solidarity, anti-discrimination, sustainable development and good governance" are identified as "minor" ones (Ibid: 242-243). These norms signify the founding and legislative basis of the EU, represent its international identity as a promoter of the aforementioned norms and constitute the system of values to which the EU refers while making and justifying its foreign policy (Lucarelli, Manners, 2006). Furthermore, Manners elaborates several routes of transmission of these norms where "contagion" appears to be the first. In this route of norm diffusion, the EU serves as an example of effective integration to third parties and by leading through example encourages economic and political cooperation among the latter (i.e. the creation of the South American common market agreement is given as an example). Thus the third parties accept the EU's norms unintentionally from the latter. In addition, Manners

hypothesizes several other ways of norm diffusion which are "informational", "procedural" and "transference". The "informational" diffusion appears to be one angle of the EU's public diplomacy strategy which includes the promotion of norms through different non-state agencies such as non-governmental organizations. In the case of the "procedural" and "transference" diffusion of norms, the EU can develop various economic, technical and financial remunerative mechanisms to encourage third parties to pursue domestic reforms and in this way shape their perception of what is "normal". Consequently, Manners mentions the two final phases of "overt diffusion" and "cultural filter". In the former case the EU's diplomatic involvement and physical presence of various EU's missions influences the formulation of norms in the third country; in the case of "cultural filter" the EU's values can be advocated and promoted through either rejection, or adaptation of the third party's political and social contexts to those of Europeans (as an example of this he suggests viewing the transmission of human rights norms in Turkey) (Manners, 2002: 244-46).

Consequently, the definition of the NPE concept leads us to respond to the main question of this article and try to identify the strong and weak angles of the EU's normative policy. The forthcoming section focuses on arguably strong aspects and refers to two case study analyses – the EU's endeavours for banning capital punishment and its fight for environmental protection.

The Case: the EU's Normative Power in Action

The EU's Abolitionist Agenda

We might argue that one of the central angles of the EU's foreign policy in the mid-1990s appeared to be the promotion of human rights. Some experts consider this move in EU's foreign policy was stipulated by its strategic consideration which served the purpose of "controlled change" in the third countries (Youngs, 2004: 422). Others deem that this policy implication did not work for its self-interests, rather that it was stipulated by the EU's motivation to bring a positive worldwide change in the field of human rights (Jorgensen, Laartikainen, 2004) and was all "about values" (Nicolaïdis, Howse, 2002: 770-71). Perhaps one can suggest that the answer lies somewhere between, but beforehand let us focus on the EU's particular policy dimension - the adoption and ratification of the ban on capital punishment.

Domestically, within the territories of the Union, the abolitionist consensus was approved as an outcome of the Treaty of Amsterdam (Schabas, 2002) and its establishment on the international level became an important "mission" of the EU as a normative power. Pioneered by the Austrian

Presidency, an assertive abolitionist agenda appeared to be the EU's political "trademark". In addition, this policy was accompanied by the EU's appeal to the UN's universal principles and international declarations. Since those principles and declarations were domestically approved (at least regarding the ban on the death penalty) the EU had a normative justification for exporting those outside its borders. In this regard the EU's domestic policy appeared to be coherent with its external actions (Diez, 2005). The EU constantly raised the issue of abolishment on various international platforms and engaged bilaterally and multilaterally with so called "executioner" countries using various tools of norm diffusion. Since 1999 the EU has funded resolutions in support of the abolishment of the death penalty in the UN Commission on Human Rights (Lerch, Schwellnus, 2006) and included the issue of human rights in almost every trade agreement (Mene´ndez, 2004).

Despite being members of the Council of Europe, countries such as Cyprus, Poland, Malta, Czech Republic, Slovakia and Hungary (all of them at that time candidate countries to the EU) did not fully ratify the abolition of the death penalty. However, since the non-adoption of this norm would have affected their EU membership bid, the countries chose to uphold the EU's norms and signed the abolition of capital punishment. As Manners points out, in the case of candidate countries the legitimization of the ban on capital punishment was one of the main stipulating factors for their accession to the EU, if not the determining condition for their EU bid (2002). By the same token, relative success can be claimed for the abolitionist agenda in another candidate country Turkey, where the EU's efforts, particularly its "procedural" pressure reshaped the country's death penalty code; firstly abolishing it for peacetime offences in 2002, followed by complete abolishment in 2004 (including for wartime offences) (Amnesty International, n.d.). To certain degree, the EU's normative policy seems to have been effective in other (partner) countries such as Ukraine, Albania, as well as Azerbaijan and Turkmenistan. In the cases of Ukraine and Albania the risk of losing economic and financial support from the EU influenced the local governments to accept the norm and ban capital punishment; whereas in the cases of Azerbaijan and Turkmenistan, the EU's multilateral cooperation and technical assistance held in parallel with informational campaigns to a certain degree stipulated the final decisions of the governments leading to the ban of the death sentence (Manners, 2002). In all of the aforementioned cases, we can argue that the EU's normative power was demonstrably efficient and its efforts were an important contribution to the abolitionist trend worldwide. The EU influenced the governments to accept and establish the norm and at the same time arguably shifted the public understanding of "normal" in those countries.

However, in certain cases matters were more problematic for establishing the abolition as a norm. Despite considering Russia and the US as the "biggest challenges" for the implementation of the normative policy (2002), Manners seems to devote little attention to them and China. Notwithstanding the EU's active engagement in support of the abolishment of the death penalty, particularly its critical reports (in the case of Russia), and the constant appeal to "shared liberal values" and the lack of efficiency of the death penalty in the fight against "crime, violence and terrorism" (in case of the US) – capital punishment still remains codified in both countries (Lerch, Schwellnus, 2006: 311). The EU's efforts to use its normative power to increase transparency in the actions of the Chinese government regarding death penalty still leaves many aspects unclear in the behaviour of Beijing in regard to this issue, thus challenging the EU's normative capabilities. In addition, the case of recent execution in Belarus also arms the critic with reasonable scepticism about the strength of EU's normative power. Hence it appears to a certain degree problematic to fully measure the efficiency of the ENP in the broader context without considering the remaining challenges for the abolitionist agenda.

However, on the other hand one might fairly question whether it is more effective for the EU's normative policy to act in a different way in order to prove its normative strengths; or some might suggest that the current "status quo" at the international level with regard to the abolition of death penalty can be considered already as an achievement of its normative policy. Perhaps critics have to consider the means of the EU's value diffusion and the global power of several of the main "executionist" states such as the US, China and Russia. Yet, even in the circumstance where the global powers tend to ignore (in terms of codifying the ban) the EU's recommendations, certain positive trends still persist. If we analyze the abolitionist trends in Europe referring to Amnesty International, one can observe that since the mid-1990s (when the EU included abolition in its political agenda) the number of "retentionist" countries (for all crimes) decreased from 86 in 2001 to 58 in 2009. While the fact that there was no execution in Europe in 2009 - for the first time since Amnesty International started to account this issue - gives us enough empirical evidence to observe the strengths and efficiency of the EU's normative policy (Amnesty International, 2010).

The Ratification of the Kyoto Protocol

However, to evaluate the broader picture of the EU's normative strength one might suggest asserting briefly the diffusion of one of its "minor" norms such as "sustainable development". This broad concept which is interpreted in more than 30 definitions (Carter, 2001) is explained

by Manners with reference to the principles of the "Rio Declaration, the 1992 UN Framework Convention on Climate Change and the 1997 Kyoto Protocol" (2006: 172). The limited space of this article allows us only to focus on one dimension of the concept of sustainable development, which is the EU's normative policy regarding environment sustainability and its advocacy for establishment of Kyoto Protocol as a worldwide norm.

The adoption of the Kyoto Protocol responsibilities, particularly the adherence to the diminution of greenhouse gas emissions and investment in climate-friendly projects, among others, appeared to be problematic for gaining support both from certain EU member states (at the beginning) and for the majority of global industrialized powers (even up until today). Within the EU its commitment to high environmental standards caused a conflict of interests between the norms of the Protocol and the EU's market-based economic interests. Thus, the establishment of the environmental norms worldwide firstly required domestic consensus and further coherence in the EU's foreign policies. Consequently, the EU showed itself as a "leading protagonist" in supporting the Kyoto Protocol on an international arena when it appeared among the "early birds" who ratified the Protocol domestically (Lightfoot, Burchell, 2005: 76). Thus a domestic consensus gave normative basis for the EU to externalize the norm. In addition, the Protocol was fully supported by the Commission and the European Parliament (Damro, Mendez, 2003).

Since the ratification of the Kyoto Protocol did not need the world "unison", Russia appeared to be a crucial signatory country for its international ratification. Hence, the illustration of the EU's normative policy in respect to Russia can be argued as another example in support of its normative strengths. While "dealing" with Moscow, the EU employed "transference" strategy, which in practice meant that in an exchange for the Kremlin's ratification of the Kyoto Protocol, the EU shifted its formerly unsupportive position towards Russia's integration into the World Trade Organization (at that time Russia's priority goal). This appeared to be effective. The EU's remunerative policy influenced Moscow's position to accept the EU-advocated norm, and importantly, established it as standard at the international level.

The EU's Normative Policy – Critical Inquiry

Another core norm in the EU's normative basis is the promotion of peace and democracy. In certain cases, the broad, and to some degree uncertain, definitions of these norms outline some problematic aspects of the NPE as a concept, as well as begetting incoherence and drawing conceptual weakness to the notion. The practical paradox of the NPE hypothesis emerged when its effectiveness was tested in the EU's conflict transformation policies. The impact of the EU's normative power on the conflicts in Cyprus and Israel/Palestine outlined particular important trends that leave the observers critical towards the effectiveness of the concept in other areas apart from human rights and environment protection.

The EU's normative assertions and its aspirations to peaceful transformation of the conflict in Cyprus are argued to stipulate its involvement in the process of resolution; on the other hand the EU membership bid for Cyprus was seen in Brussels as one of the visible solutions to the long-term conflict on the island (Diez, 2002). The EU's political considerations can be argued to serve the normative purposes (of promoting peace) through unification of the country. In addition, Cyprus's EU accession was possibly deemed to stop the constant Greek veto on the Turkish customs union. At the same time unification was asserted as recognition of the right of self-determination of the people on both sides of conflict (Diez, Pace, 2007).

While implementing its normative agenda, the EU sponsored various social and cultural projects on both parts of the island. At the time of economic skirmish between Turkey and the Turkish part of Cyprus in 2001, the EU became the main point of "reference not as a catalyst, but as a framework" for Turkish Cypriots for guaranteeing their self-identification and economic well-being (Ibid: 9). Even historically closed borders opened between the north and south of the country and a platform for the unification through the Annan Plan emerged as a viable option (Ibid). Thus, an implementation of the normative agenda on both of the conflicting sides seemed to work effectively at a certain point.

However, the main controversy and challenge to the EU's normative policy emerged after the Cyprus referendum results, when the southern part of the country (already a signatory state of the Treaty of Accession 2003) voted against the EU-advocated Annan unification Plan, whereas the northern part voted in favour (Stefanou, 2005). As an outcome, Cyprus joined the EU "divided and militarised" (Annan, 2004), which did not correspond to the normative assertions of the EU. In this way, the EU's commitment to international law (adherence to the Accession agreement with Cyprus) constituted the conceptual paradox of NPE while in action. Diez and Pace fairly argue that in the case of Cyprus, the EU's norm of peace precisely required "action different

from...sticking to the international law" (Diez, Pace, 2007:10), as the chance of sustainable peace was missed for an uncertain amount of time. The EU as a normative power in this case became a "victim" of its "self-defeating" and partially contradictory conceptual character. A critic might suggest that the EU's value-based power was used by southern (Greek) Cyprus for its own national interests, which were accession to the EU and economic prosperity brought by this process. Since EU membership, the "tandem" of Greece and Cyprus constantly vetoed (and continues to veto in certain areas) various decisions on the engagement of the northern part in the process of European integration (even cancelling the involvement of north Cypriot universities in the Bologna process). Neither did Turkish-Cypriot relations constitute apparent positive trends in the peaceful direction. Thus, instead of being a norm promoter, the EU - to some degree unconsciously - appeared to work in the interests of one of the conflicted sides against its own motives of conflict resolution and peaceful normative stands.

The victory of Hamas in the Palestinian elections of 2006 outlined another problematic aspect of the EU's normative concept – its impracticability and incoherence. Before the results of the elections, the improvement of the Palestinians' social-economic environment and the "establishment of democracy" were among the top priorities for the EU's normative agenda, whereas engagement with both parties in the conflict was one of the main "pillars" in the NPE concept while in action (Pace, 2007). This doctrine aimed to "export" the EU's values of democracy and peace to this region (Diez, Pace, 2007). However, matters changed after the 2006 election results. As a result of an arguably successful norm diffusion process, the radical (if not fundamentalist) organization Hamas was "democratically" elected and brought to power by the majority of the Palestinian people (somehow ironically recalling Michael Mann's witty title of *The Dark Side of Democracy*). As an outcome of the elections, Hamas was proclaimed by the EU as the winner of the "free, democratic elections" (Council of the European Union, 2006:3).

However, the EU first stopped aid assistance to the Palestinian Authorities, and followed by refusing to cooperate with Hamas (the latter labelled as a "terrorist organization"). Here appeared the crucial controversy. On the one hand, the EU's efforts for promoting democracy (its core norm) in the sake of achieving peace (another core normative value) were to a certain degree met. Yet the "democratic choice" of the Palestinian people, that is a "fairly elected" Hamas, was denied cooperation. Thus, the EU was "caught" on double standards and incoherence between its pro-democracy supporting rhetoric and its actions (Eriksen et al, 2005). In practice, the incoherence between the EU's values and its actions appeared to undermine the effectiveness of the normative policy.

One might fairly doubt that the EU seemed not to consider sufficiently the cultural-social background of Palestine, and the diffusion of norms defined in the European cultural-social normative discourse appeared to be counterproductive to the EU's normative assertions (Sjursen, 2006). In addition, alienating itself from an engagement with Hamas in it government capacity demonstrated the EU's conceptual normative incompatibility with practice.

Conclusion

The discussion of the EU's abolitionist agenda and its "vanguard" position in advocating the ratification of the Kyoto Protocol does not necessarily lead us to assume that its "normativity rests solely on human rights" (Berenskoetter, Williams, 2007: 176) or global environmental issues. Neither can the article claim that an evaluation of several conceptual contradictions can give a comprehensive picture of the strengths and weaknesses of the EU's "normativity" *per se*. What this paper observed while critically analyzing the above-discussed cases is that the EU's normative policy can in some cases be more effective, than in others. Therefore, it can be the source of both its strengths and weaknesses, depending on various factors, interests of actors and political circumstances.

In the first two case studies, the EU's efforts to promote the multilateral, value-based international order appear to be the core characteristics during the implementation of its normative agenda. It can be likewise observed that when the EU achieved a domestic consensus on ratification of the conventions and protocols which it further planned to establish externally, the EU's rhetoric and its action appeared to collude, as was illustrated by the case of the ban on capital punishment and the Kyoto Protocol. Hence, the domestic norms were internationally established. Empirical reference to the abolitionist agenda in EU candidate and partner countries can also support this claim. Consequently, it can be also argued that both in cases of human rights promotion and sustainable development the EU adhered to multilateralism, preferring to act as an "ideational force" choosing economically less favourable actions that do not serve its material self-interest (as ratification of the Kyoto Protocol to certain extent showed).

As the empirical analysis of NPE illustrates, Manners's notion itself implies the seeds of self-contradiction. The cases of Cyprus and Palestine suggest that the weakness of the EU's normative policy was to some degree a reflection of NPE's conceptual contradiction. The broad normative concepts such as promotion of "peace" and "democracy" are themselves the sources of wider interpretation. Thus, in practice, an implementation of those broad concepts gives rise to

incoherent actions and appears incompatible with the EU's normative aims and its organizational powers, undermining the image of the EU as a "normative" power in the eyes of third parties (as in the cases of northern Cyprus, and to some degree Palestine). From the analysis of Diez (2005) and Diez and Pace (2007) (similar to Manners), we might argue that the EU appears to be more successful in changing the perception of what is "normal" in those third countries where its economically remunerative policies make the other states vulnerable (financial-economically, or sometimes maybe politically) to the "consequences" of not accepting the proposed norms. However, as we have seen in our study, there also might be some exceptions (i.e. Belarus, Russia, and China).

In conclusion, we might argue that the prevalent uncertainty of seeing the EU through one particular theoretical prism, its multidimensional normative grounds and value-based, sometimes contradictory, policy only outlines the peculiarity and uniqueness of the EU as a normative power in international relations. This makes the research more interesting and challenging however, leaving us with a number of questions still unanswered.

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