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Chapter 12

'The Political' and the ENP: Rethinking the EU Relations with the Eastern Region

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Abstract

Drawing on Jenny Edkins' post-structuralist interpretation of 'politics' and 'the political', this chapter offers a new conceptual account of the stagnated relations between the European Union and the eastern region. Part of the difficulty, as this chapter argues, is the EU's failure to imagine a new social order, which would give a relational value to the Other, and become more accommodating of the neighbours' diverse and different world views. The chapter problematizes power relations as a process of 'othering' in order to re-conceptualize them via the key notions of 'differentiation', conceived as distinction rather than deviation, and 'normalization', seen as the interplay between different normalities. It argues for bringing 'the political' back in as an opportunity to imagine and legitimize contesting social orders.

Introduction: the EU's long journey to the neighbourhood

The European Union (EU) has come a long way in attempting to develop more sustainable relations with its neighbourhood. Initially conceived as a 'proximity policy' (European Commission 2003), a mixed approach with an ambitious and yet ambiguous

vision to 'see a "ring of friends" surrounding the Union …, from Morocco to Russia and the Black Sea' (Prodi 2002), within a decade it has evolved into a comprehensive European Neighbourhood Policy (ENP) with a complex set of wide-ranging instruments and outreach activities. More specifically, by 2009 the policy branched out into two distinct regional initiatives – the Eastern Partnership (EaP) and the Union for the Mediterranean (UfM) – and now boasts a more differentiated focus and a highly technocratic apparatus of expertise, budgetary and legal instruments. The Association Agreements (AAs) in particular have become a referent framework for structuring the EU external relations especially in the East, which aside the political *acquis*, also comprised Deep and Comprehensive Free Trade Areas (DCFTAs) and Mobility Partnerships (European Commission 2015b).

And yet, the policy has been struggling to gain traction within the neighbourhood, and remains surprisingly ineffectual in terms of stabilizing the region and delivering the EU's transformative agenda. In the EU's own admittance, 'today's neighbourhood is less stable than it was ten years ago', being engulfed in 'the on-going conflict in Ukraine … caused by an increasingly assertive Russian foreign policy', afflicted by civil war in Syria, conflict in Libya, 'complex political change in Egypt', and a stalled Middle East Peace Process, all serving to 'increase the challenges faced by both the EU and its partners, aggravating economic and social pressures, irregular migration and refugee flows, security threats and … diverging aspirations' (European Commission 2015a: 2).

What has gone amiss in the EU relations with its neighbourhood, and especially the

Eastern region, which is the focus of this chapter? Part of the problem, as this chapter contends, is the EU's continuing failure to imagine a new social order, which would give a relational value to the Other, the outsiders, and not by way of disciplining them to the EU's purported standards, but rather by way of aligning existing differences to a mutually agreeable 'norm'. While generally being reflective in its external approach, which mainly focuses on the expansion of the new policy and financial instruments, the EU admittedly struggles to understand the world beyond its borders – that is, the world as *pari passu*, and yet predicated on different norms and often driven by complementary commitments. Instead, what seems to be increasingly the case, is that the EU perceives the outside as an opportunity to extend its own mode of governance 'inside-out' (Lavenex 2004), and not by way of contestation – 'the political' – but rather by way of 'politics', that is, as a process of establishing its rules of the game (Edkins 1999). At the same time, we often forget that 'politics is not in any sense given' and that 'it is the result of contestation' (Donald & Hall quoted in Edkins 1999: 2). Hence, when externalized, it has to be open to ideological struggles and mutations to render the production of a new optimal space and reciprocal circuits of power legitimate and sustainable, before sealing them off by rules of bureaucracy and technology of expertise. As Edkins (1999: xii) insists, in today's world, 'much of what we call "politics" is in many senses "depoliticized" or technologized: the room for real political change has been displaced by a technology of expertise or the rule of bureaucracy', thus leaving the world more exposed and vulnerable to the normative impositions with ensuing conflicts of interest and resistance – a situation to which the conflicts in Ukraine and the wider neighbouring region unambiguously testify.

Based on scholarly literature and empirical research in Brussels, Baku and Chisinau between 2014, and 2015, this chapter takes the opportunity to revisit and reframe the EU's agenda in the Eastern neighbourhood. It argues that in order to make EU policies more sustainable for dealing with 'the outside' as distinct and yet permeable to the negotiation of new boundaries of knowledge, one can no longer afford to simply tinker with policy contents or to experiment with new instruments and budgets. A new outlook is required which would problematize the very fundamentals of the EU's relations with the outside in order to imbue a new sense of direction and commitment both for the EU and its Eastern partners. This chapter therefore contends that EU 'politics' ought to become more open to ideological debate and contestation: it needs to be 're-politicized', with 'the political' firmly entering 'the politics' agenda, precisely to challenge the hegemony of the existing liberal world order and to unlock the potential for making power relations more attuned with the outside and consequently more sustainable.

The chapter will proceed as follows. After introducing the conceptual framework of 'politics' and 'the political', we will evaluate the ontology of the EU's relations with the Eastern region, to expose its self-domineering and depoliticized *modus operandi*. It will be argued that while generally reflective, the EU's approach remains predominantly unilateral and technocratic, effectively promoting EU 'politics' (a technocracy of governance) rather than engaging with 'the political' as an opportunity to legitimate its course and unlock the potential for a new reciprocal space. Consequently, being caught in its own 'politics', the EU continues to grapple with the concept of 'othering', unable to 'move outside' (Foucault 2007: 117) to understand the world for 'what it is' rather for 'what it should be', from the EU's perspective. Hence, bringing 'the political' back

in, and repoliticizing EU external relations, we argue, may shed a new light on our understanding of the role of the Other in making EU regional politics more effective and sustainable. Furthermore, we will demonstrate the relevance of 'othering' by unpacking its two central tenets - 'differentiation' and 'normalization'. The former has become a key word in the EU's revised neighbourhood strategy (European Commission 2015b), and yet, it still purports 'differentiation' as 'deviation' from the EU-set norms, instead of conceiving it as a process of alignment with partners' needs and perceptions, which will be effectively shown with reference to the example of the EU-Azerbaijan relations. 'Normalization', which signifies the interplay of different normalities (Foucault 2007), requires the EU's recognition and acceptance of differing norms in a joint effort to harmonize relations towards a new joint 'normal', which in turn will be illustrated on the case of Moldova's visa liberalization and border management processes.

Conceptualizing 'Politics' and 'the Political'

In her seminal work, Jenny Edkins (1999: 1) argues that ironically 'what we call "politics" [today] is an area of activity that in modern Western society is "depoliticized"', being effectively reduced to calculability and normative transmission of the pre-meditated 'truth' by an established authority – to replace contestation and ideological struggles. 'The political' that normally epitomizes an opening, and ideological canvassing for a new course of ideas becomes increasingly 'forgotten' and deposed by 'politics', which usually serves to institutionalize and reinforce the very outcome of this struggle. In today's risk-averse environment, 'politics' thus has come to be associated with security to minimize less predictable 'political mutations' and make

'the political' history. It now assumes both the process, the actual struggle of ideas ('the political') and the outcome of that struggle ('politics'), to allow for normative expansion of a domineering social order 'inside-out', without disputation and taken as a given. In this context, 'politics' effectively becomes a triumph of the Self over the Other, reducing the Other to its mere extension and normative fantasizing about the outside.

What are the implications of this 'politics-driven' social order, and how is it relevant to the re-framing of the conceptual agenda of the ENP/EaP? As Edkins (1999: 126) argues, 'politics' normally equates with a debate that occurs within the limits set by the already established social order, when a legitimate authority emerges, to exert 'a bureaucratic technique of governance elaborated through recognized expertise and endorsed … through a regular, ritual replacement of the placeholders of authority' (Ibid:4). It does not account for how power as a domineering circuit of influence 'establishes a social order and a corresponding form of legitimacy' (1999:3) or explain how 'one social form rather than another emerges from a period of contestation and struggle'. To understand political struggles one needs 'the political', the moment of undecidedness and struggle – an optimal space for dialogue and subsequent reconciliation. However, if 'the political' as a process of mutation of one social order into the next, becomes 'forgotten' and simply replaced by the 'politics' of a given order, as one increasingly observes in today's domineering liberal world order epitomized by the 'normative power Europe' debate (Manners 2002) then the relational value of the Other also becomes dispensable, with some profound implications for the stability and legitimation of the existing hegemonic order. Two particular consequences are of critical relevance to the debate in the volume.

First, if the Other is dispensed of in power relations, the outside becomes 'forgotten', and instead 'imagined' as 'what it should be', rather than 'what it is'. This 'inside-out' approach, as is often exercized by the established powers (including the EU and Russia), may lead to a diminished need for external learning and a natural overestimation of one's own Self-worth. In this order of things, the 'politics' of the Self becomes naturally domineering and increasingly involved, as Edkins (1999) argues, in the production of its own 'truth' about the outside, this way compensating for its lack of knowledge about the Other. What emerges then is a 'language' or 'discourse' game, which becomes not a tool 'to express ideas about reality' but rather a process of embedding 'the speaking subject ... in a pre-existing language structure' (ibid.: 22), serving one purpose only, namely to convey the purported 'truth' and reinforce the boundaries of the established order. The 'truth', as an old saying goes, is no longer born out of disputation; it arrives with instructions of the domineering authority. In the meantime, a 'forgotten' Other may rebel and backfire, leaving the Self unprepared for dealing with 'other-ness', as, for example, in the case of the EU *vis-à-vis* the neighbourhood, confronted by the assertive presence of Russia, resistant Azerbaijan, or the ignominious Islamic State.

Second, in this dominated world of the Self, what is left to the Other, if not to fend for itself? From this perspective of a hegemonic Self, the power struggle is intrinsic, aiming to compel the outsiders to submission. In response, the inferior Other would either seek to increase their power resource differentials (for instance the arms acceleration between the United States and the Soviet Union during the Cold War), or 'direct tacit

pressure or open action towards the decrease of power differentials responsible for their inferior position' (Elias 1965: 22). Russia's resurgence, in the context of the Ukrainian crisis since 2013, is perhaps a more instructive example of how the increase of its own power resource differential (via the Eurasian trade bloc, destabilization of Ukraine or facilitation of 'frozen' conflicts) could negatively affect the EU's presence and potentially offset its credibility in the region of overlapping strategic interest.

Whichever the outcome, the world of the Self without the Other, dominated by power 'politics' at the expense of 'the political', is not a safe and stable place. It perpetuates the logic of exceptionalism, inequality and expansionism, becoming further removed from the reality itself. The task ahead is to revisit the fundamentals, and to 'repoliticize' the 'politics' of 'the established order', in order to open space for more dialogue and reconciliation between the existing and potentially emergent knowledge regimes. Furthermore, this, more discernible approach to the role of 'the political' may also help to reset the EU's external agenda, especially when applied to the volatile and resistant neighbourhood. In this chapter we argue that while being reflective, the EU struggles to 'move out' of its 'politics' approach, which invariably thwarts all its technocratic innovations and circumvents its very effort at reform and adaptation. As the 2015 review of the ENP strategy indicates (European Commission & High Representative 2015b; 2015c), a technology of expertise and bureaucracy of governance will continue to dominate the EU external agenda, simply because the constructed value of the EU's Self entirely overshadows the relational need for the Other, and 'the political'.

In the meantime, ensuing volatility, normative resistance and Russia's resurgence in the

Eastern neighbourhood attest to a premature closure of rationalizing and extending EU governance, which, if anything, requires further contestation and winning 'the hearts and minds' of the general public. This chapter argues that in order to rationalize convergence and understand the disconnects in legitimation and reasons for resistance, the EU's Self ought to become part of the *other,* and be vetted and contested by the normative discourses of the existing and conflicting power modalities, in order to re-imagine the boundaries of 'politics' and 'the political' in the wider neighbourhood. From this perspective, it is not only 'othering' that acquires a new meaning, but so do differentiation and normalization as its conceptual tenets. In this case 'differentiation' is no longer reduced to 'deviation' from the EU's purported standards, but rather seen as reciprocation with partners' interests and expectations, in a joined-up policy effort. Normalization, in turn, shifts the policy focus away from the EU's prescriptive approach to finding a new optimal space for the 'shared normal', jointly deduced through best practice and knowledge exchange.

Against this conceptual backdrop, this chapter explores the interplay of 'politics' and 'the political' as a method of defining and locating the Self and the Other in the EU's Eastern neighbourhood. More specifically, it argues that the ENP and the EaP in particular, should be situated within a continuum of 'politics' (as depoliticized space) and 'the political' as an open space for debate in order to develop a better understanding of the existing and emergent subjectivities. In what follows, we briefly evaluate the EU's processes of governance to expose its key shortcoming – the premature closure of 'the political' in the contested Eastern region – to then proceed to exploring the merit of 'othering' in the EU-Azerbaijan and EU-Moldovan relations more specifically.

Furthermore, in contrast to Edkins' (1999) approach, we will demonstrate that a shift towards 'the political' does not merely occur as a result of big 'raptures', such as wars, genocide or famines; rather this shift could be gradual and, more so, inclusive of 'politics', as part of 'the political'.

The EU's governance and the importance of 'othering'

The EU has been continuingly reflective of its 'politics' in the Eastern region, and yet it has been so unilaterally, exclusively from its own perspective. Our analysis suggests that the EU has undergone at least three paradigmatic shifts in trying to re-conceptualize and re-structure its external relations – or what could be commonly referred to as 'EU external governance' in the wider scholarship (Börzel 2010; Lavenex 2004; Gänzle 2009) – to make them more effective and sustainable. The EU efforts clearly demonstrate its reform potential, but at the same time, they also expose some significant limitations in dealing with the outside, in the absence of 'the political'.

The first paradigmatic shift in EU governance occurred when conceptualizing the ENP as a different tool to enlargement. The ENP was launched in 2004 as an 'enlargement-lite' approach (Popescu & Wilson 2009) to ensure innovation in method and strategy; and yet it was very much dominated by the 'politics' and 'the mechanics' of enlargement, seen at the time as 'unarguably the [EU's] most successful foreign policy instrument' (European Commission 2003: 5). Consequently, EU relations with the new neighbourhood assumed a natural format of EU 'politics' – that is, transferring the EU normative *acquis* 'inside-out' (Lavenex 2004). The prevalent EU *modus operandi* at the

time could be described as 'disciplinary governance', which main features included (1) a hierarchical mode of coordination favouring executive bias and bilateral communication with national governments; (2) a binary way of inculcating EU normative practices in the form of a 'take-it–or-leave-it' approach without regional differentiation; and (3) prescriptive delivery of EU governance via strict conditionality and disciplinary actions (sanctions, 'naming and shaming' and other means of economic or political statecraft). Given its EU-centric nature, this approach naturally bore only a limited appeal for the neighbourhood, instead registering wide-spread disappointment and even resistance across the region (Kelley 2006; Raik 2006). In response to this rather disfavouring and ill-legitimated policy reception, the EU sought to modify its approach to make it more adaptable to its external environment; however, it sought to do so 'inside-out', and not by way of 'the political', but 'politics' once more.

The second shift – which we term here as EU 'deliberative governance' – coincided with the launch of the EaP (European Commission 2009). It is associated with more differentiated forms of regional coordination and partners' closer involvement with the terms set by the EU's policy negotiations. Most notably, since 2009 EU relations with the neighbourhood envisaged active partnership via a dual-track approach and a network expansion of horizontal linkages with new and emergent external stakeholders. Civil society, for example, was identified as a key resource for the EU's transformative agenda, and yet, despite these key innovations involving new agents and instruments, the EU agenda continued to be dominated by the EU's normative 'politics', aligning the outside to its *modus operandi* and taking an increasingly transactional and technocratic form (Korosteleva 2015).[1]

The third and perhaps the most comprehensive paradigmatic shift in the evolution of EU governance came about in 2011, involving substantive policy changes to place greater emphasis on 'common interest', 'shared ownership' and 'mutual accountability' (European Commission 2011: 1). This new official discourse indicated a critical shift to a more inclusive approach, in an effort to recognize and acknowledge other stakeholders of the purported partnership. And yet again, in the spirit of EU 'politics', all 'innovations' were largely EU-patented, leaving limited room for the Other to emerge as a constitutive part of the negotiation process. In particular, the revised approach included (1) more diversification of EU instruments, including roadmaps, and an Association Agreements; (2) a wider outreach, this time engaging all levels of society; and (3) a larger budget, also co-opting a range of international shareholders. The key format of this revised relationship could be described as EU 'governance from a distance', implicating a less intrusive form of control to allow for more dialogue and local entrepreneurship, which was nevertheless carefully guided by the EU procurement criteria for the selected stakeholders only (Kurki 2011), as well as highly technocratic nature of rule transference. It could be argued that this approach succeeded in somewhat relaxing the straightjacket of EU 'politics' as a set of EU rules, by way of shifting it towards a more 'political' (dialogical) dimension in the EU's relations with neighbourhood countries. In particular, it coined a 'more for more' approach (European Commission 2011) which offered partners the opportunity to become the 'drivers' of their own reforms, in terms of the expansion of the boundaries of cooperation availed to them, should they successfully comply with the EU acquis. At the same time, these new modalities, more than ever before, encapsulated the EU's parochial and rather

endogenous style of governance which clearly centred around the EU Self and its vision of the established order epitomized by its increasingly technocratic enforcement onto the outside. The political dimension of the 'more for more' approach did not at all assume more choice or the alignment of interests between the partners. Rather, it aimed to extend and strengthen EU control over the more compliant partners by way of giving them more regulated access to the EU zone of rules. The visa liberalization in Moldova, explored below, exemplifies this trend well.

In other words, all the innovations that EU external governance has experienced thus far towards its neighbourhood, have been the ones prioritizing and extending EU politics – the established knowledge regime – to the emergent outside, the neighbourhood, in order to foster a ring of 'well-governed countries' in the EU's backyard. And it is precisely because of the lack of 'the political' in the EU's 'politics' approach, disallowing for ideological dialogue and contestation, that the normative clash between the EU's EaP and Russia's Eurasian project (Putin 2011) became inevitable in 2013 (Korosteleva 2016). It is precisely here that we think that the current debate should be located to underline the importance of 'othering' for recognizing and understanding the outside as the constitutive part of the Self to avoid normative conflicts of governance and ensure reciprocity between regional stakeholders. The case of Ukraine, in the context of the wider European space, exposed EU governance as one of the greatest mismanagements of the time, whereby the EU had clearly underestimated the presence of other power contestants in the region and, more crucially, ignored the sentiments of its own partner, Ukraine as the necessary Other in the process of expansion of its hegemonic regional order (Dutkievicz and Sakwa 2015; House of Lords Inquiry 2015;

Dragneva & Wolczuk 2015).[2]

With a recent iteration of the ENP initiated by the European Commission's (2015a) consultation process in 2014-15, the policy is currently experiencing a fourth paradigmatic shift in EU governance, which could be termed as 'technocratic', owing to the manner with which the Commission seeks to mend and re-structure EU neighbourly relations. By way of a 'comprehensive approach' the 'revised ENP must become more political, differentiated and focused, all the while based on the EU's values and principles' (European Commission 2015c: 3). The revised vision reiterates the importance of 'differentiation and mutual ownership', which 'will be the hallmarks of the new ENP', leading to more involvement of 'other regional actors, beyond the neighbourhood, where appropriate, in addressing the regional challenges' (ibid.: 2-3). At the same time, while the new narratives intend to be reinvigorating and flexible, accounting for the needs of partners, and the presence of other actors in the region. There is a strong sense that the same old practices are likely to persist. In seemingly recognizing 'the outside' as different and diverse in its aspirations – via differentiation and 'othering' – the European Commission, however, pledges to prioritize stability, in its relations with the region, and in doing so, 'the EU will pursue its interests which include the promotion of universal values and the EU's own stability' (ibid). Once more, the EU is prepared to face the outside as the extension of its own Self – by way of 'politics' rather than 'the political' – in the process of externalizing its interests and rules of the established internal order.

Working with the Other – from the perspective of 'the political' – involves reciprocal

learning, which does not only entail recognition, or acceptance of differences pertaining to cultural values, traditions, and patterns of behaviour, as historically contextualized and imprinted onto the outsiders. Rather, this new learning, as this chapter argues, should be about establishing a new value of the Other in relation to the Self, seeing it as distinct and instrumental for securing a legitimate and sustainable environment for all involved parties. In this new reading, and in order to make it functional, two more tenets need further exploring – that is, differentiation and normalization, to which we now turn in the next sections.

Differentiation or deviation in the context of 'othering': EU-Azerbaijan relations

If the EU intends to become a more effective global actor, it needs to recognize and engage with the interests and perceptions of other parties when designing its policies – and to do so via the process of 'othering'*,* as argued above. 'Othering'*,* in turn, can be achieved through differentiation, a process which allows for designing policies in bilateral relations on the basis of common interests of both parties. Since each partner country has its own specific national policy priorities and interests, one could advocate that bilateral relations between the EU and each ENP partner should also be conducted on an individual basis.

One of the most instructive cases to explore the need for 'othering' and differentiation are EU-Azerbaijan relations. Brussels and Baku have engaged in bilateral relations since the latter's independence from the Soviet Union in 1991, and their co-operation since then has proceeded in an amicable way (European Commission 2010b). More recently,

however, Azerbaijan has openly voiced its concerns, referring to the EU's policies as non-inclusive: according to the government in Baku, the EU's proposed framework of cooperation under the EaP does not allow for sufficient input from the partner states, and does not encompass the partners' own national interests, in a satisfactory manner (Interview with Azerbaijani official, May 2015).

While this may be commonplace in EU external relations more generally, relations with Azerbaijan make a particularly instructive case to study, largely for two main reasons: first, the Aliyev regime openly objects to the EU's unilateral stance demanding a more equal treatment; and second, more importantly, the Azerbaijani often succeed in having their demands 'heard'. This section will briefly assess the EU-Azerbaijan case to exemplify how this partner managed to affect the contents of its bilateral relations with the EU, and in what way this is applicable to the discussion of 'othering' and differentiation for re-shaping the ENP agenda in the region.

Baku and Brussels' objectives and objections

Both the EU and Azerbaijan have their own, divergent views on how the relations should be shaped, as well as on the principal objectives of their relationship. The EU, on the one hand, continues to apply a rather standardized policy strongly shaped by EU 'politics' (Edkins 1999) – that is, a set of EU-driven objectives and requirements that leave little room for either differentiation or 'othering'. This is particularly evident from the difficult and yet persistent process (against all odds) of the EU negotiating an Association Agreement with Azerbaijan,[3] or its continuing promotion of democracy and human rights despite the latter apparently having no effect on Azerbaijan whatsoever; or

indeed the EU's rigid position towards the conflict resolution process in Nagorno-Karabakh.

Azerbaijan in turn, actively seeks a more differentiated and tailored policy approach, in which both Baku's and Brussels' priorities and interests are included (Paul quoted in Chiragov *et al.* 2015: 83; Pashayeva quoted in Chiragov *et al.* 2015: 39). These would in particular comprise the issues of Nagorno-Karabakh, economic cooperation, and values promotion, which are currently left indiscriminate or unaddressed altogether under the EaP. Azerbaijan feels disenchanted by the EU-centric process of decision-making, and unreciprocated in terms of having its own interests and needs equally represented in the framework of bilateral relations (Interview with an Azerbaijani official, July 2014). As some Azerbaijani officials contend, the EU renders no 'ownership' of the partnership to the 'other' side (Interview with an Azerbaijani official, May 2015).

The Azerbaijani government's motives for demanding such a differentiated approach are manifold. First, after gradually overcoming much of the post-transition difficulties, the country positions itself as an increasingly strong actor in international politics – and hence demands more equal footing in the policy-making process with the EU and other regional actors (Interview with an independent expert, May 2014; interview with independent expert, May 2015). The country has become a more confident and much tougher negotiator in international relations, having enjoyed a sense of rising self-awareness of its needs and capabilities (Interview with an EU official, April 2014).

Second, relations between Azerbaijan and the EU are becoming more symmetrical than

they used to be in the 1990s and most of the 2000s. Azerbaijan's relatively strong position in bilateral relations stems from its economic independence, its disinterest in EU membership, and the fact that its energy resources play a crucial part in the EU's energy diversification strategy (Interview with a MS official, May 2014).

Third, the Azerbaijani regime exercises a foreign policy of 'balancing', in which the EU is just one of many regional actors whom they choose to engage with in a complementary manner. Azerbaijan fears that aligning itself too closely with the EU – for instance, through signing the AA – would harm its relations with Russia. The government would therefore prefer to sign a tailor-made strategic agreement which would lead to a lighter formal conditionality and facilitate (or at least not hinder) a more reciprocal cooperation with the EU, Russia, Turkey, and Iran.

Yet Brussels struggles to extend beyond its normative framework centred on the EU priorities to acknowledge the multifaceted position of the Azeri government. It keeps most policy domains within the sphere of 'politics' – a rigidly shaped EU agenda reluctant to more open negotiations and contestation. Reasons for such a rationale are, yet again, manifold. They include, first, that the EU does not regard Azerbaijan significant enough a partner to engage in a tailor-made approach (as Brussels does with for instance Russia, China or India) (Interview with an EU official, May 2014). Second, and more importantly, the EU does not seem to be open to the idea of more reciprocity and selectivity in some areas of cooperation (Interview with an EU official, May 2014; interview with a MS official, May 2014). Notably, while Azerbaijan seeks less cooperation regarding shared values but more engagement concerning the Nagorno-

Karabakh conflict, the EU, conversely, remains principled in its priorities. For the latter, universal liberal values and democracy promotion remain priority number one: when asked about the principles of partnership- building in the neighbourhood, an official of the European External Action Service reaffirmed that the EU's values should be considered as universal, and that there could not be any compromise on that (Interview with an EU official, July 2014).This is further reiterated in the newly revised ENP and its priorities (European Commission 2015b; 2015c).

This puts differentiation – a key notion in the EU's revised external governance framework – in a stark contrast to EU practice: its interpretation of differentiation resembles more a permissive 'deviation' from the EU standard than reciprocation of individual needs. From this perspective, partner states may seem to be allowed to opt out from certain areas of cooperation (albeit values promotion is non-negotiable), rather than to be given an opportunity of input to make policies more inclusive and needs-based. This technocratized prescriptive approach to differentiation continues to epitomize the EU's 'politics' (Edkins 1999) rather than 'the political', and is problematic in terms of further 'boundary expansion' between the EU and Azerbaijan, as observed in a number of policy areas.

Facilitating 'othering' and differentiation through bargaining power
More recently the Azerbaijani government has been deploying its growing bargaining power to try and facilitate 'othering' and differentiation in policy areas where the EU refuses to consider Azerbaijan's interests sufficiently. Baku's leverage is mostly based on its economic independence and strength, its strong diplomatic skills, and its (perhaps

less conventional) strategies of public relations and lobbying activities (European Stability Initiative 2012).[4]

One area where Azerbaijan has been successful in doing so is paradoxically the promotion of democracy and human rights. While the EU maintains its policy agenda, the Baku government succeeds in diverting its focus or undermining its implementation by way of lobbying activities in Brussels or the adjournment of the annual human rights dialogue. Another area that indicates the country's growing leverage is its negotiations over the Association Agreement. Azerbaijan has managed to halt the discussion over the Association Agreement in 2013 while proposing two alternative agreements instead. The first, the Strategic Modernization Partnership, was rejected by Brussels on the grounds that it did not include sufficient attention to values and too much emphasis on the Nagorno-Karabakh conflict and the recognition of Azerbaijan's territorial integrity. In response, Azerbaijan then proposed a second alternative, the Strategic Partnership Agreement (SPA), in the summer of 2015. While the EU did not consider the Strategic Modernization Partnership seriously, it has agreed to hold negotiations over the SPA's contents (Interview with an EU official, October 2015), and in 2016 the EEAS has received an official mandate for these negotiations (European Commission 2016). The SPA intends to be more tailored and inclusive of all aspects which are of interest to Azerbaijan and the EU, thus leaving some room for further negotiation.

This suggests that countries like Azerbaijan are now able to gradually withstand the EU's pressure and to challenge its unilateral perspective, either by actively facilitating 'othering' and differentiation themselves, or by undermining crucial areas of

cooperation with the main power contestant.

Yet, EU politics still remains the starting point for its external relations, unless partner states have the bargaining power to change this asymmetry and push the boundaries towards further negotiation. It is instrumental that the EU acknowledges and engages with the changing power dynamics in the neighbourhood and brings 'the political' back into relations with all partner states, regardless of their leverage. Instead of 'deviation' a more inclusive form of differentiation is needed. Differentiation should become a way of seeking common ground with space for input from both sides, by way of 'the political'. As the case of EU-Azerbaijan relations shows, a genuine negotiation process whereby the EU as well as the partners can express their views, and whereby all parties' main interests are being considered, would further friendly relations and may prevent partners from finding ways to ignore or avoid the EU's one-sided policies. Differentiation is therefore a core component of the 'othering' process. The second element, 'normalisation', can be unpacked by looking at the case of visa liberalization and border management.

One 'normality' or several: the case of EU visa liberalization and border management in the Eastern region

The process of visa liberalization is another example of EU 'politics', composed of technocratic strategies and techniques through which the EU seeks to extend and inhabit the external space with its own rules and regulations.

As Foucault (2007: 56) argues, 'every system of law is related to a system of norms', and EU visa liberalization can therefore be seen as way of validating the EU's authority as a norm-maker in the neighbourhood. Visa liberalization is perhaps the most emblematic example of EU politics, as 'decisions about it are taken in technical terms, following the advice of experts' (Merheim-Eyre quoted in Bossong & Carrapico 2016), meaning that the issue is reduced to following the narrowly-defined EU procedures in shaping the outside.

Emphasizing 'people-to-people contact' gives EU policies an inclusive appearance, exemplifying its transformative power and effect (Börzel & Langbein 2013). Notably, a visa-free regime concluded with Moldova in April 2014, gave nearly 500,000 Moldovans an opportunity to travel to the Schengen area (Interview with an expert of a non-governmental organization, June 2015), while visa liberalization as a process also stimulated the government's reform agenda.

At the same time, there are some serious limitations to this process predicated on the EU politics-driven governance. As Foucault (2007: 57) explains, disciplinary techniques of normation (that is, subjection to one's norm) are based on the 'primacy of one's norm in relation to the normal'. In this case, the curves go from an existing model (the 'norm') with expected conformity, and seeking to cancel out what is deemed to be 'abnormal'. 'The normal', therefore, becomes that 'which can conform to the [EU established] norm, and the abnormal – that which is incapable of conforming to the norm' (ibid). In this sense, the fulfilment of the Visa Liberalisation Action Plans (VLAP) conditions becomes a disciplinary process of compliance and conformity with

the EU-set norms to regulate the normal and abnormal. They include four thematic blocks,[5] and the assessment of relevant factors, including the 'gap analyses' to achieve a high level of convergence with the relevant EU and international standards (European Commission 2010a).

When examining VLAPs signed with Moldova, Georgia and Ukraine, it is easily noticeable that the strategies remain the same: the EU norm is presented, and the 'abnormal' is required to align with this norm. While, as an exception, Georgia's VLAP is more detailed on block 3 (public order and security), the policy-specific bodies (such as anti-corruption agencies), strategies (including on IBM) and evaluations remain identical. Thus, despite the claims to differentiation, VLAPs reflect EU governance based more on deviation (rather than differentiation) and normation (as subjection to the EU norm): they may recognize differing levels of implementation across the blocks, but lack any alignments to the needs of the partners. Consequently, conceptual parameters are 'presented by the EU, and only tiny details are subject to negotiations' (Interview with an member state official, June 2015).

This, however, has two major implications. First, the primacy of the EU norm leads to a situation whereby convergence with EU governance becomes self-justifying and, based on the EU preferences, leads to the inculcation of the EU norm, rather than a shared 'normal'. The EU's relations with the Belarusian and Azerbaijani leadership over human rights issues are particularly instructive. For example, instead of engaging in a dialogue with the respective governments to facilitate a new 'normal', the EU has been calling on civil society impetus. Given the nature of the regimes in question, this has not

yielded much change. Owing to block 4 provisions on external relations and fundamental rights, a visa-free regime may give the EU a new opportunity for dialogue and incentivize partners in the region, and yet, as an EU official put it, this may not be applicable to the cases of Belarus and Azerbaijan as this would 'discredit the EU methodology' (Interview with an EU official, June 2015) despite its initial intention to benefit the civil society in the first place.[6] In this particular case, not only is 'the EU normal' highlighted as credible but it also comes to define the 'practices which fall outside their system as deviant behaviour' (Dreyfus & Rabinow 1983: 198).

The second implication of the EU's prescriptive governance is the lack of ownership of the reform process within the neighbourhood. By defining 'the normal', and controlling the process of reform, the EU also limits the possibility of conduct (or contestation) for the Eastern neighbours, promoting an EU-driven normative agenda while ignoring practices. According to one official, the problem of empowerment and the lack of constructive resistance (in contrast to bureaucratic gate-keeping) from the third countries has a serious impact on the future of sustainable reforms in the Eastern neighbourhood (Interview with a member state official; June 2015). In the case of Ukraine, the 'implementation [of VLAP-related reforms] has been very much "copy and paste" in the legislative process, and not reflected in practice' (Interview with a member state official; June 2015). Another member state official duly admitted that this was partially due to the EU's continuing insistence on EU-set 'standards', without taking into account the existing Ukrainian dispositions and needs, as well as controlling the means through which new practices can emerge (Interview with a member state official; June 2015).

Therefore, rather than seeking to create a space where the dispositions of the Other could function alongside the EU norms, the latter are often given an ultimate primacy. As one EU official summarized this: 'because they are *our* neighbours, and so must be closer to *our* rules'(Interview with an EU official; June 2015, thus defining the EU-Eastern neighbours' relations more in opposition and asymmetry rather than as recognition of their respective normalities, for the reciprocal alignment.

Bringing 'the political' back in? The interplay of normalities in border cooperation
However, a closer analysis of border cooperation reveals a more differentiated approach, whereby the disciplinary normation of EU governance is replaced by normalization as the interplay of different normalities. Rather than losing 'control' by shifting from the established 'politics', border cooperation curiously reveals not only a greater emphasis on the experience of the Other, but also on the creation of an optimal space through which the EU can extend its 'knowledge and power into wider and wider domains' and attain lasting reforms (Dreyfus & Rabinow 1983: 198).

A particularly important case study is the EU Border Assistance Mission to Ukraine and Moldova (EUBAM). Launched in 2005, EUBAM works with the government agencies (such as the Border Police and Customs) of the two countries by providing support on 'procedural aspects' of border management, including cutting waiting times and moving from a military to a civilian service. Crucially, EUBAM's roles have evolved from the role of an implementer to that of facilitator. According to an EU official, EUBAM has been 'doing less, but doing it better', pointing to local needs and challenges, including smuggling, intellectual property rights and analytical reporting, such as the

Odessa/Illichivsk Sea Port Studies (Interview an EU official; June 2015).

Such strategies have also translated into the emergence of new practices and facilitated inter-agency cooperation between Ukrainian and Moldovan officials that goes beyond the promotion of EU standards and provides a more comprehensive approach to border security in the Eastern neighbourhood. For example, EUBAM helped to pioneer two new types of Joint Border Crossing Points on the Moldova-Ukrainian border, strengthening cooperation through the introduction of joint checks between the two border guard services.

Instead of relying on a pre-determined norm, EUBAM's techniques of normalization function through plotting of the 'normal' and the 'abnormal', as the alignment of different curves of normality – of what Foucault (2007: 63) referred to as the 'interplay of differential normalities'. Normalization, in this case, starts with the normal, seeking to align the abnormal. In this case, rather than deducing the normal from the norm as in the case of disciplinary normation, the norm is deduced from the interplay of the normal and the abnormal, engaged in the role of a facilitator between the various actors, recognizing the complexities of, for example, the Moldova-Ukraine border and its Transnistria segment. Thus, as Hernandez I Segrera (2014: 177) concludes, 'EUBAM's activity has been more far-reaching than that of FRONTEX in the particular cases of Ukraine and Moldova'.

The EUBAM example further highlights the importance of more 'creative' ways of thinking about border management that go beyond the established EU norms and

practices, and takes into account local needs and experience. For example, six internal posts have been created under the Bureau for Migration and Asylum to document the flows of people to and from Transnistria, while also facilitating an increasing number of Transnistrians applying for Moldovan documents.[7]

The EUBAM experience also underlines the importance of contestation in normalization. Recognizing the complexity of the local social order, the mission has been careful to restrain the Moldovan government from antagonizing the Tiraspol authorities, and *vice versa*. With its technical yet resourceful approach, EUBAM has attracted praise for its success which, ironically, has been less due to alignment with EU prescriptive governance, but more so due to creating an optimal space for considering both EU interests and partner countries' needs. However, recognizing those needs and applying strategies and instruments that facilitate the interplay of normalities (such as diverse cultures of border policing), are essential to conducting a more differentiated approach that is capable of transforming local practices. Crucially, EUBAM shows that, contrary to Edkins' (1999) argument, a shift from 'the politics' of disciplinary techniques towards 'the political' of optimal space can also happen gradually and through technical instruments, rather than historical raptures, including revolutions.

Further thoughts and conclusion

This chapter attempted to re-conceptualise the EU relations with the eastern region, by applying a new theoretical framework of 'politics' and 'the political', in a wider context of the eastern neighbourhood and Russia. In conceptual terms, it became apparent that the relational nature of power is far more complex and understudied than is currently

understood. In order to survive and, more importantly, sustain itself, such power, in order to be influential, requires the recognition of and engagement with the Other *vis-à-vis* the Self – that is, the process of *othering* - which would enable the latter to treat the outside in its own right and diversity, and not as a simple extension of the Self.

Furthermore, with the process of 'othering', a more discernible meaning should also be given to its core tenets – *differentiation* and *normalization*. With changing power dynamics in the neighbourhood, for the EU to stay (or become) an effective actor, it should engage with the interests and perceptions of other parties when designing its policies. One key aspect for accomplishing this, is to move away from the narrow interpretation of differentiation as deviation, to give it a new and a more distinct and inclusive meaning, to which success and difficulties in the EU-Azerbaijan relations explicitly attest. This type of differentiation should be based on 'othering' and interest representation of both parties. By shifting from the bureaucracy of 'politics' to 'the political', bilateral relations can be conducted in a more sustainable manner.

Normalization in turn, would allow a more organic incorporation of differing interests and their normative underpinnings, into a new optimal space of cooperation and reciprocity between the EU and other partners. Its current unilateral normative format, as the case of VLAP in Moldova has clearly demonstrated, is both dejecting and counter-productive, and needs 'the political' to make relations more sustainable. Conversely, the EUBAM practices attest to a more effectual mode of engagement, when different normalities come to interact and align with each other in the production of a joint 'normal'. Albeit remaining technocratic in nature, such approach opens the field

to contestation and, consequently, to greater creativity that potentially lays foundations for more lasting reforms.

To close this discussion of politics, the political and 'othering', we insist that a new framing of international relations is needed. Both politics and the political are essential for power maintenance, but they work better in complementarity and as part of a relational power nexus, especially when applied to ideologically contested zones of interest. Concerning the neighbourhood, developing a more discerning approach by the EU to the ENP partner countries and to the other contestant powers in the region, by way of 'othering', differentiation and normalization, would send the right signal of commitment and support needed to make relations sustainable and dialogical in the long term.

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[1] See also chapter 9 by Ryhor Nizhnkau in this volume.

[2] See also chapter 4 by Giusti, chapter 5 by Zaslavskaya and chapter 10 by Delcour and Wolzcuk in this volume.

[3] As a follow-up agreement to the Partnership and Cooperation Agreement of 1999 that still forms the legal basis for relations but which is considered by both parties to be outdated (Interview with an EEAS official, October 2015). Only in 2016 was there a possible breakthrough, when the EU proved willing to negotiate over an alternative, tailor-made, Strategic Partnership Agreement (European Commission 2016).

[4] Azerbaijan's economic downturn which began in 2015 (Stratfor 2015) may affect the country's leverage over its relations with the EU: issues that may be impacted in the short run are the Association Agreement negotiations, especially concerning Azerbaijan's request of EU direct engagement in the Nagorno-Karabakh conflict resolution process.

[5] VLAP is divided into four blocks: document security (including, introduction of biometric passports, implementation of standards of the International Civil Aviation Organization and sharing data with EU member states), irregular migration and readmission (introduction of laws on state border and border guard service, national Integrated Border Management strategies, etc.), public order and security (organized crime, corruption, terrorism, etc.) and, finally, external relations and fundamental rights (human rights, anti-discrimination, etc.).

[6] With 881,404 applications, Belarus is one of the busiest places for Schengen visa applications worldwide (European Commission 2014).

[7] According to a Moldovan official, circa 75,000 Transnistrians have now applied for Moldovan passports. Interview, June 2015.