'Hospitality' and the Ethics of EU Foreign Policy (1999-2004)

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The 'Arab Spring' of 2011, and the turbulent events and repercussions occurring across North Africa and the Middle East, have not only reminded the European Union (EU) of past ethical dilemmas such as in humanitarian intervention during the 1990s in the Balkans, but also in less obvious parallels to the ethics and politics of hospitality during the Prodi Commission 1999-2004. The 'Arab Spring' has been presented as a historic opportunity, alike to the anti-communist revolutions that swept across Eastern Europe in 1989 which in turn provoked developments connected to the concept of 'hospitality' such as an increase in immigration into the EU and the single greatest enlargement from 15 to 25 EU member states in 2004. Hospitality issues have again been raised by these recent events in the Arab world, including a reconsideration of the European Neighbourhood Policy (ENP), which was formally launched within our period in 2003. This re-examination features a number of issues; the shift in focus from former Soviet Union states to Mediterranean Arab countries, the conditionality required to accept this hospitality and a new incentive based strategy for a 'partnership of democracy and shared prosperity' in regions such as Libya.[1] Limitations of EU hospitality have also come to the forefront, demonstrated in the recent controversy around the French backlash against the large numbers of Tunisians who have immigrated to Europe from these affected regions of the 'Arab Spring'.[2]

Hospitality at the most basic level involves the welcoming of the 'Other' as a guest into the host's home. This openness to the 'Other' gains particular relevance to the ethics and politics of EU foreign policy with Jacque Derrida's claim that 'ethics is hospitality' as if this is indeed reachable, hospitality could therefore be used to ascertain the possibility of an ethical foreign policy.[3] Dan Bulley, in *Ethics as Foreign Policy*, applies Derrida's philosophy of deconstruction to EU foreign policy to examine this possibility, but concludes that these acts of hospitality in enlargement, the ENP and the possible accession of Turkey and the Balkans can only, after close scrutiny, demonstrate the overall undecidability of ethics.[4] This essay, however, intends to expand on such analysis. After discussing how the EU uses the concept of hospitality to present EU foreign policy as ethical, the essay will then move onto Bulley's and Derrida's poststructuralist response to these claims which finds the EU's hospitality towards states as ethically problematic. In addition to Bulley's focus on hospitality towards states, his analysis will also be applied to the hospitality towards people as immigrants and refugees. As a contrast to this deconstructive reading, the Kantian cosmopolitan view of hospitality will also be discussed and finally used to support a normative approach which acknowledges these acts of EU hospitality as conditional and imperfect, but also as practical and reasonable responses to the 'Other'.

Despite no declaration equivalent to that infamous claim of an 'ethical foreign policy' by Labour's Robin Cook, the Prodi Commission regularly portrayed the EU as possessing an ethical dimension in its foreign policy, and one of the main ways this ethical foreign policy was supposedly enacted was through hospitality towards the 'Other'.[5] State hospitality, in varying degrees, consisted of EU enlargement, the ENP, and membership discussions with Turkey and the Balkan countries. The proximity to EU borders, which these hospitality initiatives all share, was motivated by the ethics of responsibility, which Christopher Patten, Commissioner for External Relations of this period, argues begins in the EU's 'own backyard'.[6] Of these, the clearest example of hospitality was in the 2004 enlargement, when the EU expanded to include Cyprus, the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Malta, Poland, Slovakia and Slovenia. This was heavily portrayed with moral connotations.

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Ulrich Sedelmeier points out the generosity of this hospitality, particularly to Central and Eastern European Countries (CEECs) which were granted 'free and unconditional access to the EU steel market' in addition to 'exceptionally long post-accession transition periods' to reach environmental requirements.[7] Prodi's claim that 'political and ethical reasons' were primarily behind this enlargement is supported by Sedelmeier's study which highlights the 'moral dimension in reuniting Europe' and how a refusal to enlarge 'would not only be morally indefensible' but a 'rejection of the overall goal of EU integration'.[8] Additionally this offer of hospitality purposely encouraged these candidates to first reform into free-market democracies, which Prodi uses to present the politics of the EU's foreign policy, as well as its overall identity, as ethical in the 'fulfilment of the European project'.[9]

Metaphors, used within the discourse on EU enlargement, emphasise the hospitable function of such foreign policy and how this openness forms part of the EU identity as a 'family' and a 'home', in contrast to the alternative imagery of an exclusive club.[10] Not all are welcomed directly into the European family 'home' but nonetheless the ENP and EU candidate policies of this period are still presented as potentially hospitable by spreading the 'principles of the European home/family'.[11] For example in 2002, Prodi reassured Albania that it belonged in the 'European family of nations' and metaphorically it was 'on the road towards home'.[12] Prodi claimed 'we hope to invite them in as soon as possible', indeed once Albania can fulfil the Copenhagen criteria it can move from the 'backyard' and enter 'the EU's door'.[13] In contrast Turkey is considered to be much further down this road despite membership being first proposed in 1963. Nonetheless substantial steps were taken during this period with candidate recognition in 1999 and negotiations commencing in 2004. Other states within the neighbourhood but without prospect of membership, such as those Mediterranean Arab states currently experiencing the 'Arab Spring', could still receive the final gesture of EU state hospitality in the ENP. This partnership is 'based on shared values', which Stefan Frohlich describes as 'the EU's new *mission civilisatric*' to export the ethics of the EU.[14]

Although it is possible to identify some signs of hospitality, these metaphors are not so readily applied to the EU treatment of immigrants and asylum seekers. In an attempt to overcome the reputation of 'fortress Europe' in reference to its history of restrictive immigration policies, the EU launched a 'common migration and asylum policy' which, Jef Huysmans claims, was intended to counter inhospitable threats to the 'Other' from 'xenophobic and extreme nationalistic practices in Europe'.[15] Grete Brochman also argues how the internal market and Schengen agreements now give successful immigrants in the EU 'much broader rights than ever before' especially for those included in the EU enlargement of 2004.[16] It can also be said that Immanuel Kant's cosmopolitan 'universal laws of hospitality' in accepting the endangered refugee, has been largely adhered to under positive EU initiatives during this period including the European Refugee Fund and 'higher common standards of protection' in the Common European Asylum System and the EU Tampere programme.[17]

In a critical response to the EU's portrayal of their ethical use of hospitality, Derrida's poststructuralist analysis finds this concept *itself* problematic, which Bulley in turn argues, by highlighting the rejection of alternative routes, the strong conditionality of this limited hospitality, and the hostility created by various power reversals, as ultimately questioning the ethics of the EU. Firstly, these very metaphors in EU hospitality discourse suggest the denial of other options and possibilities for EU hospitality. Territorially, the limited inclusion of EU neighbours alone and the use of the ENP to 'dampen the membership zeal' of additional EU candidates, geographically excludes the ethically similar in Canada, and those much in need of hospitality in Syria.[18] Even those geographically included are confined to one possible 'road' to enter the European home. This is best shown in the Balkan states, which are restricted to travel either closer to or further away from home along 'a linear track' as 'other roads are not an option'.[19] This, Bulley argues has made EU hospitality 'too ossified'.[20] Such inflexibility reveals itself to be particularly inhospitable to Turkish accession, which 'seems to have travelled a different path', despite historic comparisons to Spain and Portugal's inability to comply with all conditions upon their entry to the EU in 1986.[21] This single path, according to Bulley in his second response, severely reduces the hospitality offered to Turkey as the 'Other' as this conditional entrance into the EU home becomes 'dependent on the other becoming the same'.[22] This conditionality was also present in the 2004 enlargement, which Elena Jileva argues occurred without any readjustment on the part of the EU and is reflected in Solana's quip that 'the path to Europe is paved with concrete reform, not just good intentions'.[23]

It is this questionable logic of a hospitality which demands that to be able to 'place yourself on the road to the European home, you must demonstrate that you are already part of it', which is what denies 'Turkish difference' and

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bars the ENP members from the 'town hall'.[24] In current events, Gaddafi's violent contradiction of EU values is behind the suspension of that 'hospitable' strategy mentioned earlier.[25] With each condition placed upon EU membership, Bulley claims it translates as a 'violent exclusion' which 'nullifies hospitality' and places the responsibility for the EU's hospitality on the shoulders of the guest and therefore the host is no longer the one acting hospitably or ethically.[26] This third response further describes the reversal from hospitality to hostility and also the reversal in the relations of the host and guest. For instance, during most of this period Ukraine was considered part of the ENP 'neighbourhood' however in the wake of the Orange Revolution of 2004, Ukraine began to challenge it's guest role by claiming it was actually 'the host of what it thought was its own, common European home'.[27] This inability of the EU to draw lines and 'delimit otherness' undermines the possibility of creating a European 'home' in the first place.[28] This unconditional hospitality required in order to realise Derrida's claim that 'ethics is hospitality', Bulley describes is allowing the 'Other' to 'literally take our place', which paradoxically makes an outside and a home impossible.[29] Without this home, hospitality loses its meaning.[30]

Bulley's critique of state hospitality can also be equally applied to the EU's hospitality to immigrants and asylum seekers during this period. Events such as the 9/11 terrorist attack in 2001, the subsequent 2002 electoral success of anti-immigration parties across Europe and the policies restrictive to immigration from the Seville European Council that same year, made it clear that the EU essentially conducts a 'restrictive immigration and asylum policy'.[31] Policies were encouraged which further transformed the 'Other' from a human rights or cosmopolitan issue and into a security problem, such as increasing 'visa regulations', 'intensive border patrols' and 'creation of a European police force'.[32] Metaphors, again, played a role in restricting the opportunities of EU hospitality. During the Kosovo refugee crisis, individuals were marginalised by European countries as problems, arguing to 'share the burden of hospitality' and attempts to 'outsource hospitality to countries such as Turkey'.[33]

In a similar vein, a recent BBC news report on the controversy surrounding Italy's decision to allow the 'Arab Spring' immigrants pass into France, features an Italian commenting that this is not a 'Italian problem' but 'a problem for the EU'.[34] Refugees are regularly portrayed 'primarily in negative terms' using threatening metaphors such as 'a flood' or 'though images of criminality', which Huysmans argues prevents them being seen 'as purposeful and capable human beings' with 'legitimate rights to social assistance and welfare provisions'.[35] In addition to preventing immigrants entering, conditional hospitality increasingly requests the immigrant to reject their 'Otherness' and assimilate to 'speak the language and adjust to the order of the house' which according to Roxanne Doty reveals the 'limitations of Kantian cosmopolitanism' by ascribing to a 'moral and physical geography' defined by the EU sovereign states.[36] Finally, as in the case of state hospitality and the need to preserve the home to make this concept possible, Gideon Baker argues that an 'ethical' unconditional hospitality paradoxically becomes 'literally impossible' as 'it is precisely in the name of unlimited hospitality' that 'one can become virtually xenophobic in order to protect one's own hospitality'. [37]

Derrida and Bulley's analysis of the concept of hospitality as problematic in both conditional and unconditional forms contrasts to the view proposed by Kant in the third definitive article of *Perpetual Peace.* Kant reveals that the 'laws of universal hospitality' are a right of mankind, demanding that any 'stranger entering foreign territory' is to be 'treated by its owner without hostility' due to the cosmopolitan virtue of a common right to 'the surface of the earth'.[38] Nonetheless, in the context of the EU, Kant permits the EU to 'send him away again, if this can be done without causing death' and the immigrant can only become a permanent resident if permitted by the conditions of 'an additional contract with the local inhabitants'.[39] This conditionality would be criticised in Bulley's analysis as 'unethical' because of the 'conditions it places on those who seek entry'.[40] Additionally Derrida argues that the exclusion of 'hospitality as a right of residence' limits hospitality merely to 'the right of visitation' which is 'dependent on state sovereignty' and therefore, he insinuates, Kant is contradicting his cosmopolitan principles and theory of a universal kingdom of ends. [41] Bulley goes further in concluding that Kantian hospitality, unlike deconstruction, would justify the EU 'allowing one other into our home, but excluding another other' which to Bulley is simply not hospitality in prioritising those who would appear to benefit you over those who pose a possible risk.[42] Kant's conditionality, according to Bulley, therefore lacks the essential 'retention of unconditional hospitality', as 'the unconditional is the condition of the conditional' and that 'the laws are impossible to determine without reference to *the* law'.[43] Even contemporary cosmopolitan Seyla Benhabib admits that the lack of sufficient protection to the refugee leaves us 'with an ambiguous Kantian legacy'.[44]

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In Kant's defence, Garrett Brown criticises these interpretations as failing to 'unpack the normative principles underpinning Kant's laws of hospitality'.[45] Brown argues that Derrida is wrong to assume that hospitality should 'capture all the conditions necessary for cosmopolitan citizenship', and that Derrida's analysis has 'clouded the difference between theory and practice' as Kant's understanding of the 'conditioned limitation on hospitality' was not for xenophobic or unethical reasons but intended to 'limit imperial colonialism abroad'.[46] Furthermore the distinction between temporary visit and permanent stay is a 'necessary ethical condition to establish a sense of mutual consistency between visitor and visited' where both parties have 'cosmopolitan duties and obligations' to each other, such as the 'universal law of freedom' which requires each party's will to be reconciled with the will of the other.[47] Kant's position on asylum is also clear in that it 'strictly forbids rejection if death or imminent harm to body or property would be the result of such expulsion' and this is often the case for legitimate refugees seeking asylum in the EU.[48]

A further normative engagement with the concept of hospitality, following in the steps of Brown, allows a critical analysis of EU foreign policy ethics and politics which differs from the conclusions provided by poststructuralist deconstruction. This approach prefers a practical application of hospitality ethics which understands the conditional nature of hospitality and acknowledges how EU foreign policy can still be ethical in a less abstract fashion. This approach 'attempts to move beyond critique, by developing a normative position' but can still appreciate Bulley's and Derrida's analysis but limit their conclusions to the realm of the 'ethos of political criticism', which Bulley himself makes clear is 'not to be argued for as policies' and that in reality an 'unconditional law of hospitality' *is* 'impossible to practically implement'.[49] The utopian unconditional hospitality is indeed important in the poststructuralist approach to preserve 'the promise of an ethical foreign policy to come', similar to Derrida's concept of a democracy-to-come and Bulley's ethical foreign policy-to-come.[50]

This essay, however, prefers to use the hospitality concept in a straightforward and normative approach where foreign policy simply *can* be ethical, as in Mervyn Frost's words, 'we are all ethically constrained in everything we do' and therefore foreign policy makers do not 'have an initial choice whether or not to be ethical'.[51] This approach judges that it would be unreasonable for the EU to permit 'unconditional hospitality' to allow anybody and everyone 'to come without invitation', to have 'our bed and our food' with no condition of entry.[52] Not unreasonable in an attempt to pander to the anti-immigration nationalists, but unreasonable in how the EU's other ethical commitments would be undermined which, Benhabib argues, Kant 'clearly foresaw' and 'justified such balancing acts' in the clash of moral obligations.[53] This is why the EU controls and conditions immigration entry, in order to ensure that the primary ethical responsibility to their citizen's wellbeing is not undermined and that the 'internal equilibrium' is maintained.[54] On another level this is why Prodi makes clear 'we cannot keep on enlarging the union indefinitely' as the European political project would be 'watered down', to become a 'free trade area on a continental scale' reducing the EU's capacity for further ethical conduct in the spread of EU values based in human rights and democracy.[55] This would make an ethical foreign policy, let alone the European home and EU identity, unreachable. The exact level of hospitality which should produce the correct balance is yet another debate, but what is clear is that EU acts of hospitality, limited and conditional as they unavoidably are, must not be dismissed as exclusive and unethical but should be seen as imperfect political and practical responses to hospitality which have been navigated between the EU's other moral obligations which must not be undermined in achieving these aims.

In conclusion, the concept of hospitality can be used to analyse EU foreign policy in a number of ways, which all can produce diverse conclusions on the ethics and politics of the Prodi Commission. The EU's own approach uses this concept to demonstrate the ethical dimension of EU foreign policy and in the EU identity as a whole. Indeed, moral assertions, in addition to the geographic are central when determining who is 'in' the 'EU family home' and who to offer hospitality to enter this home.[56] Bulley's approach, in applying the philosophy of Derrida to EU policy, condemns the EU as offering 'unethical, irresponsible hostility' and finds that the concept itself is highly problematic.[57] Those particular acts portrayed as hospitable by the EU are all limited by the 'juridico-political laws of hospitality' which justify the hostile exclusion of the 'Other' and permit hospitality only after the 'Other' becomes the same.[58]

Under such analysis, the concept of hospitality itself is undermined, as unconditional hospitality is both required to act ethically and truly hospitable, however without conditional hospitality the home can no longer exist and thus the concept loses meaning. This approach objects to the Kantian acceptance of conditional hospitality; however this essay finds a more normative and pragmatic application of such conditional hospitality is the most useful in analysing

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EU foreign policy. Such acceptance of the conditional nature, in contrast to focusing on the retention of a utopian unconditional hospitality, allows a realistic negotiation between the other ethical obligations of the EU. This is not to commend the EU wholeheartedly, for example the EU's adherence to Kant's principle in accepting those endangered has not yet produced a perfect solution and the European Council on Refugees and Exiles is reasonable in regarding the asylum system a 'lottery'.[59] Nevertheless it is the normative approach, rather than the poststructuralist reading, that provides the realistic basis needed to negotiate the correct level of conditional hospitality which is to be offered to the 'Other' while being careful not to compromise the EU's other responsibilities. In the wake of the revolutions which erupted across Eastern Europe in 1989, it was this broad use of hospitality that proved successful, and in many ways ethical, in the transformation of former Soviet states into democratic members of the EU and it is this same pragmatic and measured use of hospitality which will need to be applied to the Mediterranean Arab people and states as the 'Arab Spring' of 2011 begins to change in seasons.

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[9] Prodi, 'Engagement – the final lap'

[10] Bulley, *Ethics as Foreign Policy* pg. 64

Sedelmeier contrasts this implicitly inclusive metaphor of the home to the alternative imagery of a club which suggests it 'is designed to serve only the interests of its incumbents' (Sedelmeier,*Constructing the path to eastern enlargement*, pg. 21)

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[54] Prodi, R, 'Europe in transition: Hopes and fears', Speech at Fifth Europa Forum: 'Europe facing the decision – EU enlargement and global challenges', Brussels, 3 December 2002

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