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Dr. Claire Spencer

**The Changing Role of Civil Society in  
the Euro-Mediterranean Area**

# The Changing Role of Civil Society in the Euro-Mediterranean Area

**Dr. Claire Spencer**

Head, Middle East & North Africa Programme,  
Chatham House, London, UK

## The concept of civil society

Given the prevalence of references to ‘civil society’ in much of the literature and policy fora concerning Euro-Mediterranean relations, it would be a mistake to think that the term has any fixed or universally accepted meaning. Even where it is loosely used to mean ‘non-state actors’ or the interests of broader society, the notion of civil society continues to be fluid and differently interpreted even in mature democracies. Europeans, for example, are often struck by the use by American academics and non-state actors of the inclusive vocabulary of ‘we’ when talking about the actions of the US government. In the UK, at least, the distinction between those directly in the employment of the state (namely, the civil service, public sector and government officials) and those who are independent of the state is more usually reflected in maintaining a distance between ‘us’ and ‘them’ in discussions about government policy and what public opinion expects of it.

This may reflect two different Western philosophical traditions, identified by Annette Junemann<sup>1</sup>. The first is a ‘dichotomous’ view that civil society is ‘completely independent of the state and its primary function is to control the latter’, while the second is an ‘integrative’ interpretation that sees civil society as ‘part of a political system’ whose function is ‘both to control the state and to enhance the latter’s legitimacy through civic participation’. The ‘dichotomous’ definition goes back to the English philosopher John Locke (1632-1704) and the ‘integrative’ approach derives from the thinking of the French philosopher Montesquieu (1689-1755).

Interestingly, in the US, both traditions seem to play a role. The more vociferous of civil society activists see their primary function as stopping incursions of ‘the big state’ into the civil liberties of American society, as illustrated by the recent emergence of the ‘Tea Party’ movement. Simultaneously, the inclusive vocabulary of ‘we’ used by American policy analysts not directly employed by government or a public department of the US administration reflects a shared concern with ‘getting policy right’ – seen as an exercise in which both state and non-state actors are implicated and involved. In France, too, Montesquieu’s legacy appears to live on in frequent references to ‘l’Etat’ and ‘la France’ in

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<sup>1</sup> Annette Junemann ‘From the Bottom to the Top: Civil Society and Transnational Non-Governmental Organizations in the Euro-Mediterranean Partnership’ in *Democratization* Volume 9, No. 1, 2002, pp.86-105.

public debates centred on state-led policy, in ways that do not always translate well in other political cultures.

Most European democracies perceive themselves as being situated in the Lockean tradition of civil society, whose primary role is in holding the government to account. But as Annette Junemann points out admits, the relations of civil society with the state are more often found ‘somewhere between the two poles of (dichotomous) anti-system opposition and (integrative) mediation.’ The same civil society actors can ‘fluctuate between the two poles’ — arguing for complete change on some occasions, or supporting government policy through constructive engagement with state authorities at other times<sup>2</sup>.

Mary Kaldor’s analysis of the evolution of newer forms of *global* civil society makes a similar distinction between the transformative characteristics of nineteenth and twentieth century social movements seeking systemic change, and the more recent emergence of non governmental organisations (NGOs). The latter she sees as “‘tamed” social movements’, linked into official political systems by becoming both ‘institutionalised and professionalised’ over time<sup>3</sup>. At heart, however, she argues that these different representations of civil society share a ‘common core meaning’, as ‘the process through which individuals negotiate, argue, struggle against, or agree with each other and with the centres of political and economic authority’<sup>4</sup>. What is important in this process is the emergence of a civic space within which these debates and struggles can take place, where ‘laws replace physical arrest, physical coercion’ and other constraints on the exchange of views.

In societies where the rule of law is still far from being entrenched, the virtual environment of the internet has opened up new possibilities for the emergence of non-violent forms of resistance and exchange, as Makram Khoury-Machool cogently sets out in the case of Palestinian youth living under Israeli occupation<sup>5</sup>. In a conceptual sense, too, Kaldor’s interest in the emergence of global civil society opens up new horizons for civic action beyond the territorial limitations of the nation-state within which the original concept of civil society was born. She argues that the transnational links forged by new forms of communication and transparency in recent years have created new avenues for the coordination of civic activism at the global or regional level, including through the revival of social movements in a trans-national context. Of relevance to the Euro-Mediterranean context, she also suggests that by drawing on the universalism of Islam, a more inclusive interpretation of global civil society could enhance the more secular and individualistic ‘northern’ traditions of civil society in favour of establishing a common set of global rules to encompass the aspirations of a far wider range of currently excluded communities and peoples<sup>6</sup>.

In an empirical sense this offers new ways of considering how civil society has been evolving in the Euro-Mediterranean space, where civic and social actors are increasingly drawing on links,

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2 Junemann, art cit, p.90.

3 Mary Kaldor ‘The Idea of Global Society’ in *Arches Quarterly*, Vol. 4, Edition 6, Summer 2010, p.10.

4 Art cit, p. 8.

5 Makram Khoury-Machool ‘Palestinian Youth and Political Activism: the emerging internet culture and new modes of resistance’ in *Policy Futures in Education*, Vol. 5, No. 1, 2007 pp.17-36.

6 Kaldor, art cit, pp.10-11

resources, ideas and organizational methods external to the confines of their territorial nation-state. Examples cited by Kaldor include the trans-national dimensions of human rights networks, using new media effectively to highlight and protect individual cases where alleged abuses occur. Another is in the networks built up within and between diaspora communities and their societies of origin, which alternate between by-passing the more heavy-handed restrictions of state authorities, and working with them to provide specific assistance to out-lying or neglected communities. The creative energies unleashed by some of these possibilities mean that it may be time to return to even earlier considerations of who or what constitutes a civil society actor, including in the nineteenth and twentieth sense of social movements, acting this time around at an international rather than state-bound level. As this paper will argue, this could well include new types of economic endeavour and socially responsible forms of development, which, for a variety of reasons and despite the external pressures of the EU and others, a number of southern Mediterranean states have been unable or unwilling to provide.

## Civil society in the Euro-Mediterranean sphere

**I**n the official discourse of the Barcelona process, or Euro-Mediterranean Partnership (EMP) initiative since 1995, the role of civil society appears to be more rooted in the non-governmental and 'integrative' sense of the concept than in its more confrontational or activist aspects. Junemann argues that the European Commission 'has not favoured co-operation with representatives of the dichotomous concept of civil society such as would bring the EU into conflict with southern Mediterranean governments'<sup>7</sup>. This approach has nevertheless been selective, with EU support for southern Mediterranean human rights organisations being a source of contention with southern governments, regularly backed up by statements by European officials about the importance of the human rights dimension to EU external policy<sup>8</sup>. This type of language, however, is rarely aired in the Arab and Muslim states (or indeed Israel), engaged in the newly formulated Union for the Mediterranean (UfM) or European Neighbourhood Policy (ENP). For most of the EU's southern Mediterranean partners, current priorities for cross-regional civil society cooperation lie in 'tackling pollution, migration-related problems and the importance of enhancing business cooperation between the EU and the region', in addition to lifting 'cultural barriers' between societies to the north and south of the Mediterranean<sup>9</sup>.

These priorities, it should be noted, are frequently spelt out by government officials rather than civil society actors themselves. The progressive marginalisation, and indeed, de-politicisation, of the role conceived for civil society organisations in Euro-Mediterranean affairs has become an increasing cause for concern since the launch of the UfM in 2008-09. As Roberto Aliboni writes, 'Under the

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7 Junemann, art cit, p. 90.

8 See, for example, the speech of Štefan Füle, the European Commissioner for Enlargement and Neighbourhood Policy to the 37<sup>th</sup> International Federation of Human Rights Congress in Erevan, Armenia on 6<sup>th</sup> April 2010 <http://europa.eu/rapid/pressReleasesAction.do?reference=SPEECH/10/144&format=HTML&aged=0&language=EN&guiLanguage=en>

9 See European Economic and Social Committee Press Release No 23/2010 'Civil society can triumph where politics fails in the Mediterranean', 19<sup>th</sup> February 2010 [www.eesc.europa.eu/resources/docs/communiqu-presse-eesc-023-2010-en.doc](http://www.eesc.europa.eu/resources/docs/communiqu-presse-eesc-023-2010-en.doc)

EMP, the Commission played an unusually extended and even intrusive role. Civil society, as part of the Commission's longstanding strategy of decentralised co-operation, became directly involved in implementing policies. But with the emergence of the UfM, EU governments began working directly with Mediterranean governments and the EU Commission was effectively sidelined. The impact of this change on civil society may prove very significant'<sup>10</sup>. Networks set up under the EMP, such as the Euro-Mediterranean Human Rights Network, EuroMeSCo, and the Civil Platform 'badly need to look at the shift that is taking place from familiar EMP community territory to the UfM framework, where networks must now work directly with governments', according to Aliboni. This touches directly on how the UfM's reinforcement of inter-governmental processes will tackle the promotion of human rights and political reform established under the EMP, or whether the latter will effectively be relegated to a second order of priority from now on'<sup>11</sup>.

Aliboni's dilemma has been both triggered and exacerbated by developments in the decade since 9/11 during which European positions over how, or if, to engage with civil society and political groups drawing on Islamist roots have been overshadowed by the overriding concern to combat and contain terrorism. As a result, in both its official and unofficial discourse, the EU remains circumspect and ambivalent over whether Islamic religious organisations comprise part of civil society or not. Given the diversity and spread of Muslim and Islamic social and political activism across the Mediterranean region, a growing tide of opinion is now questioning the price Europe itself may be paying for side-lining, ignoring or failing to formulate a clear position over contacts with Islamist organisations, especially as they enter a second generation'<sup>12</sup>. This has also been echoed in a recent appeal to President Obama from within the American think-tank, academic and policy community to protect and engage more directly with all shades of Middle East opinion, on the grounds that: 'for too long, American policy in the Middle East has been paralyzed by fear of Islamist parties coming to power.' The appeal concedes that 'some of these fears are both legitimate and understandable; many Islamists advocate illiberal policies. They need to do more to demonstrate their commitment to the rights of women and religious minorities, and their willingness to tolerate dissent' but that 'most mainstream Islamist groups in the region are nonviolent and respect the democratic process'<sup>13</sup>.

Even for non-governmental organisations (NGOs) whose main purpose and platforms are not defined in overtly political and religious terms, the need to sustain their sources of financial support, as well as acquire and maintain an officially recognised status, greatly prejudices their ability to function across the whole spectrum of civil society functions from holding governments to account to assisting in the design and implementation of government policy. A North African colleague often used to joke that southern Mediterranean societies only really had VGOs ('very governmental organisations') rather than fully fledged NGOs, because of the funding and operational constraints truly independent actors

10 Roberto Aliboni 'New as it is, the Mediterranean Union needs an overhaul' in *Europe's World*, Summer 2010 [www.europesworld.org/NewEnglish/Home\\_old/Article/tabid/191/ArticleType/ArticleView/ArticleID/21659/language/en-US/NewasitistheMediterraneanUnionneedsanoverhaul.aspx](http://www.europesworld.org/NewEnglish/Home_old/Article/tabid/191/ArticleType/ArticleView/ArticleID/21659/language/en-US/NewasitistheMediterraneanUnionneedsanoverhaul.aspx)

11 Art. cit

12 See, for example, Halm Rane 'Global Forces and the Emergence of Second Generation Political Islam' and Alex Glennie 'Dialogue Across Borders: Rethinking Western Policy Towards Arab Political Islam' in *Arches Quarterly*, Volume 4, Edition 6, Summer 2010.

13 See Center for the Study of Islam & Democracy [www.csidonline.org](http://www.csidonline.org) 'Open Letter to President Obama urging him to Support Human Rights and Democracy in the Middle East', October 2<sup>nd</sup> 2010

face. If not approved by, or indeed set up and funded by governments, southern NGOs are unable to function without the risk of running up against the police or local judicial systems if they stray from their design and implementation role alone. This is not just an issue for the south, however. If a European-based NGO, for example, receives the majority of its funding from the state development ministry, it is highly unlikely to criticise the underlying philosophy of official development aid to third countries, but will rather seek to improve on how well that funding is targeted and implemented on the ground.

The less overtly political or politicised the issue, the more leeway civil society groups on both sides of the Mediterranean have to act, especially in areas such as the environment, health care, education and culture. There is certainly merit in the work undertaken by civil society groups on both sides of the Mediterranean — and joint projects funded by the EU (such as Euro-Med Heritage) have gone some way to connecting groups with shared interests through projects to improve cultural understanding across the Mediterranean. Considerable progress has also been made in establishing micro- or community-based associations and projects that address unemployment, infrastructure, health-care and educational deficiencies at the local level in southern Mediterranean societies.

## Shaping the Future of Mediterranean Civil Society

However useful these activities, a key set of questions nevertheless remains: can relying on these approaches really change the status quo in the direction of a fully-fledged role for civil society in all senses of the definitions set out above? Are governments in the south really ready or capable of adapting to a more inclusive approach to the contributions — and indeed the criticisms — of non-governmental actors? Here, the prognosis is not good: in an article in *Al-Ahram Weekly* published in April 2010, the veteran Egyptian journalist Ayman El-Amir wrote tersely of the increasing tensions across the Arab world over what he describes as the ‘stagnant’ political and economic situation faced by the majority of citizens and the lack of organised protests of the kind seen in Kyrgyzstan in early 2010 and elsewhere in Asia<sup>14</sup>. What the Arab world has witnessed instead is more sporadic unrest, including union and worker strikes and public protests, very few of which are officially accepted as legitimate forms of civil or civic action.

Ayman El-Amir concludes that if the region’s ruling elites cannot see a way out of the bind of allowing for democratic progress, the situation is likely to escalate ‘into an intractable political crisis. On the one hand’ he writes, ‘should the ruling autocracies implement genuine democratic change, they will certainly see themselves voted out of office and probably held to account. If they persist, tensions will keep rising until the situation boils over with incalculable results.’ His verdict is that ‘It is no longer if, but when.’

If true, this also places the EU, and associated Euro-Mediterranean projects in a bind. The ambition of north-south, as well as horizontal regional integration, since the launch of the Barcelona process

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<sup>14</sup> <http://weekly.ahram.org.eg/2010/994/op1.htm> Ayman al-Amir ‘People’s Power’ in *Al-Ahram Weekly* 15-21 April 2010

has been based on achieving results where progress towards reform has been possible and where existing parties and actors have been willing to act. In the sphere of macro-economic reform, for example, there have been clear trading, financial and investment advantages on both sides of the Mediterranean for all parties to agree and adhere to at least a minimal level of international norms and standards, including in financial reporting, and measures to reduce the fiscal and non-tariff barriers faced by external investors.

The problem becomes political, however, when the EU or civil society activists in-country try to tackle micro-economic reform. Unlike the levelling of playing fields to increase governments' access to external markets, credit and investment, the reform of domestic economies comes up against vested interests, and what the World Bank has called 'privilege' in a recent report on private-sector led growth in the Middle East & North Africa (MENA) region<sup>15</sup>. Here, its authors suggest that it is not so much the lack of legal and other reforms that now poses a problem to future private sector development, but the lack of their implementation. Thus, the playing field is far from level for the entrance of new economic actors within the MENA region, and the existing private sector, with its privileged access to soft loans and government influence, has also made it hard for an autonomous private sector to emerge independently of them or the state. The absence of robust institutional and regulatory frameworks has also prejudiced the emergence of new private initiatives: there are no common rules of the game that apply impartially to all. The spread of corruption and the rise of the informal sector can both be seen as responses to this.

There are further conclusions and examples given in the report which deserve more attention than the passing references here, above all in the context of the EU's renewed emphasis on stimulating small and medium enterprise (SME) development in the southern Mediterranean. Within the generic definitions of civil society discussed above, however, the role of the private sector is often deemed to constitute a separate sphere (or 'third pillar') of the state, or an integral part of the support mechanisms needed by official political systems to establish and maintain their monopoly of state power and control. In either sense, civil society actors are often uncomfortable with aligning themselves with private entrepreneurship where the latter is motivated by profit (or rent-seeking in less regulated markets) rather than economic objectives linked to the common good, undertaken on a 'not-for-profit' basis. For Annette Junemann, 'having set up the MED-Invest programme to promote exchanges between small- and medium-sized enterprises within the framework of the EMP, the EU clearly sees private entrepreneurs as being part of civil society'<sup>16</sup>. Yet the reticence of many within the broader range of Euro-Mediterranean civil society organisations to engage with the private sector relies on the assumption that 'as entrepreneurs depend on stable political structures to run their business, they have no interest in directly challenging the state'.<sup>17</sup>

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15 World Bank MENA Development Report 'From Privilege to Competition: Unlocking Private-Led Growth in the Middle East & North Africa', 2009 [http://siteresources.worldbank.org/INTMENA/Resources/Privilege\\_complete\\_final.pdf](http://siteresources.worldbank.org/INTMENA/Resources/Privilege_complete_final.pdf)

16 Junemann, art.cit, p.91. The follow-up programme, Invest in Med, is 75% EU-funded and implemented by the MedAlliance consortium of private sector networks. See: [www.invest-in-med.eu/en/invest-in-med-project-2.html](http://www.invest-in-med.eu/en/invest-in-med-project-2.html)

17 Art cit, p. 91

There may nevertheless be room for re-visiting this assumption in the new climate of debate over global economic models following the global financial crises of 2007. Adjustments to strengthen the future regulation of capitalism and the roles to be played in this by individual states and the international financial system have so far been limited in scope. But in Europe, at least, the belief that free markets function in ways that will continue to be consonant with the demands of an increasingly globalised economy, has, at very least, been shaken. Public debate about the balance to be struck between state intervention in financial markets and unbridled speculation is by no means over, especially if further market down-turns intervene. Faced with extensive debt burdens and increasing market competition from China and other Asian producers, the focus of European discussion is likely to remain on achieving the right mix of incentives to maintain the free flow of capital and harnessing it to productive and sustainable business ventures.

## **New Economic Models and Euro-Mediterranean Civil Society**

**I**n the short-term, this largely Euro- (and US-) centric debate is unlikely to benefit the southern Mediterranean directly. But through new forms of media, and in the virtual space for communication and exchange created by the internet, more socially-conscious entrepreneurs on both sides of the Mediterranean could well seize the opportunity to challenge the policy prescriptions and development models to which the EU currently subscribes. In the European experience, it is often forgotten for example, that the growth of democracy was intimately linked to the emergence of an autonomous private sector, usually represented through the growing civic activism of Europe's middle classes. The key word here is 'autonomous': where actors are able to generate their own sources of income, separate from the state, they are also able to deploy these resources towards re-defining their relationship to the state. The slogan "*No taxation without representation*" arose as a core grievance of the British colonists in the thirteen colonies of what became the United States of America. It also applied to a long history of civil demands on the English monarchy and state, culminating in the Bill of Rights of 1689 forbidding the imposition of taxes on Englishmen without the prior consent of parliament.

The growth of civic space, in other words, requires a minimum of economic independence from the state in order to achieve political and legal rights. Given the growing demands on southern Mediterranean governments to reform politically and create employment, the era of state-led growth strategies may well be reaching its logical conclusion, if not the crisis point identified by Ayman Al-Amir. Governments, even in the major oil exporting countries of the MENA region, cannot provide jobs for all nor respond to rising socio-economic demands at the speed they are being presented with them. It is certainly clear, including to many in southern Mediterranean governments and ministries, that something has to change — but the real challenge is how to engineer the scale of internal reforms and transitions needed without jeopardising the stability of the whole.

There is no obvious alternative to persuading vested interests to act against the status quo unless they are increasingly challenged to do so by actors empowered to change the prevailing system. This is why it is worth reflecting further on what new entrepreneurs can offer as civic actors, and how they



might be encouraged and assisted to create more socially responsible and autonomous private sectors in the MENA region. For many socially-active NGOs, private business is often seen as a profit-seeking anathema or as key bulwark of unrepresentative states. Yet in the context of wider global economic change, rent-seeking capitalism in the Euro-Mediterranean context may also have reached a hiatus, in that it cannot remain immune indefinitely to the pressures building up in individual economies and across the MENA region as a whole. No one has escaped the effects of the structural inter-linkages of the global economy, and the pressures to reform, or be swept away by forces beyond the control of individual states and economies, are likely to build over the coming decade. If new forms of private sector development could be conceived of — along the lines of the cooperative movement in Europe, for example, where profits are shared proportionally across the workforce, rather than monopolised by shareholders and senior managers — then longer-term solutions to the crises on both sides of the Mediterranean could be contemplated and planned for now.

The fall-out from the banking crises in North America and the EU has not yet reached anything like the point of contemplating a wholesale revision of existing capitalist models. The US and Europe also have their vested interests which continue to block this. There is no reason, however, why pilot projects in the south could not be developed and grown into economic alternatives better equipped to address local needs, and to influence the way future small and medium enterprises develop. There are some small signs that a shift in this direction is taking place: in the creation of financial vehicles for deploying worker's overseas remittances towards creating business opportunities and productive capacity in Morocco, for example. For this approach to succeed beyond its currently limited scale, however, requires the EU to focus more on creating the necessary enabling environment (political as well as legal) for bottom-up development to take root, and to rely less on the capacity of central state or local authorities to deliver effective change alone. At present, small scale developments supported by the EU do not immediately threaten state authorities: rather, they alleviate the burden on governments to provide work and social security. However, over time, the same effect may be felt as in Europe, namely that a critical mass of autonomous entrepreneurs emerges to organise and demand that the price for their contribution to fiscal and taxation systems be their genuine representation in the institutions of state.

This progressive vision is of course both utopian and only conceivable over the longer-term, even without taking existing and continuing barriers to its realization into account. However, if the prospect outlined by Ayman Al-Amir even approximates what may emerge from the continuation of the status quo, then the alternatives are extremely unpalatable. The challenge to both Europe and the southern Mediterranean is to reconceptualise the private sector, differently organised and genuinely autonomous, as a civil society actor of some importance in bringing about real and long-term change, both within and across the Mediterranean.

With some justice, the private sector is often perceived to be part of the overall problem, above all when business interests act to protect the centralisation of state resources from which they directly benefit themselves. With intelligent funding and targeted joint projects, however, there may well be new private sector partners on both sides of the Mediterranean who are ready to challenge the bias of existing economic models for the benefit much larger sectors of society.





Dr. Claire Spencer (left) giving an interview during the 28th Euro-Med Information & Training Seminar for Diplomats in Malta, April 2010.

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# About the author

## Dr. Claire Spencer



□ *Dr. Claire Spencer*

### **Dr Claire Spencer is Head of the Middle East and North Africa Programme at Chatham House**

**(the Royal Institute for International Affairs) in London,**

responsible for the oversight of all research, seminars and publications relating to the Middle East. She has written and commented widely on US and EU policy towards Iran, Israel-Palestine and the broader Middle East, in addition to her core research interest in North Africa.

Dr. Spencer has worked on North African and Mediterranean issues since the early 1980s, with particular emphasis on the Euro-Mediterranean Partnership, the Union for the Mediterranean and the security dimensions of US and EU relations with North Africa and the Middle East. She has written and lectured extensively on these subjects, most notably as Deputy Director of the Centre for Defence Studies, King's College London from 1995 to 2001. She subsequently worked as Head of Policy for the Middle East and Central Asia for the development agency Christian Aid, and as Senior Research Fellow at the International Institute for Strategic Studies in London. She holds a BSc. (1<sup>st</sup> Class Hons) in politics from the University of Bristol and a Ph.D in political science from the School of Oriental & African Studies, University of London.

Dr. Spencer is a Fellow of the Royal Society of Arts, London and serves on editorial boards for several academic publications relating to the Middle East and Mediterranean. She speaks fluent French and Spanish, and travels frequently to the Middle East, Gulf region, North Africa and Europe for policy discussions on her areas of interest.

Recent publications include:

'The Middle East: from external arbiter to regional player' in Robin Niblett (ed) America and a Changed World: A Question of Leadership, Chatham House, April 2010;

'It takes two to dialogue, so where's the Arab League?' in Europe's World, Brussels/online, Spring 2010

Guest Editor/Introduction to 'North Africa in Transition', Chatham House special issue of International Affairs, September 2009;

'North Africa: Hidden Risks to Stability', Chatham House/MENAP Briefing paper, April 2009;

'New Challenges for EU-Israel Relations after the Gaza War', Israel-European Policy Network paper, April 2009;

'North Africa: New Challenges, Old Regimes and Regional Security', International Peace Academy, Africa Working Paper Series, November 2008;

'Cause and Effect (US & Middle East Policy)' in The World Today, Chatham House, February 2009.

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