

O bom ator do comércio geopolítico? A justificação discursiva da União Europeia do Instrumento Anti-Coerção

The good geopolitical trade actor? The European Union's discursive justification of the Anti-Coercion Instrument

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Abstract—Tradicionalmente, a UE tem-se apresentado como um ator comercial normativo, em oposição a outras potências comerciais geopolíticas. Contudo, hoje em dia, é cada vez mais reconhecido que a UE está a sofrer uma viragem geopolítica que também se manifesta na sua política comercial. No entanto, permanece a confusão sobre o que implica uma "política comercial geopolítica da UE" e como a UE vende esta nova perspectiva na sua política comercial. Este artigo contribui para o debate em curso sobre este tema ao investigar como a Comissão Europeia justifica discursivamente a sua viragem geopolítica no comércio. Metodologicamente, analisamos o discurso comercial da UE com especial atenção para outras estratégias. Empiricamente, estudamos um caso mais provável de "geopolitização do comércio", nomeadamente a iniciativa da Comissão de lançar um Instrumento Anti-Coerção, através da análise dos documentos mais importantes da UE que cobrem o IAC até à data e as declarações da UE sobre o IAC nos meios de comunicação social relevantes. Verificamos que a Comissão distingue uma variante "defensiva" e "ofensiva" da geopolitização do comércio, em que a primeira é concebida como "boa" e perseguida pela UE, enquanto a segunda é vista como "má" e empregada por potências comerciais não comunitárias. Isto diverge dos discursos comerciais anteriores da UE desde os anos 2000, que retratavam a UE como transcendendo a geopolítica - uma potência normativa que persegue o comércio livre e o multilateralismo - e outras potências como essencialmente geopolíticas - autointeressadas, protecionistas, e regionalistas. A nova estratégia de alteração (othering) da UE legitima a viragem geopolítica da UE no comércio, afastando-se simultaneamente do seu discurso comercial 'ingenuamente' normativo, ao mesmo tempo que contrasta a política comercial da UE com o comércio geopolítico "ofensivo" dos "maus" intervenientes comerciais.

Palavras-Chave — Política comercial da UE; Geopolítica; Instrumento Anti-Coerção; China; Alterização (othering).

Abstract—Traditionally, the EU has presented itself as a normative trade actor, as opposed to other geopolitical trading powers. However, today, it is increasingly recognized that the EU is undergoing a geopolitical turn which also manifests itself in its trade policy. Yet, confusion remains regarding what a 'geopolitical EU trade policy' entails and how the EU sells this new perspective in its trade policy. This article contributes to the ongoing debate on this topic by investigating how the European Commission discursively justifies its geopolitical turn in trade. Methodologically, we analyze EU trade discourse with particular attention for othering strategies. Empirically, we study a most-likely case of 'geopoliticization of trade', namely the Commission's initiative to launch an Anti-Coercion Instrument, by analyzing the most important EU documents covering the ACI so far and EU statements on the ACI in relevant media. We find that the Commission distinguishes a 'defensive' and 'offensive' variant of geopoliticization of trade, whereby the former is conceived as 'good' and pursued by the EU, while the latter is seen as 'bad' and employed by non-EU trading powers. This diverges from previous EU trade discourses since the 2000s, which portrayed the EU as transcending geopolitics - a normative power pursuing free trade and multilateralism - and other powers as essentially geopolitical - self-interested, protectionist, and regionalist. The EU's new othering strategy legitimizes the EU's geopolitical turn in trade, by simultaneously turning away from its previous, 'naively' normative trade discourse, while also contrasting the EU's trade policy to the 'offensive' geopolitical trade from bad trade actors.

Keywords — EU trade policy; Geopolitics; Anti-Coercion Instrument; China; Othering.

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1 Introduction

THE European Union is increasingly positioning itself as a geopolitical actor in international politics. Since the adoption of the EU Global Strategy of 2016, most observers agree that the EU has reached a turning point, moving towards a geopolitical union (Biscop 2018; Nicosia 2019; Rabinovych, and Novakova 2019). The mission statement of the European Commission President Von der Leyen in 2019 to lead a 'geopolitical commission' seemed to affirm this alleged shift in the EU's external posture (European Parliament 2020). Additionally, the EU High Representative for Foreign Affairs and Security Policy has repeatedly stated that Europe "must learn quickly to speak the language of power, and not only rely on soft power as we used to" (Weiler 2020). The EU's geopolitical turn also seems to increasingly manifest itself in the EU's trade policy, one of the EU's strongest external policy tools considering its exclusive legal competence, significant market power, and historical track record.

This emerging observation is peculiar, as, despite pressure from foreign policy circles in the past, most authors did not see the immediate use of trade as a foreign policy tool attainable within the EU context (Bossuyt et al. 2020; De Ville and Silles-Brügge 2018, Biscop 2018). Indeed, ever since the EU obtained exclusive competence on trade policy in the Union's founding Treaty of Rome, EU trade policy has been seen as isolated from foreign and security policy concerns to pursue a technocratic and free trade-oriented trade policy course (Gebhard and Nordheim-Martinsen 2011; Pilegaard 2009). For a long time, the literature paid little attention to the possibility of geopolitical trade policy, reflecting the shielded nature of trade policy from geopolitical concerns. EU trade policymakers were

seen as 'trade purists', who aim to use trade to defend and promote European economic interests, mainly through liberalization (Young and Peterson 2014, p. 186). Trade could, therefore, not act as an instrument to react to complex foreign policy and security issues. Yet, 'foreign policy specialists' still advocated for the use of trade as an instrument of the broader foreign policy objectives (Keukeleire 2001; 2003; 2004; Peterson 2007). Nonetheless, Bossuyt et al. (2020) argued that despite pressure from foreign policy circles, geopolitics through trade had not yet been achieved due to different structural and institutional factors at play. In other words, trade and foreign policy until recently still operated in separate policy worlds due to their different institutional settings. Ideologically, the EU's trade policy was still seen to be driven by neoliberal motives and the pursuit of free trade through the multilateral level of the WTO and different bilateral free trade agreements. Recent free trade agreements with Vietnam, Japan, Canada, Korea, and others justified this claim (De Ville and Silles-Brügge 2018; Orbie and De Ville 2020). Biscop (2018) also underscored the idea that a geopolitical EU trade policy had not been achieved, noting that although the EU Global Strategy of 2016 said a lot about trade compared to the European Security Strategy of 2003, a real commitment to integrating trade policy within the EU's broader foreign policy was still lacking.

Nevertheless, thinking on this matter has significantly changed in recent times and has particularly shifted in the context of increasingly tense US-China relations, the covid-19 pandemic and Russia's war in Ukraine. Indeed, in the shadow of increasingly tense US-China relations, an increasingly vivid debate emerged on whether the EU's trade policy is also becoming more geopolitical and subordinated to foreign policy objectives (e.g. Beattie 2019; De Ville 2019; Felbermayr 2018; Meunier and Nicolaidis 2019). Meunier and Nicolaidis (2019) stated that trade policies are becoming essential geopolitical tools, coining the idea of the 'geopoliticization of EU trade policy'. Some observers even spoke about a 'Trumpian turn in EU trade policies' (Felbermayr 2018) and an 'economic battlefield and trade warfare' (Meunier and Nicolaidis 2019). The covid-19 pandemic further

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accelerated policymakers' awareness of the dangers that come with interdependence and the need for more strategic autonomy. This consequently drove scholars to increasingly acknowledge the geopolitical turn EU trade policy has made since the pandemic (Jacobs, Gheyle, De Ville and Orbie 2022; Schmitz and Seidl 2022). Furthermore, Russia's invasion of Ukraine and the EU's swift reaction with unprecedented economic sanctions have led various authors to note the emergence of an 'EU Geoeconomic Power' (Postnikov and Adriaensen 2022; Biscop, Gehrke and Siman 2022; Helwig and Wigell 2022) or a 'geo-economic revolution' (Hackenbroich 2022). The EU's recent actions have thus suddenly sparked the previously unthinkable idea that 'Brussels is getting ready to dump its free trade ideals' or that 'the last big defender of rules-based open trade the European Union is about to fall' (Moens and von der Burchard 2022). Indeed, even though EU trade policy has for a long time been seen as isolated from foreign policy considerations, the trade-security nexus debate has increasingly accepted the idea of a geopolitical EU trade policy.

This shift seems particularly remarkable when contrasted with how the EU previously positioned itself toward the outside world. Throughout the past decades, various authors emphasized the sui generis nature of the European Union's position in international affairs. These debates led to various perspectives on the EU's role in the world. Different concepts, such as Civilian Power Europe (Duchêne 1972); Normative Power Europe (Manners 2002); Europe as a 'post-modern' state (Cooper 2003) and Market Power Europe (Damro 2012) were developed to describe the EU's identity and, at the same time, to compare the EU to other actors in international politics. Particularly the idea of 'Normative Power Europe' (NPE) has continued to inspire scholarship (e.g. Wagnsson and Hellman 2018; Newman and Stefan 2019; Ahrens 2018), although a lively debate on its limitations and blind spots also emerged (Diez 2004, 2005; Diez and Manners 2007). Furthermore, normative discourses have been used extensively by officials from various EU institutions, including in the context of the EU's international trade policy. Many academic studies (e.g. Storey 2006; Manners 2009; Poletti and Sicurelli 2018) and much policy work

engage with this more normative dimension of EU trade policy. Even in the year before the launch of the EU Global Strategy of 2016, the EU's Trade for All trade and investment strategy still noted that "the Commission must pursue a policy that benefits society as a whole and promotes European and universal standards and values alongside core economic interests, putting a greater emphasis on sustainable development, human rights, tax evasion, consumer protection, and responsible and fair trade" (European Commission 2015: 18). Furthermore, the recent EU Trade Policy Review (European Commission 2021a) stressed 'values' such as 'sustainability' and 'fairness' as key components of the EU's pursuit of open strategic autonomy (p.4) and aims to 'work with partners to ensure adherence to universal values, notably the promotion and protection of human rights' (p.6). Nonetheless, in light of the EU's broader geopolitical turn in trade described above, also the new trade strategy was commonly interpreted as a move towards a more strategic, interest-based approach. The EU Trade Policy Review indeed emphasized that trade policy should "support the EU's geopolitical interests" (pp.8-9) and that the EU should be more "assertive" in enforcing its trade agenda (pp.19-20) (European Commission 2021a).

The remarkable and controversial nature of the EU's turn toward a more geopolitical view on trade, raises the question of how this pivot is justified and legitimized. Although the EU, over the past decades, has traditionally presented itself as a normative trade actor, opposing itself to other geopolitical trading powers, it has now increasingly come to position itself as a geopolitical trade actor in its own right. Given this remarkable development, it is fascinating from a strategic point of view to ask how the EU justifies this geopolitical turn discursively. This justification affects the internal and external legitimacy (and hence effectiveness) of the EU's policies, which is particularly important in the current turbulent times in which the old policy equilibrium is being destabilized. Concretely, this paper revolves around the research question: **How does the European Commission discursively justify its geopolitical turn in trade?**

Answering this question requires the adoption

of a discursive perspective. Legitimation is after all a discursive process, which revolves around particular forms of language use, rhetoric, claims-making, and argumentation (Jiwani and Richardson 2011). As highlighted above, there is a notable shift in how the EU represents itself. Given how notable and remarkable this shift is, we can expect that it will be supported and given credence through auxiliary representations that effectively serve to legitimize the shift. Our goal in this article is to map, analyze and understand these auxiliary representations that strategically legitimize the shift in the EU's trade discourse. We will in particular be heeding the EU's use of so-called othering strategies as a way to discursively legitimize its actions. By answering the question of how the EU discursively legitimizes its geopolitical turn in trade policy, we can arrive at a better understanding of how the EU uses discourse to strategically justify a controversial policy turn which presumably goes against previously dominant ideas of free trade and multilateralism, while also improving our understanding of how the EU strategically positions its new trade rationale vis-à-vis other actors in international trade. From a policy perspective, this question allows us to assess possible contradictions and flaws within the EU's official trade discourse that, on a strategic level, could prove counterproductive in the long run. Below, we first provide some context to our case study on the Anti-Coercion Instrument (ACI) that, as we argue, can be seen as the primary example of the geopoliticization of EU trade policy. Subsequently, we introduce the theoretical background and the methodology used in our analysis. We then put forward an empirical examination of how the EU's contemporary trade discourse contrasts with its previous rhetoric and practices, focusing on the rich case of the Anti-Coercion Instrument (ACI). This empirical analysis is based on a 132-page dataset that comprises six documents, as well as several official EU statements from relevant media outlets. We conclude with a discussion and a critical reflection on our findings.

2 The Anti-Coercion Instrument in context

The European Commission's official rhetoric around the launch of its Anti-Coercion Instrument provides a particularly useful dataset to get a more precise understanding of the shift in the EU's discourse. Indeed, the European Commission's proposal was recently referred to as the EU flexing its "geopolitical muscle with a new trade weapon" (Moens and Hanke Vela 2021) and "potentially the EU's most powerful gun" among the new defensive trade instruments (Allenbach-Ammann 2022). Given the controversy around the new instrument and its link with the EU's more assertive approach, it provides a most-likely case of the EU applying geopolitical trade. However, despite the Anti-Coercion Instrument being referred to as potentially the EU's most powerful new trade defence tool, the European Commission has not solely focused its attention on tackling economic coercion. Although this article focuses on this most-likely case of "geopoliticization of trade", it is important to mention that in the context of an increasing acceptance of geopolitical EU trade policy, various other new instruments have also been created by the EU in the past years. Without going into detail, we will briefly mention these new instruments that reinforce the EU's traditional trade defence toolbox, before looking in-depth into the Anti-Coercion Instrument.

The European Union's trade defence toolbox has for decades only existed of three core tools: anti-dumping (AD), anti-subsidy (AS) and safeguard (SG) measures. These instruments aim at protecting European businesses against unfair or overwhelming import competition and need to maintain broad support for the EU's aim of trade liberalization (Hoekman and Kostecki 2001, p. 303; De Ville 2022). However, as the nature of trade in international politics changed, the EU's vision for its trade policy also diverted from a pure focus on "liberalization" to a more pragmatic vision of "open strategic autonomy". While this new beacon for the EU's trade policy still holds on to the idea of liberalization and multilateralism, it also recognizes the need for more focus on the EU's geo-economic interests, which demands unilateral action when needed. In re-

sponse, the EU has been introducing the following new unilateral instruments: a Foreign Subsidies Regulation (FSR); an updated Trade Enforcement Regulation (TER); a Foreign Investment Screening Mechanism (FISM); an International Procurement Instrument (IPI), a Carbon Border Adjustment Mechanism (CBAM) and 6) an Anti-Coercion Instrument (ACI). These various new instruments give the European Commission the ability to unilaterally restrict access to the European market based on certain policy decisions by third-country governments. Although we refer to other recent research to explain the motives behind this unprecedented unilateral turn in EU trade (e.g. De Ville 2022), it's worth underscoring that the geopoliticization of EU trade is taking place with various new policy tools that tackle different aspects of the increasingly geoeconomic rationale behind trade. Having mentioned the plethora of new trade defence instruments, this article focuses on what some pundits refer to as the "EU's most powerful gun" within this new arsenal: the Anti-Coercion Instrument (Allenbach-Ammann 2022).

The European Commission in December 2021 put forward a proposal for a Regulation to protect the Union and its Member States from economic coercion by third countries. The instrument comes after several EU Member States increasingly became a target of deliberate economic intimidation from third countries. The Commission defines economic coercion as "a situation where a third country is seeking to pressure the Union or a Member State into making a particular policy choice by applying, or threatening to apply, measures affecting trade or investment against the Union or a Member State" (European Commission 2021b). Consequently, the proposal addresses a legislative gap by creating a legal framework under the Union's Common Commercial Policy, allowing the Union to counteract coercion when necessary, by initiating a multi-step procedure which can lead the Union to impose countermeasures as a last resort. The stated aim of the instrument is primarily to avoid the necessity of countermeasures by encouraging engagement with the coercing country through negotiations, mediation, or adjudication (European Commission 2021b). The Anti-Coercion Instrument thus strengthens the

EU's existing trade defence instruments, allowing for a stronger position on the global stage.

Concretely, the instrument would need to prevent previous situations in which the EU proved powerless against, for example, Beijing's trade embargo on Lithuania, after the country had pulled out of China's 17+1 diplomatic format and deepened its diplomatic ties with Taiwan (Lau and Moens 2021). However, the Commission proposal still needs to be agreed on by the European Parliament and the Council of the European Union under the Ordinary Legislative Procedure. At the time of writing (December 2022), the dialogue between the Council and the European Parliament has started, yet discussions promise to remain difficult. On the one hand, some member states believe the instrument's scope and the Commission's discretion is going too far and therefore demand more say over the use of the new instrument. On the other hand, MEPs would like to see the scope broadened even further, giving the Commission a strong mandate for its implementation (Allenbach-Ammann 2022; Moens 2022; Moens and Hanke Vela 2021). Furthermore, legal questions remain on the compatibility of the ACI with international law (Deepak 2022), including WTO rules (Baetens and Bronckers 2022). Although the proposal will likely provoke more inter-institutional discussions between the Council, the European Parliament and the Commission, it is without a doubt that once adopted this new instrument to tackle economic blackmailing will give the EU more leverage to back up its geopolitical ambitions. While the instrument is not finalized or agreed upon at the time of writing, it is intriguing to analyze the EU's justification of the ACI to improve our understanding of what the geopoliticization of trade entails and how the EU adjusts to this new phenomenon.

3 Theory

Recently, we increasingly witness that the EU's discourse and pundits' analyses have shifted from a long-time recognition of a 'Normative Power Europe' to a 'geopolitical power Europe'. Although discussion may exist on whether "geopo-

litical power Europe" fully excludes 'Normative Power Europe' (Orbie 2021), a shift has been observed where the latter has become subordinate to the former. This remarkable shift becomes even more surprising when taking into account Diez' (2004, 2005) critical assessment of Manners' (2003) 'Normative Power Europe' concept, which has been central to the debates and understandings of Normative Power Europe over the past two decades. Indeed, by building on discourse theory, Diez (2004, 2005) noted that the 'Normative Power Europe' discourse in essence entails a strategy of discursive othering. By adopting this othering strategy, the EU generates a difference between the Self and the Other through which an international European identity is constructed and certain policy actions are legitimized. Building on this, and acknowledged by Manners himself (2005), Diez (2004, 2005) criticized the fact that the EU's othering strategy had increasingly shifted from a self-reflexive temporal othering since the start of European integration toward geopolitical othering since the Maastricht Treaty and the end of the Cold War. While temporal othering saw the Other as the EU's own dark past, legitimizing EU decision-making towards more European integration, Diez notes that since the 1990's the EU has increasingly legitimized its own unique standing and decisions by morally referring to a "geopolitical other". This practice of othering, which constructed an international identity for the EU through the logic of difference between the superior Self and the geopolitical Other was further emphasized by discursively presenting the Other as an existential threat; inferior; a violator of universal principles; or different (Diez 2005). Manners (2005) acknowledged Diez's assessment, but also noted that practices of othering are unavoidable in human social existence. Consequently, Manners made the case for more self-reflexive and positive othering strategies. Both authors agreed on the need to pay more attention to the power behind the EU's normative power representations. They specifically argued for more humble discursive power representations that construct non-hierarchical relationships by adopting 'temporal othering' and even "abject othering". With temporal othering, the EU would recognize its own past as the Other to position the cur-

rent Self and legitimize present policy decisions. With abject othering, the EU would present the Other as being part of the Self, recognizing the similarities the Other and the Self actually share (Diez and Manners 2007). Nonetheless, despite their efforts toward these more positive othering strategies, the EU for almost two decades maintained its discursive approach of positioning the EU normative Self in opposition to the geopolitical Other.

Applied to EU trade policy, Diez' observation concretely entailed that since the 2000s, the EU's trade discourses had consistently portrayed the EU Self as transcending geopolitics - a 'normative' power - pursuing free trade and multilateralism, while other major powers were viewed as essentially geopolitical self-interested, protectionist and regionalist. However, when taking into account the new reality of a geopolitical turn in EU external relations, which according to many authors is also materializing itself in EU trade, the long-time predominant idea of a 'normative' EU versus a 'geopolitical' Other becomes increasingly fluid. Indeed, the growing acceptance of the geopoliticization of EU trade policy, both in academic and policy circles, raises questions when mirrored against the background of EU trade discourses since the 2000s (Diez 2004, 2005). Now that the EU profiles itself as a geopolitical actor in trade, apparently aligning itself with the formerly despised other, the question raises what this means for the discursive representation vis-à-vis the (former) self and others. In the empirical part of the paper, we will analyze this by pragmatically using the distinction between temporal and geopolitical othering.

4 Methodology and data

We study the rather sudden turn in EU trade policy from a normative and geopolitics-averse to a more proactively geopolitical stance by looking at the prevalence of othering strategies in the rhetoric of EU actors. It is important to note that this perspective has rarely been applied to the study of EU trade policy. Material and economic issues (like trade) have long been reified

in political science as hard subject matters that require positivist or quantitative analysis and thus lie beyond the scope of the linguistic, discursive, or post-positivist approaches. By studying the presence of othering strategies in the EUs discourse on international trade, we hope to contribute to the growing ideational literature on EU trade policy (cf. Jacobs and Orbie 2020).

As a discursive mechanism, ‘othering’ has its antecedents in poststructuralist theory. It is seen as a fundamental force that plays a central role in constructing the divides and fault lines that constitute the political landscape and the public debate (Laclau and Mouffe 2014). To theorize the discursive mechanism of ‘othering’, poststructuralist discourse analysts take recourse to the philosophy of Hegel, who first posited the idea that one’s self-defined identity can be constructed through and predicated on an imagined and constitutive Other. Othering is then deployed by the dominant social group as a way to legitimize its hegemony. In this case, othering involves the identification of some mythical Other, to whom various traits and characteristics are ascribed. These traits are the reverse mirror image of the way the dominant group perceives itself. This way, othering delineates who does and does not belong to the dominant group, while also reaffirming the alleged superiority of the dominant group (Jensen 2011).

Practically, discursive analyses of othering collect and analyse data about the presence of references, predications, arguments, perspectives, metaphors, topoi, and labels that betray the identification and differentiation of a superior in-group and an inferior out-group (Jiwani and Richardson 2011). These rhetorical devices can result in a variety of othering mechanisms, including temporal othering (the Other is backwards or belongs to the past); geographical othering (the Other is elsewhere or far away); abject othering (the Other is part of the in-group but is repressed and excluded from it) or liminal othering (the Other is close to the in-group but can never join it). In the context of this article, we analyze the presence of these rhetorical devices in the EU’s official discourse on the Anti-Coercion Instrument, so as to detect and identify how othering mechanisms are at work in this discourse. In doing so, we contribute to

a rich tradition in EU foreign policy analysis that uses othering as an analytic perspective to make sense of how the EU perceives both itself and the surrounding world (Hornat 2019; Derous 2018; Pace 2005; Tekin 2010). Othering analyses have played a particularly important role in the academic debate surrounding the EU’s status as a Normative Power. Tomas Diez (2004, 2005; Manners, and Diez 2007) for instance argued that the two dominant othering mechanisms through which the EU constitutes itself are its own violent, war-torn past (a form of temporal othering) and the combination of different identities, cultures, political systems and geographies by which it is surrounded (which Diez often referred to as ‘geopolitical’ othering). According to Diez, the first othering mechanism declined in favour of the second. Yet, as mentioned, our analysis will assess how this plays out in the present context, by looking at which othering mechanisms are predominant in the EUs official discourse on the Anti-Coercion Instrument.

In terms of data collection, we will study a corpus of six documents (132 pages, available upon request). This corpus comprises two press releases from the European Commission; a Communication from the Commission to the Council and the European Parliament; a Joint declaration by the Commission, the Council, and the European Parliament; the Commission’s proposal for a regulation to create the Anti-Coercion Instrument; and the Commission’s Impact Assessment Report linked to the proposal. We have compiled this corpus to cover what we believe to be a representative and comprehensive sample of documents - documents for internal as well as external use, for political as well as policy-making purposes, and of a fundamental as well as a technical nature are all present in this mix. Additionally, we integrated several EU official statements on the ACI in relevant media outlets into our analysis. In our analysis, we have coded how EU actors justify the introduction of the ACI, particularly in reference to the EU’s previous trade policy stance (temporal othering) and the trade policies of third countries (geographical othering).

5 The Anti-Coercion Instrument: A two-fold othering strategy

Below, we give a detailed analysis of how the EU uses othering mechanisms through its official discourse on the Anti-Coercion Instrument. Building on previous findings by Diez (2004, 2005; Manners and Diez 2007), we observe a two-fold othering strategy within the EU's discourse. On the one hand, the EU adopts a 'temporal othering', opposing the assertive (current) Self to the naïve former Self, who is cast as the Other. On the other hand, it adopts a "geopolitical othering", opposing the good geopolitical Self to the bad geopolitical Other. Consequently, we will structure our analysis based on this two-fold othering strategy within the EU's discourse.

Temporal othering: Assertive current EU versus Naïve former EU

The EU discourse in several documents contrasts the EU's current more assertive trade rationale the Self - versus the previously more naïve free-trade and normative trade stance the Other. Indeed, in a Press Release from the Commission, current Trade Commissioner Dombrovskis underscored the need to strengthen the "EU's resilience" and noted that: "As part of our new EU trade policy approach, we have committed to being more assertive in defending our interests" (European Commission 2021c). The reference to being 'more assertive in defending interests' recognizes that the EU's previous trade policy course was not assertive enough. This narrative underlining the need for a more assertive focus was echoed in the impact assessment report on the Commission's proposal for the ACI regulation, which noted that the possible countermeasures under the instrument, "as a last resort, allow the EU to be assertive where needed and the response to be appropriately calibrated." (European Commission 2021d). Within the discourse of the EU, we also clearly observe that the ACI is framed within a broader signal to other actors that the EU is moving away from its previously "naïve" trade policy. The resolution to be "no longer naïve" has become one of the most used speaking points in EU trade policy in recent years. The ACI is presented as a "signal to international partners

that the Union is not willing to accept economic coercion. It highlights the assertiveness and the resilience of the Union, and supports the efforts to ensure open strategic autonomy" (European Commission 2021b).

Additionally, when looking at EU official comments in media outlets, this credo is regularly echoed. Indeed, when commenting on the proposal for an Anti-Coercion Instrument, an EU trade diplomat noted that "the EU should not be naïve in its trade and foreign policy" (Moens and Hanke Vela 2021). When discussing the EU's new trade approach, including the ACI, the Director-General of DG Trade Sabine Weyand further argued that the EU also needs "autonomous instruments that protect us from those who take advantage of our openness" and stated "I believe that we must accept this duality, whereby we continue to defend a multilateral order based on rules, but also accept that it is essential to do so from a stronger position, equipping ourselves with all necessary instruments" (Weyand 2022). Former EU Trade Commissioner Hogan additionally stated that the EU's belief in openness "does not mean that we are woolly-headed idealists" (European Commission 2020). In these statements, Commission representatives make clear that their trade rationale has significantly evolved, whereby they are moving towards a less naïve and more assertive stance in trade, equipping themselves with the necessary new tools to achieve this.

However, when taking a reflexive perspective, this recurring 'temporal othering' between a currently assertive EU trade Self versus a previously naïve EU trade Self can be critically interrogated. Specifically, we could question if the EU really refrained completely from the use of assertive (or geopolitical) use of trade instruments in the past. The contrast between the 'assertive' current Self and the 'naïve' former Self might be less distinct than the Commission likes to portray today. Scholars have already pointed to the fact that when it comes to developing countries, with which the EU has an asymmetrical relationship, the EU previously already used trade in a geopolitical way with a pure focus on attaining foreign policy objectives (e.g. Young and Peterson 2014, p. 184). Building on this, various previous EU trade policies such as the European Partnership

Agreements, certain Free Trade Agreements (e.g. with Korea or Vietnam), TTIP as an economic NATO, GSP+ conditionalities and so forth could provide interesting case studies to contest the assumption that we are now suddenly witnessing an awakening of a geopolitical EU trade policy, and may rather confirm that the EU has always adopted geopolitical trade policies, but maybe in a less overt way. In line with Diez and Manners (2007), this temporal othering could be seen as a relatively innocent and harmless strategy to justify the EU's introduction of new, geopolitically-motivated trade instruments. But as we discuss in the next section, temporal othering is not the only othering mechanism that is used to justify the EU's trade policy turn.

Geopolitical othering: the good geopolitical EU versus the bad geopolitical other

The second discursive othering strategy we observed is a distinction between what we call a 'negative' 'offensive' geopoliticization of trade policy of the Other versus a 'good' 'defensive' geopoliticization of trade policy of the Self. In the Commission's Press Release on 8 December 2021, Executive Vice-President and Commissioner for Trade Dombrovskis noted the following: "At a time of rising geopolitical tensions, trade is increasingly being weaponised and the EU and its Member States becoming targets of economic intimidation. We need the proper tools to respond. With this proposal we are sending a clear message that the EU will stand firm in defending its interests. The main aim of the anti-coercion tool is to act as a deterrent" (European Commission 2021e, emphasis added).

Within this statement, as well as in all the other EU official documents we can see that the EU's discourse regularly refers to a so-called "weaponization of trade" and "economic intimidation", which the EU and its member states are a victim of and which create "geopolitical challenges". As opposed to this "weaponization of trade", the EU positions itself on the defensive side focusing on "deterrence" and the need to "defend its interests". Indeed, by creating this distinction between the EU as the victim and the Other as the aggressor, there is othering taking place in which the EU is only focusing on geopolitically using trade in

a defensive and deterrent way instead of using the Other's offensive 'weaponization' of trade. In another Press Release in which the Commission answers questions concerning the ACI, this message is again echoed by the Commission when it refers to "deterrence being the primary function" of the ACI and noting that trade countermeasures against economic coercion are only "a last resort" (European Commission 2021f). By highlighting that the use of EU trade policy as a response to economic coercion is only "a last resort" for the EU, it again underscores its more defensive vision on using trade as a geopolitical tool. Additionally, we find several other references in which the EU presents itself as reactive to geopolitical first moves of others, like "the need to navigate rising global tensions with trade being increasingly weaponized in a geo-economic context" (European Commission 2021b). The EU's more defensive reading of its own geopoliticization of trade was also particularly apparent in its rhetoric where it framed the ACI as a way "to preserve the Union and Member States autonomy in policy-making and shield trade and investment from weaponization." (European Commission 2021b).

Furthermore, the Commission not only presents the ACI as a response to aggressive geopolitics by others, but also emphasizes that it will use the sanctions that are made possible by the instrument only when all other options are exhausted. The instrument is framed as an "instrument explicitly prioritizing a non-interventionist approach" with "countermeasures only as a last resort" (European Commission 2021b). By regularly referring to the EU's "non-interventionist approach", the EU creates an image of the Other which does use trade as a way to influence the legitimate policy options of third countries. The EU's more defensive approach of 'geopoliticization of trade' is also apparent in its rhetoric stressing the need to react to third countries that use trade as a weapon by first opting for means such as diplomacy and negotiation. Concretely, the ACI proposal mentions "to encourage third countries to stop the economic coercion through non-interventionist measures (such as diplomacy), and predominantly regard the use of countermeasures as a last resort whose collateral damage must be weighed before action" (European Com-

mission 2021b; European Commission 2021g). We can thus clearly observe that the EU is positioning itself as the 'good' geopolitical trade actor prioritizing non-interventionism and less confrontational measures such as diplomacy, while the other 'bad actor' is clearly linked to a more interventionist approach that immediately weaponizes trade policy to impose its objectives.

In line with our critical reflection on the EU's temporal othering and the question to what extent the EU has refrained from using geopolitical instruments in trade in the past, we could question the Union's framing about the "interventionist" trade policies of others. The Commission seems aware of this potential contradiction, and tries to preempt it by differentiating between "unduly" and appropriate interference in third countries' policies: "[t]he proposed instrument is a response to the rising problem of economic coercion and aims to protect the Union's and Member States' interests and sovereign choices. It will empower the Commission to apply trade, investment or other restrictions towards any non-EU country unduly interfering in the policy choices of the EU or its Member States" (European Commission 2021f; European Commission 2021c). This differentiation is regularly repeated in other statements: "[t]he objective of influencing partner countries is not illegitimate in itself, and, certainly, there are legitimate means by which to see to do so. However, the (mis)use of trade or investment restrictions with the objective of attaining a specific outcome lying within the legitimate policymaking space of the EU or Member State goes beyond and should be differentiated from the ordinary use of soft powers to influence partner countries" (European Commission 2021g). With this statement from the impact assessment to the proposal for an ACI regulation, the Commission clearly voices the distinction between what it sees as the legitimate use of trade to influence the other versus the illegitimate "(mis)use of trade". By doing this, the EU again separates itself from other actors' 'illegitimate' geopoliticized trade policies. In another statement a similar message was repeated: "[t]hose countries may try to obtain a certain policy direction by restricting trade or investment or threatening to do so to the detriment of EU businesses including those operating

in these third countries. Such practices unduly interfere with the legitimate policymaking space of the EU and its Member States and undermine the EU's open strategic autonomy" (European Commission 2021c). By repeatedly referring to "those countries" and "unduly interference" which undermined the EU's "open strategic autonomy", the EU again not only opposes the Self versus the Other, which threatens the EU with a more offensive 'geopoliticization of trade', but also creates a justification for its own more "defensive" form of geopolitical trade.

Lastly, to legitimize its 'good' geopolitical turn in trade, the EU also regularly refers to international law in its othering discourse. In the Commission proposal for a regulation for an Anti-Coercion instrument, the text defines coercion as "an action prohibited by international law when a country deploys measures such as trade or investment restrictions in order to obtain from another country an action or inaction which that country is not internationally obliged to perform and which falls within its sovereignty" (European Commission 2021b). By doing this, the EU positions itself against the illegal behaviour of the Other, again making the case for a 'justified' and 'legal' reaction with its own trade measures. This message is often reflected in EU statements in media outlets. When answering questions regarding the Anti-Coercion Instrument, Director-General of DG Trade Sabine Weyand promoted the Commission proposal by noting that "[w]hat is important in this respect is to clearly understand that we are developing an instrument to protect our interests in case a third-party country withdraws from international law. However, any European response to such a violation will always be in keeping with international law." (Weyand 2022). With this discourse on the ACI, the EU clearly distinguishes third countries that are 'withdrawing from international law' through their harmful trade measures from the EU itself that will "always be in keeping with international law". This distinction between the EU's good legal behaviour and the Others' illegal actions was again put forward more elaborately by Weyand in another statement discussing the EU's response against economic coercion: "As we are an actor based on law, our response has always been structured

around the legal opportunities that would allow us to assert our interests and values in international forums, particularly the WTO. However, it is clear that we now live in a world in which we do not have the means to firmly respond if another country withdraws from international law and exerts pressure to prevent us from defining our policies" (Weyand 2022). These references to international law and the legality within which the EU behaves, versus the illegality of the other's actions, again underscore the distinction the EU makes between its 'good' and 'defensive' versus others 'bad' and 'offensive' geopoliticization of trade.

Like the temporal othering, also the geopolitical othering strategy of the Commission to justify the ACI can be nuanced and criticized. For example, the fact that the EU refers to international law to legitimize its own 'defensive' geopolitical trade could already be contested from a WTO law perspective and is certainly not agreed upon with consensus by legal experts (Baetens and Bronckers 2022; Kommerskollegium 2022). Furthermore, as mentioned above, the Commission's claims about the lack of interventionist approaches within the EU's trade policy could easily be nuanced when taking into account criticisms of the EU's own interventionist trade policies such as its TSD chapters, GSP+ schemes or other new proposals like the carbon border adjustment mechanism. Lastly, the fact that the EU positions its new geopolitical trade tool on the defensive side might be understood as an attempt to legitimize its geopolitical turn in trade internally and externally, but this doesn't mean that third actors also perceive the ACI as a 'defensive' instrument and consequently react in the desired way. Indeed, the ACI and the EU's discourse could (and probably will) be interpreted offensively by third countries and may therefore lead to possible escalation or more trade disputes. China's "Global Times", for example, has referred to the ACI as a "bullet launcher on the grounds of vaguely defined coercive practices by non-EU economies" (Global Times 2022). Furthermore, US analysts have also criticized the ACI, questioning whether Europe is on the defense or the offense? (Busch 2022).

When considering Diez' (2004, 2005; Manners and Diez 2007) earlier critiques of the EU's geopolitical othering practices since the 2000s, con-

trasting normative EU trade policy versus other geopolitical trade actors, our analysis has revealed a remarkable evolution. While the EU uses the more self-reflexive temporal othering, referring to its previously naïve stance, to justify its assertive turn in trade, it still adopts a hierarchical form of geopolitical othering, but now contrasts its own 'good' geopolitical trade policy with others' 'bad' geopolitical trade policies. Considering Diez and Manners' earlier critiques of the EU's geopolitical othering practices of the early 2000s, the EU's trade policy othering strategy 2.0 still has room for progress when it comes to using less hierarchical discursive strategies. Although the way in which the EU uses geopolitical othering has changed, Diez' (2004, 2005; Manners and Diez 2007) critiques of the EU's othering practices still have value in the present context.

6 Conclusion

This article observed a double othering strategy in the EU's justification of the Anti-Coercion Instrument. On the one hand, the Union contrasts its current assertive turn in trade against its previous 'naïve' normative and free trade-oriented policy. On the other hand, we observed a juxtaposition between a 'bad' 'offensive' geopoliticization of trade policy versus a 'good' 'defensive' geopoliticization of trade. The rhetoric within the various official documents and media statements which were analyzed suggests that the EU makes this distinction by adopting a strategy of othering in which it situates its own geopolitical trade policy on the good defensive side, while linking the bad offensive geopoliticization of trade to other actors such as China, Russia or the US. The EU's new geopolitical trade policy is hence framed as a 'provoked' turn in response to the offensive geopoliticization of trade policy of other international actors. Therefore, this othering strategy allows the EU to justify its geopolitical turn in trade as a necessary exit from its previous naïve trade stance in previous decades, while, at the same time, distancing itself from offensive geopolitical trade by other international actors. In doing so, the EU maintains its 'unique standing' in trade while also adapting to a new geopolitical context.

The continued, yet updated, version of its othering discourse allows the EU to adapt itself to an increasingly growing context of geoeconomic competition in trade, without losing face and creating policy incoherence with its more normative trade objectives.

When assessing these findings in the context of earlier calls for more positive and self-reflexive 'othering strategies' (Diez 2004, 2005; Manners and Diez 2007), this 2.0 version of the EU's discursive othering in trade remains an easy target for critique. First, the EU's presentation of its former self as doing 'naïve' trade policy effectively obfuscates the longstanding geopolitical and colonial dimensions of its trade relations with neighbouring and so-called developing countries (cf. Orbie 2021). From a critical perspective, it would be hard to maintain that EU trade policy has ever been a naïve undertaking that failed to take political, economic, historical and ideological agendas into account (e.g. Heron and Siles-Brügge 2012; Langan and Price 2021). While temporal othering originally referred to a recognition of the dark pasts of European history, which inevitably entails a self-reflexive and less worrying type of othering, the current temporal othering strategy seems to paint an uncritical and unreflexive picture of the former self in a way that legitimizes the current geopolitical shift.

Second, it is difficult to indisputably claim that the EU is not engaging in offensive geopoliticization of trade. Long-time trade policy measures such as GSP+, more assertive and enforceable sustainability chapters in trade agreements, specific trade conditionalities within the EU's neighbourhood and enlargement policies, and newer trade policy initiatives such as the EU-US Trade and Technology Council could prove some examples in case. Although the EU may thus rightfully position itself on the defensive side of the new geopolitical trade spectrum, it would be more honest, and in line with the EU's self-proclaimed geopolitical ambitions, to also recognize its involvement in 'offensive' geopoliticization of trade. Furthermore, notwithstanding the fact that the EU might believe that it is taking a more 'defensive' or 'good' geopolitical turn in trade compared to more 'offensive' or 'bad' actors, this self-perception might not be shared by third actors,

who might perceive the EU's new Anti-Coercion Instrument as offensive (cf. Global Times 2022; Busch 2022). There is, thus, still room for a more positive and less hierarchical strategy such as abject othering, whereby the EU acknowledges the Other is not necessarily that different from the Self. Such a position would not only be more reflexive but also help to avoid possible escalations or trade wars in the future.

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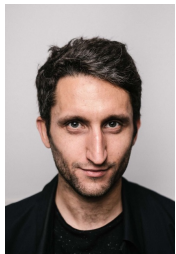
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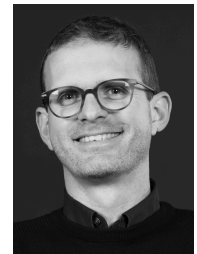
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