

**PERFORMING NORMATIVE POWER: ANALYSING  
SPEECH ACTS IN THE EUROPEAN PARLIAMENT DE-  
BATE ON THE MURDER OF JAMAL KHASHOGGI**

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<b>Tiivistelmä – Abstract</b> <p>Tässä maisterintutkielmassa tarkastelin, millaisia arvoja painotettiin Euroopan unionin (EU) reaktiossa sauditoimitaja ja toisinajattelijaa Jamal Khashoggin murhaan. Tavoitteenani oli analysoida Euroopan parlamentin (EP) täysis-tunnon keskustelua murhaan liittyen ja selvittää, mitä arvoja keskustelussa nostettiin esiin, ja millaisia ongelmia niihin sekä EU:n normatiivisuuteen liittyi. Lisäksi tutkin, voidaanko väittää, että EU:n reaktio murhatapaukseen oli vahva, normatiivinen ja yhtenäinen.</p> <p>Tein tutkimukseni normatiivisen vallan Euroopan teorian viitekehyksessä. Ian Mannersin ensimmäisenä esittelemä teoria pitää EU:ta ensisijaisesti normatiivisena valtatoimijana, joka pyrkii luomaan ja toteuttamaan normeja kansain-välisessä politiikassa. Oletettavasti nämä normit ja arvot ohjaavat sen (ulko)politiikkaa. Analyysimenetelmänä käytin John Austinin puheaktiteoriaa, jonka mukaan performatiivisten puheaktien lausuminen on itse asiassa toiminnan suorittamista. Analysoin parlamentin keskustelussa käytettyjä erilaisia puheakteja ja niiden normatiivista vaikutusta: millaisia arvoja ja normeja ne korostivat, ja edistivätkö ne yhtenäistä normatiivista reaktiota murhaan. Käsittääkseni tämä on ensimmäinen kerta, kun EU:n reaktiota tähän nimenomaiseen murhatapaukseen tutkitaan puheaktiteorian avulla.</p> <p>Tärkeimmät analyysissä esiin nousseet teemat olivat asevientikielto ja ‘eurooppalaiset arvot’. Yleisesti murha tuo-mittiin yksimielisesti, ja siitä syytettiin enimmäkseen Saudi-Arabiaa, huolimatta joistakin sisäisistä ristiriidoista ja näiden eurooppalaisten arvojen erilaisesta ymmärtämisestä. Useimmat puhujat vaativat EU:ta asettamaan aseventi-kiellon ja/tai muutoin rajoittamaan suhteitaan Saudi-Arabiaan, ja siten vaativat EU:lta normatiivisia toimia. Vaikka unionin laajuista asevientikieltoa ei lopulta asetettu, Austinin teorian mukaisesti sellaisen vaatiminen on jo teko si-nänsä – mikä kieltämättä tarkoittaa reaktion olleen normatiivinen ja suhteellisen yhtenäinen.</p>	
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## **Abstract**

In this master's thesis I examined what kind of values were emphasised in the European Union's (EU) response on the murder of Saudi journalist and dissident Jamal Khashoggi. My aim was to analyse the European Parliament (EP) debate on the murder, and to find out the emerging values, as well as the issues raised in the debate regarding normativity and these values. Additionally, I examined if it can be understood that the EU had a strong normative and coherent response to the murder case.

I conducted my research in the framework of normative power Europe theory. First introduced by Ian Manners, this theory considers the EU as primarily a normative power actor, thus striving to create and implement norms in world politics. Supposedly it is these norms and values that direct its (external) policies. As my method I used speech act theory by John Austin, where uttering performative speech acts is actually performing the action, not only describing or reporting it. I analysed the different speech acts used in the EP debate, and their normative effect: what kind of values and norms they emphasised, and did they contribute to a coordinated normative response to the murder. It is my understanding that this is the first time that the EU's response to this specific murder case is studied through speech act theory.

The most important themes to emerge in the analysis were a call for an embargo and 'European values'. Generally, the consensus was clearly to condemn the murder and the blame was mostly laid on Saudi Arabia, despite some internal contradictions and differing understanding of these European values. Most speakers were calling for the EU to enforce an arms embargo and/or otherwise limit its ties with Saudi Arabia, thus calling for it to take normative action. Even if a Union-wide embargo ultimately did not happen, in the vein of Austin's theory, calling for one is an action in itself – thus resulting in an arguably normative and relatively coherent response.

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# 1 INTRODUCTION

Prominent Saudi journalist Jamal Khashoggi entered the Saudi Arabian consulate in Istanbul on 2 October 2018 and was never again seen alive. Khashoggi was a well-known journalist with prior ties to the Saudi government and the royal family, who later opted for self-imposed exile and started to openly criticise the policies of the country's leadership. Despite mounting evidence indicating his murder inside the consulate, Saudi officials vehemently denied any involvement or knowledge of Khashoggi's disappearance. The official stance was soon slightly changed, as Saudi Arabia put several individuals on trial, although it still continued to maintain the claim of the Crown Prince's inculpability in the matter. (BBC 2021)

The reactions of the 'Western world' following the murder case were of shock and condemnation of Saudi Arabia's leadership. This unprecedented murder shed light on the country's other previous and ongoing human rights violations, prompting criticism towards the United States and the European Union (EU) for continuing their ties - specifically economic - with the regime. Specifically, the arms trade between the EU and Saudi Arabia was put into question. The EU arms trade to the Middle East region is a prevailing, sensitive issue, highlighted by the discrepancy between the EU's official stance on arms exports and many Member States' inconsistent compliance, and the intensification of the Yemen civil war (2014-) where the Saudi coalition notably uses European weapons. The EU Member States have committed to adhering to agreements aiming to regulate arms exports and thus enforcing regional security and stability, both on regional and international level. The most relevant ones of these in the context of this thesis are the EU Code of Conduct on Arms Exports (1998) and the Common Position on arms exports (2008). The former is a legally non-binding political commitment, which among other objectives, aims to restrict exports of weapons to foreign governments of third countries in which there is a 'clear risk' of using them for internal repressions (The Council of the European Union 1998). The latter is the only legally binding regional instrument on ordinary arms exports (European Parliament 2018). On the international level, the most important instrument is the 2013 Arms Trade Treaty (ATT), also legally binding. All of these

instruments include the requirement for states to uphold and guarantee compliance with international humanitarian law. However, assessment of actual compliance and consequently, the potential disciplining are proving to be terribly hard to execute.

Despite these agreements and the Yemen war controversies, the EU arms trade thrives. For example, before the murder, in 2016 the value of licences for arms exports from Member States totalled €191.4 billion (Council 2018, European Parliament 2018). Part of this trade remains non-transparent and thus might violate the Code of Conduct and the other agreements, and there still does not seem to be enough control and enforcement, and furthermore, no real sanction mechanisms in place. Because of its rather fragmented institutional structure, the EU does not possess adequate means to control or limit the arms trade much more efficiently than presently. Much of the power of the arms trade agreements is placed on the conscience of the Member States themselves, and indeed, the actual control of arms trade is a national competence. Consequently, the criticism displayed towards the exports to the Saudi coalition often have not significantly impacted the Member States' conduct. However, Jamal Khashoggi's murder prompted multiple Member States to introduce or tighten restrictions of their arms exports to Saudi Arabia, demonstrating one of the most significant responses regarding the arms export control ever since the criticism had begun.

Despite the discrepancies between the arms control agreements and the conduct of the Member States, the EU is often understood as a normative power actor and even referred to as 'normative power Europe'. As such, it purportedly uses mainly normative power on the global stage: the EU strives to establish and then enforce norms and change the normality of global politics. While the theorising of the different types of power and their relation to the EU continues in the academia, it is evident that the EU wants to promote itself as a 'force for good' with its core values as its guidelines - human dignity, freedom, democracy, equality, rule of law, and human rights (Europa Component Library 2024). The EU's success in adhering to this normative power approach is widely discussed among scholars and will be further explored in the theoretical framework chapter, but generally, in addition to the arms trade control issues, there are also other challenges pertaining to normative power Europe.

The unusually strong reaction to the murder of Jamal Khashoggi among the already controversial circumstances of EU arms trade provides an interesting setting for a closer look to EU's claims of normative power and moreover, the upholding of norms inside the EU. When looking at the reactions to this specific case, it seems that the normativity in question of the arms trade is that international war remains in some sense legitimate, while killings of dissidents is clearly not acceptable or justified and requires a stronger response. My analysis is based on the theoretical framework of normative power (specifically the notion of normative power Europe), and the

methodology of the analysis is the speech act theory first introduced by John Langshaw Austin. The essence of this theory is that uttering performative speech acts is to actually perform an action, not only describe or report it. For the research material I have chosen a European Parliament (EP) debate with a specific section on “The killing of journalist Jamal Khashoggi in the Saudi consulate in Istanbul”, as these debates are publicly available and provide an encompassing view into one of the fundamental functions of the EP. The EU naturally comprises of other institutions as well, but as the EP is often considered more vocal and determined in its position than the other institutions, it can provide a more interesting analysis in the context of norms and values.

To understand the normativity of the EU through speech acts I have formulated the following research questions: What kind of values were emphasised in the debate? Likewise, what kind of issues regarding normativity or these values were raised in the debate? And finally, altogether, can it be understood that the EU had a strong normative and coherent response to the murder case? In the analysis, the most important themes to emerge were a call for an embargo, and ‘European values’. Generally, it was emphasised that the murder went against these values, yet the values presented by some speakers were somewhat differing. Typically, the values refer to the core values stated by the EU itself, but some speakers had wider interpretations of what should be included in these values. This poses an interesting question – how can the European values be defended, if there is no clear consensus on what they are? In addition to this issue, the normativity of the EU was put in question in other ways as well: the EU was accused of hypocrisy and its integrity was questioned. Despite these issues, it was concluded that based on this material, the EU did have a strong normative and relatively coherent response to the case. The consensus was clearly to condemn the murder and the blame was mostly laid on Saudi Arabia, despite the additional internal criticism. Most speakers were calling for the EU to put an arms embargo in place and/or to otherwise limit its ties with Saudi Arabia, thus calling for action. Even if a Union-wide embargo ultimately did not happen, in the vein of Austin’s theory calling for one is an action in itself – thus resulting in an arguably normative response.

As mentioned above, normative power Europe continues to be analysed, even if its golden age happened in the early 21st century. Some more recent research has been done regarding normative power Europe and discrepancies between values and actual practices, also in the context of the Middle East, especially in the form of case studies. Some of these will be presented in the next chapter. However, there is not extensive research regarding normative power Europe and arms trade issues specifically, specifically in relation to the unique murder case of Jamal Khashoggi, despite them being controversial topics. In addition to the lack of specific research into this topic, my personal interest into this horrific murder case prompted me to choose



this as the context of my thesis research. I followed the unfolding reportage closely, shocked to see such a heinous crime take place, and no less than inside a consulate, while the victim was carrying out the mundane task of paperwork. As described in the EP debate that I analysed for the thesis, the case seems like something out of a fictitious spy thriller, rather than real life. Additionally, during my studies I had completed a minor subject in European studies, solidifying my interest in the EU and especially in its external policies. I was also employed in one of the institutions for a few years, and as an employee I shared the organisation's values. For me it was interesting to delve deeper into these values and norms, which are thought of as such fundamental elements of the whole EU. I wanted to analyse the EU's response to the murder case that had so upset me, and which so clearly went against the EU values. Furthermore, in delving into the case, I wanted to examine the validity for the claim of normative power Europe more closely.

The structure of the thesis is the following: in chapter 2 I will present normative power theory with particular focus on the concept of normative power Europe. Additionally, I will introduce some reconsideration and criticism of the concept, followed by interesting previous research that focuses on the same topics, and generally considers the inconsistencies between values and actions. The focal point of chapter 3 is the methodology of the thesis, with the presentation of Austin's speech act theory and an introduction to the theory's application in world politics. In chapter 4 I will conduct the analysis of the EP debate using the speech act theory and examine the perpetuation of the EU norms. Chapter 5 closes the thesis with conclusions from the analysis and some further thoughts on the subject.

## **2 THE CONCEPT OF NORMATIVE POWER EUROPE AS A THEORETICAL FRAMEWORK**

The questions of the European Union as a power actor and the types of power it wields have been discussed and debated among scholars for decades, without one clear specific answer. There are a number of theories putting the emphasis on specific characteristics of the EU, such as Market Power Europe or Military Power Europe, and yet it is oftentimes understood that the power of the EU is more of a combination of power mechanisms, rather than purely presenting or acting through just “one form of power”. As Tuominen (2013, 202) points out, the popularity of these power theories seems to fluctuate according to the changes in the internal European integration process but also in the external global environment.

This thesis focuses on the “normative power” theory, specifically in the context of the EU and thus the “normative power Europe” (NPE), a popular theory and term first coined by Ian Manners in the beginning of the 21st century. While Manners accepts the simultaneous presence of other power types, as a normative power Europe the EU is seen mainly as using normative power. By using this type of power, the EU strives to create and implement norms in its international policies, as well as to change the normality of global politics. This chapter is divided into four main parts, first introducing the terms of civilian and normative power, as well as the concept of normative power Europe. A brief introduction to criticism on the concept follows, and finally in the last subchapter some relevant and interesting previous research is presented.

### **2.1 Civilian and Normative power**

Some authors consider the notion of civilian power to be a predecessor for the concept of normative power, but there remains an open discussion of the way these two concepts relate to each other. Consequently, there are different ways to interpret and

analyse the difference and relationship between civilian and normative power. François Duchêne was the first person to explicitly describe Europe as a power that primarily relies on civilian, rather than military power, and thus coined the term civilian power in relation to the European Community in the 1970s. He considered the values in Europe to be largely “amilitary”, perhaps as a result of multiple happenings taking place at that time, such as the inability of European nations to find a common approach towards military power. (Diez 2005; Diez & Manners 2007, 177-178; Tuominen 2013, 202-203)

Duchêne’s sentiment at the time was considered quite progressive and very unusual, and Duchêne himself concluded that as the exceptional external circumstances of Western Europe allowed the formation of the EU, this specific organisation could not be considered as a model for others. However, he understood that the experiences of this novel formation could be used in shaping the international environment. Despite Duchêne’s pioneering thoughts, the concept of civilian power Europe was not unquestionably accepted: this idea lost some of its allure during the Second Cold War and was even famously declared a “contradiction in terms” by realist theorist Hedley Bull. Later the debates turned again more favourably towards the softer, normative power role of the EU, eventually resulting in the creation of the concept of normative power Europe. (ibid.)

Manners (2002, 236-237) leans on the studies of Twitchett and Maull to identify the three key features defining civilian power as

1. the centrality of economic power to achieve national goals (multilateralism)
2. the primacy of diplomatic co-operation to solve international problems (non-military)
3. the willingness to use legally binding supranational institutions to achieve international progress (international law).

These three key features are all based on civilian forms of influence, making the military strategy aspect hard to accommodate in the notion. This partly explains the contradiction between the concepts. Historically, when theorising civilian power, the importance has been staunchly placed on non-military or economic resources. The aforementioned Hanns Maull, among other scholars, has also described civilian power as a state whose foreign policy is guided by values and principles, “in the name of civilisation of international relations” (ibid.). Civilian power thus defines a specific type of actor, relationship or means. If this interpretation is accepted, rather than understanding civilian power as a completely separate concept, it can be understood as a type of normative power. Thomas Diez (2005, 635) agrees that these two concepts are embedded rather than distinct, perhaps partly overlapping. Diez and Manners (2007, 178) suggest that the discussion of the EU’s international identity can help in finding the actual distinctions between these two relatively similar notions. These authors also consider the EU to have moved from civilian power to normative power

in the post-Cold War era. In fact, the contradiction between civilian power and military strategy aspect was partly the reason for the need for a new concept to describe the developing structure and significance of the EU. This led Ian Manners to search for a new concept describing the EU, going beyond the previous, more state-centric perspective, and refocusing on the power of norms. (Diez & Manners 2007, 175, 179; Tuominen 2013, 203)

Normative power itself is not a new concept, but it has gained significant momentum from being linked to Europe's primary way of using power. According to Manners (2011), there are three meanings of normative power. The first is normative theory, so "how we judge and justify truth claims in social science" (ibid., 228). Secondly, the meaning of "normative power is as a form of power that is ideational rather than material or physical" (230). This means that the emphasis is not on material incentives or physical force, but instead on the use of normative justification. The third meaning refers to "a characterization of a type of actor and its international identity" (231). The international actors strive towards an ideal type normative actor, which in turn aims at normalizing a more just and more cosmopolitan world by using normative justification. In fact, when theorising the EU in the framework of normative power, it is usually not considered to mean an (ideal), distinct normative actor, but rather it refers to the character of the EU as an international actor. Manners' (2007, 175) perception focuses especially on the ideological power and the understanding of EU's international identity. He does not want to take importance from the notions of military and civilian power, but rather give more attention to the EU's ability or power to "shape conceptions of normal in international relations" (ibid.) – thus creating and (more or less) successfully distributing and imposing these norms and values that the EU itself has deemed relevant to adhere to.

In the normative power approach, the problem of including the real, and perhaps more realist aspect of military strategy has been endeavoured by introducing the 'justification for use of military power when appropriate' (e.g. humanitarian intervention). Diez and Manners (2007, 180) emphasise that "normative power is not the opposite of military power". Thus, indeed military force can be used in the spreading of normative values without it going against the concept of normative power (unlike it would be in the case of civilian power), making it all the more evident that the EU is not the first normative actor or power in history. However, there is an important condition: normative power has the ability and perhaps danger of becoming indistinguishable from traditional forms of power, such as military power, by leaning on them too much. In this case the actor does not rely on the power of norms anymore, but perhaps just on the sheer force of its other resources, subsequently changing its dominant way of using power. (ibid.)

## 2.2 Normative Power Europe

The concept of normative power Europe (NPE) was first introduced by Ian Manners in 2002 and it refers to the power of creating norms in international relations. The power of norms was brought into the centre of EU studies, and the importance of codes, values, principles and norms was recognized. The focus is on the EU's international identity and its penchant for emphasizing principles of democracy, rule of law and human rights. (Whitman 2011, 1-3.) Thomas Diez and Ian Manners describe the EU as a "novel kind of power, not only in its own institutional set-up but also in its external relations" (2007, 173). They continue: "It is said to rely on civilian rather than military means and to pursue the spread of particular norms rather than self-interested geographical expansion or military superiority" (ibid). The EU's structure seems to be generally accepted as novel, but the questions of in what way can the EU be considered a normative power, and why, remain. By answering these questions successfully, the EU can be presented as a normative power, and thus have the legitimacy to construct its own identity and spread its norms based on that.

Manners (2002, 240), lists three important aspects as the basis for EU's unique and allegedly novel claim for normative power: its history, hybrid polity and distinctive political-legal constitution. The actual original purpose of the EU was to build a peaceful, war-detering cooperation between previously nationalistic countries, and to strengthen peace and liberty between them. The Union was allegedly built on the values and norms that it promotes. Indeed, the core values have been stated in the various treaties that have shaped the EU into its current form - the principles of democracy, human rights, rule of law and social justice were first explicitly stated in the 1973 Copenhagen declaration on European identity. It is thus not difficult to find the argument for the EU being constructed on a normative basis and to (supposedly) consequently act in a normative way in world politics. In fact, most EU politicians themselves in all levels and institutions participate in and uphold the normative discourse. Some authors argue that this normative basis explicitly predisposes the EU to act in a normative way, but more critical voices disagree it being automatically so. (ibid.; Diez 2005, 620; Diez & Manners 2007, 176)

Tuominen (2013, 205-207) points out, that just as civilian power and its fluctuating success was a product of its time, so is normative power Europe. She lists some of the most important historical conditions for the emergence of this theory in the shape that it did. The EU only started the serious consideration of its principles and its role in the international stage during the post-Cold War period. At the time, international ethics had also largely been institutionalized within the UN, and issues such as human rights and democracy promotion were brought up onto the agenda of foreign policy both inside the EU and in the world. The strengthening of democracy continued through enlargement, and this form of European integration is widely

considered as an excellent example of normative power in practice. Other conditions that Tuominen mentions are the transatlantic relationship's effects on the EU's global power, and the EU internal factors and their effect on EU's global actorness, such as the EU's evident internal willingness to develop its capabilities to help it cope with then-ongoing different crises. (Tuominen 2013)

Despite the novelty of the EU's structure and the contemporary and popular consideration of normative power in a European context, as already mentioned, the EU is not the first or only normative actor or normative power. Diez (2005, 635) mentions especially the United States as an example of another major normative power actor. To quote Sjursen (2006, 236), "The lack of military instruments is often mentioned as important to the EU's 'normative' power", but this is obviously not the case with the United States, which relies strongly on its military capabilities. Nevertheless, Sjursen agrees with Diez – she also recognises the tradition of the US foreign policy of explicitly or implicitly being tied to some important normative concepts, such as human rights or democracy. Many wars that the US has waged or conflicts it has participated in in the world have often been justified by uprooting terrorism or 'spreading democracy', or other moralistic and idealistic tones. Despite these observations, some theorists have developed and continue to develop the concept of normative power in contrast to the US, against the perhaps more generally accepted idea that the US is a normative power as well. In addition, some researchers seem to distinctly characterise the core element of the EU in its international role to be the lack of military coercion. They seem to suggest that the EU only presents itself as a normative power because it still lacks the military resources to do otherwise. Since the EU is continuously developing its military capabilities through more united, Union-wide foreign and defence policy, will it then eventually turn away from the normative power and towards using military coercion? Some realist authors say so, but some argue that despite potentially acquiring stronger military capabilities the EU would still use them more in line with its 'typical' use of civilian or normative power, rather than completely turn to military power. (Sjursen 2006, 240; Diez & Manners 2007, 180)

In addition to the EU itself allegedly adhering to these norms at its core, its relations with the world and even its Member States are heavily shaped by them. This is one of the distinct normative differences between the EU and other polities. The question then becomes, how do these norms shape the internal and external relations, and how does the EU impose them on others? According to Manners (2002), this is done through norm diffusion, and he divides this concept into six different factors. *Contagion* refers to diffusion of ideas. Strategic communications (e.g. new policy initiatives) are *informational* diffusion. *Procedural* diffusion is used to describe an institutionalised relationship between the EU and a third party (e.g. membership in an international organisation, enlargement, or some co-operation agreements).

Exchange of goods, trade, aid, technical assistance, through substantive or financial means is termed *transference*. Overt diffusion refers to the physical presence of the EU, in both third states and international organisations. The clearest form of diffusion according to Manners (*ibid.*, 244) is *cultural filter*, as it is based on the interaction of knowledge and the creation of social and political identity in the third country. Many of these forms of diffusion are intertwined or at least connected to multilateralism. In fact, Sjursen (2006, 245) even considers multilateralism as the identifying factor of being a normative power, at least in the case of the EU. The EU itself gives a lot of significance to multilateralism and to the participation in many international organisations and the international society as a whole. (Manners 2002, 241, 244-245; Tuominen 2013, 204)

When discussing the use of normative power, there is another interesting aspect to consider: the benefit, or sometimes even the lack of any distinct or obvious benefits for the normative power actor itself. In the case of normative power Europe, at times there might seem to be an absence of obvious material gain and yet it strives to spread its norms. No form of power is without purpose, but sometimes the gain does not materialise immediately, or does not seem explicit, especially in the case of normative power. A typical and descriptive example of this is the EU's fight to abolish the death penalty worldwide and its promotion of human rights in general. Despite any obvious material gain to the Union or its Member States, the EU even offers a large budget for its Member States to promote human rights. Perhaps the potential later gain is the increased ease of cooperation of like-minded international partners following the same principles or norms, thus paving the way for, for example, more economic benefits. (Diez & Manners 2007, 176)

### **2.3 Reconsidering Normative Power Europe**

Not only are there varying interpretations of the type of power the EU uses or the type of power actor it is, but in addition, there are disagreements even among the scholars accepting the EU as a normative power actor regarding the qualities and use of this power. While some scholars tend to present the concept in a solely, or at least mostly, positive and unproblematic light, others have been able to point out some issues regarding the theory and especially the positive understanding as a default. Diez and Manners (2007, 167-177) state that "the concept of normative power contains an 'ontological', 'positivist' and 'normative' element", which obviously is one of the reasons it has been so enthusiastically implemented to the study of European foreign policy. As the EU itself has announced, its fundamental values impacting the norms that it creates are human dignity, freedom, democracy, equality, rule of law, and human rights (Europa Component Library 2024). These are all noble values in

principle, but it is an entirely different question on how, or by what means they are promoted in the world.

Notably, Helene Sjørnsen's article "The EU as a 'normative' power: how can this be?" (2006) discusses critically the perception of the EU as a normative and/or civilian power. While she admits that normative dimensions may indeed exist, she questions the legitimacy of claiming that the EU is a 'force for good'. The EU itself seems to prefer to liken itself to a normative power attempting to spread its righteous values around the world and strengthen the international legal system by doing so. Sjørnsen challenges this and the assumption that these 'soft' instruments associated with this type of power would always be gentle or benign. In fact, just like military power, they can cause indiscriminate, serious and harmful effects that are oftentimes not taken into account due to ignorance or even disregard or indifference. Ultimately, no power wants to have negative impacts on itself through its actions, but the same consideration does not always extend to its partners. (*ibid.*, 236, 239)

Even Diez and Manners (2007, 183), who generally accept normative power Europe in a positive light, warn that there is a danger in lacking self-reflexivity in the construction of the EU's identity and the narrative of normative power Europe in general. These authors use the US as a warning example of this major weakness – the lack of self-reflexivity can potentially lead into issues such as securitisation. These authors still seem to suggest that the EU continues to possess a reasonable amount of self-reflexivity, and thus they do not seem to share the same concerns as some of the more critical voices. Sjørnsen (2006, 248) points out: "one might expect that a 'normative' power would develop standards, mechanisms and policy instruments that might ensure that its own policies are consistent with such principles". Indeed, it seems fair to expect the EU to respect these common legal principles the same way – if not even more fervently – that it requires from others. Knud Erik Jørgensen and Katie Laatikainen have pointed out that "the EU's self-image is characterised by a curious blindness to own interests. Instead, the Union tends to present itself as a force for goodness in international society" (Jørgensen and Laatikainen 2004, 15 in Sjørnsen 2006, 239–240). Their argument seems contrary to Diez and Manners' argument of the EU still possessing (at least some) self-reflexivity. Jørgensen and Laatikainen are suggesting that the EU aspires to spread and implement its values in the world by simply presenting them as good, universal, and thus desirable, not acknowledging that this normative power it uses could actually be driven by more selfish interests (*ibid.*).

As mentioned above, according to Sjørnsen's (2006) study the whole premise of the normative power Europe discussion and even the concept itself seems to present normative power as a good thing in and of itself. At times these good, universal values have to be supported with military force, which does not take away from the normative power, but is legitimised by the premise of normative power being a good



thing in general. "The concepts of 'normative', 'ethical' or 'civilizing' power are too indiscriminate", Sjørusen (ibid., 241) states. She announces the need to be able to determine a legitimate pursuit of norms. If this is not done, there is a very possible danger of normative power Europe simply being, or at least becoming "an expression of Eurocentric imperialism" (ibid.). This is a very interesting point to make and one that seems to be relatively sidelined in the general normative power Europe discussion. Some authors seem to accept the premise of the EU's normative power being a force for good by default, yet considering the continent's and some of the Union's Member States' long history with colonialism it seems reasonable to take a harder look at the EU 'spreading its values'.

Similarly, Münevver Cebeci (2012, 576–577) argues that the EU acts as a normative power on selective basis. Despite this, the EU is still often considered as primarily a normative power 'under any circumstance' – as long as the EU has the aspiration to promote its norms and values, it does not seem to have to comply with them itself. This leads Cebeci to the concept and meta-narrative of the 'Ideal Power Europe', as the EU as an "ideal power even if it does not act in ideal ways" (ibid.). This narrative is built upon the normative power Europe concept, which claims that values are in the center of EU's foreign policy, and the notion that these values and thus the EU promoting them are an ideal model of power. She also raises another interesting question: if the EU is the only model of a peaceful integration, why has it not been able to resolve any major conflicts in the world? (Cebeci 2012, 572) Instead of successfully acting like an ideal model in specific conflict situations, it has rather fallen victim to its Member States' national, individual interests. The EU's regional cooperation is oftentimes based on rules that it sets itself, as a more powerful or perhaps otherwise more dominant party. According to the EU, these rules are based on best practices, which it itself represents. Cebeci (2012) argues that this approach is asymmetrical, as these models might not be in accordance to or compatible with the local characteristic – perhaps thus adding to the Eurocentric imperialism or colonial tradition argument surrounding normative power Europe.

Michelle Pace (2007) has studied the construction of EU normative power, an aspect she states has been largely ignored in the NPE research. The study of construction allows her to identify potential issues to EU's normative power claim. To more clearly present the elements of this construction of NPE, she uses the Middle East, and more specifically the Israel–Palestine conflict as an example. The construction elements themselves are based on what the EU actors consider as appropriate action, regarding the representation of EU's normative power in cases of conflicts. She divides these elements as: content of construction, process, constructing agents, environment allowing the construction, mechanisms, and goals/desired outcome. For the sake of clarity and length, only few of those will be further delved into here. Regarding the content element, multiple authors understand the

constructions of normative power Europe to be institutional articulations of the principles that the EU actors uphold (such as rule of law, good governance, democracy, human rights etc.), yet in case of conflict “the substance of this construction translates itself into an ethos of impartiality” (ibid., 1045). Impartiality is important, if not essential, to continue the EU’s relationship with both actors in Pace’s example, but as a ‘force for good’ that pushes its liberal values, can the EU truly be impartial? Depending on the approach, perhaps, but not with the liberal narrative that gives predetermined definition of the EU’s nature. If the EU promotes itself as a defender of, for example, human rights, it cannot maintain impartiality when these values are being violated.

In the case of process element, the normative power of EU is demonstrated by both tangible, or intangible rewards or punishments, such as political, symbolic, material and social rewards. By presenting the EU as an ‘exclusive organisation’ and granting the rewards accordingly, the EU has excessive leverage over the states in the process of accession (as also discussed above, see Cebeci 2012, Sjursen 2006). While the conflict parties in Pace’s example are not eligible for actual accession anyway, the normative power construction of the EU allows its actors to “regulate behaviour within conflict societies and among their members” (Pace 2007, 1046), and also allows the EU to serve as an ideal model for others to imitate. When discussing the mechanisms of construction, Pace focuses on dialogue with and between the conflict parties. The EU seeks bridge-building opportunities for and between the conflict parties through dialogue initiatives. To achieve the dialogues, the EU actors attempt to create the ‘right’ normative power environments for conflict parties to meet and negotiate. These dialogue initiatives are significant opportunities for the EU actors to represent the EU as a normative power, as the construction of the EU as a ‘force for good’ requires regular statements to be reinforced. In the context of the goals of the construction, Pace describes the EU developing a flattering image of itself to be modelled after by others as an institutional practice, or the ‘ideal power Europe’ described by Cebeci (2012). “Thus, the EU’s discursive practices act as compelling ideas that it seeks to export to conflict areas” (Pace 2007, 1054), such as adherence to human rights, democracy etc. These practices allow the constructions of the EU’s normative power within a larger discursive context: the EU staff become socialised into enacting NPE, and a discourse of European identity in the shape of EU norms is generated through policymaking in relation to conflict transformation.

However, all these aforementioned NPE constructions have limits. Pace divides these limits into three groups: power asymmetries, the gap between rhetoric and conflict situation on the ground, and EU structures. In her case example, this asymmetry was attempted to be treated through programmes mainly aimed at Palestinians, yet the EU continues to not intervene in the actual occupation or its violent manifestations. This becomes more evident when Pace delves into the second

group, the gap: the EU has not seriously challenged Israel's actions, out of fear for agitating its partner. Rather, the EU wants to again present itself as a 'force for good' and thus while abstaining from criticism towards Israel, it instead focuses on "accelerating Palestinian preparations for western-style 'statehood'" (Pace 2007, 1056). Finally, the limit of EU structures: with already a complex structure and organisation in itself, the EU operates on many different sectors and levels, making it fragmented. Ultimately, Pace comes to the conclusion that the constructions of normative power Europe do not work in the context of Middle East, a point of view similar to some other scholars (see e.g. Skare 2023).

In addition to these reconsiderations by other scholars, after 20 years of his original article, Manners (2023) himself has also given a refreshed look into the concept he created. Some of his renewed arguments are formulated based on the aforementioned criticism, and the NPE theory has been brought into the context of planetary politics in his new article. Manners states, that planetary politics "involves decolonising the anthropocentrism of capitalist culture in order to develop a language for the whole planet as if all and every life was, is and will be equally important" (2023, 4). This differs from the more traditional view of separate, often antagonistic global actors in international relations, which was the context for Manners' original conceptualisation. Planetary politics offers a holistic and symbiotic approach, as opposed to the Eurocentric view of the world and global politics. Eurocentricity is one of the criticisms directed towards Manners' original article, where he stated that the normative power theory had a positive and normative element to it. Manners' new post-imperial perspective leans on several postcolonial EU scholars, who evidently have helped in widening the scope from Eurocentricity to decolonisation and 'planetary'. (ibid.)

"In sum, adopting a simultaneous mode of awareness through an agonistic cosmopolitical theoretical approach to the arrival of normative power in planetary politics must decentre both anthropocentrism and Eurocentrism", Manners states (ibid., 7). The agonistic cosmopolitical approach refers to emphasising the cosmopolitical and translocal solidarity, and to thinking differently of the historically imposed hegemonies. These thoughts offer a bit of a different view from Manners' original thinking: while he seemed to consider the EU and normative power in general as a good thing almost by default before, this renewed approach proposes a deep reform of understanding the EU, as well as the other international actors and entities, as actors in the global stage. To achieve the holistic thinking required by planetary politics, Manners (ibid.) suggests communion theory (the subjective sharing of relationships) as a way of building social relationships independent of communities and even societies. This theory is based on the individuals' own belief of the extent that they share relationships with each other, and these relationships' consequences for planetary ecocentric politics. A loss will affect everyone negatively, whereas a win

will be a win for all, increasing the holistic thought approach instead of the one of adversarial competitor. This also requires the shift to the outside-in and bottom-up approach of normative power, to desilence non-western and marginalised experiences (including non-human perspectives) and thus finally move further away from Eurocentricity and anthropocentrism. (ibid., 10)

Traditionally power has usually been understood as *power over* something, especially in international relations. As a normative power actor, the EU has been understood to have the power to change normality and thus change the behaviour and policies of other actors. However, by leaning on Hannah Arendt and feminist theories, power can also be understood more in terms of *power to*, or “empower”. (Manners 2023, 11) This leads to Manners’ own renewed understanding of power, in the context of normative power and planetary politics: “concerted power must be power with others that empowers them, while the planetary good must be for the benefit of the planet and humanity” (ibid., 11). It is this *power to* through action in concert approach, that will define the more normative understanding of power in the future. Indeed, Manners avoids his previous mistake while quoting Arendt - this power perception is not good by default, but rather a way to create new realities. Here, decolonial science comes to play, as Manners explains: “this means the advocacy of human equality within and between societies, measured in terms of socio-economic and political justice” (ibid., 12). Furthermore, Manners suggest the fundamental need for double-decolonising the anthropocentrism of capitalist culture and Eurocentrism of international relations, for which ‘critical reflexivity’ is needed. This is clearly a tougher view on the self-reflexivity of the EU, that Manners already demanded over a decade ago (see above Diez & Manners 2007), but during that time deemed the EU to generally possess. For Manners, moving the concept of normative power into planetary politics is the way to re-imagine and ultimately create a future with the crucial “planetary symbiosis of ecological homeostasis and human equality” (2023, 16), and hence actually implement the values that are at the core of the EU.

## 2.4 Previous research

Both normative power in general and normative power Europe have been extensively studied, especially in the beginning of the 21st century. Recently the discussions have considerably slowed down. Yet, some new interpretations of normative power Europe based on the more recent, constant and often debated development of the EU’s common foreign and defence policy could deliver interesting contemporary perspectives into the concept. “The EU–Turkey deal in the 2015 ‘refugee crisis’: when intergovernmentalism cast a shadow on the EU’s normative power” (2021) by Seda Gürkan and Ramona Coman discusses why the EU chose to conclude the deal in

question when it so clearly contradicts EU values and norms. Their understanding is that the ideational and power struggles between supranational and intergovernmental institutions affected the deal, and continue causing problems for the EU's identity.

Anne Jenichen (2022) and Lauri Siitonen (2022) have separately studied the normative power aspects of creating and forming the EU's external human rights, development, migration and foreign policies. Jenichen highlights the politics in forming EU's external human rights policy and the role of norm entrepreneurs in this formation, explaining why the EU prioritises certain norms over others. Siitonen aims to bring together research on policy coherence for development (PCD) with normative theorizing and normative analysis. Charlotte Wagnsson and Maria Hellman (2018) question if the EU can continue to uphold the certain discursive standards of normative power while defending itself against Russian strategic communication. While they conclude that this has not been entirely the case, they still credit Diez and Manners' standards to be useful as guidelines for normative powers. A bit more specifically related to this thesis, Erik Skare's article "Staying safe by being good? The EU's normative decline as a security actor in the Middle East" (2023) presents the EU's decline as a normative power actor and subsequent turn into securitisation, with regard to the Middle East region. According to him, the EU is downplaying its values of democracy and good governance in order to not alienate its authoritarian key partners in the Middle East.

When further considering the specific subject of this thesis, the arms trade practiced by the EU member states has been studied previously to some extent. Many of the studies are case studies and have analysed the practices from the perspective of existing theories, usually the normative power theories. Jennifer Erickson's article "Market imperative meets normative power: Human rights and European arms transfer policy" (2011) aims at resolving how well the EU member states' arms trade mirrors the EU normative power rhetoric. The article also includes a case study of the China embargo debate. She argues that there exists a "questionable relationship between EU norms and arms transfer practices" and this may ultimately prevent the EU from creating a single European external identity.

Some other case studies focus on the EU Member States' arms trade during specific wars, like the Yemen war and Libyan war. Susanne Hansen and Nicholas Marsh (2015) focus on Libya, where multiple Member States exported arms despite the risk of them being used in the looming civil war. According to the authors, by not restraining from exporting the states violated the agreed principles and trumped the norms, resulting in the arms trade possibly being an exception to the normative power Europe theory. In a similar approach, Karkinen (2019) studied the case of Yemen war, arguing that arms exports to the Saudi coalition were against the Code of Conduct/Common Position and that the EU's control still lacks in being able to

prevent exports that are against the code. Likewise, Giovanna Maletta (2021) has explored the inconsistencies in EU member states' arms export control practices in the case of Yemen war.

Some studies have been conducted on the exact case of Khashoggi, but mostly in the framework of human rights and the protection of journalists. In their article "Khashoggi case and the issue of human rights protection of journalists" (2018), Migel Apriliyanto and Made Maharta Yasa "analyse the international human rights law's protection to the journalist's activities and . . . discuss the case of Khashoggi, specifically on the issue which authorities . . . have obligations to impose legal sanctions to the alleged perpetrators". The study has a strong normative aspect, as the methodology is based on normative legal research and the authors identify 'international human rights norms and principles', such as freedom of expression and press (media). In a similar manner, Marko Milanovic's article "The Murder of Jamal Khashoggi: Immunities, Inviolability and the Human Right to Life" (2020) discusses the case from a legal point of view and again from the standpoint of the human right to life. Milanovic also analyses norm conflicts regarding state obligations, such as the conflict between human rights law and the inviolability of diplomatic and consular premises and agents.

### 3 HOW TO DO THINGS WITH WORDS - SPEECH ACT THEORY AS THE METHOD OF ANALYSIS

#### 3.1 J.L. Austin's speech act theory - *How to do things with words*

J.L. Austin introduced his theory of speech acts in his notable 1962 book (first edition) *How to do things with words*. The essence of this theory is that language does not only describe or assert things, but in fact, with language it is possible to also do things. Austin calls these actions 'speech acts'. He also considers every communication to have three parts: locution, illocution and perlocution. Locution is the literal meaning of an utterance, illocution refers to the speaker's intent in saying the utterance, and finally, perlocution is the effect that the speaker intends the utterance to have on the listener. (Austin 1962) Austin also sets some prerequisites for this 'doing with words', which will be presented later in this chapter. He further meticulously divides the speech act into different types, defined by their intentions, limitations, relation to each other and most importantly, illocutionary force. These different types will be presented in the subchapter.

One of the cornerstones of Austin's speech act theory are 'performatives' or performative utterances. Austin emphasises that these utterances are not describing or reporting an action, but indeed saying them is to do the action. It is this essence of the performative giving it its name: performing an action. It does not matter if these utterances are true or false, as they do not need an argument. The most prominent examples that Austin offers for these performative utterances are the following:

- Saying "I do" in a marriage ceremony.
- Naming a ship.
- Bequeathing something in a will.
- Betting.

In these examples, as in other performatives, despite the utterance usually being the leading matter in the act, it alone is not enough to consider the act to have been actually performed. This requires appropriate circumstances and usually also some necessary consecutive actions, whether they are physical, mental or oral, as in further utterances. (ibid., 5–6, 8)

These circumstances vary regarding the performative. For example, marrying requires a suitable status and condition of the speaker. For example, for a 'Christian' marriage to go through, the speaker cannot already be married, and the person they are marrying cannot, at least in most countries, be a child or in other way unable to express their willingness to be married. Similarly, they cannot already be married either. To name a ship or to give a judgement in court, one must have the authority to do those actions. To consider an act of betting successful, the other person has to accept the bet with their own utterance. When discussing circumstances, it could be added that even though the performatives should be spoken somewhat seriously, they are oftentimes describing an occurrence on the speaker's inward performance, whether correctly or falsely. If one promises to give a gift, in theory they oblige themselves to go through with the action of giving it, whether they specifically want to do it or not. Promising to give a gift without the intention of giving it is an altogether different case and will be discussed further in the next paragraph. (ibid., 8–9)

Considering the trueness or falsity of the performatives further, Austin argues that the utterance becomes false when it is not spoken seriously, or the necessary circumstances are not met. An example of this is not keeping the promise that had previously been given or giving it in bad faith. The question of falseness is a difficult one, as once again the speech acts are not describing things but doing them. So even if the promise would be considered false since it was not followed through, the act of promising nevertheless happened. Thus, it is not so straightforward to claim the falseness of the promise – a promise, an utterance happened, and even if it was misleading or even wrong, it was not a misstatement or even a lie. It could be said that it might imply falsehood, but as Austin says, that again is a different matter. (ibid., 10–11)

Austin considers the duality of 'true and false' even further by discussing the difference between performances and statements. Despite the common, even natural notion that saying something is stating something, this is not always correct. According to him, "to be 'true' or 'false' is traditionally the characteristic mark of a statement" (ibid., 12), but most performatives, that might sometimes on the first take seem like statements, cannot be true or a false in any clear sense. This helps to set the two notions apart. Austin offers the example of marriage once more, as in saying the right words, one is doing the action, not reporting it. In the act of marrying, saying the words carries more importance in performing the act, than some possible internal, spiritual process of recognition does. Saying these certain words in a marriage ceremony commits the act, regardless of the speaker's possible bad faith in marrying. The act of saying



these words or the act itself cannot really be considered true or false, but despite the absence of this dualist aspect, the aforementioned appropriate circumstances nevertheless do carry a significant importance when considering performatives and their successfulness. (ibid., 11–13)

Certainly, Austin recognizes the possibility of things going or being wrong and addresses it in his theory. According to him, even when the circumstances are not appropriate, and therefore the act goes wrong, “the utterance is then, we may say, not indeed false but in general unhappy” (ibid., 14). These unhappy utterances are called infelicities. To understand the conditions for the so-called successfulness or unhappiness of the performative utterances, Austin first presents the conditions that must be satisfied to render the performatives and their functioning ‘happy’. The conditions and their groups are:

- An existing accepted conventional procedure having a certain conventional effect (A.1).
- The people and the circumstances must be appropriate for the procedure (A.2).
- The procedure has to be carried out correctly and completely by all participants (B.1, B.2).
- The participants must have the thoughts or feelings that the procedure requires, and they must intend to conduct and further actually conduct themselves as the procedure demands (Γ.1, Γ.2).

These six rules establish the classification of six possibilities of infelicity, and going against them will make the performative unhappy. Naturally, as there are multiple possibilities of infelicities, there are also various different ways in which the performative can be unhappy. In addition, the cases of infelicity are not mutually exclusive, as it is possible to make the utterance wrong in at least two ways at once. (ibid., 14–15, 23)

The biggest difference between the infelicity categories is between the A and B rules as opposed to the Γ rules. If the utterance is unhappy with regard to the A and B rules, which Austin calls misfires, it is not successfully performed at all, thus it is not achieved. To refer back to the aforementioned examples of performatives, if a person that is already married tries to marry by uttering “I do”, despite the other circumstances maybe being correct, the speaker’s status is not correct regarding the act and thus the act will be unsuccessful and void. Or, if a person tries to name a ship, the act will not be achieved if the said person has not been given the position to name the ship. The ship will not be called by the name that a person has given them without the authority to do so, thus the act of naming it was not successful. In infelicities falling under the Γ rules, which Austin calls abuses, the act will be achieved but it might be called abuse of procedure or just insincere. As mentioned before, a promise that has been given but has not been kept falls under this category. The act is performed but

not happily or completely successfully. It is still not void, as in the other category, but it is not implemented, or it is 'hollow'. (ibid., 15–16)

Austin continues to divide the misfires and abuses into more specific subcategories. The A group he calls misinvocations, as the act or procedure falling under this category has not happened or has not happened in the way it was attempted. The A.1 group is not specifically named by Austin, but sometimes he has referred to it as “Non-plays”, although he later abandoned this term. In this group, the procedure did not happen, or it does not exist. Further, the A.2 group is called misapplications or sometimes misplays. In this group, the procedure happened, but cannot be applied because of a faulty execution. The difference between the A group and B group is that in the B group, called misexecutions, the procedure in fact applies, but the implementation is somewhat hampered, by a flaw or a hitch, giving the name to the two subcategories under the B group. As Austin states later with the categories of speech acts as well, the categorisation of the infelicities can also be overlapping. (ibid., 17–18)

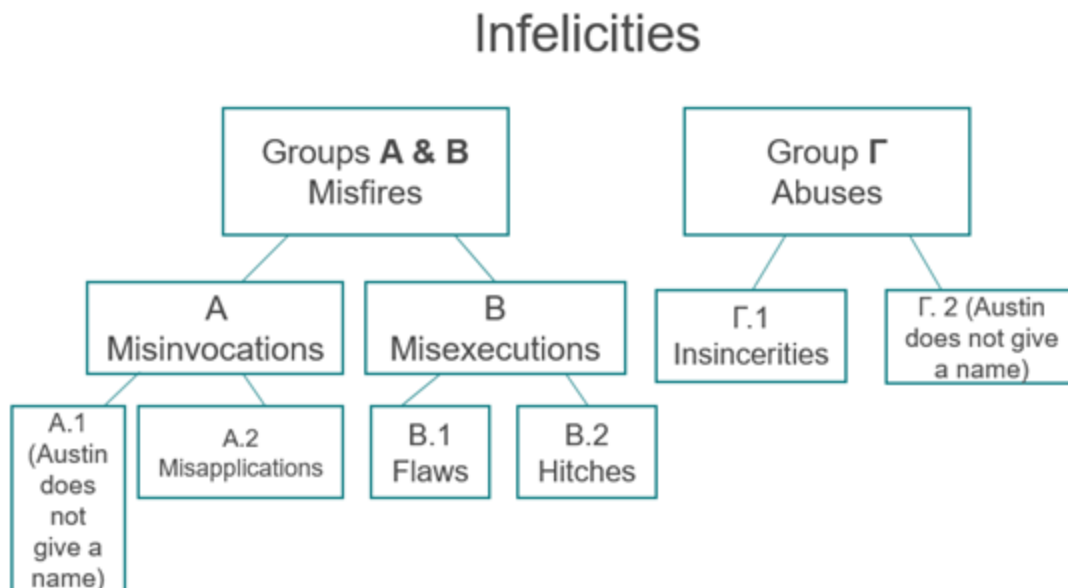


Figure 1. Categories of infelicities. Modified from Austin 1959, p. 18.

The B.1 group, flaws, is specified followingly: “the procedure must be executed by all participants correctly” (ibid., 35). For example, the use of a wrong or vague formula or an uncertain reference are flaws. The B.2 group, called hitches, has a very similar definition but with one differentiating word: “The procedure must be executed by all participants completely” (ibid., 36). For example, in the case of marrying, if one person of the wedding couple says “I do not” instead of “I do”, clearly the procedure

is not executed completely no matter how successful the circumstances otherwise are. Austin describes these “hitched” procedures to be abortive. (ibid., 35–38)

As mentioned, in addition to the A and B groups, Austin defines the  $\Gamma$  group. This group is also divided into two subcategories called  $\Gamma.1$  Insincerities or sometimes Dissimulations, and  $\Gamma.2$ , which Austin has sometimes left unnamed, sometimes called infractions or breaches, and sometimes named non-fulfilments, disloyalties or indisclines. For simplicity’s sake,  $\Gamma.2$  will further be referred to as infractions. These two groups are categorised with the act or performance not being void but rather being unhappy. To ensure the successfulness of the act according to the  $\Gamma$  rules, Austin refers especially to three terms: feelings, thoughts and intentions. It is easy to see why these rules by definition are quite vague and difficult to prove. For example, someone could congratulate another person without truly feeling happy for them, thus rendering the speech act insincere as implied by the subcategory’s name. Thoughts can also generate insincerity, as an example of someone advising another person, yet not believing their advice will be beneficial to that person. Even more confusingly, a person can also give bad advice but think that it is useful advice, in which case it also falls under the  $\Gamma.2$  category. Finally, we can refer to the earlier example of giving a gift: if a person does not intend to give a gift while promising to do so, they still have performed the act of promising, it is not void, but again it is insincere as they were never planning to follow through. Austin himself notes the unambiguous nature of these rules – they are not easily distinguishable and can be easily combined. (ibid., 18, 39–41)

Another remark that Austin makes is of the nature of acts in general, of which he says:

We must always remember the distinction between producing effects or consequences which are intended or unintended; and (i) when the speaker intends to produce an effect it may nevertheless not occur, and (ii) when he does not intend to produce it or intends not to produce it it may nevertheless occur. (ibid., 105)

When analysing infelicities, especially the ones of  $\Gamma$  group, the nature of the speech acts makes it difficult to determine their successfulness. If we follow Austin’s theory, an insincere promise of a politician that actually comes to fruition is nevertheless an unhappy speech act, more specifically insincerity. Clearly this speech act has probably had an unintended effect, if the politician never meant to follow through with the promise, and somehow the promise still happened. In any case, as Austin also mentions, it is nevertheless not easy to define the intended or unintended consequences, as it is not clear how much time after the speech act we should expect to pass to correctly define the effects of the act. If something happens 10 years after a politician’s promise, is the speech act happy since they finally followed through? Or have we already analysed and determined the act to be unhappy during the years that passed? (ibid., 106)

### 3.1.1 Five principal classes of speech acts

Austin classifies the utterances in five separate categories according to their illocutionary force: 1. *Verdictives*, 2. *Exercitives*, 3. *Commissives*, 4. *Behabitives* and 5. *Expositives*. The classification is, even according to Austin himself, somewhat arbitrary as all of the classes overlap and connect more or less closely to each other. He even defines the classes partly according to their relation to each other. (Austin 1962, 151)

According to Austin, “verdictives are typified by the giving of a verdict . . . by a jury, arbitrator, or umpire” (ibid., 150). Even though ‘a verdict’ seems like a conclusion or something that is final, it is not necessarily so in the case of verdictives. In fact, they can be seen more as an appraisal, a reckoning or even an estimate. A verdictive speech act is to give a judgement of, for example, a value or a fact, a judgement that is not a final decision, but actually something more undefined. For example, a value is not something to be completely certain about, it can change between people and time, even in the mind of the person holding the value. (ibid.)

Verdictives can deliver a judgement or a finding that can be official or unofficial, that has been based on evidence or reasons. According to Austin (ibid., 152): “verdictives have obvious connexions with truth and falsity as regards soundness and unsoundness or fairness and unfairness”. If, for example, a referee judges something based on things that are actually happening in the game, it cannot really be disputed. Even though it is distinct from legislative or executive acts, it is still a judicial act. Some examples that Austin gives for verdictive speech acts are for example: “I pronounce that. . .”, ‘I hold that. . .’, ‘I make it ...’, ‘I date it ...” (ibid., 88), and ‘I reckon that’, ‘I estimate that’, and so on (ibid., 152). Another example that Austin gives is the following: “as official acts, a judge's ruling makes law; a jury's finding makes a convicted felon” (ibid., 153). The verdictive speech act makes a convicted person something they were not before, a criminal. A referee can call a fault, making the player drop out of the game. These examples also show another important aspect of the verdictive speech act: the speaker needs to have an official position. In the examples the speakers are a judge and a referee, that have a position that brings them recognised authority to do these speech acts, as opposed to somebody without the appointed authority – if this person did the speech act, it would naturally be unhappy as the circumstances are not met. However, the speaker does not have to hold power ‘officially’ or by profession, as long as they have the authority to give the verdict in that situation. For example, a politician has the authority to give verdicts in a debate without being the specific authority in a matter. This type of speech act is not meant to be a “decision in favour or against” (ibid.) but rather it tries to display itself, based on the evidence, right or wrong, or correct or incorrect etc. This group does somewhat overlap with exercitives, as the judicial act can at least partly be understood also as an exercitive, but there is a distinction between the two groups, however small it is.

As seen from the examples mentioned above, verdictives have an impact. As all speech acts, and maybe more than the others, they commit people to certain future conduct and consistency. It could commit a person to spend time in jail, to award damages, or to do something else according to the law. However, not all verdictives have to do with law, for other examples Austin gives standing up for someone, defending someone or in general to advocate for someone. Yet again there are also other clashes between the different classifications. Austin offers an interesting example for this: 'holding responsible' can be understood as a verdictive, but its synonym 'blame', while also being considered a verdictive, can also be understood as a behabitive (as it adopts an attitude towards a person). (ibid., 153–154)

"Exercitives are the exercising of powers, rights, or influence" (ibid., 150). Austin's examples of this class of utterances are for example advising, ordering, appointing, urging, warning and voting. However, as it is a very vast class, the examples are numerous. Legislative and executive acts are also exercitives, and in an overlap with verdictives, some judicial acts can be exercitives as well. This would be the case when they are done by a judge, even though a judge can also issue verdictives. Another connection with verdictives can be found in for example the utterances 'I award' and 'I absolve', which are exercitives that are based on verdicts and thus somewhat overlapping with verdictives. (ibid., 152, 154–155) Yet, unlike verdictives that are not decisions in favour or against, exercitives are just that:

It is a decision that something is to be so, as distinct from a judgement that it is so: it is advocacy that it should be so, as opposed to an estimate that it is so; it is an award as opposed to an assessment; it is a sentence as opposed to a verdict (ibid., 154).

Numerous exercitives also commit the speaker or the object of the speech act to a certain action, and commitment has an especially important connection with utterances of the exercitive class. Austin's examples of this are for example to authorize, to offer, to permit, to give, to consent, to appoint, to degrade etc. These are clearly committing utterances but in the case of exercitives they are often preferred to be seen as conferring, changing or eliminating their objects, such as rights, powers and names. (ibid., 155) As examples of exercitives overlapping with behabitives, Austin offers "challenging, protesting, approving, commending, and recommending, (which) may be the taking up of an attitude or the performing of an act" (ibid., 156). Some exercitives have connections with expositives, such as 'I object' or 'I withdraw'. Finally, Austin presents a specific list of the typical contexts in which exercitives are used in:

- (1) filling offices and appointments, candidatures, elections, admissions, resignations, dismissals, and applications,
- (2) advice, exhortation, and petition,
- (3) enablements, orders, sentences, and annulments,
- (4) the conduct of meetings and business,
- (5) rights, claims, accusations, &c. (ibid., 156)

Commissives commit the speaker to some kind of action or reaction. They can be understood as a promise or some other kind of assurance or commitment. However, this class also includes other things than promises, mainly “declarations or announcements of intention” (ibid., 156) and some other more vague expressions, such as for example siding with something or somebody. Indeed, this speech act commits its speaker to take certain actions. As examples, Austin lists ‘I swear’, ‘I promise’, ‘I intend’, ‘I propose to’, ‘I guarantee’, ‘I oppose’ etc. This class combines some different types of utterances, such as declarations of intention and undertakings, yet they are connected by the primary performative ‘shall’. Austin also mentions that some of these utterances shift towards ‘descriptives’, which he explains by pointing out the difference between stating or expressing or announcing one’s intention or determination. With some commissives, such as ‘oppose’ or ‘favour’, “you cannot state that you favour, oppose, &c., generally, without announcing that you do so” (ibid., 157). (150–151, 156)

As already mentioned above, the connection between commissives and verdictives is that there are some verdictives that commit the speaker even more so than others, and Austin mentions especially two of them: verdictives that commit the speaker to actions that are essential for consistency with the verdict, and which support it, and to actions that might be the verdict’s consequences. However, it is not only verdictive and commissive speech acts that commit us to actions or consequences, indeed as Austin mentions several times, all of the different classifications overlap and share some similar attributes, making a strict classification hard, even impossible. Another example of this are the connections between commissives and exercitives. Like verdictives, exercitives also commit the speaker to the consequences of the speech act. The connections between commissives and behabitives can be seen in for example utterances, or more so reactions, like commending and applauding. However, here there is a more interesting connection as well – as Austin writes, “behabitives commit us to *like* conduct, by implication, and not to that actual conduct” (ibid., 158). A good example of this is blaming or condemning a person’s past behaviour, as one cannot commit to condemning the actual conduct, one can only commit to avoid similar conduct themselves. For the link between commissives and expositives Austin offers an example of illocutions that could be understood as belonging to both classes: such as defining, analysing, agreeing, supporting, defending and disagreeing. (ibid.)

Behabitives is not a very strictly defined group as it includes many different kinds of expressions and things. This is also this classification’s problem: it is too diversified. However, these utterances are united in that they concern attitudes and social behaviour. The examples that Austin gives for this group are “apologising, congratulating, commending, condoling, cursing, and challenging” (ibid., 151). These utterances can be reactions to other people’s conduct, and they can express attitudes towards behaviours. Austin offers numerous examples of behabitives that he has further

divided into 7 separate categories. For reasons of length and clarity, I will summarise the categories and include one or two examples on each, adapted from Austin's list (ibid., 159):

1. Apologizing ('apologize')
2. Thanking ('thank')
3. Sympathising ('condole', 'congratulate')
4. Attitudes ('resent', 'commend')
5. Greeting ('welcome')
6. Wishing for ('bless', 'curse')
7. Challenging ('dare', 'defy')

Expositives are even harder to define as a group than behabitives. Austin points out that the problem with this current classification is that expositives are a huge group, yet the utterances are important and thus not so well represented in their somewhat loosely defined group. They are descriptive and "make plain how our utterances fit into the course of an argument or conversation, how we are using words" (ibid., 151). Some examples picked from a long list that Austin offers for this group are: 'I assume', 'I argue', 'I reply', 'I postulate', 'I illustrate' and 'I concede'. They are used to clarify references and usages, to illustrate one's views, and to argue. Once again some of the classes overlap, and some expositives can easily also be understood as some other speech acts. Some examples offered by Austin are 'interpret' (also verdictive), 'insist' (also exercitive), 'agree' (also commissive), and 'demur' (also behabitive). (ibid., 160)

### **3.2 Applying speech act theories in world politics**

Austin's theory is considered an original in the scope of speech act theories. His student John Searle based his own observations on Austin's thoughts and developed the speech act theory further. His aim was to add some clarity and complements to the original theory. Searle created the 'principle of expressibility', which states that everything that can be meant can also be said - thus strengthening the connection between intentionality and rhetoric. Searle emphasises the human use of symbols in communication, and the rules upon which speech acts depend, creating an ideal of compliance. (Hartelius 2013, 24, 28)

Jacques Derrida developed the philosophy of deconstruction and used his theory in doing a deconstructionist analysis to Austin's and Searle's pragmatic position on speech act theory. Derrida's dispute with Searle has even been termed legendary, as the two defended their own contradictory points of view. Unlike Searle, Derrida's analysis was not building up on the original theory. He took Austin's conditions for 'successful' or 'felicitous' speech acts as a starting point for his own theorising. Derrida

took objection to the speech acts' possibility of failing, as according to him, "failure is a general feature of speech that one cannot choose to exclude or marginalize in a research strategy that regards success as original" (Bornedal 2020, 64). This results in the failures being the norm, rather than exception, whereas for Austin they remained an unwanted possibility within the speech acts. (Bornedal 2020, 63; Hartelius 2013, 24)

One of the most notable theories that has applied Austin's speech act theory in world politics is the securitisation theory by the Copenhagen school, consisting of political theorists Barry Buzan, Ole Wæver and Jaap de Wilde. This theory is one of the most important ones in the area of security studies during the last decades. It builds strongly on Austin's theory through its central notion of 'creating' security or insecurity by speech acts. In fact, the Copenhagen school encapsulates the essence of securitisation with the concept of 'saying security'. By saying something, one does something, in this case for example creates an environment of fear, or literally imposes a state of exception. This is a speech act in a relatively rudimentary form, acknowledging Austin's theory as an important basis for this theory. Security itself as a concept is subjective, as it does something (with words), it is not just an objective situation. According to Wæver (Buzan & Hansen 2009, 213), the notion of security is created through a successful discourse. This clearly attributes to Austin's definition of speech acts – an essential part of them is to know if the act is indeed successful, even though the ultimate success of the speech act is in many cases open to interpretation, at least in the context of securitisation theories. (Peoples & Vaughan-Williams 2014, 92; Buzan & Hansen 2009, 214)



## **4 A CRIME AGAINST EUROPEAN VALUES? ANALYSING THE SPEECH ACTS IN A EUROPEAN PARLIAMENT DEBATE**

This chapter first presents the context of the European Parliament debate on Jamal Khashoggi's murder. The main agreements for arms exports control concerning the EU are presented. This is followed by a detailed account of the murder of journalist Jamal Khashoggi and the responses to this unprecedented case. Finally, an analysis of the speech acts in the European Parliament debate is conducted, with the subchapter further divided into emerging themes. The material of the analysis, the European Parliament debate, and its setting are also introduced.

### **4.1 The EU's participation in arms control agreements**

In 1998 the Code of Conduct on Arms Exports was introduced by the EU. It is a political agreement that controls the conventional military exports of the EU Member States. The objectives of this commitment include creating higher common standards, increasing transparency and avoiding 'risky exports', such as exports that would be used for internal repression, for provoking an armed conflict and for using weapons against allies. The Code of Conduct is not legally binding, thus there are no actual sanction mechanisms. However, transparency is pursued by the publication of the Annual Report and the pressure created by other member states and civil society monitoring each other. (Bauer & Bromley 2004, The Council of the European Union 1998)

The Common Position 2008/944/CFSP (CP), adopted in 2008, is a political commitment that states the common rules relating to the control of exports of military technology and equipment. It replaced the 1998 EU Code of Conduct on arms exports and aims to unify the arms export control policies of the Member States, and it is the only legally binding regional instrument on ordinary arms exports (European

Parliament 2018). It defines the minimum standards for “assessing export licence applications for military technology and equipment, but also for brokering, transit transactions and intangible transfers of technology” (ibid.). It also specifies the scope of items controlled. In addition, the EU Council Regulation (EC) No 428/2009 established a community regime for the control of exports, brokering, transfer and transit of dual-use items (goods and technology that can have both civilian and military applications) within the EU. From a more historical perspective, the Wassenaar Arrangement was established in 1996, as an international export control regime. It aims to promote transparency and responsibility in the transfer of conventional arms and dual-use goods and technologies. While the Wassenaar Arrangement is not an EU-specific treaty, almost all of the 27 EU member states are parties to it, thus its guidelines influence EU arms export policies. (European Parliament 2018, EUR-Lex 2009, The Wassenaar Arrangement 2023)

In 2013 the Arms Trade Treaty (ATT) was adopted by the United Nations (UN) General Assembly, and in 2014 it came into force. It is a landmark treaty that regulates the international trade in conventional arms, and currently has 101 State parties and 31 signed states. More specifically, it requires

state parties to regulate their weapons transfers with reference to arms embargoes, illicit trafficking, genocide, crimes against humanity, war crimes, peace and security, international humanitarian law (IHL), international human rights law (IHRL), terrorism, transnational crime and gender-based violence (Stavrianakis 2016, 840).

It also “seeks to prevent and eradicate illicit trade and diversion of conventional arms by establishing international standards governing arms transfers” (Arms Trade Treaty 2018a). It is supported by the ATT Secretariat, which aids in the implementation of the treaty, and monitors that “the international transfers of conventional arms are conducted responsibly and in accordance with the Treaty” (Arms Trade Treaty 2018b). The ATT is the UN’s attempt to establish stricter control in the notoriously lax and even unregulated international arms trade, and to especially limit the wide availability and the resulting misuse of different weapons. The UN mentions the poorly controlled arms as a threat to its humanitarian and development operations, as the weapons might be used to threaten both civilians and peacekeeping corps, as well as the widespread, negative side effects of the arms trade, such as destabilising a whole region. (United Nations 2021).

The aforementioned treaties and policy documents are the main instruments in limiting and regulating the arms trade concerning the EU member states. Yet, according to previous research, the ATT has not had a significant impact on the arms export control practices at the European level, and that the Member States’ arms export decisions continue to remain mostly affected by their foreign policy objectives, rather than the normativity of the agreements (Maletta 2021, 74). The backlash on Jamal Khashoggi’s murder was particularly notable with some countries halting or

restricting their arms exports to Saudi Arabia as a consequence. Giovanna Maletta explores this disparity between the agreements and the Member States' practices through a rhetoric-compliance gap. Perhaps the ambiguous formulations of obligations in the Common Position and the other key documents have led the states to attribute different significance to the purpose of the treaty. If the states interpret the treaties differently, their compliance will be varied as well. In any case, the compliance of these agreements is extremely hard to measure and assess, making any disciplining actions equally hard. Oftentimes ensuring compliance falls on non-governmental organisations, not on the moral code of the states themselves. Why do states then even enter these agreements, if they are not willing to curb their arms trade? The reasons for participating in them can be varied – states might expect to gain positive social reputation and some influence, all the while circumventing the actual compliance. (Maletta 2021)

## 4.2 Murder of Jamal Khashoggi

Jamal Khashoggi was a prominent Saudi journalist, known for his close ties with the Saudi government and the royal family and for serving as an advisor to the government. He covered multiple important stories for various Saudi news organisations and worked in Al-Arab News Channel and Al Watan newspaper, to mention a few. However, in 2017 he went into self-imposed exile, moving to the United States, and started to criticise the country's leaders' policies, especially those of Crown Prince Mohammed bin Salman, the country's de facto ruler. Khashoggi also advocated for democratic reforms and criticized the militant strain of Islamic extremism. After publishing his criticism, he expressed fear of retaliation from the country's leaders. (BBC 2021)

On 2 October 2018 Jamal Khashoggi entered the Saudi Arabian consulate in Istanbul in order to obtain a document affirming that he was divorced, in order to remarry. After entering the consulate that afternoon, he was not seen exiting the consulate again, despite his fiancée Hatice Cengiz waiting outside for more than 10 hours. The journalist's disappearance from the consulate soon made international news and the media drew attention to the suspicious vanishing. For over two weeks the Saudi officials "consistently denied any knowledge of Khashoggi's fate" (BBC 2021), claiming that he had left the consulate soon after entering, but almost completely changed the course on 20 October, when they suggested that Khashoggi had "died during a 'fight' after resisting attempts to return him to Saudi Arabia" (ibid.). More specifically, the death was blamed on a chokehold. Later the cause of death was attributed to an overdose of a drug, injected to the journalist in order to subdue him in an attempt to bring him back to the kingdom, either by persuasion or by force. (ibid.)

On 15 November, the Saudi officials attributed the death to “the head of a ‘negotiations team’ sent to Istanbul by the Saudi deputy intelligence chief “in order to bring Khashoggi back to Saudi Arabia” (ibid.). They also announced the confession of five individuals who eventually received a death sentence for the killing but emphasised that the Crown Prince had no knowledge of the incident. These death sentences were later commuted into prison sentences. Another 6 people were also put on trial, out of which 3 were given prison sentences and 3 were found not guilty. The trial was criticised by the international non-governmental organisation Human Rights Watch, according to which “the trial, which took place behind closed doors, did not meet international standards and that authorities ‘obstructed meaningful accountability’” (ibid.). Possibly the most important allegation to arise from the trial was that the killing was allegedly not premeditated, and thus not a murder but an accident.

As mentioned, this covert trial received criticism. Even described as “the antithesis of justice” (ibid.), the trial left the forces behind the killing unclear, as well as the location of Khashoggi’s body. Turkey, the country where the consulate is located in, has a different, more premeditated view of the incident. According to Turkish officials, a group of Saudi agents arrived in the country some days before the killing and did preparations in the consulate (including removing all the security cameras), and eventually killed Khashoggi right after his arrival, thus insinuating premeditation. This view has also been stated by the Turkish president Recep Tayyip Erdogan. A Turkish prosecutor charged 20 Saudi nationals with murder, but Saudi Arabia did not comply with the extradition request. (ibid.)

#### **4.2.1 Criticism and responses**

Agnes Callamard, a UN Special Rapporteur on extrajudicial, summary or arbitrary killings, conducted research into the killing and the following trials. In her report Investigation into the unlawful death of Mr. Jamal Khashoggi (2019), Callamard states that neither of the trials (in Saudi Arabia and in Turkey) were conducted according to international standards, and that the death of Khashoggi “constituted an extrajudicial killing for which the state of the kingdom of Saudi Arabia is responsible” (Callamard 2019, 4). She also encouraged the UN member states to impose sanctions on the Crown Prince, as has been done to the other allegedly involved individuals. Additionally, the report includes recordings from inside the consulate, displaying conversation between Khashoggi and the Saudi agents and a possible soundtrack of the murder. According to Callamard, the crime scene had been thoroughly cleaned before access was granted to Turkish crime investigators, naturally preventing the gathering of credible evidence. (ibid., 5)

The murder of Khashoggi resulted in a diplomatic crisis and international condemnation by Western allies. However, in the United States (US) reactions varied: while most of the Congress blamed the Prince, then President Donald Trump

“defended US ties to the kingdom, a key trading partner” (BBC 2021). The United Kingdom, France, Canada and the US placed sanctions on the alleged perpetrators, excluding the Crown Prince. The EU Member States’ responses were also varied. Right after the killing, some MEPs were calling for “imposing an EU-wide arms embargo on the kingdom”, and eventually Germany, Denmark, The Netherlands and Finland suspended or restricted their arms exports to Saudi Arabia as a direct response to the death of Khashoggi. Norway, Sweden, Austria and Greece had already stopped arms exports to the Kingdom even before the murder. However, some of the biggest arms exporters and trade partners to the kingdom, such as Spain, France, UK and Italy, did not suspend arms sales following the killing. France, among others, strongly condemned the killing, but never considered cancelling the arms trade contracts with Saudi Arabia, its second biggest customer. (Tidey 2019)

### **4.3 Analysis of the debate**

A debate in the European Parliament is a setting with stringent, well upheld rules with clear roles and at least relatively clear patterns of speech and behaviour. It is thus an apt setting for an analysis based on Austin’s speech act theory the successfulness of the speech acts is partly determined by the authority and role of the speaker. The theory is a conventionalist theory: it focuses on conventions and conventional procedures, which sometimes are not explicit. Diplomacy in general is based on strict formulas, which makes it so formulated and repetitive, which in turn makes it possible to recognise and evaluate the successfulness of the speech act. The procedure must always exist and also be recognisable, otherwise the act will not be successful. In addition to the procedure being correct, the persons, their status and their conditions need to be appropriate, the execution must be complete and correct, and even the intentions, thoughts and feelings must be accurate. (Austin 1962) In the context of written text and this analysis specifically, it is possible to analyse certain conditions to an extent, but it is practically impossible to precisely know the thoughts and feelings of the speakers – unless there is explicit evidence or confirmation of it in their statements. For this reason, the analysis will focus on the more apparent conditions of the speech acts, and the tangible consequences following them or the lack thereof.

The plenary session of Tuesday 23 October 2018 in Strasbourg contained multiple different debates and votes. The debate titled “The killing of journalist Jamal Khashoggi in the Saudi consulate in Istanbul” was the 14th issue on the agenda, with Member of Parliament Zdzisław Krasnodębski opening the debate. The then Vice-President of the Commission and High Representative of the Union for Foreign Affairs and Security Policy, Federica Mogherini, delivered the opening and closing speeches, and was followed by 32 speeches by different members of the European

Parliament, from 8 different parties and one Non-Inscrit (a member not belonging in any political group).

The analysis is divided according to the most prevalent themes emerging from the analysis of the speeches. There are often several of the dominant themes present in the speeches, so for the purpose of clarity, the contents of the subchapters are at times overlapping. The most prevailing theme is the arms embargo and arms trade – the execution of an embargo, and/or the reconsideration or complete stop of arms trade to Saudi Arabia. Out of all the speeches that brought up this theme, 14 have been included in the analysis. The second most prevalent theme, European values, was analysed in 13 speeches. The rest of the themes are Critique of the Saudi Prince and the Saudi authorities with 9 analysed speeches and hypocrisy of the European Union, the West and Turkey with 6 speeches analysed.

### 4.3.1 European values

Federica Mogherini, the then Vice-President of the Commission and High Representative of the Union for Foreign Affairs and Security Policy, delivers a lengthy opening speech for the debate. In her (former) role as the High Representative of Foreign Affairs of the EU, she had a clear official position, thus setting an appropriate basis for successfully executing most of her speech acts, as demanded by Austin's theory (Austin 1962). Mogherini's speech starts with a *behabitiv*e thanking the Members of Parliament for having put the issue of Jamal Khashoggi's murder on the agenda of the plenary session. She continues:

Let me start by saying something basic and very clear that I think we have to start from, namely that a crime against one journalist, wherever in the world, is a crime against freedom of speech and freedom of information. As such, I would say it is a crime against our societies everywhere in the world, our way of life, in particular in Europe, our principles and our values. It's a crime against all of us.

The first speech act is a substantial *verdictive* proclaiming the murder of a journalist to be a crime against freedom of speech and information. The following *verdictives* extend the object of the crime even wider, with words such as 'our societies', 'our way of life', 'our principles and values' and 'against all of us'. The interesting result of these speech acts is that a murder of a non-European journalist becomes an existential threat to Europeans. As a significant part of her *verdictive* speech acts she highlights that indeed the crime has been committed against 'us', as in other Europeans including her and the members of the Parliament (from now on referred to as MEPs), but also Europeans in general. The crime happened in an international context but is now extended also to a national, even to a personal level. Despite her or the MEPs not being the actual target of the killing as a crime, or even very tangibly concerned by the crime, she poses them as potential victims of this crime. With this *verdictive* she also gives the

admission to the European Parliament in general to have a say in the matter – if it is a crime against themselves, they should indeed be concerned in handling the issue.

Mogherini's opening speech introduces one of the most interesting and prevalent themes of the debate – European values or norms, which continue to be recurrently referred to throughout the discussion. It becomes clear, already in Mogherini's speech, that this crime goes against 'European values', and she explicitly mentioned European societies and way of life, both of which presumably are built on these values and norms. The juxtaposition is evident, but it is useful to take a closer look at these European norms that will so frequently be pointed out. It is assumed that the European values mentioned refer to the European Union's values displayed in article 2 of the Lisbon Treaty and the EU Charter of Fundamental Rights (see Official Journal of the European Union 2016 & Official Journal of the European Union 2012). These values are human dignity, freedom, democracy, equality, rule of law and human rights. In Mogherini's speech she explicitly mentions freedom, but the other values can easily be found in the speeches as well – human rights violations are mentioned multiple times, and rule of law is an evident driver for questioning the Saudi Crown Prince's role in the matter and the credibility of the investigations surrounding the case.

Victor Boştinaru, an MEP and member of the Social Democratic Party (S&D) continues the debate: "This is an unprecedented crime and case in the history of the world, at least since the Second World War. Never, never have we seen such a case!" Boştinaru gives this judgement in a *verdictive* speech act. Here again we see a significant connection to the European norms. He is stating that the case is so appalling that there is no equivalent in world history – it is so against the universal norms of free speech, rule of law and human rights that Mogherini also speaks about. It is clear, that in these statements the MEPs consider the crime not to be committed only against Khashoggi himself, but also against the European norms and values and thus all the Europeans. Khashoggi could also be included in this group by extension, as he was a known critic of the Saudi leadership and thus a practitioner and advocate of free speech. In Mogherini's speech she also mentions Khashoggi's recent trip to Brussels to visit and speak in a conference on Saudi Arabia and the situation in the Middle East region. The invitation was made by the European External Action Service (EEAS) so he was in fact hosted by the EU. This rhetoric seems to ostensibly give the EU even more proximity to the case and thus more reason to react strongly to it.

Charles Tannock, a former MEP and member of the European Conservatives and Reformists Group (ERC) also brings up the values. At the end of his speech, Tannock utters a *verdictive*: "It is time now for our common EU values and fundamental human rights also to reassert themselves". In fact, he is the first one to directly mention the EU values, which have implicitly been present in the previous speeches. He does not define these values any further but expects the audience to know what they are. Based on his earlier utterances, it could be that at the very least he considers that opposing

torture is one of these values. Also interestingly, the speech act seems a bit vague – Tannock does not call for anyone specifically to reassert their values and human rights, but, in fact, orders these concepts themselves to reassert. The perlocutionary force of this verdictive is dubious almost by default, as it seems impossible to assess if the values and rights indeed have reasserted by themselves. This will be explored further in the following final chapter, conclusions.

In the end of her speech, Ángela Vallina, a former MEP and member of the Left in the European Parliament (GUE/NGL), clearly ties the theme of money and greed as opposed to European values into her call for an embargo: if an arms embargo is not promoted and ultimately enforced, it means that for the EU, money matters more than human rights. This is an interesting notion, as it is indeed the human rights that the EU so clearly appears to uphold and promote. In fact, the whole debate at hand is focused on the human rights of a murdered dissident. Does this mean that the perlocutionary force of Vallina’s speech act did not come through, and can it thus be interpreted that human rights are actually not part of the EU’s values? According to Vallina, perhaps so, but the norms of the EU are not created by only one person’s speech acts or accusation, nor is it up to individual MEPs to decide on an arms embargo and thus define the perlocutionary effect.

Fabio Massimo Castaldo, an MEP and a then member of the now dissolved Europe of Freedom and Direct Democracy (EFDD), also introduces the theme of money and greed in the beginning of his speech, and as Vallina before him, he continues to explain money’s crucial role in the usual proceeding of things:

What will our response be? Will we once again entrench ourselves behind false indignation, a whisper in a storm, only to quickly return to business as usual? How many more Khashoggi, how many other Badawis will we still have to tolerate? As long as impunity reigns, as long as the multimillion-dollar contract business triumphs over rights, we will have cases like Khashoggi's.

However, unlike Vallina, who gave a condition to see or show if human rights truly are a European value, Massimo Castaldo claims that economic values already dominate the human rights values. In the last paragraph of his speech, he also states that it is time for a total ban on European arms exports with a *verdictive* speech act. This is followed by two more verdictive speech acts, asking to implement adequate sanctions, and to, by doing this, “stop being complicit in this regime”. It seems that despite his view on the economic values, he still is willing to believe that the human rights values could be prioritised by taking proper action. Right now, the EU is complicit and has compromised its own values, but perhaps it can still redeem itself.

In his speech, José Ignacio Salafranca Sánchez-Neyra, an MEP and a member of the European People's Party (EPP) utters an *exercitive* speech act, making his support of Mogherini’s stand clear:



We must support the High Representative to give a coordinated response to the crisis in the region, based on our principles, and intelligently prevent Russia, which sells 3.2 billion dollars in weapons, from being not only the main supporter of Syria and Iran, but rather become the hegemonic partner or actor in the region.

By mentioning 'our principles', he refers the European norms and values. A bit curiously, and unlike many of the other speakers, he points out Russia's role as Syria's and Iran's main supporter and calls for the EU to become a more considerable partner and actor in the region. One could interpret this as a part of his solution for the coordinated response that would be based on these 'EU principles'. Nevertheless, it is an interesting stance, as most of the debate considers stopping the arms trade into the area, albeit to Saudi Arabia and not necessarily Syria and Iran or other countries in the region.

Elena Valenciano, a former MEP and a member of the Progressive Alliance of Socialists and Democrats (S&D) takes a different point of view in the values discussion, by directly mentioning the United Nations Secretary General. With an *exercitive* she calls for a joint action to urge the Secretary General to take the lead of a "prompt, independent and effective international investigation", in which the United States (US) should also take part in. Valenciano takes her apparent disapproval of the US further with a *verdictive*: "It is a good opportunity for its own foreign policy, so far from universal values at this time", implicitly asking the US to prove the actual values and stance of its foreign policy by assisting in the investigation. As mentioned, values are brought up again, although this time as 'universal' and not specifically European. However, many of the European values seem to be shared with the US, or seem to be considered as universal, at least to an extent. It is clear, that according to Valenciano, respecting human rights is part of these universal rights, and that is not demonstrated if the matter is not properly handled by the US foreign policy. In fact, the ATT requires its parties to conduct their arms trade in accordance with the international human rights law, and the US played a central role in its negotiations. However, before the US ratified the treaty, the then President Trump announced that the US has symbolically 'unsigned' it. (see Stohl 2022) Thus, the answer to Valenciano's questioning of the US value of respecting human rights remains elusive.

Her speech ends with another *exercitive* and then *expositive* and *commissive* speech acts: "The entire policy of the European Union must be aimed at rebuilding the force of international law. We strongly support the efforts of the high representative". With the *exercitive*, she expresses a significant opinion of rebuilding the entire policy of the EU to be more strongly guided by international law. As international law includes the respect for human rights, it can be concluded that this value will be a part of this revamped policy. Valenciano does not specify this rebuilding to only concern EU's foreign policy, on the contrary, she says the *entire policy*. Does her statement imply that the current policy does not enforce international law and the values it encompasses strongly enough, even inside the EU? This is a different stance from for

example Mogherini, who Valenciano does support: Mogherini emphasises that respect for human rights is already at the core of EU's foreign policy (especially in the form of free speech), while Valenciano seems to say, it is not, at least not strongly enough.

Ignazio Corrao, an MEP and a member of the Europe of Freedom and Direct Democracy, continues the debate with a *verdictive*, and points out that everyone knows what happened, and that again there will be no consequences for the Saudis, echoing the sentiments of many previous speakers. This prompts another question in the wider context - how sincere are the EU's values and the claim of upholding them, if so many of the MEPs themselves point out the hypocrisy of not properly reprimanding its partners for their obvious violations of these values? The values seem to be at the core of the EU, according to the Union's official communication and Mogherini, but their credibility and actual weight in the EU's foreign affairs seems to continuously be put in question in the debate.

In a paragraph of her speech, Angel Dzhambazki, an MEP and a member of the European Conservatives and Reformists Group (ECR), introduces a theme that has been touched on before in the discussion, but Dzhambazki delves deeper into - Islamic terrorism and Saudi Arabia's ties to these terrorist groups. It is obvious from her speech that she considers these concepts to be the total opposite of European values. She delivers an *exercitive* speech act, containing a strong *verdictive* speech act, followed by two more *verdictives*:

Let's face it - Saudi Arabia is nothing more than an early version of the Islamic State, which has its international legitimacy. Saudi Arabia is the home of the most radical and barbaric doctrine of Islam - Lahabism. Saudi Arabia is spreading this Islamism beyond its borders.

She continues by referring to earlier debates, where she claims to have given examples of Saudi foundations' sponsorship to 'radical Islam in Europe'. This paragraph is one of the stronger direct criticisms of Saudi Arabia in the debate. While other speakers also have made their negative opinions towards the Saudi leadership, the financial incentives and the human rights issues clear, Dzhambazki is the first to directly and pointedly criticise the country's religious aspect. This tone is perhaps partly explained by her party's ideology, and the next part of the paragraph highlights this further. "Islamism and radical Islam must be eradicated from Europe", is delivered with her pointed *verdictive* speech act. Some previous speakers warned that without proper consequences, the human rights violations will continue. Dzhambazki states that without the eradication of Islamism and radical Islam the murders of dissidents will not only continue but "become more frequent". It is apparent that to her Islamism goes against European values. This is interesting, and perhaps true if rule of law is considered as based only on civil law, and if secularism is considered as an EU value. As Islamism itself is, especially nowadays, a loosely defined and practiced concept, it

is not necessarily only practiced by the most radical groups or in the most radical ways. In general, Muslims consider Islam a religion of peace and radical Islam has been denounced by many Islamic groups – would this not line up with the EU values of peace and human rights? In the conclusion of her speech Dzhambazki very briefly, with a *verdictive*, also states the need for an embargo and re-evaluation of the financial ties between the EU and Saudi Arabia.

José Inácio Faria, a former MEP and a member of the European People's Party (EPP) opens the last paragraph of his speech with an *exercitive*. Faria demands other Khashoggi's fellow writers and dissidents to be released, specifically naming imprisoned writer Saleh al Shehi and blogger Raif Badawi, the latter also explicitly mentioned by MEP Lochbihler in her speech. With a *verdictive* speech act, he joins in many others by stating that an arms embargo "now becomes, more than ever, a moral imperative and decency". Clearly, according to him, not imposing the embargo will directly reflect on the morality and decency of the EU and its Member States, and thus its normativity. According to Faria, it is against the EU's morals to continue arms trade with an economic partner that so clearly does not uphold nor respect the same morals and values. It can be argued relatively easily that he is correct – the Common Position defines standards regarding the arms trade of the Member States, and since it is obvious that some European weapons have been used against civilians in the region, this would require halting or restricting the trade with this partner.

Pirkko Ruohonen-Lerner, a former MEP and a member of the European Conservatives and Reformists party (ECR) continues the debate with more *verdictives*, by condemning the disruption of journalists' work and then moving into the theme of values: "Freedom of the press is a very important value that must be defended". Like others, by stating the importance of this value, she refers to its standing as an EU core value. With a *behabitive* speech act, she offers some sort of commitment to the previous speech act: "I therefore hope that the Parliament will give its strong and unequivocal support to the investigation of this and all other murders of journalists". This is not a commissive speech act, as she herself does not directly commit herself to any action, even though she is part of the Parliament and thus it can be understood that she at least will give her support.

Anneli Jäätteenmäki, a former MEP and a member of the Alliance of Liberals and Democrats for Europe group (ALDE) addresses Mogherini directly in her speech, acknowledging the need for an investigation into the murder, but then with a *verdictive* speech act she adds that "that is not enough now". With an *exercitive* she calls for the arms embargo as that is the minimum to do. While the topic of the EU values is many times implicitly present in the debate, not all or even most of the speakers have mentioned the values explicitly. Jäätteenmäki does do this with another *verdictive* speech act: "Now the values of the EU are at stake. Do we value human rights and press freedom? Or is it the most important thing to get oil and money talks?". She not only

explicitly mentions human rights and press freedom as EU values, but also compares them to oil and money – by not doing anything, the EU chooses trade or perhaps greed over staying true to its values. Jääteenmäki concludes with more *verdictives*, stating that the murder, even without knowing the details, is “something that cannot be left unpunished”. Ana Miranda, an MEP and a member of the Greens/European Free Alliance echoes this same sentiment in her speech with a *verdictive*, reminding the Parliament that not responding with proper consequences they are complicit in the murder. This is a strong statement, and with the lack of a union-wide embargo or any very impactful consequences, according to her the EU indeed is complicit. By not reacting properly and truly upholding and defending its values, the EU is seemingly choosing to not act based on its alleged values of defending human rights.

Agustín Díaz de Mera García Consuegra, a former MEP and a member of the European People's Party (EPP) continues with another *verdictive* and with the theme opened by his listing of the dissidents: the murder and the overall persecution are a blow against civil liberties, the very ones at the core of the EU's values. With an *expositive* speech act, Díaz de Mera García Consuegra echoes Mogherini's sentiment and calls for an independent investigation. In the last paragraph of the speech he stays in his theme of freedom (of press) and human rights, by referring to the article 19 of the Universal Declaration of Human Rights (Article 19: Everyone has the right to freedom of opinion and expression (UN 2023)) and the article 11 of the EU Charter of Fundamental Rights (Article 11: Freedom of expression and information (FRA 2023)) and by reminding that everyone in the debate is bound by them. Díaz de Mera García Consuegra suggests that Europeans' freedom depends on free press. If free press elsewhere in the world is threatened, it puts it in danger also in Europe. This connection of the EU values to the outside world is interesting – does it really affect the upholding of EU values in Europe, if they are not adhered to elsewhere? This question is in the center of the EU normative power, as this type of power theory is often associated with values and their permeating to other countries.

#### **4.3.2 Embargo and Arms Trade to Saudi Arabia**

In his speech, Tunne Kelam, a former MEP and member of the European People's Party (EPP) highlights the Saudi leadership's wrongdoings more vigorously than some other speakers. During his say, he utters a *verdictive* speech act: “Stopping arms sales to this country, at least on a temporary basis, is absolutely needed”. This speech act is a good example of Austin's overlapping categorisations, as it implies an *exercitive*, which would take the form of decision or in general would just respond to this need. The speech act is a strong judgement and advice, with no leniency towards the Saudi leadership, or giving them the benefit of the doubt anymore. Indeed, Kelam sets up this sentiment previously in the same paragraph of the speech – he states that the Saudi Foreign Minister has already lied about the issue, that the Saudi Crown Prince

most likely knew about the murder plan, and that the truth has still not been discovered. There is another strong speech act at the end of his statement.

Therefore, the democratic world has to reject strongly and unconditionally such behaviour. Saudi Arabia must pay a high price for the tremendous mistake of its present leaders or middlemen.

This is another overlapping speech act, as it is primarily an *exercitive*, yet implying a *verdictive*. The verb 'must' obligates someone to act, even if implicitly issuing a *verdict*. The speech act is also another forceful advice and sentencing – both to the 'democratic world', here mainly understood as the EU, and the Saudi leadership and other associated Saudis. The indication is that the Saudi leadership has to be punished – with the earlier mentioned arms sales ban – and the EU has to do the punishing. Clearly the tone is less diplomatic than in Mogherini's speech, where some room for improvement or reformation was still given.

Victor Boştinaru highlights the human rights violations and oppression in Saudi Arabia, by bringing up a specific, notable earlier case of this. With an *expositive* speech act he describes the current murder case as "one of a long series of human rights violations . . . by the autocratic and discriminatory regime on prominent activists – journalists . . . oppression that has intensified since 2017". In September of 2017 the Crown Prince arranged the arrests of various notable intellectuals and clerics. This was followed by one of the pivotal incidents of Saudi Arabia in November, when the 'royal purge' launched by King Salman of Saudi Arabia and the Crown Prince Mohammed bin Salman took place. Dozens of royals were arrested, and many believed that the actual author of the plan was the Crown Prince. The purge was widely understood as the Prince's attempt to get rid of dissent and to solidify his position as the future king. One of the critics of the purge was Jamal Khashoggi, at that time living in exile in the US. In September 2017 he had also expressed fear of being arrested himself, especially after the purge and the Crown Prince's evident crackdown of dissidents. (Wright 2017, BBC 2021)

Marietje Schaake, a former MEP and member of the Alliance of Liberals and Democrats for Europe Party (ALDE) continues on the same theme. She starts with an *exercitive* followed by a *verdictive*:

Mr President, the revelations about the brutal murder of Saudi journalist Jamal Khashoggi demand European action so that perpetrators will be held to account. Additionally, a regime that lies and deceives the international community cannot be trusted to handle war weapons.

The European action in question seems to be the possible arms embargo or generally stopping or limiting the arms trade, as she clarifies in her next phrase. She does this by uttering a *behabitive* speech act by wishing that a general arms embargo would have initially been an EU initiative. In addition, she adds that her group has already called for this action four previous times but has been overpowered by the EPP and ECR

groups. There is not a specific commissive or exercitive verb to be found in the phrase, but the acts could be reconstructed from context: this is clearly an accusation against the two groups, and exercitives typically can be found in a context of accusation. However, it clearly follows the verdictive, and perhaps could then also be understood as a *commissive* – her party has been committed to call for the action.

The first of her speech's last two, short paragraphs has an exercitive containing an *expositive* speech act, and the second paragraph has two verdictives, the latter containing an expositive speech act as well.

We now need human rights sanctions, including a ban on the export of surveillance systems used to track and trace dissidents, and I hope this House will support a strongly-worded resolution.

While the Khashoggi case is a game-changer, it would be a mistake to limit the lessons learned only to this specific case. The Khashoggi case is not only a murder, but I fear it turns out to be a suicide.

After previously listing many of the human rights violations happening in Saudi Arabia, her judgement is that sanctions are now needed. The expositive speech act implies her plea in this specific group of MEPs – as previously the actions against an embargo were repressed by some other groups. A 'strongly worded resolution' surely is not an arms embargo or sanctions in itself, but she did hope that the House would support the resolution, and indeed it eventually did, namely in the European Parliament resolution of 25 October 2018 on the killing of journalist Jamal Khashoggi in the Saudi consulate in Istanbul (2018/2885(RSP)). In the resolution, the European Parliament for example "insisted on the need for a continued thorough, credible and transparent investigation", "to stand ready to impose targeted sanctions" and urged Saudi Arabia

to immediately and unconditionally release all human rights defenders and other prisoners of conscience detained and sentenced for merely exercising their right to freedom of expression and carrying out their peaceful human rights work. (EUR-Lex 2018)

Barbara Lochbihler, a former MEP and member of the Alliance 90/The Greens utters an *exercitive* that is implying a *verdictive*: "We must not return to business as usual following the violent death of Khashoggi". It implies that this is what has happened previously – Saudi Arabia has not faced any concrete sanctions or actions in the past, but instead trade and other transactions have continued uninterrupted. Her next phrase echoes Schaake's speech, reminding the MEPs that "the European Parliament has repeatedly called for an arms export ban", although as we know, unsuccessfully. This is followed by two strong exercitives that serve as a conclusion of her speech:

We must prevent weapons from Europe from being used in war crimes in Yemen. All EU member states must finally take action and not only announce an arms embargo against Saudi Arabia, but also enforce it.

This is a strong plea for the arms embargo, explicitly stating not only that this action is long overdue, but also that unlike before, it really has to be enforced. The EU did not announce an arms embargo against Saudi Arabia, and much less enforced it. Some of the Member States did announce a permanent or temporary embargo or ban on exports, but it was far from all. Yet, the failure to achieve an actual union-wide embargo does not fall on the speakers or render their speech acts unsuccessful, as they individually could not have announced or enforced an embargo. Ángela Vallina echoes Lochbihler's sentiment, as she introduces the theme of consequences to her speech with a strong *verdictive*:

Saudi Arabia is a feudal, criminal regime that thinks that with its money it can buy the will of the entire international community and, so far, experience, of course, proves them right.

So far, nothing has been done as a response to these violations by the EU and the wider international community, no sanctions, embargoes or other actions. She also introduces the other prevailing theme of her speech – money – stating that the lack of these punitive measures is due to Saudi Arabia's considerate funds and the way they are used, implying that the economic reasons are stopping the EU from acting more strongly.

Vallina continues with an *expositive* speech act, as she pleads with Mogherini to finally comply with the MEPs' request to realise the arms embargo to Saudi Arabia. Her harsh tone continues, as she directly accuses Saudi Arabia – and even Mogherini – for lying: “Don't pretend to believe the conflicting accounts and multiple lies from Saudi Arabia”. There is no specific exercitive verb, but as it is a clear command, it can be interpreted as an *exercitive* speech act. The next two speech acts could also be established as exercitive speech acts by context, as she urges Mogherini to be brave and promote the arms embargo, and to “stop the double standards”.

What is indeed interesting in her speech, is its sharp tone and direct accusations towards Mogherini, of which many of the speakers mostly refrain from. Vallina explicitly accuses Mogherini (although in some cases not only her, but the wider context of the EU), of lying and upholding double standards. Accusations are usually exercitive speech acts, thus this can also be noted as an exercitive by context. She concludes her speech with another sharp remark including a *verdictive* speech act: the enforced arms embargo would be a proper deed that would show that the Union is really fighting for human rights, unlike the previous empty words. Two other speakers strongly echo Vallina's sentiments. Fabio Massimo Castaldo not only also calls for a strong reaction, he accuses the MEPs of being complicit in the crime if they do not react as he demands. He is asking for bravery to do this, which reflects Vallina's urging of Mogherini. Ignazio Corrao circles to the same theme that Vallina and Massimo Castaldo have mentioned before him: money. In his opinion, the lack of consequences

stems from the financial interests which demand the EU to let Saudi Arabia's behaviour go unpunished.

Ignazio Corrao also briefly mentions the 'countless' previous and ongoing human rights violations by Saudi Arabia, then utters an *expositive* speech act by wondering how Saudi Arabia still has a seat in the UN Human Rights Council despite these violations, just like Massimo Castaldo points out in his speech. With a *verdictive* he describes this "truly a scandal" and reminds of their duty to urge the UN General Assembly to take action. Unlike many previous speakers, as he does not call for an investigation conducted by the UN, his wonder of Saudi Arabia's seat seems to imply that no UN investigation would be impartial anyway. Perhaps Saudi Arabia's seat in the Council would also be another issue that the EU could react more strongly to. Corrao finishes with a verdictive: ". . . Europe should learn to speak with a single, clear, unambiguous and resolute voice, avoiding unacceptable flight forward by individual states". This utterance showcases the other problem of EU values – despite the values being shared in the whole Union, the individual countries still have a lot of competences that they can practice, sometimes or even oftentimes in stark contrast to the shared values.

Bodil Valero, a former MEP and a member of the European Green Party continues in this theme with *verdictives*:

My thoughts on Saudi Arabia's respect for the human rights of its citizens have never been high, but now the Saudis have gone beyond all limits. It is frightening that it is a country that many EU countries have close ties to, not least because of arms exports.

It is clear, that for her the murder represents a tipping point, even if she acknowledges prior dislike of Saudi Arabia and its (lack of) respect for human rights. She also, correctly, points out that it is not only the arms trade that strongly connects the country to the EU countries, and thus it could be thought that she would suggest something more than an arms embargo to be put in place, such as sanctions. However, in the following part of her speech she focuses entirely on the arms embargo aspect. It is also interesting that she describes that a country that the EU has so many close ties to behaving this way is frightening – clearly the Saudis going beyond all limits when it comes to human rights is something that the EU should be frightened of, assuming its own values include this specific one, which they allegedly do.

Interestingly, Valero is the first speaker to directly refer to the common rules, interpreted here as the Common Position. She points this out with a speech act, an *expositive* that is implying a verdictive: "I would like to state that all sales to Saudi in this situation are against our common rules". The rest of the speech continues with another expositive speech act, followed by a *behabitive* and then verdictives. She praises Merkel for wanting to stop the arms trade between Germany and Saudi Arabia, but then demands for more countries to follow this decision. She then addresses



Mogherini directly, demanding the embargo, and like some other speakers before her, appeals to Mogherini's sense of shame following the inaction.

During her say, Marie-Christine Vergiat, an MEP and a member of the Left in the European Parliament (GUE/NGL) utters a phrase with three *exercitives*, when she calls for breaking off the ties with Saudi Arabia, on the grounds of repression and financing international terrorism, and then makes a more specific request, that the arms trade with the country must also stop. What is interesting about this latter utterance is that she acknowledges the ongoing arms trade to be against international law, and by extension, against the Common Position and the Arms Trade Treaty. Sadly, this theme is not explored further, but indeed it is a significant aspect of the debate: if the rule of law and operating under laws in general can be understood as EU values, what does it say about the EU when the MEPs themselves call it out for breaking such laws?

Jordi Solé, an MEP and a member of the Greens/European Free Alliance also uses a *verdictive*:

Member States have systematically been violating the common position on arms exports to countries such as Saudi Arabia, which use the war machine to violate human rights and prolong conflicts.

This phrase is especially interesting, because after Valero, Solé is the second speaker to directly mention the Common Position. In fact, he might be technically the first, as Valero referred to "our common rules", which were here interpreted as the common position, whereas Solé mentions them explicitly by name. In addition, where Valero stated that all sales to Saudi Arabia in this specific situation are against the Common Position, according to Solé the violation of this agreement has been systematic and long term. In the final paragraph of his speech, Solé utters an *exercitive*, addressing Mogherini directly and urging for the EU and the individual Member States to choose the first one of the options he laid out earlier in his speech: dignity, which should surpass the economic interest. In his other *exercitive*, he calls for the embargo to be put in place.

Reinhard Bütikofer, an MEP and a member of the European Green Party starts his speech with an *exercitive* speech act, outright accusing the Crown Prince of orchestrating the murder. In fact, it can even be disputed if the speech act is an *exercitive* at all, as Bütikofer almost states it as a known fact, not leaving space for uncertainty in his opinion or rebuttals. He then continues into the theme of the arms embargo almost immediately with an *expositive* speech act:

As early as February 2016, this Parliament called for an arms embargo to be imposed on Saudi Arabia. We have repeated this several times since then. Because as extraordinarily as this one murder stands out, it doesn't stand alone.

Bütikofer echoes Schaake's mention of repeated but unsuccessful calls for an embargo, but unlike Schaake, does not name reasons or specific parties as causes for the calls

not materialising. Nor is he the first speaker to explicitly mention Yemen as an example in his speech, although he does bring up the more indirect risks the civilians face (starvation), and not directly the arms or violence used against them. He concludes his speech with two exercitive speech acts, urging Mogherini specifically to act, and the EU to finally impose the arms embargo to show that its limits have been reached.

Arne Lietz's, a former MEP and a member of the Progressive Alliance of Socialists and Democrats (S&D), tone is more critical, with some *verdictive* speech acts:

Parliament has already asked you twice to enter into dialogue with the Member States about arms exports. Saudi Arabia should no longer receive arms exports, the conservatives in this House have also decided that. It is now important that we maintain this theme.

By stating that the Parliament has already asked Mogherini twice before to discuss the topic of the arms embargo, Lietz makes it known that his and his party's expectations have not been met, since the called-upon dialogue has not taken place or come to a conclusion. With a verdictive speech act he states the need for the embargo, adding that it is not only his party calling for this, but the conservatives as well. This could be interpreted as his way of saying that the dialogue would most likely be more or less unanimous for the arms embargo, should it finally take place. In addition, he gives an example of his own Member State, Germany, which even as one of the biggest arms exporters has also now recognised the need for a united approach towards the arms exports question, and consequently temporarily halted its exports.

Lietz continues with a verdictive and on the same theme: "Coherent foreign policy means coherent arms export policy". With a *behabitive* speech act, he calls for Mogherini's support in giving the Saudi government a united, clear, European statement of imposing the arms embargo against them. His emphasis on a coherent arms export policy could be interpreted as an echo of the shared EU values – how can it be claimed that the EU has fundamental values that all its Member States share, and which bring these States together, if their policy is not coherent or united? Purportedly the policy is built upon the shared values, thus indeed implying that not following a common policy allows space for actions that are devoid of the values.

With an *exercitive* speech act, Ana Miranda, an MEP and a member of the Greens/European Free Alliance group calls for the EU to "present a Resolution on the situation of human rights defenders" in the next session of the United Nations Human Rights Council. This resolution should also include sanctions. In fact, in 2019 the then 28 EU countries and 8 other countries issued a rebuke against Saudi Arabia at the Human Rights Council. It was not a resolution, but an unprecedented joint statement, and did not include sanctions. The joint statement called on Saudi authorities "to disclose all information available" about its own investigation into the Khashoggi murder, as well as to cooperate with separate UN inquiries. It also called on Saudi Arabia to release detained female human rights activists who allegedly have been tortured while in detention. While the joint statement was an important step as the first

collective rebuke against Saudi Arabia in the Council, perhaps it was not quite the strong resolution Miranda was calling for. (Joint Statement on Saudi Arabia - 7 March 2019)

Miguel Urbán Crespo, an MEP and a member of the Left in the European Parliament (GUE/NGL) begins his speech with multiple *verdictives* detailing and describing the case. He calls it “a state assassination”, “not an isolated case” and “one of many cases that demonstrate the brutal dictatorship that is Saudi Arabia”. With the last *verdictive* of the list he describes Saudi Arabia “a brutal dictatorship that is a preferred partner in the purchase of European arms”, introducing the arms export theme that he continues in the paragraph, describing what we, presumably the Western countries or Member States, do or more so, do not do about the issue at hand. He describes that statements have been gotten and that declarations have been issued to not export arms to Saudi Arabia, but then again with an *expositive* utterance he asks: “But are they fulfilled?”. Apparently not, as he continues with *expositives*, stating that the arms sales are still continuing. Urbán Crespo begins his next paragraph with an *exercitive* demanding a common approach to both stop the arms exports and a bit more unclearly, to take measures to “truly stop what we are seeing, which is this brutal dictatorship”. This is not followed by any concrete suggestions for ways to stop the dictatorship. He then closes the speech with one more *exercitive*, urging the fellow MEP’s to finally take a side in the matter, referring to his earlier plea for a common position.

### 4.3.3 Critique of the Saudi Prince and the Saudi authorities

Charles Tannock, as many other speakers, has another prevalent theme in his speech – critique of the Saudi Prince. He utters a *verdictive* speech act: “The use of torture crosses the line which makes this (the murder) an international crime under the Torture Convention of 1987”. With his utterance he quite precisely makes the crime so – in his opinion, or verdict, the crime can now be classified as an international crime. This is one of the clearest examples of speech acts at work, of them making things happen. Tannock is not a judge, but this is not a legislative act per se. It is still judicial though, and it is a different question if Tannock has enough legitimacy to pronounce this murder as an international crime in any other way than just his opinion. However, according to Austin’s theory, even suspicion of a crime can be a serious, successful speech act of this type, and it does not have to be an actual legal act of sentencing – relieving Tannock from any requirement to have actual judicial power to make this type of verdict.

Marietje Schaake begins the next part of her speech with a *verdictive*: “. . . I see it (the murder) as the cumulation of inaction when the human rights of the Saudi people were violated over and over again”. She follows this by listing all the different kinds of human rights violations that have happened or are happening in Saudi Arabia, mentioning, for example, another dissident’s torture and imprisoning, threatening of

women's rights activists, and persecution of LGBTQ people. For her it is clear, that Khashoggi's murder is not the "last straw" or "tipping point" of the situation in Saudi Arabia and the relations between the country and the EU, but more of a palpable next step in the country's repressive and systematic policy. Combined with her earlier speech act, where she mentions her group's previous efforts in calling the arms embargo, this part of the speech implies that it indeed should have been done earlier.

Fabio Massimo Castaldo starts his speech with two *verdictives*, referring to the Crown Prince and the expectations of him that have not materialised, but quite the opposite. This parallels what Charles Tannock said in his speech. Massimo Castaldo keeps using his colourful language and metaphors, as he calls the Saudi government's explanation "the usual dance of declaration". This, like some previous speakers' remarks, implies that this newest trouble is not something new: rather, it has happened previously, as the subsequent happenings are referred to as 'usual'. He continues by clearly casting more doubt on the Saudi government's version of truth, ending the paragraph with a *verdictive*: "The truth, we all sensed it from the beginning". This is another example of how he makes it clear, that he is not alone with his opinion – as is proved by some previous speakers' statements, this is not the first time that the Saudi government has answered to controversies with a dubious explanation or reaction. The paragraph ends with another trope, an idiom, where he compares the Crown Prince to the folktale of a vain emperor, who gets exposed. Massimo Castaldo then points out that the Crown Prince is obviously lying about his involvement in the murder, as "In the Saudi kingdom no leaf falls without his being fully informed".

Marie-Christine Vergiat opens her speech with a *verdictive*, stating that the murder should finally result in the EU to stop pretending to not see the Riyadh regime's cruel actions. This criticism of the EU's unwillingness to react more strongly continues, as she presents her incredulous view of Mogherini's comments with an *expositive* speech act: "When we listen to you Mrs. Mogherini, we have doubts". The nature of these doubts is clarified, when she, as Massimo Castaldo, Borghezio and Belder before her, albeit with a lighter tone, also casts doubt on the intentions of Turkey, "which suddenly becomes a defender of freedom of expression". Yet she does not take this interesting theme further, but rather goes back to the distrust of the Saudi regime's explanations. She emphasises this by a brief overview of the consequences for the allegedly involved:

18 people were reportedly arrested, several relatives of the Crown Prince dismissed for a simple brawl that went wrong. We're going to make the lamplighters pay, or rather those who made the mistake of being caught. But who is the principal? Is the Tiger Squadron a reality? Who does he obey?

Ending the paragraph with *expositive* questions, she also makes known of her opinion of the "true" culprit – somebody higher up, thus most probably the Crown Prince.

Vergiat uses an *exercitive* speech act as she calls for an independent investigation, “under the aegis of the UN”. The understanding is that otherwise the investigation might not be independent and international, as she requests. This is a very different view from Massimo Castaldo: he pointed out the fact of Saudi Arabia’s spot in the UN human rights Council and the hypocrisy of this fact. In fact, he makes it clear that he does not only potentially accuse the EU and his fellow MEPs of “being complicit”, but also the wider international community. With a *verdictive*, he also declares their world “a world of masks and hypocrisy”. Indeed, how could Saudi Arabia participate in conducting a fair investigation into its own actions? Most likely Vergiat is requesting a different actor inside the UN to implement the investigation, but it seems problematic that nevertheless the “possible culprit” is very much a member of the same organisation. Vergiat, along Valenciano, has another perspective, not acknowledging this issue but trusting the UN to lead or at least participate in an international investigation and thus giving the investigation credibility and legitimacy. She describes Saudi Arabia harshly, wanting the EU to break ties with the country, but still does not acknowledge Saudi Arabia’s role inside one of the most important UN functions. With two *exercitive* speech acts she utters:

. . . we must break off relations with this regime which represses, including in blood, its opponents and finances international terrorism and, above all, yes, we must stop selling them weapons in defiance of international law.

Ignazio Corrao addresses the victims’ family members and offers them condolences with a *behabitive* speech act. The next paragraph of his speech, along with *verdictive* speech acts, uses sarcasm. Corrao declares the Saudi government’s version of the events as fiction, emphasising this conclusion with the comparison of a potential fight between the sixty-year-old Khashoggi and fifteen men sent specially from Riyadh, implying the speciality of their probable profession. The sarcasm continues in the following paragraph, where Corrao makes his point obvious by presenting two possible scenarios: “either the Saudi Prince no longer has control of his kingdom or, more likely, he is directly responsible for the tragic events in Istanbul and just wants to buy time”. Expecting the audience to know and agree about the authoritative nature of the regime, even the thought of the Crown Prince “losing control” of his kingdom is made to be ridiculous. And since that scenario is ridiculous, there seems to be no other explanation than that the Crown Prince very well knew of, or was even responsible for the murder, and now needs more time to come up with acceptable explanations to offer to the Western trade partners. Like many speakers before Corrao, he also states that “what happened is clear to everyone”. Comparing this to for example Mogherini’s more careful statements there seems to be a clear difference between the eagerness to directly accuse the Saudi regime. For Corrao, the blame and the true perpetrator are evident, whereas Mogherini and several others are calling for an investigation to make sure of this.

Like many speakers before him, Pier Antonio Panzeri, a former MEP and a member of the Progressive Alliance of Socialists and Democrats (S&D) points out the Crown Prince's role as the organiser and the orderer of the crime, as his being in darkness of the operation would have been impossible. In the next paragraph, like Charles Tannock, he refers to the West's expectations of the Crown Prince and how the recent events have clearly, and once again, shown that nothing has in fact changed in Saudi Arabia with their new leader, but that "the regime has continued to behave in authoritarian and repressive way". It was generally expected in the West, that the younger, seemingly more modern future ruler would be more liberal than his predecessor. Panzeri continues with a passive *exercitive* speech act, stating the need for the EU to reconsider its ties and diplomatic relations with Saudi Arabia, and doing this partly by setting sanctions against the Saudi leadership and putting an arms embargo in place. This is not followed by a commissive, although he does point out specifically his own member state, Italy, when he makes his request.

The next speaker is Jacques Colombier, a former MEP and a former member of the dissolved Europe of Nations and Freedom group (ENF). Contrary to for example the speaker before him, MEP Solé, Colombier's tone is harsher, and he immediately points out the Saudi authorities' role in the murder. Like many before him, he continues by presenting the duality of the Crown Prince and his thinly veiled deception of the Western governments. He continues by listing some of the Prince's human rights violations, and with a *verdictive* states that with these examples he has already shown his true colours. Colombier then introduces another theme to his speech, previously mentioned by Angel Dzhambazki, that of radical islam:

Saudi Arabia, which encourages radical Islam all over the world and finances the construction of radical mosques and whose responsibility in the attacks of September 11, 2001 is overwhelming. So instead of focusing on Russia, banish this rogue state which is nothing but an institutionalized Daesh.

Colombier is direct in his accusations of Saudi Arabia and its actions, and even harsher than Dzhambazki. However, they both describe the country as a more palatable version of ISIS or Daesh, thus indirectly implying that the EU is fraternising with terrorists and refusing to see that themselves. According to Colombier, the Crown Prince had already before this shown his true colours, yet he accuses, the EU and perhaps the West in a larger context are focusing on Russia, exactly as his fellow MEP Arnautu claimed before him.

Josef Weidenholzer, a former MEP and a member of the Progressive Alliance of Socialists and Democrats (S&D) begins his speech with two strongly worded *verdictives*. With the following *exercitive* speech act, "This must finally have consequences!", he implies the same sentiment as many before him - this specific case, despite its horridness, is only a continuation of previous grave violations of human rights by the Saudi regime. In addition, continuing the same theme and echoing the sentiments of

many previous speakers, Weidenholzer brings up the Western governments' tendency to look the other way when it comes to these violations. This he expresses starting with an exercitive utterance, followed by a verdictive:

The regime in Riyadh must no longer be courted and, above all, the arms deliveries must be stopped. We heard that earlier today. However, there are doubts and there is a fear that we will fall back into the usual mode: excitement, harsh criticism, only to succumb to the lure of Saudi money again. It will not work like that!

As stated above, he demands the arms embargo to be put in place, and again states the fear of economic interest hindering the actual consequences from taking place, as usual. This is the same theme that many other speakers have delved into. He ends the paragraph with a *commissive*, thus staying true to Austin's theory, as he complements the verdict by following it with a commissive. Despite generally rendering the speech act successful, Weidenholzer does not specifically state how he himself or the 'we' pronoun that he uses in the previous sentence commits to change things, as with his commissive he just states that this time "it will not work like that". In the following paragraph he does expand his thoughts, but still does not really offer any specific suggestions to indeed not "let it work like that" this time.

Weidenholzer continues with two verdictives, denying the need for a "PR-driven revolution like the Crown Prince's", thus proclaiming or alleging again the Saudi ruler's disingenuity. He continues: ". . . we need real change, and that's what Khashoggi had in mind", explaining then Khashoggi's 'legacy', a transnational Arab information platform aiming to end poverty and mismanagement and increase education. This is clearly the example of the real change Weidenholzer expects, yet again this is explicitly Khashoggi's effort - Weidenholzer does not offer any ways for the EU to do its part in this real change, unless he implies that the EU should follow Khashoggi's lead and found something similar or support similar projects financially or otherwise. He finishes on a positive note delivered as an exercitive: "That's why we mustn't give up the belief that there will one day be an Arab democracy". The sentence remains a little vague, as he does not expand on it, nor offer any more reasons for this belief that nevertheless must be held.

José Inácio Faria, a former MEP and a member of the European People's Party (EPP) highlights that Khashoggi himself through his journalism work had been letting the West know about the Saudi leadership's true colours and human rights violations. Once more, he explicitly points out the Western hypocrisy of knowing these 'true colours' already long before and just choosing to ignore them, by calling it "whitewashing". Faria continues with an *exercitive*, urging Mogherini and the EU to condemn the murder and ensure a credible and transparent investigation. He also demands that the whereabouts of Khashoggi's body should be found out from the Saudi authorities. The same phrase also contains a *verdictive* speech act, with which Faria pronounces the murder as a "shocking violation of the Vienna Convention on Consular Relations

and Saudi Arabia's international obligations as a member of the United Nations Human Rights Council". Saudi Arabia's seat in the Human Rights Council has been brought up in the debate before, but Faria is the first speaker to refer to the Vienna Convention on Consular Relations in this debate. The murder indeed is often understood to have gravely broken this treaty, specifically its Article 55, which states that consular premises "shall not be used in any manner incompatible with the exercise of consular functions" (UN 2005). A murder of a dissident is naturally considered as an extremely incompatible action to take inside the consular premises. In fact, it is even a bit surprising that Faria is the first one to mention this Convention by name in the debate, as it is one of the most clearly broken international treaties regarding this specific case, and relatively unique at that.

#### **4.3.4 Hypocrisy of the European Union, the West and Turkey**

One of the clearly emerging major themes of the debate is hypocrisy – typically the hypocrisy of the West, of Turkey and its apparent role as a human rights defender in this case, and even of the EU itself. As already shown in the previous subchapters, some of the MEPs accuse each other, the European Parliament or the European Union for being complicit in the murder by choosing to protect financial interests instead of truly upholding European values of defending human rights, freedom of speech and rule of law. Turkey is brought into the discussion by multiple MEPs – taking into account Turkey's own track record of human rights violation and treatment of dissidents, perhaps it is not the most impartial executioner of justice in this specific case. In addition, they accuse many people of siding with Turkey as an unprejudiced party, putting aside the country's own previous and ongoing violations.

Fabio Massimo Castaldo is the first speaker to bring up the narrative of Turkey's hypocritical role. Mario Borghezio, a former MEP and a member of the dissolved Europe of Nations and Freedom group (ENF) continues on this theme – he points out that Erdogan himself "holds over 300 journalists in prison" and wonders why this is not being condemned. He continues with a *verdictive* on the same argument: "Your friend Turkey is the world capital of journalists' prisons: 5 sentenced to life imprisonment, 3,000 deprived of the right to work in their profession." This refers to the role of Turkey in the case and in the discussion surrounding the case: Turkey and its leader Erdogan are vocal about the Saudi government's involvement in the murder and condemn it, which can be seen in a hypocritical light considering their own human rights situation and (in)tolerance of dissidents. Like in Massimo Castaldo's speech, this seems to point out the dubious value placed on human rights as a European norm. Can a known human rights offender be accepted as a human rights defender based on a very specific, individual case?

Bas Belder, a former MEP and a member of the European Conservatives and Reformists party (ECR), jumps directly into the criticism of Turkey. He starts with a



*verdictive* speech act, calling the scene “truly grotesque” and then explains this view: “In a country where the press is silenced in all kinds of ways, this happens violently with a Saudi journalist”. He then casts his distrust of the Turkish government and president Erdoğan with some colourful language – with *expositive* speech acts, repeating and irony:

However, what exactly does the Turkish government know about the completely abject – let there be no doubt – about the completely abject murder of Khashoggi? President Erdoğan has again failed to answer this crucial question today.

It is obvious that according to him, Turkey has some, if not as much to do with the murder as Saudi Arabia itself. He also points out that European media and politicians have been focused on blaming only the Saudi government, which he does not seem to approve of. Perhaps the blame should be directed also towards Turkey. Bodil Valero has quite the contrary viewpoint to Belder, when she offers an interesting *expositive* speech act: “. . . and it is very rare that I agree with the president of Turkey, who does not have a good reputation when it comes to human rights”. Her speech act includes some criticism of Turkey, but unlike some speakers before her have implied, not towards Turkey’s part in the murder case, but its previous human rights violations. In addition, she seems to give some credit for Turkey despite her remark on the country’s reputation and does not necessarily highlight the hypocrisy of this setting, like Belder does.

Marie-Christine Arnautu, a former MEP and a member of the dissolved Europe of Nations and Freedom party (ENF), starts her speech by criticising the Western governments for their presumed presumption of Saudi Arabia as a sympathetic ally. She highlights this hypocrisy by describing a recent specific event between the country and the EU:

Last February, the Saudi Minister for Foreign Affairs engaged in a “taqiya” exercise before our Foreign Affairs Committee, praising the reforming policy of the Crown Prince for an Islam, I quote: “open, inclusive and tolerant”. The Western chancelleries asked nothing better than to let themselves be duped so as not to give up their juicy contracts. Thus, when Saudi Arabia openly supported the jihadists in Syria, the Western governments at its side preferred to condemn Russia in the fight against terrorists.

Arnautu’s speech is an example of multiple prevalent themes in one speech. Her speech explicitly focuses on the hypocrisy of the West, but the analysis also brings up the more implicit themes of values, money and greed, and criticism of Saudi Arabia. Arnautu accuses the Western governments of choosing to close their eyes from the truth to protect their financial interests, thus sacrificing their values for greed.

Arnautu does not only point out Western hypocrisy, but she also joins in criticising Saudi Arabia’s seats in the UN. Despite this, she interestingly, with a *verdictive* speech act openly places most of the responsibility for the murder and the surrounding situation on Western governments. It is a direct accusation of the West’s hypocrisy

and inability to properly punish Saudi Arabia. By not having acted before, the West has allowed this murder to happen, even though it might have been prevented with proper previous measures. This is in clear contrast to Mogherini's words – in her speech, the murder is an attack against the West and its values as much as it was an attack on a singular person. Arnautu presents the West as a potential co-perpetrator, and the murder almost as an obvious consequence of the Western hypocrisy.

Arnautu states:

The Saudi army is bombing the civilian populations of Yemen, our governments continue to deliver weapons to it.

Her entry into the Human Rights Council and the UN Commission on the Status of Women had only aroused weak protests.

The first phrase is a clear accusation of the member states direct involvement in the Yemen civil war. She does not refer to the Common Position, but indeed the arms deliveries to Saudi Arabia that end up being used in Yemen are directly conflicting with the agreement. Indeed, many Member States did not halt their arms trade with Saudi Arabia even after learning that the arms they had delivered were used against civilians. However, following the Khashoggi murder various Member States pointed out the murder as the reason to halt sales temporarily or indefinitely. Was the murder of a dissident more starkly in contrast with the EU values? As Mogherini said, the murder was a direct attack on EU values, especially human rights and free speech. Perhaps this 'direct attack' was indeed more in contrast with the values than the unfortunate violations of the imperative Common Position.

Ana Miranda begins her speech with a *behabitive* utterance (condemn) which she repeats multiple times for the rhetoric effect:

Mr. President, we condemn this terrible murder, we condemn the murders of human rights defenders, journalists, lawyers, people, men and women, writers. We condemn the double hypocrisy of the photos of the King of Spain, who is photographed with the Saudi prince; We condemn that there are governments and that there are Parliaments that are capable of looking the other way when these tragedies are seen, when these massacres of the civilian population of Yemen are seen.

She then continues by listing what other actors have already done regarding the issue at hand (Mogherini's request for common resolutions, Germany's vocalised stance) and then with again multiple *expositive* utterances asks what Spain, the UK and France are doing. Why these countries? "They are the States with the greatest involvement", she explains correctly, as these indeed are some of the Member States with the most arms exports to Saudi Arabia. It first seems that in her speech Miranda chooses to put the focus on individual Member States, but in her second paragraph she presents the following step as a collective EU action.

Jean-Luc Schaffhauser, a former MEP and a former member of the Europe of Nations and Freedom group (ENF) begins his speech with a *verdictive*, characterising

the murder as “unconscionable”, and then continues to ask three rhetoric questions in the form of *expositive* speech acts:

But which is more inadmissible: the death of a journalist, a Muslim brother, or the millions of deaths in Iraq in an illegal war that we approved? Turkey, which eliminates its political opponents in a more discreet way and which we continue to support? The silent dead in Mrs. Clinton's entourage, which no one talks about but who have been eliminated?

It is evident, that Schaffhauser is criticising the acts of Western governments and thus points out the hypocrisy of specifically focusing on this incident, the death of a journalist. He refers to the American war on terrorism that had huge civilian losses and questions the continuous support to Turkey which also commits human rights violations, only more discreetly. He continues with this theme of Western hypocrisy, pointing out that the Parliament and the EU in general “would be more credible if your indignation was directed at any regime that assassinates its opponents, and believe me, there are many state crimes”. While this same sentiment has been voiced in previous speeches, for example regarding Russia, it is a bit unclear what specifically Schaffhauser is referring to: the legitimate violations of the US, or the ludicrous far-right conspiracy theory about Hilary Clinton. The theme of Western hypocrisy in general is an important and topical one in the debate, but without more details in Schaffhauser's statement remains a bit vague.

The debate ends the same way it began, with another speech from Federica Mogherini, Vice-President of the Commission/High Representative of the Union for Foreign Affairs and Security Policy. She begins her closing speech with a *behaviourive*, thanking the fellow speakers for “the quite strong and united voice that I've heard from different groups and different national backgrounds that send the same message”. Indeed ‘quite’ seems to be an important word here, as all of the speakers have condemned the murder, while introducing various other interesting themes around the topic and bringing their differing points of view of the most important aspects and next steps. While some speakers have disagreed on Khashoggi being ‘a real victim’, all of the debate's participants have condemned Saudi Arabia's actions in one way or another. With a verdictive she circles back to her own opinion, already introduced in the first speech, stating that this more or less unanimous notion supports and strengthens the call for the need to know the truth behind the matter.

This becomes even more obvious with her second paragraph, starting with a clear *commissive*: “We will continue to demand a full, credible and transparent investigation”. She mentions a common G7 statement that was released during the debate, that according to her contains similar sentiments as the ones heard in the Parliament. This statement, called the G7 Foreign Ministers' Statement on Disappearance of Jamal Khashoggi, was released by G7 Foreign Ministers of Canada, France, Germany, Italy, Japan, the United Kingdom, the United States of America, and the High Representative of the European Union Mogherini. The statement calls for a credible investigation

done by Saudi Arabia, and for Turkish-Saudi collaboration. (Ministry of Foreign Affairs of Japan 2018) Interestingly, and perhaps to answer to some of the criticism towards her during the debate, she highlights the EU's, and specifically her "explicitness" in the matter.

Mogherini continues on the theme of unity regarding the responses from the Member States and the EU, describing that many Member States have either taken action or are willing to take action regarding Saudi Arabia and possible consequences. She even states that achieving more unity is the EU's duty. With an expositive, she calls especially the EU and the Council to 'collectively' continue monitoring the situation and its development, and eventually "decide on any measure to be taken collectively, as the European Union, based on, first and foremost, the steps that are taken by the Saudi authorities to establish the truth and to bring those responsible to justice". Her tone is clearly much tamer than many of the other speakers in the debate, as she again states her willingness to wait for the Saudi authorities' explanation and investigation of the matter. This perhaps suggests that Mogherini has more trust in the Saudi leadership than most of the other speakers, as she is still willing to give benefit of the doubt and wait for more evidence coming from Saudi Arabia. Or perhaps more likely, that in her position she is more tied to the diplomatic, careful ways of expression.

Her final paragraph begins with another behabitive speech act, as she thanks the Parliament for another reason – for helping to put the vital focus on

freedom of speech and the support we give – not only to journalists around the world, but also to human rights activists, civil society organisations, and to political opposition in some cases.

With a *verdictive* she states that it is this support that is at the core of EU's foreign policy, "regardless of geopolitics". She continues that this support is not based on liking some countries more or less, perhaps referring to some of the speakers' comments on choosing to focus on Saudi Arabia or this specific instance and not on other countries. Considering many of the speakers' sentiments about the EU's hypocrisy in this matter, Mogherini's statement seems a bit ironical, as it seems clear that in some cases the EU has been more vocal than in others. She finishes her speech with three commissive speech acts, vowing to continue this support and defending of human rights:

We will continue to support civil society, human rights, journalists and activists everywhere in the world, and we will continue to denounce and to oppose all measures against a free, open society everywhere in the world. We will continue to engage in every situation where freedom and human rights are under attack, whoever the victim, wherever it takes place and whatever the country.

## 5 CONCLUSIONS

The four different main themes that emerged from the debate were arms trade to Saudi Arabia, European values, Critique of the Saudi Prince and the Saudi authorities and hypocrisy of the European Union, the West and Turkey. Some other, less prominent themes emerged as well, such as money/greed, and the roles of the United States and United Nations with regard to upholding universal values and their stance on Saudi Arabia. Another minor but interesting theme raised in a few speeches was the questioning of Khashoggi's victimhood – yet even these speakers still also condemned Saudi Arabia. Many speakers were demanding a 'credible, transparent' investigation into the case, sometimes specifically by the UN, sometimes more in general.

Especially one of these themes in itself is particularly interesting given the nature of the thesis and its topic – that of European values. This theme raises some more questions in addition to the initial research questions: how do the speakers define Europe and Europeans? Are Europeans those who live by the European values? Federica Mogherini suggests with verdictive speech acts that a murder of a dissident is an attack on Europeans because it is an attack on the European values and societies that supposedly are based on them. Victor Boștinăru seems to echo her sentiments of a crime having been committed against European norms and thus the Europeans who live by them. Interestingly, Mogherini also seems to emphasise Khashoggi's own connection to these European values as well, as a visitor and a speaker in a conference by the EEAS. Is Khashoggi to be considered a European himself, as he seems to not only have lived by these European values, but to also allegedly have upheld and contributed to them?

According to Angel Dzhambazki, European values are opposite to (radical) Islam, and Europeans are those who oppose not only this radical Islam but Islam in general. This is an opinion that is brought up in only few of the speeches, so it is contradictory to the more mainstream understanding of the European identity being formed by living by its norms. Some speakers mention specific treaties and agreements – perhaps Europeans are those, who live by the values and rules set by these

multilateral documents. Some seem to suggest that Europeans are 'free', as the crime is threatening their freedom. The more critical views of the EU will be discussed in the following paragraphs, but many speakers suggest that the EU and individual Member States are operating by greed or against the European values – is it then hypocrisy, that defines what being 'European' is? Perhaps some further research into this matter could be interesting: for example, researching the MEPs' understanding of the EU values on a larger scale, not only in relation to this murder case.

The four main themes and their recurrence throughout the debate show that the speeches were mostly in unison. Almost all of them favoured an arms embargo, condemned the murder and criticised Saudi Arabia. Perhaps in the theme of hypocrisy there was more division. Some speakers criticised the EU and its hypocrisy in continuing and having previously continued its ties with Saudi Arabia despite previous human rights issues. Some even directed their criticism straight to the then High Representative Federica Mogherini. Some speakers pointed out Turkey's own human rights issues and thus the controversy following its accusations of Saudi Arabia's conduct. Then again, some speakers placed their trust in the European Union for standing up for its values in the world and congratulated Mogherini for her stance in defence of the European values.

Multiple speakers question the integrity of the EU in their speech, within different topics. On some occasions the speakers seem to give a condition – if the EU does something, or does not do something, it means that it places other interests before its values. For example, in her speech, Ángela Vallina calls for an embargo by suggesting that not doing so means that money matters more to the EU than human rights. Ignazio Corrao points out that the EU will, as usual, not do anything about the situation despite knowing what happened, thus choosing to willingly close its eyes from the truth to protect its other interests. José Inácio Faria states that continuing the arms trade goes against the EU's morale and decency. Anneli Jäätteenmäki directly asks, if the EU values human rights and press freedom, or will it put money before them. These are strong, direct ultimatums given for the EU to show in practice how it actually follows and upholds its own values. And since there was no embargo, the question remains – does money matter more to the EU than human rights, has the EU lost its morale and decency? According to the speakers who gave the ultimatums, perhaps so, but not all would agree.

In addition to the direct ultimatums, some speakers criticised the EU for its hypocrisy. In fact, the whole last subchapter of the analysis discusses the speech acts pointing out the hypocrisy of the EU and the West (and of Turkey). Sometimes, for example by Mario Borghezio and Bas Belder, the EU is deemed hypocritical by its apparent trust in Turkey as an objective party in this matter despite Turkey's own human rights issues. Other times the hypocrisy stems from the EU's ties to Saudi Arabia, be it the arms trade, other financial interests, inability to punish Saudi Arabia or

react to its previous issues, or by holding the importance of ties to Saudi Arabia to a different level than with for example Russia. One important criticism concerns Saudi Arabia's seats in the UN Human Rights Council and the lack of protest this aroused in the EU. These criticisms seem to be a degree lighter than the ultimatums, although often the speaker giving an ultimatum in their speech is also giving the aforementioned criticism as well. These utterances seem to warn the EU of its behaviour, strongly urging it to change the course before it can be firmly stated that it indeed puts other interests before its values, thus it still has a chance to prove its normativity.

And yet still some speakers did not give the EU such strict ultimatums as above nor even considered it particularly hypocritical, although they seem to be the minority. These speakers were calling the EU to act with regard to this specific case but did not necessarily deem it to have acted wrongly or inadequately before. Naturally, one of this type of speakers is the then High Representative Federica Mogherini, who strongly condemns the murder but suggests that the right course of action is to collectively monitor Saudi Arabia's response and investigation into the matter. She paints the EU as a staunch human rights defender that will act accordingly once the matter becomes clearer. Her position is one factor to explain her stance, but she is not the only one still placing their belief on the EU to continue putting its values first – although even some of these speakers still express the fear of financial interests potentially gaining more traction and competing against the EU's self-proclaimed core values.

Despite the coherency in condemning the murder and in most cases Saudi Arabia's conduct, there are still some sentiments that clearly differ among speakers. Do their reactions still amount to a relatively coherent policy, or in this specific case, to a relatively coherent response? This can be up to interpretation, but according to the analysis it is mostly coherent, at least on the larger scale. As stated, the consensus is to condemn the murder in any case, and to either directly blame Saudi Arabia, or at the very least put some responsibility on the country and its leadership. Most of the verdictive speech acts used in the debate were judgements on the severity of the situation and Saudi Arabia's nature and conduct. Similarly, most of the exercitive speech acts were calls for the EU to do something about the case, even if the suggestions and their severity varied. Majority of the speakers was calling for the EU to enforce an arms embargo, again contributing to normative coherency. The bigger issue seems to be the different stances on the value that the EU truly places on its norms – is the EU an ardent human rights defender, or has it given up its values for greed? Despite the opinions at times being very much at odds with each other, many speakers at least seem to suggest that whatever the present – and even historical – case, the EU could still change its conduct and thus prove itself. The EU still has a possibility to claim its normativity, it can still prove that it respects its norms and is willing to act by them. As said, the coherence and normativity can remain open for interpretation, but

according to this analysis, the EP's response is interpreted as so. Regarding the actual actions as part of this response, the interpretation is more uncertain.

Indeed, there was no Union-wide arms embargo imposed, nor even discussed (outside of the EP debate). There were no significant sanctions introduced. Still, some of the member states did halt their arms exports to Saudi Arabia temporarily or indefinitely. It is impossible to analyse how much this specific debate had to do with these decisions, as they most likely were formed as a combination of multiple similar efforts and pressures. Nevertheless, on the larger scale they are a part of the EU's response to the case. In addition, the EP created and presented a resolution, more specifically the European Parliament resolution of 25 October 2018 on the killing of journalist Jamal Khashoggi in the Saudi consulate in Istanbul (2018/2885(RSP)). In the resolution, the European Parliament reiterated the need for a continued thorough, credible and transparent investigation into the murder, called on the High Representative and Member States to stand ready to potentially impose targeted sanctions and urged Saudi Arabia to immediately release its prisoners of conscience, including human rights defenders. Resolutions might have limited impact on the other institutions, but nevertheless they serve an important purpose – they are a way of expressing judgements, doing advocacy and giving policy guidance. In the context of this thesis, the resolution can also be used as a further proof of the coherency of the response.

As the analysis shows, it was indeed possible to find many different, interesting speech acts from the debate. Some of the speech acts were clearly used less frequently than others, and perhaps carried a bit less meaning as well – there were some behabitives and expositives that perhaps served as rhetorical tools to emphasise the speakers' messages, but as in and of themselves did not contribute so much to the analysis. Contrarily, the verdictives and exercitives were not only the most numerous used in the speeches, but they were also often used in delivering significant, or perhaps at least weightier utterances. Commissive speech acts could be placed in the middle ground – they were often also very pointed but appeared less frequently than verdictives and exercitives. Some of the speech acts contained other speech acts within them, which happens very often in political rhetoric, and in the analysis, this was often displayed in the form of an exercitive containing one or more verdictives. The exercitives should not be understood as arbitrary demands, but as based upon the judgements or assessments of the situation that have been presented in the form of verdictives, explaining the often-occurring speech acts within speech acts.

The reasons for the frequency of use of each speech act can be found in the context of the discussion. The analysed material is a debate by the European Parliament, on the topic of the murder of Jamal Khashoggi in a Saudi Arabian embassy in Turkey, and how this should impact the EU states' approach to Saudi Arabia, especially in the question of arms trade. Naturally, the topic is awfully grave and causes sharp commentary, although very much in the limits of this type of debate, with short speeches.



In an official setting such as this European Parliament debate, there is no need nor purpose for 'more behavioural' or 'subdued' speech acts falling to the categories of behabitives or expositives, or in general, for acts that consist of sharing opinions. The 'harsher', maybe even more 'judgemental' speech acts of verdictives, exercitives and commissives allow the speakers to demand, condemn and accuse. In the context of speech acts, this type of setting is better suited for making judgements, demands and commitments.

In general, parliaments or their members usually issue verdictive acts to clearly establish their position on the situation, which can be seen in this specific debate as well. Verdictives are specifically used for giving a judgement on the situation or particular actions. In the context of all the EU institutions, it is usually precisely the European Parliament that is more vocal and determined in its position than the other institutions. This is partly because its 'direct' power is lesser, and partly because it is indeed the Parliament that we even expect this more moral aspect of politics, not the actual executive bodies. This can be seen in other cases as well, for example in the reactions against the Russian invasion of Ukraine. It is one thing to hold speeches and pledge support to Ukraine in the parliamentary setting, rather than actually implement concrete help through the executive bodies. Even now in the most recent example, in the European Parliament there have been some heartfelt, upset speeches highlighting the plight of Palestinians in Gaza, all the while the Union's official stance has been much more careful not to criticise Israel too heavily.

Yet, this does not necessary mean that the Parliament's contribution would be any lesser - it is a different institution with a different way of participation, as shown in the previous examples. It is expected that the elected representatives of civilians represent these, in the lack of a better word, more humane aspects of the political and bureaucratic atmosphere. In fact, the advantage of speech act theory in analysing materials in the parliamentary context is that this theory can grasp precisely this aspect - highlighting how something is actually produced in what at first glance maybe appears even 'ineffective'. Nevertheless, the matter is not solely of the more humane aspects - the European Parliament is the supreme legislative institution in the European Union, and the verdictives and exercitives taking place in its debates are serious speech acts. These condemnations and demands form a part of the European policy even when they do not translate into direct executive acts. They can also be influential in forming the basis for future policies. For example, if the verdictives uttered inside the Parliament judge or deem a state to be a sponsor of terrorism, it will be difficult for the EU to legitimately launch cooperation with said state.

In addition to verdictive speech acts, exercitive speech acts are also commonly used in a parliamentary setting. An exercitive act is demanding something, for example calling on other institutions to take action. As shown in the previous examples of Ukraine and Gaza, the European Parliament is limited in the actions it can concretely

take. Thus, it is its role to call for the other institutions with other or more capabilities to do something. Commissive speech act commit the speaker to some kind of action or reaction, thus they are also quite common in any political environment. In this analysis there were significantly less commissives than verdictives and exercitives, but perhaps this again can be explained with the context being the European Parliament and this specific discussion – there are limits to what the speakers can commit themselves to, and perhaps in this debate they deemed it more important to focus on condemning the murder, Saudi Arabia’s behaviour in general, and the arms trade.

As mentioned before, Austin’s theory gives specific conditions for the successfulness or the felicity of the speech acts. In the debate, most of the speech acts seemed to be successfully fulfilled and thus rendered ‘happy’. In the analysis there were sometimes speculations on, for example, the speakers’ authority in giving a specific speech act or the perlocutionary effect of some acts, but these could be interpreted in various ways, and on the whole most acts seemed to be successful anyway. In one of Charles Tannock’s verdictive utterances regarding European values there was a curious order for the values to reassert themselves. The perlocutionary effect seems to be inexistent by default, since it is not any actual (human) audience that Tannock would order to do something (reassert). However, it bears to remember that political speech acts as opposed to legal speech acts may satisfy felicity conditions yet still not carry any immediate perlocutionary effects, as they might not have real addressees or specific executive provisions to enforce them. They are nonetheless serious in the sense of taking a stand, thus rendering Tannock’s speech act happy in this context.

As stated, the analysis did not explicitly focus on the felicity of the speech acts regarding perlocutionary effect (the effect of the utterance on the listener). Sometimes it is not the intended effect that was sought with the utterance originally, yet the effect on the audience can still be strong. It is hard to measure perlocutionary effects, not only because they are often very personal and not obvious to others, but also, because they might be dispersed in time and space – some of the effects might take place much later than immediately after the speech act. It is not only difficult to measure when the effect takes place, but to also determine what counts – if the effect only takes place years or even decades after the act, can the effect still be considered as strong or successful? The statements of the European Parliament can and often will have an effect on the European public opinion, but it might not happen immediately.

In the analysis, it was questioned if the perlocutionary effect of most of the speech acts actually remained weak, since their potentially desired impact was to implement sanctions or embargoes, or otherwise cut ties or ‘punish’ Saudi Arabia. However, the conclusion is no – to understand why, it is necessary to look into the actual context of the speeches. As already discussed in the previous paragraphs, one of the roles of the European Parliament is to give its vocal, perhaps more brazen judgements on situations. It does not mean that an individual member of the Parliament, or even

a whole group of them can simply decide to implement extensive, arduous procedures. They do not have the authority or possibility to do that – yet the perlocutionary effect on the audience might still be strong. The felicity conditions on authority are also fulfilled – even though the speakers themselves do not have the authority to decide on or implement certain Union-wide processes, they are still in the correct authoritative position to demand or call for them to be put in place.

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