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The EU and the US towards
a Common Global Role

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– Sieps 2003:1op –

Sieps 2003:10p
October/2003

Publisher: Swedish Institute for European Policy Studies.

This paper is available at
www.sieps.se

This paper can also be ordered from
info@sieps.se

Cover: Svensk Information AB

Print: EO-print AB

Stockholm, October 2003

ISBN 91-85129-57-7

ISSN 1651-8071

PREFACE

Sieps, the Swedish Institute for European Policy Studies, conducts and promotes research, evaluations, analyses and studies of European policy issues, with a focus primarily in the areas of political science, law and economics.

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This paper is the first in a series of occasional papers published by Sieps. Sieps is very grateful to *Prof. Dr. Ludger Kühnhardt*, who has kindly given Sieps the opportunity to publish his timely and thought-provoking speech delivered in Stockholm on 26 August 2003. The occasion was a seminar arranged by Sieps under the heading *Transatlantic Relations – The European Union and the United States: Partners or Competitors?*

Tomas Dahlman
Director
Sieps

ABOUT THE AUTHOR

Prof. Dr. Ludger Kuhnhardt is Director at the Center for European Integration Studies (ZEI), a think-tank within the University of Bonn. He holds a Chair in Political Science at the University of Freiburg and was visiting Professor in various prestigious universities around the world. Dr. Kuhnhardt worked as Speechwriter for former German President Richard von Weizsäcker. He is the author of more than twenty books, dealing with European integration, history of ideas and human rights.

CONTRASTING TRANSATLANTIC INTERPRETATIONS: THE EU AND THE US TOWARDS A COMMON GLOBAL ROLE

Abstract

Transatlantic relations have seen the most dramatic crisis ever over the issue of how to deal with Iraq. A deeper analysis shows that the colliding trends in transatlantic relations did already begin during the years of the Clinton Administration. Ludger Kuhnhardt argues that the various transatlantic quarrels of recent years are rooted in different developments during the past decade concerning the notion and effect of the concept of national sovereignty. While the United States has not only remained the only superpower on earth, but also a vibrant nation-state in the traditional sense of the term, all EU member states have developed a very original understanding of sovereignty, no matter how this concept is being discussed and implemented in individual EU member states. As a consequence, the EU and the US differ with regard to their understanding of the role of the individual nation state and hence in their understanding of multilateralism. The EU has also developed a specific understanding of transnational democracy. It remains limited, however, with regard to a proper and consistent definition of what "European interests" could mean and how they should be implemented. In this regard, the US is driven by an enormous high degree of self-confidence. In order to revitalize Transatlantic relations, a new common project is needed, but also adjusted instruments of common policy formulation and cooperation. Kuhnhardt is suggesting an Atlantic Treaty with a broad basis to cover the various dimensions of transatlantic relations which remain the most vital part for the future development of global politics.

I. Colliding rather than drifting apart; Transatlantic relations in the early 21st century

We have a new transatlantic agenda, yet we do not really know how to fill and focus it. For almost fifty years, the transatlantic alliance has been the cornerstone of the free world, the incarnation of “the West”. Its success in managing the Cold War and bringing it to a successful end has been one of the most impressive historical experiences proving the strength of cooperation among nations and their ability to link values with interests. Since the end of the Cold War, the transatlantic partnership has undergone enormous developments:

- While adjusting to the changes in Europe, it has also become exposed to the implications of globalization. Rivalries over economic issues among the Atlantic partners occur despite a strong record of joint engagement in the remaining conflict areas on the European continent;
- NATO was lauded as the most successful military alliance in world history; it has begun a new phase by expanding its membership to include former communist Warsaw Pact countries, initiating a unique new partnership with Russia and broadening its commitment beyond the territorial defense of Europe and the US;
- The introduction of a common European currency has given visibility to the argument that the EU “has become virtually the economic equal of the United States”.¹ In spite of all their competitive quarrels over steel tariffs and anti-trust issues, the most evident expression of this parity is the common interest of the EU and the US in further developing the existing global economic and financial architecture, including the World Trade Organization;
- The challenges of terrorism after the horrible attacks of September 11, 2001 have seen an impressive outpouring of

¹ C. Fred Bergsten, “The Transatlantic Century”, in: The Washington Post, (April 30, 2002), p. 19.

sympathy with the US in Europe and an understanding of being confronted with a new and lasting common challenge, although political debates and strategic dissent have begun over the interpretation of “9/11”, the implications of possible next targets in the ongoing war against terrorism and the management of related decision-making.

Parallel to new political and economic developments, a new stream of academic literature on transatlantic matters has emerged during the 1990s and into the early days of the new century:

- One set of literature is following in the footsteps of the Transatlantic Declaration of 1990, the New Transatlantic Agenda of 1995, and the deliberations of the Transatlantic Business Dialogue, which is taking place since 1995; this institutional-diplomatic approach of analysis reflects the state of transatlantic relations through the perspective of relations between the EU and its various institutional layers on the one hand and the policies of US administrations as they evolved over the past decade on the other hand ;²
- Connected to, although not identical to, the institutional-diplomatic approach is the assessment of economic relations between Europe and the US; beyond explicitly economic matters, a wide range of aspects of political economy and economic governance are being addressed by this set of literature, including the consequences of the introduction of

² See Christoph Bail/Wolfgang H. Reinicke/Reinhardt Rummel (eds.), *EU-US Relations: Balancing the Partnership*, (Baden-Baden: Nomos 1997); Anthony Laurence Gardner, “A New Era in US-EU Relations?” In: *The Clinton Administration and the New Transatlantic Agenda*, (Aldershot: Avebury 1997); Jörg Monar (ed.), *The New Transatlantic Agenda And The Future Of EU-US Relations*, (Boston: Kluwer 1998); Charles Bonser (ed.), *Security, Trade and Environmental Policy. A US/European Union Transatlantic Agenda*, (Boston/Dordrecht/London: Kluwer 2000); Ann Mettler, *From Junior Partner to Global Player. The New Transatlantic Agenda and Joint Action Plan*, ZEI Discussion Paper C81/2001, (Bonn: Center for European Integration Studies 2001).

the euro and the role of the Atlantic partners in managing the global economy;³

- The future of the military alliance is discussed by another set of literature; most notable are debates about the potential of a European Defense and Security Policy and its implication for the future of NATO; also noteworthy are analyses about specific new challenges with regard to military and technological cooperation, including detailed budgeting issues;⁴
- Not less relevant is a set of literature dealing with new strategic challenges to the Atlantic Alliance, often discussing diverging approaches and presumably dissenting interests of the Atlantic partners;⁵

³ See Steven Everts, *The impact of the euro on transatlantic relations*, (London: Centre for European Reform 1999); Mark A. Pollack/Gregory C. Shaffer (eds.), *Transatlantic Governance in the Global Economy*, (Lanham: Rowman & Littlefield Publishers 2001); Kent Hughes (ed.), *The Currency Conundrum*, (Washington: Woodrow Wilson International Center for Scholars 2002).

⁴ See Matthias Dembinski/Kinka Gerke (eds.), *Cooperation or Conflict? Transatlantic Relations in Transition*, (Frankfurt/New York: Campus 1998); David C. Gompert/Richard L. Kugler/Martin C. Libicki, *Mind the Gap. Promoting a Transatlantic Revolution in Military Affairs*, (Washington: National Defense University Press 1999); James P. Thomas, *The Military Challenges of Transatlantic Coalitions*, (London: The International Institute for Strategic Studies 2000); Richard C. Catington/Ole A. Knudsen/Joseph B. Yodzis, *Transatlantic Armaments Cooperation*, (Fort Belvoir: Defense Systems Management College Press 2000); Michael Quinlan, *European Defense Cooperation. Asset or Threat to NATO?*, (Washington: Woodrow Wilson Center Press 2001); Robert E. Hunter, *The European Security and Defense Policy: NATO's Companion Or Competitor?*, (Washington: RAND 2001).

⁵ See Richard N. Haas (ed.), *Transatlantic Tensions. The United States, Europe, and Problem Countries*, (Washington: The Brookings Institutions Press 1999); Huseyin Bagci/Jackson Janes/Ludger Kühnhardt (eds.), *Parameters of Partnership: The US-Turkey-Europe*, (Baden-Baden: Nomos 1999); Jackson Janes/Oleg Kokoshinsky/Peter Wittschorek (eds.), *Ukraine, Europe, and the United States. Towards a New Security Architecture*, (Baden-Baden: Nomos 2000).

- The overall geopolitical and geo-economical context of post-Cold War developments is being understood by most authors in view of their implication for the future of transatlantic relations; American curiosity about the evolution of the European integration process is as evident as its concern about the nature of its development and whether the two partners could lose each other due to American unilateralism and an emerging Euro-”nationalism”;⁶
- Some of the literature dealing with the emerging “global agenda” is making particular reference to the role of the transatlantic partners that are wavering between partnership and rivalry while they are confronted with issues beyond their bilateral agenda;⁷
- Finally, the set of literature which is dealing with cultural and societal developments on both sides of the Atlantic ocean has to be mentioned; it is analyzing the increasing transnational and trans-governmental networks of civil society, while often simultaneously speculating about imminent cultural drifts in the Atlantic civilization.⁸

⁶ See Aspen Institute, *A New Transatlantic Agenda for the Next Century*, (Berlin: Aspen Institute 1999); Susanne Baier-Allen (ed.), *The Future of Euro-Atlantic Relations*, (Baden-Baden: Nomos 2000); David .P. Calleo, *Rethinking Europe’s Future*, (Princeton/London: Princeton University Press 2001); Jacques Beltran/Frederic Bozo (eds.), *Etats/Unis-Europe: Réinventer l’Alliance*, (Paris: IFRI 2001); Henry A. Kissinger, *Does America Need A Foreign Policy? Toward A Diplomacy For The 21st Century*, (New York: Simon & Schuster 2001), particularly Chapter Two, pp. 32 ff.; Joseph S. Nye, *The Paradox of American Power. Why the World’s Only Superpower Can’t Go It Alone*, (Oxford: Oxford University Press 2002), particularly Chapter One, pp. 1 ff.; Charles A. Kupchan, *Power in Transition: The Peaceful Change of International Order*, (New York: United Nations University Press 2002).

⁷ See John Tessitore/Susan Woolfson (eds.), *A Global Agenda*, (Lanham: Rowman & Littlefield 1997); Maryann K. Cusimano, *Beyond Sovereignty. Issues For A Global Agenda*, (Boston: Bedford 2000).

⁸ See Werner Weidenfeld, *America And Europe: Is The Break Inevitable?*, (Gütersloh: Bertelsmann Foundation Publishers 1996); Josef Janning/ Charles A. Kupchan/Dirk Rumberg (eds.), *Civic Engagement In The Atlantic Community*, (Gütersloh: Bertelsmann Foundation Publishers 1999).

In the absence of one undisputed defining issue as was the case during the Cold War, the fragmentation of debates on transatlantic relations is neither surprising nor essentially bad. It guarantees the broadest possible approach and the outpouring of new expertise about each other. More troubling is the way in which transatlantic relations and their perspective are often being framed by the leading debates on the matter:

- Some analysts tend to assume that the two Atlantic regions are drifting apart from each other, losing interest in each other and both becoming more and more insular;
- Some analysts assume that the US and the EU are increasingly heading for competition and rivalry; it is not forgotten that a leading American economist has labeled the introduction of the euro as the beginning of the road to World War Three;
- Those who suggest a strong, revitalized transatlantic partnership and a common global role are confronted with the difficult task to frame a new “*acquis atlantique*”⁹ in the absence of historic precedence and in light of the many obstacles that are sure to arise in the future.

For all practical purposes, if at all, the transatlantic partners are seemingly heading towards collision rather than drifting apart. The closer the societies on both sides of the Atlantic become, the more they seem to emphasize each other's differences. It is surprising to see how often common values are invoked in the transatlantic context, while their interpretation leads to increasingly different, if not conflicting, conclusions and policies. Debates over the death penalty, genetically engineered food, juvenile violence, urban poverty and the cultural fabric of the society in general seem to be more in the forefront of transatlantic encounters than ever before. This might not be all together bad as it is indicating a growing awareness, often beyond political elites, for devel-

⁹ See Peter Barschdorff, *Facilitating Transatlantic Cooperation After The Cold War. An Acquis Atlantique*, (Münster: Lit Verlag 2001).

opments on the other side of the Atlantic Ocean, no matter how stereotypical many of the deliberations are. It shows the power of trans-governmental networks and the realities of pluralistic civil societies.

Disputes on the governmental level and among responsible political leadership on both sides of the Atlantic have to be put in perspective, too. As long as they reflect conflicting political options of different political majorities, they are an indicator of growing, if only indirect transatlantic governance. While none of the participating actors would refer to it explicitly, the age of non-interference in domestic affairs has certainly ended in the Atlantic community. As a consequence, conflicting political choices and orientations of majorities here and minorities there easily translate into transatlantic debates. It is an open question how much of this is inherent in democratic transatlantic politics and how much of it is structural, reflecting underlying changes in basic assumptions and patterns on either side of the Atlantic body politic.

Economic interests and the war against terrorism will remain top priorities on the Atlantic agenda for years to come. The overall impression one gets from the debates is an increasing disconnect and an effort by either side to building up vetoing power over the scope of action of the other side. This is true for steel tariffs and other subsidies, for mergers and related anti-trust issues; it is likewise true for foreign policy matters such as the future of the Middle East and the definition of the next target in the war on terrorism. "Don't do this and don't do that" seems to be the new rhythm of Atlantic waves in public discourse and official encounter. While 97 per cent of transatlantic trade goes smoothly, the conflicting 3 per cent get enormous media attention. The same is true for foreign policy and strategic matters. Disputes over the next target in the war on terrorism and seemingly eternal debates concerning transatlantic decision-making and burden sharing gain more attention than smooth cooperation both in South Eastern Europe and in Afghanistan. It seems that transatlantic relations are increasingly defined by their limits and no longer by their

opportunities and common perspectives, as was the case for the better part of the second half of the 20th century.

As long as the United States and the European Union are ultimately perceived as competitors, in some cases even as rivals or antagonists, this is not surprising. But one should be clear about the ramifications and consequences if such a framing of the transatlantic future would prevail. The more the quest for continuous hegemony is the starting point for American perceptions of its future relation with Europe, the more likely this frame will gain ground in the US. Its European echo will automatically be one of “Euro-Gaullism”, which is to say that European integration and the future of Europe are more likely to be defined against or at least without the US as a European power the way it has been for most of the 20th century, certainly since 1917.

While the final outcome is yet to be decided, a silent, at times growing, undercurrent of arguments on both sides of the Atlantic assume that the nature and goal of the process of European integration are being inherently directed against the United States. Some analysts might like to see it this way, others might just be afraid that European integration could end up in rivalry with the US. There can be no doubt whatsoever that both tendencies are mutually reinforcing each other. Fear and hate have always been siblings in politics, as students of Thomas Hobbes know.

Fact of the matter is that European integration has always met with ambivalence in the US. America has never been free from conflicting perceptions of Europe since the days of the “Mayflower” or at least since the founding of the American republic. The question is whether or not the newly emerging world order does continue to accommodate this mutual ambivalence and whether or not the obvious recriminations are really different in substance from past “family quarrels” in the Atlantic community. During summit occasions, EU-US relations are lauded by their leaders as the engine of progress and positive developments in the world. However, living up to

this rhetoric requires more than invoking common values. It requires a frame of mind according to which the transatlantic partnership has to be defined anew by its opportunities and not by its limits. The EU and the US must, if they wish to do so, take themselves seriously as partners in global leadership, working together on an increasingly global agenda of common concern, which is surpassing the minutiae of transatlantic debates. The starting point for developing such a mental construct must be an assessment of the obstacles that have prevented the EU and the US from being more successful in their search for a new transatlantic vision over the past decade. It is not enough to only point to domestic developments and generational changes on both sides of the Atlantic. It is not even enough to focus on capability gaps and credibility issues. What is genuinely necessary is to debate the conceptual limits to the limitation of the transatlantic partnership. In other words: Those mind sets and approaches to global matters both in the US and in Europe that are the very source of current transatlantic disconnect and which are impeding the necessary development of a conflict-free, new “grand strategy” of the Atlantic community have to be addressed.

Certain differences between Europe and the United States in approach and attitude towards issues of common concern are shaped by behavioral patterns based on underlying strong historical experiences. As much as Montesquieu wrote about “*L’esprit des lois*” in the 18th century in order to help understanding the different mind sets of the French and the Persians, it is worthwhile to reflect about “*L’esprit des lois*” in today’s America and in today’s Europe. To understand and cope with intuitive divergence of mind on matters of common concern needs a focus beyond discussions of specific policy matters or foreign affairs strategies. Some of the intuitive attitude of Americans and Europeans toward matters of common concern is not that intuitive at all. It is rather based on experiences and social codes.

The most simplistic stereotype about political behavior is that

Europeans focus on past errors before they embark on a new journey, while Americans look towards future potential by favoring trial over error. Another stereotype is about the attitude of intellectuals. While skepticism still helps to gain intellectual credibility among certain Europeans, American jokes of the Yogi Berra-type, which are almost ritualistically accepted in the most serious of circles in the US are still understood by certain Europeans as a sign of American lack of seriousness. Are we thus talking about stereotypes or about the caricaturing of stereotypes?

If Americans are said to think strategically and systemically, which helped them getting to the moon, and Europeans are said to be incremental, multilateral and based on historic experiences, thus giving them a stronger sense of fragility of human endeavors, one must wonder how the past successes of the Atlantic community have come about at all. As far as stereotypes perpetuate some element of truth, they at least did not prevent the Atlantic partners from developing common interests and complementary mindsets, experiences and approaches towards matters of common concern over the past fifty years. Why can this not again be the starting-point for looking into the future of Euro-American relations instead of invoking their presumably inevitable rupture?

Realities do not support the “rupture”-thesis anyway. Economic and technological developments occur faster and more effective than any doom and gloom literature can be:

- On a daily basis, 500.000 air passengers, 1.4 billion e-mails and 1.5 billion dollar cross the Atlantic ocean;
- In the course of a year, around ten million Europeans travel to the US and 8 million Americans to Europe(1994 figures), compared to less than half a million each way in the 1960s;
- Simultaneously one million transatlantic telephone calls can be made simultaneously while only 80 simultaneous transatlantic telephone calls were possible in the 1970s;
- Transatlantic direct investment amounts to around 1000 billion dollars; 60 per cent of all American external invest-

- ment goes into the EU, where the US holds about 45 per cent of foreign direct investment; US investments in the Netherlands alone are bigger than annual American investments in China; EU companies own about 60 per cent of all foreign direct investment in the US;
- Around 7 million Americans work for a European led company while American companies in the EU employ more than 3 million Europeans;
 - The daily exchange of goods, services and investments between the EU and the US is well above a value of 1.2 billion dollars; Europe remains the biggest trading partner for the US, even California exporting more to Europe than to Asia; more than 22 per cent of US exports go into the EU, while the EU is exporting 24 per cent of its total export into the US; the total annual transatlantic trade volume amounts to around 350 billion dollars.¹⁰

The EU and the US make up for 10.9 per cent of the world population, hold 36.2 per cent of global GDP and 34.5 per cent of world trade.¹¹ 85 per cent of all global capital flows take place between the EU and the US. Their relation is crucial for the well being of the Atlantic civilization. And it is crucial for global developments on practically all matters. Other regions of the world look to the US and the EU for one

¹⁰ See Gemeinsames Memorandum der Konrad Adenauer Stiftung und des Bundesverbandes der Deutschen Industrie zur Zukunft der transatlantischen Beziehungen, vorgelegt am (20. Januar 2001), in: *Internationale Politik*, 56. Year, No.6/(June 2001), pp. 61 ff.; Karsten D. Voigt, “Rede des Koordinators für die deutsch-amerikanische Zusammenarbeit im Auswärtigen Amt über die europäisch-amerikanischen Beziehungen unter der Regierung Bush” im Mid-Atlantic Club of London am (12. März 2001), in: *Internationale Politik*, 56. Year, No.6/2001, pp. 94 ff.; Mark A. Pollack/Gregory C. Shaffer, *Transatlantic Governance in the Global Economy*, op. cit., p. 12 ff.

¹¹ See Reinhard Czichy, “Globale Sicherheitspolitik”, in: *Internationale Politik*, 56. Year, No.6/(June 2001), p. 47; Stefan Fröhlich, “Die transatlantische Wirtschaftsgemeinschaft. Partner auf Gedeih und Verderb”, in: *Internationale Politik*, 57. Year, no.4/(April 2002), pp. 31 ff.

reason or another. They might envy our affluence, love or detest our life-styles and cultures. They might fear US military power or recall European colonialism in mistrust of the new global role for Europe. They might look for economic aid, peacekeeping assistance and nation-building support. They might hope for the Atlantic economic engine and for technological spin-offs useful for their own development or they might dislike transatlantic egotism at the expense of a fair share for the developing countries in the global economy. They might appreciate the geostrategic impact of the US and the EU or they might hope to balance its implications.

And yet, the past years have seen disputes between the US and the EU on practically all matters of global outreach. The Kyoto Protocol on global warming and the UN Human Rights Policy, the relationship between short term military intervention, where need may be, and the long-term need for nation-building in failed states, disputes over development aid and the recognition of international law, most prominently the debates about the “axis of evil”-speech by President Bush and the nexus between a possible intervention in Iraq and the need for a solution to the Middle East conflict: the list of discontent between the US and the EU has grown steadily. In fairness, it must be said that the EU and the US are not getting ever closer to a common global agenda.

This is sad, since – for better or worse – the Atlantic partnership is observed intensely all around the world. Many consider it indispensable. If it were not enough to underline its importance because of the bilateral facts and structural links among the US and the EU, it should be reinvigorated for the sake of the world beyond its own hemisphere that wants predictability about the state of transatlantic relations and the Atlantic vision for the world. “Whatever the direction of European integration,” concludes Henry Kissinger in his most recent book, “a new approach to Atlantic cooperation has become imperative. NATO can no longer server as the sole institution for Atlantic cooperation; its functions are too limited, its core membership too small, and its associate membership too large to deal with

the tasks ahead, including even in the field of security.”¹² Kissinger has given testimony to the need to rethink the underlying principles which make the Atlantic community so unique in the world. But before suggesting some of the crucial choices the EU and the US have to make in order to live up to his proposition, some of the conflicting attitudes which have made the Atlantic community as of late look more interested in defining its limits than its potential, have to be systematized and addressed.

II. Differences in approach and attitude (1):

The concept of sovereignty and the role of law

Currently, the deepest divide between the European Union and the United States concerns the assessment of the notion of sovereignty. This is not merely an academic debate, but rather an important political and legal one with academic overtures. At least since the Westphalian order of the 17th century, the notion of statehood and the concept of sovereignty were tightly linked to each other. Sovereignty has become the code word for independent statehood, as it still can be seen in recent cases of decolonisation (lately the former Soviet Republics and East Timor) and in the struggle for recognition as an independent state (most noteworthy in the case of Palestine and of Kosovo). While statehood is understood to be the organizing principle of world politics, the notion of sovereignty gives legal and political meaning to the geographical reality to every state on the face of the earth. Sovereignty, as all political philosophy from Marsilius of Padua to Thomas Hobbes, John Bodin or Carl Schmitt indicates, is the skeleton for viable statehood. Its internal body system consists of the ability to exercise sovereign decisions on matters of fundamental relevance for the destiny of a sovereign people, notably on matters of currency as the blood-line of the economy, on matters of law and law enforcement, and, ultimately, on matters of war and peace.

¹² Henry A. Kissinger, Does America Need A Foreign Policy? Op. cit. p. 57f.

While this is not the place to discuss the intricacies of theories on sovereignty, including the relation between state sovereignty and popular sovereignty, it has to be mentioned that sovereignty, as much as all key notions of political philosophy, is a relational term. It has always been changing over time and in light of new circumstances, which are conditioning its content. There is no such thing as an eternally petrified notion of sovereignty. The fact that American and European views on issues that are relevant for the understanding of sovereignty have developed in different directions over the past decade is a case in point. As notions of sovereignty matter for the exercise of international relations and foreign policy, most recent misunderstandings and gulfs in the Atlantic community can be traced back to divergent notions of sovereignty on both sides of the Atlantic Ocean.

The United States has been all too often described as the only surviving superpower. This fact and its interpretation has had an obvious impact on the understanding of the importance of sovereignty in the US, where debates among scholars dealing with political and legal notions are as disconnected from historical views of the evolution of the global order as anywhere else. Whether one looks into scholarly propositions on the matter, into political debates and, more importantly, into political decisions by the US over the period since the end of the Cold War, a reinforcement of the notion of sovereignty and its relevance for the US and its global role has emerged.¹³ In line with other analysts, law professor Peter J. Spiro has labeled the proponents of firm emphasis on the value of US sovereignty “new sovereigntists”.¹⁴ Joseph S. Nye defines their attitude as one which expects and justifies “domestic authority

¹³ See The Chicago Journal of International Law, Vol.1/No.2, (Fall 2000) which is dedicated to discussions about the question: “Trends in Global Governance: Do They Threaten American Sovereignty?”

¹⁴ Peter J. Spiro, “The New Sovereigntists. American Exceptionalism and Its False Prophets”, in: Foreign Affairs, Vol. 79, No. 6, (November/December 2000), pp. 9 ff.

and control” over all international matters.¹⁵ He advises the sovereignties in his country to recognize “that sovereignty remains important but that its content is changing under the influence of information and globalization.”¹⁶ Yet, changing American attitudes towards the notion of sovereignty can be seen in American approaches to global regulatory issues and to law-making efforts in the context of global governance.

The Senate’s rejection of the Comprehensive Test Ban Treaty, the Clinton administrations refusal to sign the Land Mines Convention and its recommendation to the Senate not to ratify the Rome Treaty establishing an International Criminal Court, the Bush administrations refusal of the Kyoto Protocol on Global Warming, the US quarrels with the United Nations Human Rights Commission, her refusal of signing UN human rights documents, such as the Convention on the Rights of the Child and the nullification of the American signature under the Treaty founding the world’s first permanent war crimes tribunal: Only the debate about “National Missile Defense” as an expression of a new and assertive “sovereignism” has gained as much international attention as the reflection about “just war” and “anticipatory self defense” propounded by intellectuals and politicians alike in the wake of the terrorist attacks of September 11, 2001.

This debate couples the new assertiveness of US sovereignty with changing notions of the role of law in international politics. Michael J. Glennon has analyzed with great clarity the evolution of “the international parallel universe” between a *de facto* and a *de jure* system of law. NATO bombings on Yugoslavia as a reaction to atrocities against Kosovo Albanians without a UN mandate mattered more than the end to traditional methods of warfare and weapon systems. For Glennon, the Kosovo war sharply deepened the gulf between *de jure* and *de facto* notions of international law. He concluded

¹⁵ Joseph S. Nye, *The Paradox of Power, Why The World’s Only Super-power Can’t Go It Alone*, op. cit., p. 162.

¹⁶ *ibid.*

his analysis with the acknowledgment “that the law governing intervention is at best hopelessly confused and at worst illusory.”¹⁷ To underline his understanding of the development of law and international commitment in the US, Glennon quoted Edmund Burke’s definition of obligation: “It is not what a lawyer tells me I may do, but what humanity, reason, and justice tell me I ought to do.”¹⁸

Although Europeans have also debated the value and inevitability of humanitarian interventionism in spite of all provisions of international law concerning its innate problems,¹⁹ the political translation of these scholarly debates has been rather different in both places. It seems to suggest that the US is abandoning universal consensus on the role of international law while Europeans are abandoning Edmund Burke for the sake of supporting UN mechanisms of multilateral definitions and applications of international law. The refusal of the US to join the International Court of Justice send a stronger message around Europe than any differentiated scholarly debate on the matter ever could. The dispute over the treatment of Taliban prisoners in Guantanamo (whether they should be treated under the provisions of the Geneva Convention or not) triggered another collision between the EU and the US; possible military operations of the US against Iraq without a mandate from the UN Security Council would add mor fuel to the debate about legalistic as opposed to illegal international behavior of the US.

While Americans might find reasons to label Europeans as hypocritical, both should look into the deeper currents that are underneath the surface waves of politics. Europeans did not link the humanitarian intervention in Kosovo with a demand for their renewed or even for Kosovo’s state sovereignty. They

¹⁷ Michael J. Glennon, *Limits of Law, Prerogatives of Power. Interventionism after Kosovo*, (Houndmills: Palgrave 2001), p. 190.

¹⁸ *ibid.*, p. 182.

¹⁹ See Matthias Pape, *Humanitäre Intervention. Zur Bedeutung der Menschenrechte in den Vereinten Nationen*, (Baden-Baden: Nomos 1997).

almost did the opposite by stating that excessive use and, in fact, obsession with sovereignty had brought about the very wars in South Eastern Europe; the humanitarian intervention was consequently linked with the perspective of EU membership for all countries in the region, without resolving the status question of Kosovo. In Afghanistan it was linked with the need for Afghan nation building as the ultimate justification of the operation “Enduring Freedom”; neither the sovereignty of European nations nor the sovereign rights of the US were ever invoked in the cause of the operation. European legal experts and politicians stick to legalistic or moral arguments if they have to justify the legitimacy of “illegal” humanitarian interventions, thus maintaining (critics would say: pretending) virginity on the matter of multilateralism and international law. This seems to be very different from attitudes in the US, where the debate about “just war” is a variation of the debate about new sovereignism.

At the root of this new American sovereignism lies a solid and traditional stream of political thought in American history. During the past decade or so, unilateral action, the twin sibling of isolationism has been reinforced by the understanding that the world’s only superpower has become aware of its vulnerability by unfriendly and mostly undemocratic regimes that impact the work of the United Nations. Thus, unilateralism has been stiffened among its proponents in the US in view of the normative asymmetries between democratic America and the many undemocratic dictatorships that would threaten US interests; the focal point was the debate about “rogue states”, aptly analyzed by Robert S. Litwak.²⁰ Europeans are increasingly worried that an American reinterpretation of the role of international law in light of a more assertive American sovereignty could also affect the relationship with America’s democratic allies, the European Union in the first place.

²⁰ Robert S. Litwak, *Rogue States and U.S. Foreign Policy. Containment After The Cold War*, (Washington: Woodrow Wilson Center Press 2000).

Europe, in turn, has undergone completely different experiences during the 1990s:

- Culminating in the introduction of the euro as a common currency for the EU, most EU member states have forfeited fiscal sovereignty;
- the immediate realization of a European arrest warrant after the terrorist attacks of September 11, 2001 has been the most recent proof of an ever increasing European pooling of sovereignty in matters of justice and home affairs;
- the continuous, though still insufficient, promotion of a single European foreign, defense and security policy and the pooling of resources and titles of sovereign decision-making on matters of war and peace affects the third, and presumably most sensitive, dimension of the classical notion of state sovereignty.

“Pooling of sovereignties” has become almost a mantra for describing trends in European integration, which will both enhance the process of constitution building in the EU and being supported by it. The European debate about pooling of sovereignty is no less contested than the American one on the notion of strengthened sovereignty, but it must be of concern for proponents of strong and healthy transatlantic ties that both the point of departure and the interim arrival of the debate are sharply different in the EU and the US. Experiences with the destructive forces of war and the antithesis to it found in the idea to pool resources instead of directing them against one’s neighboring country, were the classic French and German rationale for European integration. They have been matched, if not overtaken, by the understanding that European nations must pool their resources in the age of globalization to remain master of their own destiny or to regain the role they have played individually during past centuries.²¹

²¹ See Ludger Kühnhardt, *Europäische Union und föderale Idee*, (Munich: C.H. Beck 1993).

This assessment is neither universally acclaimed all over Europe nor has it translated into consistent and comprehensive policies and governance structures within the EU. But a pattern of development has evolved, enforced during the past decade, which seems to be the opposite of the pattern unfolding in the US. While the European Union, its member states and the majority of European Union citizens recognize that traditional notions of sovereignty have become permeable, they try to find a new equilibrium between the emerging EU sovereignty and continuous but changing member states sovereignties. In contrast, the United States seems inclined to build dams, both intellectually and politically, against the porousness of national sovereignty in light of growing global efforts to match economic globalization with global governance. The EU member states are even accused of undermining US sovereignty by propounding worldwide solutions consistent with the EU's mechanism of pooling of sovereignty, thus, as John R. Bolton, Undersecretary of State in the Bush Administration, has criticized with contempt, "not only content with transferring their own national sovereignties to Brussels, they have also decided, in effect, to transfer some of ours to worldwide institutions and norms."²²

Neither are the experiences of the EU and the US similar, nor do the fields of action that shape new experiences necessarily overlap as the EU is building regional sovereignty in response to Europe's troubled history while the US tries to defend American sovereignty against the exigencies of globalization. The real effects and the theoretical debates are obviously directed by two different compasses:

- the European Union is increasingly becoming a supranational expression of European political will, while its member states are increasingly becoming expressions of post-national nation-states;

²² John R. Bolton, "Should We Take Global Governance Seriously?" in: *Chicago Journal of International Law*, Vol. 1/No. 2, (Fall 2000), p. 221.

- the United States is increasingly endangered of being trapped between the desire to maintain its unique superpower status as a hegemony and the reluctance to reconsider the notion of shared sovereignty in a rapidly developing multipolar world.

Nobody should be surprised that these differences in mind set and approach generate manifold consequences for the shaping of a common global agenda by the EU and the US.

The European Union is increasingly and – based on its experience – almost intuitively driven by the proven notion that pooled sovereignty serves as a key to supranational power building. The most recent experience with the introduction of the euro is proof of this growing consensus in Europe that the EU needs a firmer and more coherent role in foreign and security matters points to the same direction, in spite of all obstacles to properly implement the idea for the time being. These tendencies have caused some American analysts to even warn about creeping “European unilateralism”, namely the tendency to make decisions without consulting the US, although it will be affected by its consequences. Anti-trust measures are being cited as well as foreign policy matters, such as the invitation to Cyprus for joining the EU without considering the implications for Turkey, which is a staunch ally of the US.²³

The experience of being the “only remaining superpower” has intuitively proven and asserted American understanding of the equation between national sovereignty and national power. The member states of the European Union are increasingly realizing that they will only raise their power, individually and as a grouping, by limiting individual state sovereignty, if the limits of this sovereignty are not imposed upon them anyway by irreversible trends of globalization. The United States, on the other hand, is debating whether the assumption is right at all

²³ See John Van Oudenaren, *E Pluribus Confusio*. “Living With The EU’s Structural Incoherence”, in: *The National Interest*, (Fall 2001), pp. 23 ff.

that sovereignty is becoming increasingly porous and what could be done to stop it from impacting America's scope of action and power projection. National Missile Defense and the notion of "selective multilateralism" are the most pertinent political expressions.

Moments of crises, such as the terrorist attacks of September 11, 2001, seem to reaffirm the traditional notion that security can ultimately only be guaranteed by a strong sovereign state. This feeling was shared in the US and in all EU member states, but it should not lead to a misperception of the underlying premises. After "9/11", Europeans flocked around their national governments in search of security not as a matter of principle, but rather intuitively in the absence of a properly developed EU mode of pooled supranational sovereignty as far as the relevant policies of law enforcement and the implications of the war against terrorism are concerned. As intuitively as Americans flocked around their President, who gained in leadership stature as much as in revitalizing the idea of the imperial presidency, they should not mistake the rather re-nationalized reactions of Europeans – and their national contributions to the operation "Enduring Freedom" – as an expression of principled distrust in the idea of pooled European sovereignty.

The European Union remains unfinished in developing into a coherent sovereign, bestowed with the attributes of power, political mandates and a clear order of competencies between EU institutions and the political institutions of its member states. The political culture of Europe has brought about, however, a new mindset concerning sovereignty. The notion of sovereignty as the ultimate expression of national identity and power has vanished. While the process of translating the new understanding into consistent structures of governance is still continuing, it is extending into Central and Eastern Europe even before the formal completion of the upcoming EU Enlargement. Accepting the *acquis communautaire* as basis of EU membership means that future members of the EU will have forsaken parts of their national sovereignty before even

joining the decision making process in the EU, which is affecting already more than 80 per cent of all legislation on economic matters. Even Turkey is confronted with debates whether it would be worthwhile to trade EU membership for infringements on Turkish sovereignty. Whoever wants to join the European Union has to subscribe to its notion of pooled sovereignty; pre-emptive renunciation of dear notions of sovereignty, which are no longer apt for 21st century Europe, cannot be prevented from even taking place in non-EU member states Norway, Switzerland and Iceland.

The scholarly discussion has often undervalued the political role of the European Court of Justice in successfully pushing the process of Europeanizing sovereignty. Too seldom has the role of European law and its implementation been discussed beyond legal experts, thus missing to grasp its inherently political nature. For a long time, the same short-sighted mistake has been conducted by euro-watchers, who did not believe in the political character of the project, that in the meantime is undisputable by even the strongest skeptics of the idea of a common European currency. Peter Van Ham has spoken of the emerging “operational sovereignty” in the European Union.²⁴ One might not want to take the EU seriously until it has overcome all its many internal inconsistencies and constraints. But the direction of the integration process and its implication for the notion of sovereignty are undoubtedly different from the American experience with statehood and sovereignty in the early 21st century.

In its rapport with the US, the European Union is confronted with three tasks:

1. It remains urgent to raise better understanding of the EU as a process with political goals rather than as a petrified reality which will never overcome its current constraints and insufficiencies.

²⁴ Peter Van Ham, *European Integration and the Postmodern Condition. Governance, Democracy, Identity*, (London/New York: Routledge 2001), p. 69.

2. It remains important to raise the sensibility in the US about the complex web of relations and “chemical” political processes which are under way in search of a balance between the EU as a supranational sovereign and the continuous existence of sovereign nation-states, while in some of them even the regions are claiming their share of sovereignty on certain issues.
3. It remains critical to encourage the US to embark with the EU on the broadest possible common global agenda without letting the diverging experiences with and interpretations of sovereignty become the source of fundamental disagreement about law and politics.

The United States on the other hand is confronted with three tasks arising from the gulf in assessing sovereignty, which exists between itself and the EU:

1. The US must improve its knowledge about European integration dynamics and learn to take the EU seriously as a new, as British diplomat Robert Cooper has labeled it, “post-modern” political entity²⁵; to simply broaden its well-established bilateral relations with individual EU member states by adding a little “EU annex” to it is not enough to grasp the spirit and dynamics of Europe’s development.
2. The US must distinguish between the underlying premises of the emerging European sovereign and its justifiable reservations against modes of global governance in the absence of democracy in many states of the world and the subsequent absence of accountability and rule of law in certain global governance structures.
3. The US must make up its mind on principle whether it will pursue a foreign policy based on the unwavering assumption of being the “only remaining superpower” or based on an understanding to contribute to multipolar world-order

²⁵ Robert Cooper, *The Postmodern State and the World Order*, (London: Demos 2000).

building along with the European Union as its most important partner.

The European legacy of a changing notion of sovereignty is nurtured by historical experience, driven by current debates and directed by future ambitions. No matter how federal or confederal the ultimate outcome will be, current European trends of pooling sovereignty are pointing into the direction of a European sovereign *sui generis* intended to pool resources that have become weakened or invalidated on an autonomous national level. It remains largely uncertain what the future ambition of the European sovereign will be. While the interplay between different national interests among its member states (horizontal asymmetries) and conflicting institutional ambitions on the EU level and between the EU institutions (vertical asymmetries) prevails, the rationale for a future global role of Europe remains unclear in many aspects.

Americans are, therefore, often suspicious or fearful that European integration could become synonymous with emancipating Europe from the US and in fact positioning the EU as a global rival of the US; they are also afraid that the EU will maintain the gap between strong moral posturing and weak factual delivery in some of the most crucial international fields. Strange enough, various American analysts attribute to the European Union the potential for becoming a rival of the US, but every solid study of the interests involved underlines that the EU and the US have many more common interests than conflicting goals. What is inherently difficult, however, is the ability to lay out common interests in a rapidly changing world, instead of being taken away by tactical or even strategical disputes that will remain normal among democratic partners.

As many debates about growing American unilateralism or creeping Euro-”nationalism”, the debate about common or divisive interests between the US and the EU is badly framed as long as it focuses more on fields of obvious dispute at the expense of putting them into perspective with the vast field of common or mutually accommodating interests.

Europe has no reason to doubt America's ability to maintain multilateral policies and to stick to contractual agreements, but in the absence of an ambitious supranational project equivalent to the idea of European integration, the underlying approach of the US toward multilateralism will always be less emotional as Europe's search for pooled sovereignty. Europe must take note of the fact that sovereignty is more hotly debated in the US than in any European Union member state, and that American sovereignists, as Joseph Nye put it, "closely allied with the new unilateralists, resist anything that seems to diminish American autonomy."²⁶

The current EU-US debate recalls disputes between European federalists and British sovereignists during the Thatcher years, when the introduction of the euro had become the most controversial test case in Europe's ability to move ahead with supranational integration. While America should not miss the historical trend of European integration, Europe is well advised to take note of the American debate over sovereignty and its political relevance for international law, which has deeper and wider implications than media-framed discussions about unilateralism and multilateralism. In the EU, no less than in the US, the sovereignty debate is not primarily about the relationship between political strategy and political tactics. In both the EU and the US the debate about sovereignty is about identity.

It is, therefore, necessary to employ sophisticated methods of fine tuning to the management of common interests and evident differences in transatlantic relations. This is relevant for the bilateral agenda . It is even more important for the search of a common global agenda. First of all, the different points of departure and the dimensions of political culture involved in the debate about sovereignty have to be recognized and taken into account. Secondly, whenever it comes to joint approaches on matters of common concern, the interests involved have to be spelled out unmistakably by both sides.

²⁶ Joseph S. Nye, *The Paradox of American Power*, op. cit., p. 54.

Here lies the second test case for the ability of the transatlantic partners to cope with different experiences and diverging approaches, while being able to focus on common goals.

III. Differences in approach and attitude (2): The definition of interests and the issue of multidimensionality

To begin with, there has, thus far, not been such a thing as a “European interest” on global matters and foreign policy issues. But there are also multiple “American interests” in the pursuit of the same agenda. The American debates usually demonstrate strong intellectual determination and they are reflected in evident political orientations and actions. The notion of American interests has evolved over time and has become a strong element of America’s encounter with the world. The European tradition is one of different national interests, while in the case of some countries these interests are better defined than in the case of others and while the opinion of some countries matter more than that of others. A notion of European interests is nevertheless evolving, incremental, frustratingly slow for many and full of contradictions for those who have to deal with the EU.

Americans have code-words for labeling certain debates on national interests in foreign affairs. By invoking them, they call into attention strong patterns of political culture, either intellectual or practical or both. When Americans talk of a Jeffersonian or a Jacksonian tradition²⁷, of a Hamiltonian or a Roosevelt tradition or of Wilsonianism²⁸, they know what is meant- at least so it seems. In regard to Europe, the first thing that comes to mind are British traditions and interests

²⁷ See Walter Russell Mead, “The Jacksonian Tradition And American Foreign Policy”, in: *National Interest*, Number 58, (Winter 1999/2000), pp. 5 ff.; Walter Russell Mead, “The American Foreign Policy Legacy”, in: *Foreign Affairs*, Number 1/ (January-February 2002), pp. 163 ff.

²⁸ See Henry A. Kissinger, *Does America Need A Foreign Policy?* Op. cit., Chapter Seven, pp. 234 ff.

or French traditions and interests or German traditions and interests, etc. etc. All of them have undergone enormous transformations over the past decades, and particularly over the last decade, but they have not merged naturally into one European interest or into the equivalent of American philosophical attitudes toward foreign policy interests. The reasons are historical and normative. Unlike America, Europe by definition has been experiencing diversity of interests in foreign policy since time immemorial. On principle it might be difficult, if not impossible to find traces of specific foreign policy interests of, let's say Iowa or North Carolina, but Portugal, Denmark or Hungary have had distinct foreign policies over centuries and thus can enumerate specific national traditions and interests that go beyond economic interests.

Perusing old catalogues results in nice findings. Wonderful books have been written with titles such as "The True Interests of the Princes of Europe in the Present State of Affairs" in 1689²⁹, "The Present State of Europe. Explaining the Interests, Connections, Political and Commercial Views of Its Several Powers" in 1750³⁰ or "America before Europe. Principles and Interests" in 1862³¹. As far as the contemporary world is concerned, the catalogue at the Library of Congress is quick to lead anybody studying in an interest-driven approach to foreign affairs to the proceedings of the US Senate on "U.S. Security Interests in Europe"(2001)³² or

²⁹ The True Interests of the Princes of Europe in the Present State of Affairs, or, Reflections Upon A Pamphlet Written in French, Entitled: "A Letter From Monsieur To Monsieur", Concerning The Transactions Of The Time, (London: Richard Baldwin 1689).

³⁰ John Campbell, The Present State of Europe. Explaining The Interests, Connections, Political And Commercial Views Of Its Several Powers, (London: T. Longman and C. Hitch 1750).

³¹ Agenor Comte De Gasparin, America Before Europe. Principles And Interests, (London: S. Low, Son & Co. 1862).

³² United States. Congress. Senate. Committee On Foreign Relations, U.S. Security Interests in Europe: Hearing Before the Committee On Foreign Relations, United States Senate, One Hundred Seventh Congress, First Session, (June 20, 2001), (Washington: U.S. G.P.O. 2001).

of the US House of Representative's "The Caucasus and Caspian region. Understanding U.S. interests and policy" (2001)³³. No big surprise to find scholarly literature such as Jeffrey Gedmin's book "European integration and American interests. What the New Europe really means for the United States"³⁴. On the other side of the Atlantic, a similar scholarly or political literature on "America and European interests" is practically nonexistent. One might only find titles dealing with specific issues in their relevance to European interests, such as "The European Union and the Baltic States: Visions, Interests and Strategies for the Baltic Sea Region"³⁵, "European interests in ASEAN"³⁶ or "European Interests in Latin America"³⁷.

The exception to this intellectual fragmentation is the pragmatic and consistent evolution of common European and American interests in the economic field. Economic interests by definition are rather predictable and similar all over the world. What they have in common is the absence of a natural commonality. Overlapping interests are, not surprisingly, the exception rather than the rule, given the intuitive competition inherent in the pursuit of economic interests; only lately have

³³ United States. Congress. House. Committee on International Relations. Subcommittee on Europe, The Caucasus And Caspian Region. Understanding U.S. Interests And Policy: Hearing Before The Subcommittee On Europe Of The Committee On International Relations, House of Representatives, One Hundred Seventh Congress, First Session, (October 10, 2001), (Washington: U.S. G.P.O. 2001).

³⁴ Jeffrey Gedmin (ed.), *European Integration And American Interests. What The New Europe Really Means For The United States*, (Washington: American Enterprise Institute Press 1997); also Michael Calingaert, *European integration revisited. Progress, Prospects, And U.S. Interests*, (Boulder: Westview Press 1996).

³⁵ Mathias Jopp/Sven Arnsfeldt (eds.), *The European Union And The Baltic States: Visions, Interests and Strategies For The Baltic Sea Region*, (Helsinki: Ulkopoliittinen instituutti 1998).

³⁶ Stuart Harris/Brian Bridges, *European Interests In ASEAN*, (London/Boston: Routledge & Kegan Paul 1983).

³⁷ Esperanza Duran, *European interests in Latin America*, (London/Boston: Routledge & Kegan Paul 1985).

ideas such as complementarity, synergy, or comparative cost advantages been added to the list of possible overlaps in the pursuit of economic goals. It is, therefore, no surprise that the agenda of economic interests is more elaborate than any other global agenda between the EU and the US. Conflicts of interests are undisputable, but the underlying assumption is one of mutual interest in each other for the sake of one's own economic well being. This attitude has been the underlying rationale for much of transatlantic relations over the past years, culminating in the perennially contradicting messages from every EU-US summit: As both sides call for an halt of trade disputes, they invoke the common interest in free trade and a smooth development of the global economy, knowing that most of the obstacles to this very goal are related to either of them in the absence of mutuality in economic interests.³⁸

Certain differences in defining and pursuing interests are particularly relevant for the framing of a common global agenda of the EU and the US. Most important so it seems, is the fact that the notion of war has had different meaning in the history of the US and of Europe. In spite of enormous casualties over time, by and large, the experience with war has been positive in the political sub consciousness of America. The Vietnam War has led to a strong generational divide on this issue, as has been evident with President Clinton as the first post-Vietnam, if not anti-Vietnam president of the US. Except for the Vietnam War, most wars have, on the whole, led to positive developments for Americans: war brought about American independence, it safeguarded the Union, it defeated Nazi totalitarianism, rescued Korea from falling into the hands of Chinese and Soviet totalitarianism, it liberated Kuwait and most recently brought peace and freedom to Afghanistan. War has always been the ultimate resort of US foreign policy, but it is immediately on the mind when

³⁸ See the report on the annual EU-US Summit held in May 2002 in Washington, in: *The Washington Post*, (May 3, 2002), p. 1: "U.S., EU Reduce Trade Tensions. Issue of Steel Tariffs Is Still Contested".

overseas crises are being discussed and policies developed how to tackle them.

Europe's tradition is almost the opposite of the American one. From the days of the Thirty Years War until World War Two, war has led to destruction and suffering in Europe. The Cold War was sustained more in fear of being invaded by the Red Army than in the spirit of ultimately liberating Eastern Europe. British and French experiences with military involvement overseas, particularly in conflicts fought in former colonies of the two European nuclear powers and members of the UN Security Council, were not necessarily shared by other European people and states. Only with the recent involvement of the European Union in the Wars of Succession in former Yugoslavia did the notion of purpose and implication of war begin to change in Europe. The beginning of this involvement was still overshadowed by contesting national approaches and intuitive traditions to the matter, but over time a consensus grew in the European Union that Yugoslavia is part of Europe, and that Europe as a whole is responsible to end genocide and open a new European perspective with eventual EU-membership of all countries in the region. For the first time, the notion of the EU as a project of peace was transformed into an export product by accepting military means to bring about preconditions for peace "out of area". But after all, former Yugoslavia is part of Europe and even then the military posture of the EU was clearly of secondary importance compared with US-led operations before and since the "Dayton Agreement" of 1995.

The fight against the terrorists of Al Qaeda and the totalitarian Taliban in Afghanistan is another and probably more lasting turning point in the overall European perception of the meaning, justification and effect of war. Warfare to bring about freedom and peace has become a widely accepted notion in today's Europe; Less intuitive is the geographical application of this notion, as seen in the debate about a possible military strike against Iraq. But the European public has understood that in order to prevent overseas conflicts from affecting Euro-

pe's stability and well-being, they must be rooted out at their source and, if necessary, with European involvement.

The changing notion of war as an ultimate means of politics remains deeply tight to other ingrained European notions of international politics, the concept of multilateralism as an end in itself in particular. Vested interests of certain European countries also continue to exist and must be reckoned with on certain international matters. Moreover, skepticism is broadly spread across the EU about a style of American leadership, which takes unilateral military decisions but wants to leave the follow-up nation building, including the bill for it, to Europe.

Most important for shaping a common global agenda by the EU and the US is the ability to synchronize their understanding of priorities that is necessary since not every option can be pursued at the same time. One of the inherited attitudes among Europeans is the experience based inclination to deconstruct global conflicts into multidimensional tasks, which can only be solved if seen in their entirety and leading to comprehensive strategies. The jokes that exist about this inclination, particularly in the US, cannot do away with the fact itself. The bigger the challenge, the more intuitive is Europe's inclination to seek multidimensional answers. As seen from Europe, the opposite is true in the US : the bigger the challenge, the stronger the focus will be on one, the seemingly most important priority; in matters of international crises, this means, by and large, early discussions of possible military options while Europe would prefer to talk about them as last resort and only in context with parallel means of public diplomacy. Europeans are also surprised, often with disbelief, how easily Americans disconnect the use of force from its political ends and the commitment to achieve them, "to win peace".

The differences in the behavioral approach of the EU and the US have become evident again during the debate about the future of the war against terrorism in winter and spring 2002. While there has been immediate transatlantic consensus about

the right of self-defense and thus the right of intervention in Afghanistan after the terrorist attacks of September 11, 2001, this consensus was no longer shared on the issue of possible military actions against Iraq. Europe was very reluctant to accept the American position that a regime-change in Baghdad executed by external military power was the right answer to the undisputed threat arising from Iraq's acquisition of weapons of mass destruction. The US and EU also began to dissent on the priorities of the West in cases of failed states in need of reconstruction. While the notion of "nation-building" or peacekeeping will always be one of the most natural ingredients of any comprehensive European strategy in dealing with international crises, the idea of longer term commitment of the US after a necessary military operation remains highly unpopular in the US. In light of their own good experience with America's commitment to the reconstruction of Europe after 1945, this is surprising for many Europeans. In 2002, around 4,500 American troops served in Afghanistan, mainly operating in mountain battles against Al Qaeda and Taliban strongholds, side by side with more than 7,000 troops from European countries, largely involved in police and reconstruction work in Kabul.

European inclination towards multidimensionality and strongly focused American strategic perspectives might perfectly match and generate successful and complementary results, as experienced during the past decade. By and large, this happened in the development of relations with Russia. The policies of the US on the one hand, the EU and its member states on the other hand with regard to the Baltic States were another recent case proving the transatlantic potential for compatibility. Relations of the transatlantic partners with Turkey were less consistent and conflict-free. Highly mixed were the ways, the EU on the one hand and the US on the other were dealing with issues arising from the Mediterranean Region, its southern littoral in particular. While the strategic outlook of the US clarified some of the possible threats to Western security as prime priority, the "Euro-Mediterranean Dialogue"

(“Barcelona Process”) launched by the EU and all countries of the Southern Mediterranean – as of now Libya has acquired the status of an observer – resulted in extremely mixed outcomes. Neither of the two approaches, however, was capable in decoupling Mediterranean policies from the turmoil in the Middle East, holding hostage all other considerations for re-engineering a Mediterranean Space. Both failed in their different approaches to contain and/or change and re-engage either Iraq or Iran.

Notwithstanding, some fundamental ideas are evident. While the US is clearly playing a global role without necessarily having a comprehensive foreign policy, the European Union is neither playing a similar global role nor does it have a comprehensive foreign policy either. While the US is quick in defining “national interests” in situations of crises and inclined to look at any global issue through the lens of national interests, the European Union is only in the beginning stages of consistently applying the notion of interest to its policy approaches and to the instruments it entails. The EU continues to undertake multidimensional and multilateral approaches in its internal endeavors thus underlying the continuous ambiguities between intergovernmental and supra-national attitudes and structures. Multilateralism and multidimensionality in internal EU matters often determines, and mostly constraints, the shaping of a common European foreign and security policy.

On an organizational level, the most deplorable shortcoming is the inconsistent overlap of various key functions without a clarified, let alone strong, mandate to speak in the name of Europe. The EU Commission President, the President of the rotating EU Presidency, the High Representative of the European Council for Foreign and Security Affairs, the EU Commissioner for Foreign Affairs, the EU Commissioner for External Trade, the EU Commissioner for Development Cooperation, the EU Commissioner for Enlargement, and the Heads of Governments and their Foreign Ministers of all EU member states contribute to the foreign policy performance of

today's Europe. While the United States is also short of just having one telephone number when it comes to authoritatively speaking and acting on foreign policy matters, different positions of the President, the US Congress, the State Department, the Pentagon and the National Security Council are always attributed to natural inter-agency discussions reflecting the strong emphasize of balance of power explicitly and wisely installed by the American constitution. In the absence of a European Constitution, none of the inconsistencies of EU foreign policy and the often likewise inconsistent projection of diverse, if not dissenting, European interests on key foreign policy matters can be excused as being done on constitutional purpose!

The most urgent task for the EU will be the merger of the positions of a EU Commissioner for Foreign Affairs and that of the High Representative of Foreign and Security Policy under the roof of the Commission. The commission's well-established foreign policy bureaucracy could much better serve as a "Foreign Ministry" of the EU as it does today being determined by the ridiculous division of labor between the EU Commission and the European Council on foreign policy matters. It would probably be wise to additionally install a Commissioner for Defence and Security, serving most importantly as coordinator between EU efforts and NATO. Another simple organizational task for the European Union must be the upgrading of its representations around the globe to truly become "Embassies of the European Union" by all practical purposes. As long as they formally remain "Representations of the European Commission" it does not really enhance their reputation and scope of action, whether or not the host country is recognizing the Head of Delegation as Ambassador. The upgrading of the foreign representation of the European Union must go hand in hand with the broadening of its personnel basis, including mechanisms for training "European diplomats" rather than resorting to bureaucrats who have to compete in their host countries with the diplomats of EU member states, often resorting to long standing ties of a

much stronger political nature than their EU colleagues in current representations.

On the conceptual level the European Union has achieved most in areas where its potential for a common foreign policy has been predefined by treaty provisions and by inevitable reactions to events; it has achieved very little so far whenever it tried to properly formulate formal policy strategies and deduce blue-print actions from them. The common EU strategy for Russia, the first document of this kind presented by the EU in June 1999, reads more like a political-diplomatic communiqué of good intentions than a succinct political strategy³⁹. It defines the potential of cooperation and enumerates the relevant fields, but it does not define specific European interests other than the most obvious ones of peace and mutual well being. Nevertheless, the European Union must go ahead in pursuing the definition of foreign policy interests and broaden the debate about European interests all across the European Union. To contribute to this is a natural task for political parties, academic institutions and media as much as for governmental institutions. In this regard, Europe could learn a lot from the American political culture and process, including the role of think tanks.

In contrast to its lack of clear foreign policy strategies and its lack of consistent methods to enhance the definition of European interests, the EU has done fairly well in defining and pursuing its interests on matters of foreign trade. This has not always been appreciated in the US, but is finally taken seriously in Washington. The US and Europe, by and large, often seem to have a different rapport when it comes to evaluating the role and relevance of international law. Surprisingly enough, a principled difference is non-existent as far as respect for transatlantic regulatory cooperation and legitimacy of the mediating role of the World Trade Organization is concerned. This holds true in spite of the prominent cases of trade and anti-trust disputes which have been sub-

³⁹ See <http://ue.eu.int/pesc/article.asp?lang=de&id=99908199>.

mitted to WTO rulings. In fact, they are proof of the recognition of the institution as such.

Recognition of international trade mediation by both the US and the EU and their willingness to cope with anti-trust and trade conflicts, if necessary through litigation by the WTO Panel, rather than through simple methods of retaliation, might paradoxically be attributed to two contrasting experiences that complement each other. The pursuit of economic interests in the US is closely linked to juridical considerations and a strong role for legal claims, which seemingly translate into a positive attitude towards international mediation and, if necessary, litigation. Europe's internal rationale to create predictable state-relations and supranational consensus by means of a binding EU law translates into Europe's confidence in the mediating role of law in international trade conflicts. Thus, although starting from two different premises, the US and the EU come to the same conclusion as far as the legitimacy and value of international regulatory cooperation and mediation of trade conflicts is concerned.⁴⁰ The conclusion one can draw from this by and large positive example: enlightened self-interest can bring the EU and the US together and generate a merger of values and interests into mutually recognized transnational governance structures.

Reason for uncertainty about the predictable pursuit of enlightened self-interest exists whenever specific domestic debates with a high degree of moral commitment merge with the global agenda. Environmental movements within Europe and human rights concern in Europe have increasingly added to transatlantic quarrels, while the US itself has become the target of European concern rather than being seen as a partner in bringing about global improvement. The reverse is true for American charges of European free-rider attitudes and laxity, matched with an American inclination to reduce the transatlantic relationship to questions of budget allocation before

⁴⁰ See George A. Bermann/Matthias Herdegen/Peter L. Linseth (eds.), *Transatlantic Regulatory Cooperation. Legal Problems and Political Prospects*, (Oxford/New York: Oxford University Press 2001).

any detailed public discussion about the underlying rationale or goal has been properly conducted. Consequently, in the absence of a common strategy and a complementary public debate about new threats and new challenges, the “burden-sharing” debate with regard to military commitments has become extremely sterile over the past decade.

A daunting challenge lies ahead of the transatlantic partners. It concerns their understanding of democracy or the absence of it in Arab countries and what should be done about it. The debate about the root causes of terrorism cannot shy away from this question, nor can a viable solution to the Middle East conflict shy away from this issue. Can the question of how to modernize or even democratize the Arab world however translate into a consistent and common Atlantic approach that combines the moral commitment to open society, human rights, rule of law and democratic process with the interests in regime stability, the need for further free flow of Arab oil and a fair resolution of the Middle East conflict? From an EU point of view, a comprehensive solution to the Middle East conflicts would also include: elimination of any state sponsored terrorism and its networks; economic incentives for all parties and people of the region; regional cooperation, if possible along the line of experiences with the creation of a common market in Europe; trustworthy international monitoring and, if necessary, peace keeping. In order to find a viable solution with two states – Israel and Palestine -, mutually recognized and respected in their sovereignty and security, the most thorny issue of all might indeed be the future of the Arab world. The complex set of issues relevant for the modernization of the Arab world might become the most difficult test case for the mutual definition of balanced interests of the EU and the US in the Middle East. Their assumptions and strategies must at least be complementary in order to produce a reasonably common political agenda. European human rights posturing might be as much tested as US energy policies, while both might collide with the unpredictable nature of developments in the Arab world over the next decade.

Throughout Cold War decades, strategic interests between the US and its European allies – by and large consistent with the bulk of member states of what was the European Community at the time – were ultimately in harmony with each other. While the geopolitical changes of the past decade, exacerbated by new threats arising from asymmetric warfare, have led to the theoretical conclusion that NATO must either act out of area or will be out of business, the question is not resolved how far US and EU interests can be reconciled in the pursuit of the application of this insight. So far, the thrust of contributions to this debate has come from American authors rather than from Europeans.⁴¹ European positions are rather influenced, if not driven by an America-skeptical overture.⁴² From a European point of view, theoretically, alas, the question can only be resolved consistently once the European Union has ultimately made up its mind on its global interests. This requires the use of force as *ultima ratio*; once the EU will provide the appropriate means and instruments to act complementary as a partner of the US; and once a cohesive transatlantic partnership of equals with a coherent and at least complimentary global role will be in place.

In the absence of a speedy resolution of these issues, the quest for patience will rival the increase in frustration and will make further transatlantic dissent almost inevitable during the next years. In the absence of a coherent NATO-EU relationship and a new frame for the Atlantic community beyond the war against terrorism, coalitions of the willing will prevail in NATO, accompanied by frustrations about US unilateralism in Europe and about European insularism in the US; some will continuously discussing the death of NATO. It will neither be

⁴¹ See Gary Geipel/ Robert A. Manning (eds.), “Rethinking The Transatlantic Partnership: Security And Economics”, In: *A New Era*, (Indianapolis: Hudson Institute 1996); John W. Holmes, *The United States and Europe After The Cold War: A New Alliance?*, (Columbia: University of South Carolina Press 1997).

⁴² See various contributions, in: *Internationale Politik*, 57. Year, No.4/(April 2002) under the issue title “Zu viel Amerika – zu wenig Europa?”

easy nor soon that the asymmetries in defining interests and shaping actions of a joint global security agenda will be resolved between the US and the EU. It has to be in a way truly consistent with a continuous role for NATO and in recognition of the unequal distribution of capabilities among EU member states and between the EU as a whole and the US.

The question of whether or not challenges define the future of the alliance or the alliance is seen as an end in itself is part of a debate that is not only driven by different assessment of the new threats but also by the growing technology gap between the US Army and the European efforts in building capabilities, while getting closer toward a coherent foreign and security policy.⁴³

Some fundamental conclusions can be drawn from the analysis of the transatlantic asymmetries in generating interests and in turning them into a common global agenda:

1. The national interests of individual European countries are no longer strong and consistent enough to produce either resolve or resources that can match the American ones or can comply with American demands for support. This is the reason why all of them have to broaden their horizon and accept a global role for the EU.⁴⁴ So far, the vetoing power of the strongest of European nation-states over the creation of a truly European Foreign and Security Policy remains

⁴³ See Robbin F. Laird/Holger H. Mey, *The Revolution in Military Affairs. Allied Perspectives*, (Washington: Institute for National Strategic Studies 1999).

⁴⁴ See Karsten Voigt, "Global denken! Neue Themen für die deutsche Amerika-Politik", in: *Internationale Politik*, 57. Year, Vol. 4/(April 2002), pp. 19 ff. Germany might have a particular need to be reminded of the need to think globally, but a European Foreign and Security Policy will only become viable when its premises are shared by all EU member states, its interests and goals are acceptable to all of them and none of the EU institutions is left out from the process of formulating and implementing it.

still deplorably strong.⁴⁵ Nevertheless, Europe's path is conditioned to further develop a European Foreign and Security Policy, no matter how many more years and crises it may take. The path toward common European interests will be heavily determined by multilateralism and multidimensionality as these attitudes reflect European experience and self-acclaimed strength. The EURO introduces a new unifying element with good prospects for a speeding up of the process of defining European political interests, both domestic and in terms of foreign policy, in a more focused manner.

2. The open question remains, to which degree the emerging European Foreign and Security Policy will be consistent with, complementary to or adversary of American Foreign and Security Policy. The least one could hope for is that those who take position in the upcoming debates make transparent the ultimate normative ambition they are pursuing: are they working toward a common global agenda or a rivaling global agenda for the EU and the US? The room for compatibility must be outlined and the differences clarified, while the potential for a "positive common agenda" must be broadened and underlined where ever possible⁴⁶.
3. The US must decide whether or not it will passively let the European processes happen or if it will be willing to play the role of a constructive European unifier. As long as fear

⁴⁵ See James H. Wylie, *European Security In the New Political Environment. An Analysis Of The Relationships Between National Interests, International Institutions And The Great Powers In Post Cold War European Security Arrangements*, (New York: Addison Wesley Longman 1996); Mary M. McKenzie/Peter H. Loedel (eds.), *The Promise and Reality of European Security Cooperation. States, Interests, And Institutions*, (Westport: Praeger 1998).

⁴⁶ During the 2002 EU-US Summit on May 3, 2002 in Washington, EU Council President Jose Maria Aznar made reference to the need for a "positive agenda" in a speech at the newly founded Center for Transatlantic Relations of Johns Hopkins University, see http://www.sais/jhu.edu/mediastream/o5_03spain.htm.

of rivalry with Europe increases in the US, there will hardly be any room for such an effort. The more the US will however appreciate the benefit of a strong Europe as a viable partner in global leadership it should engage in support of strengthening European efforts for a consistent foreign and security policy in support and complementary to NATO.

The biggest obstacle in generating and harmonizing interests between the EU and the US are the mutual differences about the notion of power, its content and implication. The US and the EU would have to learn how they can transform interests into power together. On a practical level, this will remain a continuous demand for dealing with any matter of common concern; thus, it will be a perennial leadership test. Intellectually, it requires a balance between the concept of sovereignty, the definition of interests and the notion of power ultimately applied. The US and the EU have a long way to go to bridge the existing gaps on this third aspect that is preventing them all too often from naturally shaping and pursuing a common global agenda.v

IV. Differences in approach and attitude (3): The notion of power and the mechanics of governance

Joseph S. Nye, one of the leading analysts of international relations, has succinctly analyzed the changing nature of power. “Today,” he wrote in his latest book, “the foundations of power have been moving away from the emphasis on military force and conquest.”⁴⁷ In the absence of a global territorial empire comparable to the British Empire, America’s power is based on its “continental-scale home economy” and on its “soft power”, which he describes as “the ability to entice and to attract”⁴⁸. This is matched by “hard military power” uncontested by any other country or grouping in

⁴⁷ Joseph S. Nye, *The Paradox Of American Power*, op. cit., p. 5.

⁴⁸ *Ibid.*, p. 9.

today's world. The "American Colossus" as he calls it, might well have the opportunity to turn the 21st century into another "American century" if it would continue to combine hard power and soft power with a smart use of the advantages of the information age and globalization. In the absence of fundamentally competing interests and values⁴⁹, the US and Europe should maintain their friendship and partnership. Or, as Samuel Huntington, his Harvard colleague, has said: "Healthy co-operation with Europe is the prime antidote for the loneliness of U.S. superpower Dom."⁵⁰

Interestingly enough, Joseph Nye subscribes to the notion that the European Union can be regarded as a potential challenge to the US, stating that, for better or worse, Europe could be America's equal in power".⁵¹ In order to understand the contemporary mechanism of generating and projecting power, Nye has introduced the model of a "three-dimensional chess game":

- Military power is largely unipolar, the US being unchallenged in its resources and potential;
- Economic power is multipolar, the US increasingly equaled by the European Union;
- Transnational relations, including activities of non-governmental organizations outside of government control, and the attraction of cultures have led to a widely dispersed notion of power.⁵²

If one accepts the concept of a three-dimensional chess game and studies its possible ramifications, it is appropriate to say that the US and the EU are starting from different positions, are conditioned by contrasting circumstances, and will have to work hard to find themselves in the same game without

⁴⁹ See Robert D. Blackwill, *The Future of Transatlantic Relations*, (New York: Council on Foreign Relations 1999).

⁵⁰ Samuel P. Huntington, "The Lonely Superpower", in: *Foreign Affairs*, (March-April 1999), p. 48.

⁵¹ Joseph S. Nye, *The Paradox Of American Power*, op. cit., p. 31.

⁵² *Ibid.*, p. 39.

opposing each other. In light of the debates of the past years, this sounds almost like the challenge of squaring the circle as long as the US and the EU remain trapped in the assumption that they are playing chess against each other instead of seeing each other side by side or eye-for-eye, where ever possible, in playing against “third forces” challenging both of them.

Understanding the construction of Nye’s three-dimensional chessboard and assessing its possible ramifications begins with rather strong differences between the EU and the US. The United States is entering the game with a fixation on military power as this is the most proven expression of its past standing and current certainty. The European Union is entering the game as a “trading state”, conditioned to see politics as the means to avoid conflicts other than economic ones; the EU sees itself as the ultimate expression of conflict resolution by economic means. Both will have to give up some of their fixations. At least they have to broaden their spectrum of assessing the world they are living in and the impact of its realities upon them. Both will have to link this broadening of horizon with a transformation of their attitude to global matters.

The US cannot successfully manage the three-dimensional chessboard alone if it continuously resorts to hardened positions of sovereignty, neither can the European Union be successful in evading the hard choices it is forced to take in order to analyze its interests and implement them comprehensively. Both are endangered to substitute necessary self-criticism by taking issue with their most important partner and ally on cultural grounds. Should differences in the interpretation of values or differences in political culture be used over the next years as an alibi to broaden the gulf on strategic matters between them, the EU and the US will find themselves easily sitting as rivals at the same chess board.

It is a more than a counter-factual game to frame a statistics of power, which puts the EU and the US on a symmetric footing (FIGURE 1). The statistical overview for today’s EU (EU

15), the EU after enlargement (EU 27) and the United States (US) that covers both elements of soft and of hard power indicates the urgency for both sides to take their partner seriously. It also demonstrates the weaknesses of the European Union and the strength of the US. It shows how undervalued EU resources and potential are as long as they are not properly pooled and remain divided in their application among its member states, particularly as far as military resources, technologies and instruments are concerned. It indicates the joint power of both the EU and the US. It clarifies some of the mutual stereotypes. As an ideal-typical frame the following statistics are worth further reflections that should not be defined by the limits of transatlantic interests, but must intensify the need for further EU integration and a revitalized Atlantic spirit.

FIGURE 1: THE STATISTICS OF POWER

	EU 15	EU 27	US
Area (in thousand square kilometres)	3.191 ⁵³	4.267 ⁵⁴	9.373 ⁵³
Population (in thousand)	377.508 ⁵⁵	483.06 ⁵⁵	278.059 ⁵⁵
Density (per square kilometre)	116 ⁵⁶	113 ⁵⁷	29 ⁵⁶
Life Expectancy at birth	78,05 ⁵⁸	73,05 ⁵⁹	76,15 ⁵⁸
Gross Domestic Product (in bn EUR)	8.524,4 ⁶⁰	8.932,9 ⁶¹	10.708,9 ⁵⁰
GDP per Capita (in EUR)	22.530 ⁶²	18.492 ⁶³	34.960 ⁵²
GDP Growth Rate (in %)	3,3 ⁶⁴	4,4 ⁶⁵	4,1 ⁵⁴
Unemployment (in %)	7,6 ⁶⁶	9,4 ⁶⁷	4,8 ⁵⁶
Inflation Rate (in %)	2,068	3,7569	1,616
Total Imports (in bn \$)	946,7 ⁷⁰ extra EU	1025,7 ⁷¹ in EUR (extra EU)	1.238,3 ⁷⁰

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- ⁵³ <http://www.eurunion.org/profile/EUUSStats.htm>
- ⁵⁴ European Commission, Eurostat Yearbook 2002 on Candidate and South-East European Countries, Luxembourg: Office for official publications 2002
- ⁵⁵ European Commission, Eurostat Yearbook 2002, Luxembourg: Office for official publications 2002
- ⁵⁶ OECD in Figures 2001 Edition, Paris: OECD Publications 2001
- ⁵⁷ European Commission, Eurostat Yearbook 2002 on Candidate and South-East European Countries, Luxembourg: Office for official publications 2002
- ⁵⁸ European Commission, Eurostat Yearbook 2002, Luxembourg: Office for official publications 2002
- ⁵⁹ European Commission, Eurostat Yearbook 2002 on Candidate and South-East European Countries, Luxembourg: Office for official publications 2002
- ⁶⁰ European Commission, Eurostat Yearbook 2002, Luxembourg: Office for official publications 2002
- ⁶¹ European Commission, Eurostat Yearbook 2002 on Candidate and South-East European Countries, Luxembourg: Office for official publications 2002
- ⁶² European Commission, Eurostat Yearbook 2002, Luxembourg: Office for official publications 2002
- ⁶³ European Commission, Eurostat Yearbook 2002 on Candidate and South-East European Countries, Luxembourg: Office for official publications 2002
- ⁶⁴ European Commission, Eurostat Yearbook 2002, Luxembourg: Office for official publications 2002
- ⁶⁵ European Commission, Eurostat Yearbook 2002 on Candidate and South-East European Countries, Luxembourg: Office for official publications 2002
- ⁶⁶ <http://www.eurunion.org/profile/statistics2002a.pdf>
- ⁶⁷ European Commission, Eurostat Yearbook 2002 on Candidate and South-East European Countries, Luxembourg: Office for official publications 2002
- ⁶⁸ <http://www.eurunion.org/profile/EUUSStats.htm>
- ⁶⁹ European Bank for Reconstruction and Development, Transition Report Update May 2002, London: EBRD Publications 2002
- ⁷⁰ <http://www.eurunion.org/profile/EUUSStats.htm>
- ⁷¹ European Commission, Eurostat Yearbook 2002 on Candidate and South-East European Countries, Luxembourg: Office for official publications 2002

	EU 15	EU 27	US
Total Exports (in bn \$)	864,3 ⁷² extra EU	912,6 ⁷³ in EUR (extra EU)	772,1 ⁷²
World Import Share (in %)	18,4 ⁷⁴	n. a.	24 ⁷⁴
World Export Share (in %)	18,2 ⁷⁵	n. a.	16,3 ⁷⁵
EU Exports to the US (in bn \$)	220 ⁷⁶	239 ⁷⁷	
US Exports to EU (in bn \$)	159 ⁷⁸	173 ⁷⁹	
EU Foreign Direct Investment in the US (in bn \$)	808,3 ⁸⁰	808,3 ⁸⁰	
EU Foreign Direct Investment in the US (in % of US Total)	64,8 ⁸¹	64,8 ⁸¹	
US Foreign Direct Investment in the EU (in % of GDP)	640,817 ⁸²	653,936 ⁸²	
US Foreign Direct Investment in the EU (in % of US Total)	46,1 ⁸³	46,2 ⁸³	
Public Expenditure for Agriculture (in % of GDP)	1,3 ⁸⁴	n.a.	0,9 ⁸⁴
Public Expenditure for Education (in % of GDP)	5,2 ⁸⁵	7,9 ⁸⁶	6,4 ⁸⁵
Number of Universities	3695 ⁸⁷	4231 ⁸⁸	1720 ⁸⁷
Number of University Students (in thousand)	12.525 ⁸⁹	15.569 ⁸⁹	13.769 ⁸⁹

⁷² <http://www.eurunion.org/profile/EUUSStats.htm>

⁷³ European Commission, Eurostat Yearbook 2002 on Candidate and South-East European Countries, Luxembourg: Office for official publications 2002

⁷⁴ <http://www.eurunion.org/profile/EUUSStats.htm>

⁷⁵ <http://www.eurunion.org/profile/EUUSStats.htm>

⁷⁶ <http://www.eurunion.org/profile/statistics2002a.pdf>

⁷⁷ US Department of Commerce Bureau of Economic Analysis, Survey of current Business, Washington September 2001

⁷⁸ <http://www.eurunion.org/profile/statistics2002a.pdf>

⁷⁹ US Department of Commerce Bureau of Economic Analysis, Survey of current Business, Washington September 2001

⁸⁰ US Department of Commerce Bureau of Economic Analysis, Survey of current Business, Washington September 2001

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- ⁸¹ US Department of Commerce Bureau of Economic Analysis, Survey of current Business, Washington September 2001
- ⁸² US Department of Commerce Bureau of Economic Analysis, Survey of current Business, Washington September 2001
- ⁸³ US Department of Commerce Bureau of Economic Analysis, Survey of current Business, Washington September 2001
- ⁸⁴ OECD in Figures 2001 Edition, Paris: OECD Publications 2001
- ⁸⁵ <http://www.kmk.org/statist/education.htm>
- ⁸⁶ European Bank for Reconstruction and Development, Transition Report Update May 2002, London: EBRD Publications 2002 (Expenditures for health are enclosed in the Transition Countries / Without the data of Romania, Hungary, Malta and Cyprus)
- ⁸⁷ <http://195.72.92.134/static/Camedia/Welcome/0/pgIcStatistics.html>
- ⁸⁸ The data comes from the national education Agencies. Without the data from Hungary, Czech Republic, Slovak Republic, Malta, Cyprus and Estonia.

	EU 15	EU 27	US
Public Expenditure for Research and Development (in % of GDP)	1,9 ⁹⁰	1,3 ⁹⁰	2,64 ⁹⁰
Public Development Aid (in bn \$)	25,277 ⁹¹	25,277 ⁹¹	9,955 ⁹¹
Public Military Expenditure (in bn \$)	173 ⁹²	240 ⁹²	288 ⁹²
Public Defense Expenditure Share to GDP (in %)	1,9 ⁹³	2,0 ⁹³	3,1 ⁹³
Public Defense Expenditure Share to Global Defense Expenditure (in %)	20,4 ⁹⁴	21,3 ⁹⁴	35 ⁹²
Numbers in Armed Forces (in thousand)	1.789,90 ⁹⁵	2.509,00 ⁹⁵	1.371,50 ⁹⁵
Peace keeping Troops	42.799 ⁹⁶	44.979 ⁹⁶	14.390 ⁹⁶
Public Expenditure for Military Research and Development (in million \$)	9,104 ⁹⁷	9,220 ⁹⁷	33,692 ⁹⁷
Transcontinental Air Transport	15 squadron ⁹⁸	15 squadron ⁹⁸	126 ⁹⁸
Nuclear Warheads in stockpile	533 ⁹⁹	533 ⁹⁹	8876 ⁹⁹

Three fundamental questions are particularly relevant for the future positioning of the EU and the US at the chessboard of power:

1. the issue of “the other”
2. the issue of “the enemy”
3. the issue of institutions managing both.

⁸⁹ European Commission, Eurostat Yearbook 2002, Luxembourg: Office for official publications 2002

⁹⁰ European Commission, Eurostat Yearbook 2002, Luxembourg: Office for official publications 2002

⁹¹ www.oecd.org/EN/document/0...odirecorate-no-1-2879-15,00.html

⁹² SIPRI Yearbook 2001, London: Oxford University Press 2001

⁹³ International Institute for Strategic Studies The Military Balance 2001, London: Oxford University Press 2001

⁹⁴ International Institute for Strategic Studies The Military Balance 2001, London: Oxford University Press 2001

⁹⁵ International Institute for Strategic Studies The Military Balance 2001, London: Oxford University Press 2001

In all three fields, the United States and the European Union find themselves in continuous development with a wide range of potential implications from strong bonding over complementary approaches and division of labor to strong disagreement, disconnect and even adversity.

1. The other as a mirror

The more the European Union and the United States start comparing themselves to one another, the more they are likely to find themselves in misunderstandings, disagreements, quarrels. As paradoxical as this is, given the intensity of relations and the proximity of values, it remains the most consistent pattern in the relationship since the days of the “Mayflower” and the first European settlements in America. If the goal was to bring about mutually satisfying results, the question has never been properly framed when efforts were undertaken by either side to define cultural differences in a spirit of superiority and divisiveness. By nature of their existence and experience, Europe and America are different, yet intrinsically linked to each other. To embark on an effort to weigh the power both sides are bringing to the chess game by comparing a presumable superiority of one of them is doomed to be futile. It will not lead to any useful result. The more the political agenda of the EU and the US is being framed in categories of difference and limit, both sides will embark on habits of patronizing which are not useful and are in fact short-sighted. Both sides will get trapped on bashing each

⁹⁶ International Institute for Strategic Studies The Military Balance 2001, London: Oxford University Press 2001

⁹⁷ International Institute for Strategic Studies The Military Balance 2001, London: Oxford University Press 2001

⁹⁸ International Institute for Strategic Studies The Military Balance 2001, London: Oxford University Press 2001

⁹⁹ SIPRI Yearbook 2001, London: Oxford University Press 2001

n.a. = not available

The Data from the Eurostat Yearbook 2002 on Candidate and South East European Countries is the arithmetic mean of individual country values.

other at the expense of properly dealing with more substantial and higher challenges ahead of both of them.

Efforts to frame EU-US relations with cultural or even psychological categories and reducing them to domestic issues will necessarily end in frustration and dead-ends. It might serve academic purposes intended to sharpen one's own identity by contrasting it with that of "the other", but it will not achieve anything other than cutting into the web that exists across the Atlantic ocean, being woven over centuries of experiences with each other. In order to revitalize the Atlantic community, its horizon has to be broadened as much as possible.

For all practical purposes, the most delicate problems for the formation of a common global role occur whenever domestic considerations with moral or moralistic weight are becoming the measure for assessing the credibility of the Atlantic partner. The use of morality often divides the Atlantic partners. Neither does it make sense to disregard stark differences in the make-up of both societies, in disputes over the notion of freedom, or in contrasting social and cultural experiences and realities nor would it be useful to position them against each other. At its best, the obvious differences between Europe and the United States have always served as a mirror to better understand oneself.

It is not necessarily evident that this will prevail. Identity debates have increased on both sides of the Atlantic. Multiculturalism, emigration and integration, the racial make-up of the society as they are heading into the 21st century, generational and other issues have loomed large in the sociological literature about the US and Europe. The crucial question with regard to a common global role of Europe and the US is political. Will cultural trends translate into political structures and actions, and, if so, how will this occur? It seems that the third layer of the chess board of power, namely the fragmented impact of transnational relations and debates, unduly and increasingly impacts and limits the capacity of action in the

first and second level of the chess board, most notably in strategic and economic matters. The nature of this phenomenon opens an avenue for speculation and guesswork, and as it stands speculation and guesswork have unfortunately become undeniable features framing public life, its goals and purposes. This weakens the rationale for a strategic approach to EU-US relations based on notions of interest. But it has become, more than ever, a fact of transatlantic relations to be reckoned with.

Positions and coalitions on these matters are cutting through both societies. Contesting social models, it was said, serve as driving forces behind American and European attitudes to globalization and its shortcomings. The debate has reached some shores of politics on both sides of the Atlantic, but the most surprising discovery lies in the fact that hardly any of the debates intended to contrast America with Europe or vice versa in search of cultural posturing does not find an echo of similarity on the other side of the ocean. That is to say, anti-Americanism is as much rooted in America as Euro-skepticism is a European phenomenon. None of it will lead further when it comes to meet the challenges of the 21st century.

America and Europe can only gain from understanding the experiences and options of the other as a mirror for self-achievement. Anything else will become futile. To learn from each other is as simple a proposal as it is a reasonable and in fact the only realistic one. Everything else will absorb and bind resources of time, talent and money, which are badly needed for a “positive agenda”, be it domestic or international. Only in understanding each other’s societies as mirror for improving oneself can societal comparison contribute positively to the transatlantic future.

2. The uses of adversity and the uses of morality

Nothing, already Aristotle knew, is more difficult than to define what is good out of itself. Much easier is the definition of good in contrast to evil. It opens large gates for theological and cultural reflections of why the American religiosity is

paralleled with a strong sense of the value of military power and the notion of evil “out there” in a sinful world. Contrasting religious and social experiences in Europe have diminished notions of predestination up to a point where the religious foundation of Europe has become doubtful for many of its citizens, even the religious and pious among them; on the other hand, the ethos of war, the right to carry arms and the application of the death penalty as supported by many Americans are often questioned in Europe in the name of European values which, after all, did not resonate with continuous and unwavering universal acclaim in Europe’s own history.

Consequences of these differences can easily translate into the pursuit of normative attitudes in foreign relations. One example is the recent transatlantic dissonances over the Middle East. An almost biblical bond between American Christian conservatives and Israel is not shared by most European Christians who look for fair solutions to accommodate two legitimate claims – the right to secure existence of Israel and the right of the Palestinians to statehood – while increasingly leaning towards an understanding which sees the Palestinians as the victim of the current conflict. A contrasting example is the environment. Americans have been wondering about the almost secularized religious zest with which European environmentalists defend creation in animals, trees and rivers without necessarily applying the same moral high standing to debates about stem cell research or abortion. In Europe again, no other word has caused stronger opposition to the US after “9/11” than President Bush’ invocation of the idea of an “axis of evil”. It immediately suited those in Europe who were in search of proving their stereotypes about America. Different uses of morality are evident.¹⁰⁰

The borders between right and righteous remain large along the waves of the Atlantic Ocean. A positive transatlantic agenda for a common global role of the EU and the US can only be shaped if rhetoric and sociology will be replaced by

¹⁰⁰ I owe this succinct observation to Sam Wells.

interests and multilateral management. Not competition over moral parity but parity in interests and institutional parity in dealing with common interests is required if the cause of a strengthened Atlanticism shall be advanced. This leads to the weakest aspect of Europe and its strife for a global role.

3. Institutions and parameters of governance

Europe's weakest point in dealing with the US is the stark contrast in the design and mandate of its political institutions. No cultural comparison between the US and the EU can negate this fact. From the symbolic to the materiel, governance in the European Union is almost incomparably weak compared with the power and determination of government institutions in the US, particularly those related to hard security. Europe's weakness is its lack of credible power whereas America's weakness could be its strength of power and focus on hard security. Europe's weakness inclines moral posturing while America's strength inclines attitudes of "we can do it alone". Inevitably, both lead to unhappy results and nourish mistrust.

The EU has enormous homework ahead to correct its institutional deficiencies which largely arise from a sharp contradiction between its strong global economic role, supported by a common currency, and a weak, embryonic and inconsistent political union short of political will and overdosed by plans, concepts and pronouncements. Neither can the US or any other country in the world be blamed for the inherent European weakness and national resilience to bring about a viable and coherent foreign and security policy, nor can the EU remain complacent about non-action in the name of a trading-state that still largely denies global political and strategic responsibility. Only a strong EU can become a respected partner of the US.

Given the circumstances as they are for the time being, the US has one fundamental choice to make: Will it take the EU seriously even in the absence of an EU Commander in Chief which can see eye-to-eye with the American President on strategic matters? And even more delicate: Will the US be

ready to continuously serve as European unifier in a way it has served as European pacifier over the past decades? Will it perceive the EU as rival and an excuse for unilateralism or as partner in an emerging multipolar world?

The European Union is confronted with another set of crucial questions about the purpose and direction of its increasing global orientation: Is the EU driven by partnership with or disconnected from the US? Will the EU listen to US demands for a stronger global profile? Will its member states get ready to provide the necessary budget for it and generate the inevitable political will to act? Answers to these and related questions decide about the ability of the two most important economic, political, cultural and military entities in the world to transform their current internal and bilateral inconsistencies into a strong, credible and sustainable common global role.

Power equations tend to be monocausal and static. They draw from facts and contrasts. Should the transatlantic relation be reinvigorated through the “frontier” of a common global role, its stuttering self-centeredness must be overcome by more flexible and creative applications of all the resources available. Its current flaws must be overcome by defining the transatlantic relation through the lens of its global duties and responsibilities. Otherwise, it will be doomed to fail in the course of the 21st century. It would fail in the most important task ahead of both the EU and the US.

First of all, such a perspective requires the power of restraint in the pursuit of bilateral undertakings. Secondly, it requires leadership in view of the need to broaden the horizon of each other’s society and body politic. Thirdly, it must accept the calling for a common global role, which combines common goals, joint or complementary actions and unavoidable competition and dissent. The EU and the US make up 15 per cent of the world’s population while producing more than fifty per cent of the world’s economy and consuming more than fifty per cent of its resources. The EU and the US must fully realize that they cannot expect to live in stability during the

21st century without living up to their joint global responsibilities arising from their power and the opposition it inevitably provokes elsewhere. A common global role for the EU and the US must transform their individual and their combined powers into enlightened self-interests on a global scale.

So far, EU institutions and the political will they can organize are too weak to live up to the challenge while US institutions and American willpower are rather too strong to understand why they should ask the EU to join in defining a common global role as a respected, equal and necessary partner. This difference will prevail for the foreseeable future, but should not be taken as an alibi for not working on a common global agenda in spite of contrasting transatlantic interpretations. This challenge can only be handled by narrowing the differences through a three-fold process:

1. The European Union must finally achieve institutional and constitutional cohesion, develop from monetary union to political union with European sovereignty not only over fiscal, but also over foreign policy matters. It must transform consensus into power in order to be taken seriously in the US and to play the global role its leaders invoke increasingly without having yet delivered the appropriate instruments.
2. The United States must pursue a foreign policy, which, as Henry Kissinger has said, does “transform power into consensus so that the international order is based on agreement rather than reluctant acquiescence”.¹⁰¹ It must overcome the temptation for unilateralism through experiences that Atlantic cooperation pays off and strengthens both partners.
3. The EU and the US must frame their relationship for the 21st century broadly enough to accommodate differences in approach and substance without losing the common perspective to jointly play the global role they need to if they

¹⁰¹ Henry A. Kissinger, “Answering The ‘Axis’ Critics”, in: *The Washington Post*, (March, 5, 2002).

wish to remain seated on the same side of the chess board of power. The “*acquis atlantique*” must be designed and experienced as a win-win-situation for both the EU and the US.

V. Perspectives for an “*acquis atlantique*”: A pillar-based Atlantic Community

The future perspectives for EU-US relations depend upon political choices on either side of the Atlantic Ocean. All indications show that EU-US relation are key to the development and maintenance of the new world order of the 21st century. There is an obvious need to recognize the centrality of the definition of mutual interests if transatlantic relations are to continue to play the role they can and should in shaping the world of the new century. While the EU is becoming more assertive and the US more “sovereigntist”, a clear definition of common interests is necessary: what are the interests both can pursue together, on which issues they can achieve more through division of labor and compatibility, in which fields the EU and the US have to simply recognize competition or even dissent, with which they have to learn living?

The Atlantic Alliance as it developed during the Cold War was based on common values and strategic interests while it was an elite project, focusing on strategic and military matters. The broadened public sphere which is defining transatlantic relations in the early 21st century must be incorporated into a comprehensive strategy for a global partnership between the EU and the US. The pressure on the political elites in the EU and the US to frame an “*acquis atlantique*” accordingly is bigger than ever. It must be inclusive enough to accommodate new transatlantic realities and it must be cohesive enough to allow for efficient and result-driven management.

Whether the US will take the EU, this “genuinely new political form”¹⁰², seriously, depends very much on the ability

¹⁰² David P. Calleo, *Rethinking Europe's Future*, op. cit., p. 373.

of the EU to gradually build up its governance capacities and its global political will. It also depends on the readiness of the US to accept the emergence of a multipolar global system instead of resorting, without restraint and doubt, to a hegemonic America with a priority on military power. Europeans, preferring multilateralism and civilian solutions, might be more inclined than Americans to project European experiences with interdependence into the Atlantic community. The more the EU is consolidating, the more it must take care of the design of future transatlantic relations. The more the US is encountering and recognizing its limits by reducing security to hard power – which has become the case even in the Middle East conflict – the more it must strive in the long-run for a balanced transatlantic relation as an expression of its own vested interest. The century in which America rescued Europe from totalitarianism should not be replaced by a century of American-European rivalry. It should neither be replaced by one of American-European disconnect. Rather, the 21st century should become an European-American century, an Atlantic century. This will require consistent decisions along strategic options about its make-up. Three principle choices are possible for the future of the Atlantic community:

1. A security centered Alliance.

NATO is strengthening its political over its military role, has practically included Russia as a member on any future decisions dealing with common threats and continues to maintain its unique posture as cornerstone of military defense and security in the Atlantic world. Its military role has become ambivalent during the first year in the war against terrorism: While for the first time, NATO invoked its Article 5 – declaring mutually guaranteed defense in support of the US – the US did not ask for explicit NATO support in the fight against the Taliban regime in Afghanistan and the Al Qaeda network it harbored. The Kosovo war in 1999 had already seen a fundamental change in the management of warfare with surgical air raids that require the most sophisticated weapons technology and thus demonstrating the technology gap be-

tween the US and its European allies. It will remain open for debate whether the “new NATO”, which has ultimately buried the Cold War during the Summit of its Foreign Ministers in Reykjavik in May 2002 and which has accepted Russia, if only indirectly through the “NATO-Russia-Council” as a quasi-member in Rome at the end of the same month, will be able to develop a cooperative common strategy for dealing with the new threats the Atlantic community is confronted with on the basis of a European-US accord. It could well be that a hegemonic US is preferring ties with the new NATO partner Russia over coordinated actions with its European allies. Europe should therefore all the more do its homework to becoming a truly relevant partner for the US.

A common EU-US strategy for the future of NATO must comprise both military strength and a policy of willingness to co-operate with countries of potential threat or existing concern. It must prevent the increasing challenges and conflicts in the arch of instability stretching from Northern Africa through the Middle East and the Caucasus into South and Central Asia towards North Asia to undermine Atlantic stability and prosperity while simultaneously reaching out for cooperation with its Southern neighbors following a strategy of inclusion, modernization and democratization.

Although the war against terrorism and the danger of proliferation of weapons of mass destruction are the most obvious threats to the Atlantic community, it is not sufficient to reduce the war against terrorism and the dealing with states of concern to military dimensions, no matter how important they are. Therefore, a NATO centered Alliance would exclude important issues from the global EU-US agenda. Moreover, it would be endangered to focus too heavily on the ramifications of the development of a European Security and Defense Policy on NATO while diminishing the overall premise that only a strong Europe can serve as a reliable and relevant partner for the US. It would reduce the Atlantic community to debates about unilateralism versus multilateralism and military burden sharing. As important as these aspects are in the shaping of the

new world order, NATO – together with the evolving European Defense and Security Policy – remains the security pillar of the “acquis atlantique”, but cannot cover the whole agenda relevant for a global role of the EU and the US. In fact, such an approach can sandwich the EU between the US and Russia.

2. A fragmented market relationship.

This approach includes fields of mutual interest such as trade liberalization and the maintenance of an open and stable market, but would also have to cope with competition and economic rivalry. The efforts to organize common interests of the EU and the US in managing world trade and the global economy have led to fruitful results under the roof of the World Trade Organization (WTO). Like the UN, the World Bank and the International Monetary Fund the WTO has become an element of global governance with strong impact on transatlantic bilateral and multilateral interests.¹⁰³ Yet, EU–US dealings with the global economy are fragmented between the interests of domestic constituencies, aspirations of regional bloc-building and genuinely global issues. As the problems of global governance are at the same time fragmented, transatlantic and of global nature, they can only partly cover the breadth of the “acquis atlantique”.

Economic bonding might bring about intuitive solutions based on enlightened self-interest much easier than is the case with strategic and military matters; but by nature the economic agenda is market driven and, therefore, of limited capability for projecting a sound political frame. Economic and financial interests are interwoven with sociological developments and cultural debates. While all of this has clearly broadened the public Atlantic sphere, it is not sufficiently focused in framing the future global role of the EU and the US. As creative as the market approach to the Atlantic community is, it is

¹⁰³ See Renato Ruggiero, *Improving Governance In An Increasingly Interdependent Global Community*, (Frankfurt: Alfred Herrhausen Society for International Dialogue 2001).

fragmented and incomprehensive. It will be permanently endangered to define Atlantic relations only by conflicting interests and the necessary crises-management inevitable in transatlantic market relations. It could also get increasingly blurred with societal and cultural issues, ranging as wide as demography and immigration, gender and environment, education and media. As fragmented as modern life is, this is not good enough a basis for further success of the Atlantic community.

3. An integrated and comprehensive Atlantic community.

The most appropriate approach for framing EU-US relations in light of the common challenges and a common global role would require a new design which includes the existing military and economic structures of transatlantic cooperation, but goes beyond them. The old idea of an Atlantic Treaty between the US and the EU would have to be rekindled if such an approach were finally considered timely and useful. Elements of a comprehensive and revitalized Atlantic Community would include:

- recalling the underlying common values of freedom, democracy, human rights, rule of law and pluralism;
- reaffirming the will to join interests and forces in order to defend freedom and stability while reaching out for co-operation with other parts of the world;
- underlying the mutual recognition of common duties in matters of defense, justice and home affairs, market development and technological advancement;
- reaching out for a common global role in fighting the enemies of the global society, which include poverty, injustice and hatred, and which require dialogue among cultures and religions and every possible cooperation in education and in the media necessary to fight frustration, exclusion and violence, including terrorism.

A frame agreement between the US and the EU would put the bilateral agenda and the development of a common global role

into a better and broader perspective. It must include reference to regular summit meetings of the US and the EU as much as the need for reinvigorated networks of Young Leaders in the Atlantic Community which goes beyond proven bilateral mechanisms and recognizes the specific dynamics of European integration and its enabling of future actors.¹⁰⁴

A new “*acquis atlantique*” must define the main challenges, threats and opportunities ahead of the EU and the US alike. It must leave room for autonomous decision-making inside the EU, inside of NATO, and in the WTO context. It could leave room for opting-out clauses along the model of the EU, for coalitions of the willing along the experience of NATO, and for further improvement of global governance along the model of regulatory cooperation in trade matters. It could serve as the first model of substantial and comprehensive trans-continental cooperation in the world. It could set a precedence for bilateral partnership in the service of global management.

Defining the “*acquis atlantique*” would deepen the Atlantic Community while it is opening up to a common global role. Efforts to define the “*acquis atlantique*” will automatically serve as an incentive to bring about more consistency into EU governance structures and more farsightedness into the EU’s ability to define its interests and to project appropriate means of power. It would bind the US to its role as a European power and link it with the further evolution of the EU’s own “*acquis communautaire*”. Thus it would limit temptations of unilateralism and insularism on both sides of the Atlantic. It would prevent the EU and the US from losing each other in the age of globalization and fragmentation. It would give them a strong mandate in managing global challenges of com-

¹⁰⁴ See Stanley R. Sloan, “Auszehrung oder Vertiefung? Eine neue Atlantische Gemeinschaft wird gebraucht”, in: *Internationale Politik*, 57. Year, No. 4/(April 2002), pp. 55 ff.; see also: John Peterson, *Europe and America. Prospects for Partnership*, (New York: St. Martin’s Press 1996); Eric Philippart/Pascaline Winand (eds.), *Ever Closer Partnership. Policymaking in US-EU Relations*, (Brussels: Peter Lang 2001).

mon concern in the years and decades ahead. An “*acquis atlantique*” would continue the enormously successful work of NATO and link it with the evolving European foreign, security and defense structure. It would support the ever increasing regulatory work and trade cooperation and boost the promising development of the World Trade Organization through which the “*acquis atlantique*” is linked with an important element of global governance. Neither the EU nor the US would have to give up sovereignty rights since the “*acquis atlantique*” would essentially be of an intergovernmental and a transgovernmental structure. It would introduce a new dimension into global order building: transcontinental cooperation among governments and societies alike. Ideally and ultimately, only a renewed and reinvigorated Atlantic Community would broaden and deepen the current transatlantic relations. It must frame them in light of the challenges of the 21st century, based on the memories and experiences of the past fifty years and accommodating the uniqueness of both the EU and the US. An Atlantic Treaty between the US and the EU could frame the new Atlantic Community and its “*acquis atlantique*”. It should consist of two parts:

- a) an invocation of common values, a reference to the meaning of transatlantic memories of past success and an enumeration of common interests and goals in light of bilateral and global challenges and opportunities;
- b) the outline of a five pillar structure for the pursuit of the Atlantic Community and its ever evolving “*acquis atlantique*”.

The Atlantic Treaty should create an Secretariat of the Atlantic Community, based in Brussels and in Washington. It should consist of a small team of civil servants, supported by a research unit with experts on matters of relevance for the pursuit of the goals of the Atlantic Community. The role of the Secretariat would be to look for links and bridges between the various pillars of the Atlantic Community, to coordinate Atlantic issues with EU institutions and the US administration, and to

evaluate ground for further broadening and deepening the Atlantic Community's mandate. One annual summit meeting of the EU and the US would be the most important public presence of political leadership of the Atlantic Community. Its agenda requires optimal focus in order to make the citizens of the US and the EU appreciate their role and leadership on the most crucial issues of the moment. A Permanent Council of Foreign Ministers or their representatives could follow up on pending summit issues and coordinate work between those meetings. A Parliamentary Assembly, replacing the old NATO Parliamentary Assembly and consisting of US, EU and EU member state parliamentarians, should convene twice a year, while further parliamentary committees could be installed, dealing more regularly with the most pressing policy issues facing the Atlantic Community and clearly going beyond the scope of the current EU-US legislator's dialogue.

The Atlantic Community should support the evolution and broadening of non-governmental networks on the issues relevant for its future and echoing the agendas pertinent to the five pillars of the Atlantic Community. These five pillars would be operating in their own right, based on their specific mandate and goal.

Pillar One: Security, Military and Peace-Keeping

This includes – on the basis of continuous commitment to mutually binding security guarantees – the necessary measures in the war against terrorism, including counter-terrorism; preventing the spread and use of weapons of mass destructions, including allied missile defense; dealing with failed states whose conflicts might spill over into other countries or regions; achieving organic and balanced relations between NATO and the EU's emerging security and defense instruments; harmonizing it with those NATO members who do not belong to the EU and those EU members who do not belong to NATO; stabilizing the partnership with Russia, integrating South Eastern Europe, but also the Ukraine and the Caucasus republics into the Euro-Atlantic architecture; mediating and

implementing peace in the Middle East; projecting stability and moderation – particularly between Pakistan and India – across the “arch of instability” that stretches through Northern Africa, the Middle East and South Asia towards Central and North Asia; modernizing the military instruments, including necessary budget increases in the EU; facilitating the US to share technological achievements with the EU that are necessary for the application of joint capabilities in future crises; commencing a strategic dialogue with India and China.

Pillar Two: Economic and Financial Affairs

This includes the management of the Dollar-Euro relationship; the maintenance of conditions conducive to sustainable growth among the G8-nations; outlining a viable energy policy which gives expression to the geoeconomic implications of the recent geopolitical changes and the unpredictability’s of modernization in the Greater Middle East and the Arab Peninsula; recognizing the legitimate role of the WTO to promote conditions conducive for fair trade and supporting the “Doha Round” in further liberalizing global trade; overcoming temptations of protectionism and reducing subsidies which are detrimental to developing countries and run counter to all rhetoric concerning the use of free trade; harmonizing economic and ecological interests; improving transatlantic regulatory mechanisms.

Pillar Three: Justice and Home Affairs

This includes intensified cooperation between Europol and the FBI, including unrestricted exchange of intelligence necessary in fighting terrorist networks and other means of international crime; coordinating principles and instruments of immigration policy, which recognizes both the interests of home countries and the security interests and integration needs of recipient countries in the Atlantic Community.

Pillar Four: Social and Cultural Affairs

This includes sharing of experiences on all matters relevant for the future development of societies on both sides of the

Atlantic, including demographic trends and the repercussions on social cohesion and economic prospects, education priorities and the role of media in fighting juvenile delinquency; broadening the base for transatlantic non-governmental networks, including twinning projects, youth exchange and professional cooperation; projects supporting social inclusion of migrants and dialogue among cultures and religions within the Atlantic Community.

Pillar Five: Development and Global Governance

This includes common strategies for the promotion of sustainable development in the poorest countries of the world, including protection of foreign investments and development priorities on basic human needs; “discovering” Africa as a top priority of Western development policy; strategies for bridging the gap between the implementation of human rights and concern for stability in modernizing countries; dialogue among cultures and religions; improving governance mechanisms inside the United Nations, including the law on the use of force, criteria for smart sanctions, the banning of weapons of mass destruction and strategies to promote stability and open societies as precondition for preventing refugee crises; empowering international and multilateral instruments for the promotion of the rule of law.

These lists are insufficient and yet indicate the enormous scope of opportunities and challenges ahead of the Atlantic Community. While the 21st century is unfolding, more than ever there is potential for turning it into an Atlantic Century, with Euro-American partnership as its core and center of gravity.

A new Atlantic Treaty would install clearer ties between the various dimensions of transatlantic relations and thus better prepare the EU and the US for a common global role. Its content will define the “acquis atlantique” as it stands at the moment of the signing of the treaty. Any overhaul or new development would be added to this “acquis atlantique”, very much as it is the case with the evolving “acquis communau-

taire” of the European Union. Existing inconsistencies within and between the outlined five pillars should not prevent such a structure from being established. Overlap with UN activities or other forms of international regulatory institutions are as much inevitable as continuous debates among the Atlantic partners about interests, strategies and policies. The role of civil society in fostering and advancing the Atlantic Community will be a welcome and at times a necessary element of public pressure. But at last, the Atlantic Community would be framed by a contract that gives comprehensive direction to its work for peace and stability, freedom and affluence.

Many ingredients of a new Atlantic Treaty which will constitute an Atlantic community apt for the challenges of the 21st century are, of course, already existing: in the context of NATO/ESDP developments on the one hand and as outlined by the New Transatlantic Agenda of 1995 on the other hand. Ideally, matters of security, economy, society and global governance have yet to be connected and channeled through an EU-US grand design. This would be by far the best way to give the US a voice in EU developments and to broaden the current Atlantic Alliance into a more comprehensive one without being endangered by vacillating moods in the US on multilateralism versus unilateralism. The matters of common interest – as outlined by the proposition of structuring them under five pillars – must be connected politically and they must be made more evident and public. This could be achieved through a new Atlantic Treaty framing the Atlantic Community and its complete “*acquis atlantique*”. The mind of all participants and decision-makers in the Atlantic Community would be better focused on the breadth and depth of its common purpose and aspiration. Conflicting interests would find a frame, which would reduce their potential for incessantly damaging transatlantic relations because they are exaggerated and taken out of context.

A properly designed Atlantic Community (FIGURE 2) would help to focus both sides on topical priorities without continuously getting mixed up in minutiae disputes which will

always exist among democratic partners with specific vested interests.

FIGURE 2: ATLANTIC COMMUNITY

EU-US Summit				
EU-US Permanent Council				
EU-US Parliamentary Assembly				
Atlantic Secretariat				

Security	Economy	Justice	Social/ Cultural	Development/ Global governance
NATO ESDP OSCE	TABD ¹⁰⁵ TEP ¹⁰⁶ WTO G 8 OECD	EUROPOL/ FBI	NGOs	WORLD BANK IMF UN

Obviously, security relations and economic and financial affairs matter most. It will be most difficult to properly connect them with a broader scheme of transatlantic governance. In fact, they will remain of an ever-evolving nature, as much as the content of the other pillars. Therefore, NATO concern about being denigrated to an EU-US committee will not hold true as NATO will continue to operate on its own terms while being better linked to EU developments and supported by the overall EU–US agenda. In some cases, the Atlantic Community is operating on an exclusive basis, certainly as far as the formulation of its interests and strategic goals is concerned. In some cases, mostly in the field of social and cultural development, the Atlantic Community will benefit from sharing US and EU experiences and from bringing new generations and more professional groups into the growing web of transatlantic ties. In some cases, a unilateral pursuit of action might be inevitable for either side, but its damaging

¹⁰⁵ Transatlantic Business Dialogue.
¹⁰⁶ Transatlantic Economic Partnership.

effect to the overall Atlantic community would be reduced. In most cases, the Atlantic Community will require international and multilateral cooperation in order to achieve its strategic goals or to meet challenges and threats ahead. In fact, it will often benefit from international and multilateral cooperation beyond the community area in the pursuit of its interests and policy goals; this holds as much truth on matters of fighting the new threats of terrorism and weapons of mass destruction as it is on matters of future global trade rounds, managing international migration, organizing dialogues among cultures, or dealing with the vast development agenda. A reinvigorated Atlantic Community will strengthen the ability of both the US and the EU to enhance the quality of institutions and instruments of global governance instead of reducing oneself to complaints about their shortcomings.

There will be overlaps between the various Atlantic pillars and between them and pan-European institutions such as the OSCE or the G8 group, between them and institutions representing global liberal democracies such as the OECD, and between them and institutions contributing to global governance such as WTO, World Bank, IMF and, of course, the United Nations. Nevertheless, the notion of Atlantic pillars helps to clear the mind about the breadth and outreach of Atlantic relations as part of world order- building. It is no longer sufficient to understand transatlantic relations as being organized like concentric circles around NATO. The circle metaphor with NATO as its most important core was appropriate for the transatlantic partners in dealing with the highly static world of the Cold War. The fragmented and yet globalizing world of the 21st century requires Atlantic mechanisms that contribute to the overall order-building, such as the five-pillar structure proposed in this paper. It would leave NATO in its irreplaceable position, it would recognize the importance of the transatlantic marketplace, but it would go beyond, binding the EU and the US as the cornerstones of the much broader Atlantic Community, which will play its due global role during the next decades. A newly framed Atlantic Community

based on a common grand design will be the most innovative contribution to world order-building since the foundation of the European Economic Community in 1957.

The “*acquis atlantique*” is impressively strong already, but it has to be enumerated in order not to get lost in the current period of fragmented debates and creeping disconnect. This would be the most far-sighted answer to any current fear of transatlantic ruptures, to any concern about a parochial focus on the bilateral EU-US agenda or about the inclination to define transatlantic limits rather than opportunities. A common global role for the EU and the US requires a common frame for exercising commonalities, balancing complementarities, allowing for division of labor and living with dissent.

The time might not yet have come to find sufficient political support for a new Atlantic Treaty. We are still living in the period of mechanical and technocratic efforts to both live with the current structures and trying to adapting them only incrementally whenever need makes this unavoidable. A reinvigorated Atlantic Community requires a new leadership on both sides with vision and steadfastness in the pursuit of its goals. As long as the need for this does not surface, skepticism will be strong. Skepticism will be expressed among “NATOists”, who remain reluctant to embrace the EU as a full-fledged equal for any matter of security and defense, while often underestimating the overall path of EU integration. Skepticism will be aired in certain EU member states who will be afraid of losing bilateral bonds with the US. Skepticism will be aired in EU institutions among those who do not believe in the need for a strong EU-US bonding but, rather, perceive European integration as a way of emancipating Europe from the US. Skepticism will be aired by all those purists who will focus on inconsistencies in the possible organizational structures and policy implications of the pillars mentioned above. Skepticism will certainly be aired by US sovereignties who fear being overly bound by any treaty with the EU, which they do not really take seriously on the one hand yet fear its rivalry on the other.

Whenever time comes for opening a new chapter in transatlantic relations, the exigencies for political leadership in both the EU and the US will be enormous. To realize a renewed Atlantic Community based on the proposed outline will nevertheless be easier than dealing with the consequences of failing to do so. "It is not an exaggeration to say," Henry Kissinger stated recently, "that the future of democratic government as we understand it depends on whether the democracies bordering the North Atlantic manage to revitalize their relations in a world without Cold War and whether they can live up to the challenges of a global world order."¹⁰⁷

¹⁰⁷ Henry A. Kissinger, *Does America Need A Foreign Policy?*, op. cit., p. 81.



Swedish Institute for European Policy Studies

Universitetsvägen 10 F
SE-106 91 Stockholm
Office: Stockholms universitet,
Frescati, House F, 6th floor
Tel: +46-(0)8-16 46 00
Fax: +46-(0)8-16 46 66
E-post: info@sieps.se
www.sieps.se