

# ADV

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**Editors:**  
Felipe Nunes  
Thomas Bobinger  
Tobias Franke



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Editorial

# Welcome to Issue 25 of A Different View

Felipe Nunes  
Thomas Bobinger  
Tobias Franke

**T**he 25th issue of ADV is put under the header “The EU and the US”, in the light of Barack Obama's inauguration as the 44th president of the United States of America (i.e. No. 44). The hopes that people and leaders around the world put in Obama are well known, his inauguration speech has been analyzed through and through, yet nobody can predict what he will actually accomplish in the next years.

In fact, it would be a great surprise if Obama could change the world. One has to consider that the US itself did not change just because of an election. The people of America are still the same; the only thing that changed is the country's government, nothing more, nothing less. Yet, even the government only changed partly. Some of No. 43's warriors stay in power (e.g. Defense Secretary Gates, and the conservative judges at the United States Supreme Court) and others are put back in power who have already had the chance to serve their country under No. 42 (Hillary Clinton, Rahm Emmanuel, Eric Holder, etc.). Some people also say that there are so many and different hopes put in Obama that there is no way he can fulfill all

those expectations and consequently will fail automatically.

Still, No. 44's inauguration started under a good star, and even though Obama is not responsible for it already two conflicts ended when he was sworn in: the gas conflict between Russia and the Ukraine, and the Gaza conflict. Concerning this issue, in the light of Obama's inauguration, the articles we drew together will deal with the transatlantic relationship, and US American foreign policy.

The 25<sup>th</sup> issue of ADV starts off with the second part of **Thomas Bobinger's** analysis on developments within the European Union's Justice and Home affairs. It is followed by **Moritz Pieper's** overview of transatlantic security cooperation and his argument that the EU should seek to distance itself from the US in terms of security at least in its direct geographical proximity. In the first article of the academic section **Dirk Schuchardt** partially opposes Moritz Pieper's view by highlighting the German approach to transatlantic relations which strives for a complementary development of NATO and ESDP activities. **André Moreira**

then outlines the fundamentals that shaped the political systems of the three cornerstones of the transatlantic relationship: the revolutions in France, Britain and the US. Consequently, **Meredith Garagiola** further explores one part of this triangle: the special relationship between the US and the UK. Her article is followed **Iva Venkova's** contribution which poses the question of whether there is convergence or divergence in transatlantic security perception after Obama takes Office. **Lorenzo Cladi** adds to this by analyzing ESDP a highly contested point of discussion in security perception from a structural realist point of view. Afterwards our regular contributor **Sven Brendel** analyses Obama's philosophy of cautious liberalism by contrasting today's American liberalism with neoliberalism and socialism. **Marianne S. Batista** will then come back to the question of "Change, can we?" in her article about the Bush legacy and the new Obama era. Finally, **Ozgur Erkan** looks at one of the challenges that Obama will face in transatlantic relations, namely the WTO dispute about genetically modified food, which the US wants to export, and which France and Austria try to ban.

The editing team wishes all the readers fruitful discussions.

Berlin, January 25th, 2009

Opinion Articles

# “The Cube“ Part II An Assessment of Developments in EU Justice and Home Affairs

Thomas Bobinger, LL.M  
(Free University of Amsterdam)  
t.bobinger@gmail.com

In the first part of this series, I have introduced the reader to the principles of mutual recognition and the principle of availability, which is supposed to become legally binding through a framework decision currently discussed by the EU Justice and Home Affairs Council.

Even without this proposal, however, the Treaty of Prüm between Austria, Germany, France Belgium, the Netherlands, Luxemburg and Spain, which JHA ministers agreed to be incorporated into EU law in the near future, already provides for direct access to national registers and data bases. The data that the states are required to hold under Prüm include DNA, information on stolen vehicles, and finger prints. The moral danger is that the Treaty of Prüm does not only aim at combating organized cross-border crime and terrorism, but also illegal migration. Thus, once again an illegal immigrant, who comes to Europe across the Mediterranean, risking his or her life, is put together with the worst kind of terrorists à la Al-Qaida and mafia organizations which are involved in the trade of women and the trafficking of heroine<sup>1</sup>.

It is however still to be proven that

measures, such as the retention of communication data, the inclusion of biometric data in passports, increased video surveillance and greater executive powers for law enforcement agencies, are indeed necessary and helpful to achieve greater security. Governments still need to show the benefits of these measures by presenting investigative successes and indeed prevent terrorist attacks by using these new measures. After all it was possible to destroy the Sauerland-group in Germany without the retention of all communication data in the EU. It was also possible to prevent the bomb attacks on trains in North-Rhine Westphalia, Germany without transforming the Bundeskriminalamt [German Federal Criminal Police Office] into a US-style FBI, as it was done by the German Grand Coalition in December in the face of a powerless opposition.

It is worrying that more and more studies show that chauvinism and nationalism are starting to permeate the centre of society. The police and the secret service are not at all immune to such tendencies. Indeed the Bundeskriminalamt (BKA), the most prominent

German police institution, the interface between all the other law enforcement institutions, has national contact points in at least 24 countries where citizens suffer from torture and mistreatment by their national authorities. This does not mean that the BKA is actively engaging in practices such as torture, which is forbidden by international law and even has been attributed the status of *jus cogens*, the crown jewel status of international law. Yet, it is part of the BKA's mandate to participate in interrogations, searchings, and other investigative practices in these countries. However, most importantly, it means that the BKA under the direction of the Federal Ministry for the Interior, by way of development aid in the police sector is helping criminal regimes (e.g. Syria, Lebanon) to make their police more efficient and is helping those regimes to become more potent in eliminating the opposition. It is sad that too often law enforcement authorities, not only in Germany, are showing a lack of distance to well-known terror regimes, such as the one of Gaddafi, in Libya.

And yet, under the principle of a changed notion of security and under the primacy of security, the German Bundestag passed a law which gives more power to the BKA and curtails the rights of journalists to decline testimony before court, and allow the searching of citizen's computers at home by means of cyber-technology (the "Federal Trojan"). Already the European Commission has announced plans that would involve Europol, allowing for an EU-wide use of secret online-computer searching techniques if those practices are permitted by national law.

It is incomprehensible, how on the one hand the German President, Horst Köhler, could deny his signature to the Reform Treaty because of "constitutional concerns", which means the ratification process is stalled until a verdict by the German Constitutional Court. And on the other hand, this man has no concerns whatsoever about the BKA-law even though this law is characterized as unconstitutional by human rights lawyers all around Germany.

Maybe it is necessary to live with the terrorist risk in order to enjoy a whole range of freedoms. Just like everybody takes some risks when he drives a car, or enters a plane, or walks over the street. At all times, things might happen on which the individual driving the car, sitting in the plane, crossing the street has no influence. We have to acknowledge that no-one is all-powerful and in full control over every aspect of his life. No-one can control the minds and behavior of another person (and we should be

thankful for that), and so we have to live with daily risks, such as driving on a highway and being hit by a log of wood that someone threw over the bridge as has recently happened in Germany.

#### 1. A principle problem:

The principle of mutual recognition allows for the assumption that a request for data information by another Member State will be legally justified and in accordance with their national laws. Thus if a French officer accesses an Italian database (remember the Italians wanted to fingerprint all Roma and Sinti!) it is assumed that the French under their national data protection and data processing laws are legitimately retrieving the information. It requires thus a high degree of trust in each other's legal system, a trust which is not at all to be granted lightly with respect to ongoing criticism of some Member States' corrupt and inefficient judicial systems and the widely divergent legal standards and procedures before court.

It is important to remember that one should not operate such a data exchange system under the assumption that all law enforcement agencies are operating according to legal standards all the time. Rather the danger of excessive access and misuse is rising. To illustrate this point let me refer to a Council study, which was conducted when there were 13 Schengen Member States. At this time there were 125,000 access points to the Schengen Information System (SIS), meaning 125,000 authorities who could access the sensitive data stored in the SIS. In the meantime Schengen has grown rapidly involving 22 EU Schengen Members plus Norway and Iceland. Furthermore, the old SIS will be replaced by SIS II, which will widen the pool of agencies that is allowed to access the stored data (meaning customs authorities, secret services, police authorities). It is expected that the number of access points skyrockets and that there will be millions of access points. Hence there is a real danger of excessive access to sensitive data in the form of fishing expeditions, meaning if one throws a wide enough net one is bound to find something even if it is merely an old shoe. In that context the European Data Protection Supervisor said that it is not sufficient to start from the assumption that the police under all circumstances and in all cases operates within the legal limits of their legal obligations.

#### 2. Why it affects you!

Currently citizens exchange their insecurity from terrorist attacks against insecurity

from the state and in their search for absolute security some are willing to exchange their right to privacy for a vague promise of security. They do that when they are scanned by naked-scanners, revealing genitalia, amputation of the breast, scars etc. They exchange their freedom for a false sense of security when they do not take to the streets when under the EU Data Retention Directive service providers (ISPs) are obliged to keep and give access to records of all phone-calls, mobile phone calls (and their location), faxes, e-mails and internet usage. EU citizens give up their freedom from the state when they allow their governments to debate about taking fingerprints from children, while the debate is not about moral issues, but about technical feasibility (Can we do it at birth, or is there a certain minimum age due to technical difficulties?). Many technological developments and innovations happen in a moral vacuum. Another example that came up in the media recently was the development of little robots the size and shape of insects that can be used to spy and monitor. Here the reason why it is not introduced is not that people reject an Orwellian society, but that the engine is not yet efficient enough to support longer flights.

Tony Bunyan, director of the UK NGO Statewatch puts it in clear words when he says:

*“Across the EU following the 2004 EU Directive - governments have, or are, adopting national laws for the mandatory retention of everyone's communications data all forms of communication (phone-calls, faxes, mobile calls including locations) which will be extended to keeping a record of all internet usage from 2009 even though few are aware this is happening. This allows law enforcement and security agencies to get access to all traffic data in the UK access is already automated. [...]*

*When traffic data including internet usage is combined with other data held by the state or gathered from non-state sources (tax, employment, bank details, credit card usage, biometrics, criminal record, health record, use of e-government services, travel history etc) a frightening detailed picture of each individual's everyday life and habits can be accessed at the click of a button”<sup>2</sup>.*

In addition it is already possible to trace a person's mobile phone in a way that it is signaled

when the person switches it on or off, and also to register those numbers that he or she calls even if the receiving end does not take the call.

The European Data Protection Supervisor puts it even more drastically:

*“If IP addresses are not deemed personal data, they can be collected and further processed without the need to fulfil any legal obligation arising from the two above mentioned Directives. For example, such an outcome would enable a search engine to store for an indefinite period, IP addresses assigned to accounts from which, for example, materials related to specific health conditions (eg: AIDS) have been searched”<sup>3</sup>*

It is extremely important to prevent private companies (e.g. health insurance agencies) to ever get access to those data. The character and risk profiles that could be made using those data would not only drive up insurance prices, but it would also ultimately change people's basic behavior and interests. If someone knows he is monitored he acts differently. Just try and film a person in their normal life, they will always try to look their best. However, it is not the vanity of people that is important here, but the self-restraining behavior that goes along with the attempt to behave like a model-citizen. People who know they are monitored do not engage freely in all activities that they would like to, not because these activities are criminal but because they might feel embarrassed or they expect discrimination or other adverse effects from insurances, credit institutions, and employers. In the end constantly monitored people adapt their behavior and thus curtail their right to pursue their identity, their interests, and their hobbies. People will feel put under pressure to change their body movements out of fear that cameras at an airport will otherwise report them as suspicious. This includes people who are always nervous in public places, or just those people who are nervous because they are late to pick somebody up at an airport.

Indeed, the German Federal Constitutional Court has declared that through the widened circle of agencies that are entitled to retrieve data from the various national and EU-wide data bases, the trust in the impartiality [Unbefangenheit] and the constitutional protection of electronic information exchange and

the exchange of ideas through electronic means is severely curtailed. According to an opinion poll by the forsa-institute in June 2008, the mass-retention of data has already changed the communicational behavior of Germans. Half the number of people asked would not use their own telephone or computer when they want to get in touch with a marriage counselor, a psychotherapist, or a drug advice center. And the German Federal Constitutional Court (one should be aware that the Court in Germany is more often than not the final fortress against which German interior ministers clash for decades with their sometimes unconstitutional ideas and has the power to actively make and decide on politics although he has to justify political decisions with constitutional guidelines) also ruled that to levy data giving information on the communication between one citizen and a third person is restraining the freedom of citizens because it prevents an individual to communicate unselfconsciously and in an unprejudiced way.

Finally, the primacy of security in the discourse of our society should also be to the concern of those people with a special responsibility and obligation to privacy, the lawyers, the doctors, the priests, and the journalists. It is obvious that:

*“The monitoring of a lawyer's communications and correspondence could reveal the defence's case and counter-evidence gathered especially in cases which are politically sensitive. A journalist's contacts and communications could be watched in order to pre-empt a story or to prepare a plausible denial in advance. While a group organising a protest could find its preparatory work undermined and disrupted and its organisers targeted for detention or arrest [...]”<sup>4</sup>*

There are those people who claim they have nothing to hide and that they have done nothing wrong and hence they won't be affected by the fundamental changes planned in the field of police and judicial cooperation in the next years. Those people will never realize they did not get a job interview because the employer had access to some discriminatory file, or that their application for an insurance policy failed because the company had access to their health record.

And in one of the worst cases, they will never understand why their husband was taken on an extraordinary rendition flight to Cuba, because some terrorist suspect had called the

wrong number, the call was traced and a connection made by the security services between the innocent husband and the terrorist suspect under surveillance.

If personal data were worthless pieces of information, they would not be stolen from big telecommunication companies, and direct marketing firms would not pay high prices to get access to those data. For instance, Amazon has adopted a very simple business model in this regard: Store the purchases and interests of the consumer, and then propose other articles that he might be interested in. And have you ever noticed products suggested under the heading: “buyers who have bought that book have also bought these books”? This is a very simple example of how consumer profiles are used to enhance the selling of products. It is not only Amazon; Google as well suggests products according to the searches you enter.

Returning to the issue of personal data gathered for the purposes of law enforcement. The big risk with the EU here is that in contrast to its national units, the EU Court has only limited jurisdiction over Justice and Home Affairs. Thus without the European Court of Justice having jurisdiction, this institution, which is supposed to interpret European legislation, cannot strike down Framework Decisions like the ones discussed here with reference to the “human rights commitments common to the Member States” (Art. 6 EU). At the moment, the European Parliament cannot even ask the Commissioner for Justice and Home Affairs proposing those outrageous laws to step down.

The big risk with the EU here is that in contrast to its national counterparts, the ECJ has only limited jurisdiction over Justice and Home Affairs. Thus this institution, which is supposed to interpret European legislation, cannot easily strike down Framework Decisions like the one discussed here. At the moment, the European Parliament cannot even ask the Commissioner for Justice and Home Affairs to step down.

Without the Lisbon Treaty, the architects of the European House, symbol for European values, a product that was designed against the history of Hitler's totalitarian system, will in a piece-meal approach undermine exactly those fundamental freedoms on which we are so proud.

## Notes

1. For further information on the securitization of immigrants read: Bobinger Thomas, February 2008, The Double Paradox of the European Union: Discrimination and Exclusion in an Open Society: The Case of Schengenland, in: A Different View, Issue 20, seen on: [http://iapss.org/downloads/ADV/ADV\\_issue20\\_february2008.pdf](http://iapss.org/downloads/ADV/ADV_issue20_february2008.pdf)

2. Tony Bunyan, 2008, The Shape of Things to Come, p. 55. Last seen on <http://www.statewatch.org/analyses/eu-future-group-the-shape-of-things-to-come.pdf>

3. Peter Hustinx, 2008, Comments e-privacy. Last seen on: <http://www.edps.europa.eu>

4. Tony Bunyan, 2008, The Shape of Things to Come. Last seen on: [www.statewatch.org](http://www.statewatch.org)

Opinion Articles

# US/EU cooperation in the 21st century: A critical assessment

Moritz Pieper

University of Maastricht

m.pieper@student.unimaas.nl

**W**hen Mihael Gorbazhev opened Soviet society to market economy and democratisation in the wake of his reforms which had been widely applauded in the Western world, he brought to an end an era that had been shaped by the ideological antagonism between two diametrically opposite superblocks - between the Western capitalist liberal world and the Soviet-ruled planned economic hemisphere. The end of the Cold War was celebrated as “the end of history” with the alleged final triumph of the succesful hybrid between liberal capitalism and parliamentary democracy.

But besides all the discursive rhetoric that accompanied the ostensibly valiant victory of 'hyperpower' USA, it was overlooked that the relatively calculable cohabitation between two contrary superblocs guaranteed at the same time a remarkable degree of security and stability for Western Europe as NATO effectively functioned as its military protective shield. European security and defence strategies had been coordinated almost exclusively in the framework of NATO - the ideological counterpart to the Soviet-ruled Warsaw pact. With the end of the Cold War, the risk of war within states dramatically increased,

while NATO seemed to have lost its *raison d'être* in the absence of the grand ideological enemy. The subsequent unleashing of inherent ethnical fragmentations in the Balkans, the disintegration of Yugoslavia and the attacks of 9/11 blatantly unveiled the fragility of the new balance of world political power. The Western world painfully experienced a transition period from the post-Cold War period to a post-post-Cold War period that ruthlessly confronted the short, monopolar *belle époque* of US-American hyperpower with an increasingly multipolar unfolding of powers.

Against the background of violent outbreaks in the Balkans from 1991 onwards, Europe, no longer automatically provided security by NATO, realized that it had to start to effectively coordinate its foreign policy, but did so in the framework of NATO operations because it had only a limited array of instruments at its disposal. Security cooperation also made sense since the majority of EC members were NATO members as well. Once more, NATO turned out to be the dominating coercive executive authority for military operations. It was only with the introduction of a Common Foreign and Security Policy (CFSP) as the European Union's Second

pillar in 1992 and a European Security and Defence Policy (ESDP) in 1999 that Washington became worried that a further strengthening of the ESDP could undermine NATO. As this posed an unfavorable competition to the US potential, a military emancipation of the EU was categorically suppressed. Initial US-fears of a growing European military power rivaling NATO were soothened when in 2002 both organizations came to the "Berlin Plus" Agreements which entailed the assurance of coordinated actions, mutual reinforcement, implementation of common security standards as well as the EU's access to NATO assets and capabilities.

However, when George W. Bush reacted to the attacks of 9/11 with the US "war against terrorism", unleashing two wars in Afghanistan and Iraq, the EU appeared as an obedient vassal of the US, sending requested infantry and military reinforcements to Bagdad, Basra or the Hindu Kush. With precisely these two wars turning into excessive wars of attrition (Iraq even came to be compared to the US Vietnam war) and the associated political faux pas of US president George W. Bush (Abu Ghraib and Guantanamo came to be tokens for torture of detainees and an absence of the rule of law), the image of the US as 'world police' hit the rock bottom. Bush's "war against the Evil" obviously was condemned to fail, only provoking hatreds and outrages throughout the Islamic world. Contrary to the USA beyond the Atlantic Ocean, though, the EU is forced to live in immediate neighbourhood to the gaping conflict regions. The EU should commence to distanciate herself from the US hegemon in the domain of foreign policy - already out of geographical reasons. As the end of the Cold War made obsolete the politico-military hegemony of NATO over Europe, the EU should start to effectively coordinate its foreign and security policy on its own. Believing in the insignificance of Russia after the collapse of the Iron Curtain as well as of other potentially very strategic partners, the EU atactically passed over Russia's and other's say too often in its adherence to the US.

Similarly did not all of the EU's military operations since the formalization of CFSP in 1992 contribute to the EU becoming an autonomous international political actor? Why does the EU engage herself in Congo, South Africa and other remote regions that do only bespeak a humble obedience to the big strategic partner USA? A fair-minded glance at the world map reveals that the EU can impossibly champion the same geopolitical interests as the

US. It is a truism in contemporary politics that there are no 'isolated conflicts' anymore-interventions of a self-proclaimed peacekeeping power USA with the backing of its faithful European vassals in inherently fragile and intrinsically different regions cast shadows and provoke reactions worldwide. This should sound alarming especially for the EU that inevitably lives in osmose to the Middle East and thus the Islamic world.

Furthermore, NATO-East enlargement to include countries such as Georgia and the Ukraine do inevitably evoke reminiscence of ideological bloc-building on the side of Russia. Recent demonstrations of force and muscles on the side of Russia, like the intervention in Georgia last August, have to be seen in this light of atactical ignoration and provocation. Likewise do American plans to deploy missile shields in Poland and the Czech Republic inconveniently remind Russia of mutual periods of deterrence? Bush's argumentation, that the missile shield is supposed to defend the American people from nuclear attacks by Teheran or Pyongyang are unmasked to be a ridiculous pretense by another glance at the world map - North Korea would be ignorant to fire its missiles over the whole Eurasian landmass instead of sending them over the Pacific.

With a realistic stance toward geopolitics, it proves thus to be imperative for the EU to take a much more differentiated and individual position in international relations. Negotiations with strategically important third countries should by no means be neglected. A new transatlantic dialogue as well as a process of redefinition and role specialization between NATO and ESDP is needed. Maybe the accession to office of President Barack Obama will bring about a fortunate window of opportunities to realize these goals.

Academic Article

# The German view on the Relationship of NATO and ESDP

Dirk Schuchardt

Ruprecht-Karls-University Heidelberg  
dirk.schuchardt84@googlemail.com

The European Union and NATO are the two most important international frameworks in which German foreign policy takes place. This is why the “creation of a European capacity to act in the fields of security and defense policy constitutes an essential concern” (former German minister of defense, Rudolf Scharping, as cited in Lüdeke, 2002, p. 461) of German foreign policy, besides the ongoing engagements of Germany within NATO.

In fact, it is a basic German interest to form the relationship of both institutions in a complementary way. Every important document concerning German defense and security stresses the 'strategic partnership' and the amendatory character of European security policy and transatlantic relations. Examples are the *Defense Policy Guidelines 2003* and the *White Paper on German Security and the Future of the Bundeswehr 2006* of the German Federal Ministry of Defense and also the Coalition Agreement of the present German conservative/social-democratic administration. The complementary character can also be seen in three major fields of the relationship, which are in particular the functions

of both institutions, the respective geographic area of action and the field of institutional adaption and resources. It is possible to find German influence in all three areas promoting a complementary relationship. The goal here is to further European integration and to create “real equality” (Rudolf Scharping) with the United States in the field of security and defense policy through increasing European autonomy, but not independence (Rudolf, 2005, p. 136).

Concerning the *functions* of both institutions, Germany follows the approach of an international division of labor and interlocking institutions. However, this division is not officially fixed and cannot be understood as a strict separation of responsibilities. The EU should get involved only in cases NATO is not willing or capable to act and only after a close process of coordination between NATO and the EU (Meiers, 2002, pp. 37-38). This division of labor is functional because NATO remains the institution responsible for collective defense and military crisis management, while the EU should be mainly in charge of civilian crisis management. The creation of the civilian crisis management instruments as well as the Committee for Civilian

Crisis Management were based on a German/Swedish initiative. They allow NATO and the EU to act in parallel in the sense of *interlocking institutions*. Former foreign minister Fischer saw this “double approach” of military and civilian conflict and crisis management as the “trademark” of European crisis handling in the 21<sup>st</sup> century. Therefore, the EU needs the capacity for military engagement, which was created with the European Rapid Reaction Force (ERRF) and the European Battlegroups. These forces are closely related to the NATO Response Force (NRF) because of the “single set of forces” - a concept, meaning that all three forces use basically the same pool of national contingents. Furthermore, the German administration rejected the French proposal of an independent ERRF (Meiers, 2002, p. 40) and sees the NRF as the first choice force for crisis management (Meiers, 2005, p. 154), which also speaks for the complementary thesis. The German interest in such a functional division of labor can also be seen in the efforts of the Federal Republic to implement a *Modus Vivendi* for the usage of the capacities through NATO and the EU. The results were the Combined Joint Task Force (CJTF) concept and the so-called “Berlin plus”-agreement, whose conclusion was mainly the result of German promotion (Kaim, 2007, p. 94; Varwick, 2000, p. 136; Sinjen & Varwick, 2005). Hence, the EU can use NATO-capacities and command structures, but the Alliance still has the right of primary use, as well as the “right of first refusal” with all NATO-states having a right to veto. In praxis, this is most important for the two countries which are most skeptical about the ESDP, the US and Turkey. In return, Germany might approve the idea of a “Berlin-plus-reversed”, the possibility for NATO to use EU civilian means of crisis management.

*Geographically*, Germany supported, since the Prague Transformation Summit in 2002, the idea of a global operating NATO and supports the Alliance, for example in Afghanistan and Kosovo. In comparison, while the EU in theory aims for capabilities to act world wide as well, in praxis her operational area will be constrained to Europe, the European periphery, the Middle East and Africa. Operation Artemis in the Congo was the first EU-mission without NATO-support, and the latest EU-missions in Georgia (EUMM) and Operation Atalanta at the Horn of Africa confirming this claim as well. Moreover, the operational range of the EU Battlegroups is normally named with 3700 miles radius around Brussels, which matches the distance between Europe and the Cape of Good

Hope. The mainly German demands to transfer the former NATO led-missions in Bosnia (SFOR) and Macedonia into the EU led-missions *Althea* and *Concordia* both relying on NATO support and structures indicate that Germany facilitates the geographically “separation” between NATO and ESDP, preferring ESDP missions in certain areas, but is also aware of the fact that NATO support will be sometimes needed (Overhaus, 2004, pp. 46-47). However, this geographic concept must not be misunderstood as the creation of fixed spheres of influence, especially since Africa became more significant for US foreign policy, as for example the implementation of a US headquarters for Africa (AFRICOM) in Stuttgart in 2007 shows.

The European that means German, French and Belgian efforts to establish new *institutions* for ESDP, namely a largely independent operational headquarters at Tervuren in 2003, caused irritation among the transatlantic community, especially the United States and Great Britain. These states condemned such an institution as an unnecessary duplication of NATO command structure and therefore a violation of Secretary Albright's famous “3 D's”. As a result, Germany approved a British compromise, which called for the annexation of an EU planning cell to the NATO headquarters SHAPE (Adams, 2002, p. 138; Overhaus, 2004, pp. 40-41). From that time on, the EU was able to lead her missions in three different ways: first, using the NATO structures of SHAPE under the conditions of Berlin plus for larger missions; second, using one of five national Operational Headquarters (OHQs) for low intensity missions; third, using the civil-military cell, resulting from the British compromise, for the autonomous leading of smaller missions up to 2000 men (Hofmann, 2007, p.3). Another argument that indirectly indicates the complementary character of NATO and ESDP in the German security policy comes from a look at the German resources allocated to NATO. In the case that Germany would build up the ESDP against NATO, these resources can be expected to decrease rapidly, but in fact Germany still pays around 18% of the NATO budget and provides between 2200 and 5000 soldiers to the NRF; meanwhile, most German forces serving abroad are under NATO command. In April 2007, some 5900 German soldiers were assigned to NATO missions and some 2000 to EU or UN missions. Likewise, Germany willingly took command of NATO missions like ISAF in 2003 (Gareis, 2006, p. 146). These figures show the continuing German

commitment to the Alliance.

In general, the German foreign policy has always tried to fulfill the demands of Secretary Albright's "3 D's": ESPD should be configured in a way that avoids duplication, decoupling or discrimination between it and NATO. But one has to say that the relationship between NATO and ESDP in the field of security and defense policy is far from conflict-free (Stützle, 2002, p. 161). In fact, solutions for many problems have still to be found in the next years, and a real 'strategic partnership' is still far away (Lindley-French, 2008, pp. 161-188; Kramer & Serfaty, pp. 191-211; Hofmann, 2007; Varwick, 2005). However, Germany can be expected to be interested to solve these problems in favor of a complementary relationship.

Because of this complementary style and international division of labor both of course more "ideal-typical" in the political-academic debate than in practice it is not possible to speak of a German institutional preference. The EU, becoming a "civilian power with teeth", is because of the enhancement of civilian means of conflict management more in accordance with the German foreign policy role perception than NATO (Stützle, 2002, p. 162; Miskimmon, 2001, p. 101; Siedschlag, 2002, pp. 294-296; Hacke, 2002, p. 13). On the other hand, Germany is aware of the fact that the ESDP will depend on capacities and resources of NATO in the long-term, primarily for missions of high intensity and size. An indicator for this is the pure size of the command structure of both institutions: while NATO's personnel measures some 10,000, the EU's includes barely 130. But a certain adjustment of German security policy took place during the last decade, which bolstered the international role of the EU, but also stressed the central role of NATO (Overhaus, 2003, pp. 49-50; Lüdeke, 2002, p. 190). Policy-makers in Germany realized that German interest cannot be implemented without or even against the United States, and there is little to gain from embracing Paris, Moscow and Beijing like during the dispute over the Iraq War (Harnisch, 2005, p. 22; Haftendorn, 2004, p. 5; Maull, 2004, pp. 17-23). But Germany will favor a Europeanization of its foreign policy because of the expectation of greater autonomy and greater influence and its preference for civilian means of conflict management - at least if the relationship with the United States allows it (Maull, 2002, pp. 181-182; Overhaus, 2003, p. 55). This is the foundation for the policy of balance of the current administration between transatlantic and European partnership (Janning, 2007, p. 319).

Finally, it becomes apparent that the aspired relationship between ESDP and NATO has not the aim to implement the former against the latter.

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Academic Article

# The Triangle Great Britain, United States and France and the Legacy of Edmund Burke About the Three Revolutions

André Moreira

University of São Paulo

moreira.andre.06@gmail.com

The relations of power among the nations have been a debated subject in the studies of Political Science since the times of Niccolò Machiavelli's *The Prince*. In a world each day more globalized, with governments and their powers even more interlaced, it becomes once more necessary to comprehend the origins and the historical events that preceded our modern times.

The solidification of contemporary nation-states isn't a fact involving pacific events and the historical legacy that the experiences of these nations provide us is an instrument of incommensurable importance to the understanding of the politics in our days.

My objective is to focus in this article on something heavily discussed throughout time in the arena of Political Theory, but that always needs more explanations and interpretations, and that is completely rooted in the international political life: the revolutions. I see appropriated the use of Edmund Burke for this study, once I noticed his immense contribution for the studies of Political Science that have been helping to illuminate the paths of international politics, and especially if we think about the connections that

we can establish among Great Britain, United States and France.

In what concern the use of Burke as a primary bibliography, we may remember that Burke is considered one of the icons of the history of British politics and one of the great personalities of the eighteenth century. Burke treated in his life external political affairs of Great Britain, including the American Revolution and the French Revolution, and it's also important to emphasize the impact that one internal event, the Glorious Revolution, had on his arguments about the other events that occurred during his time.

It is perceptive of the relevance of the study on Burke to understand the connection that the three revolutions can have. As I will demonstrate, though we can consider the three events as revolutions, we shall see that they are three distinct kinds, though sharing a common point. The essence, then, is reflected on some keywords to the enquiry of this problem; before proceeding with the explanation, it has fundamental priority to comprehend what Burke meant with expressions such as the *nature of things*, the *natural moral law*, the *rights of mankind* and *eternal justice*.

What Burke calls the *nature of things* is close to what Adam Smith called the *natural law*. If for Smith the interference of men changes the natural course of things, for Burke it is also true; in other terms: it corrupts and depreciates. Governments may adjust their policies according to the circumstances and do not take action based on metaphysical abstractions. Robert M. Hutchins argues in the same vein: "one of the great foundations of law is equity, which rests on equality" (Hutchins, 1943, p. 140). This expresses and condenses what Burke understood by *nature of things* and its reflections on the life of mankind, as he defined "the inequality, which grows out of the *nature of things*, by time, custom, successions, accumulation, permutation, and improvement of property, is much nearer that true equality, which is the foundation of equity and just policy, than anything which can be contrived by the tricks and devices of human skill" (Burke, 1867, p. 126).

The *nature of things* is directly connected with the natural rights of men, which are sacred, for Burke, and no charter is necessary to confirm them; man, then, is a creature of God "who gave our nature to be perfected by our virtue" (Burke, 1999, p. 194) and thereby settled an immutable law upon it. Once its homogeneity aspect is noticed, we can affirm that "the *moral law* is universal" (Burke, 1788, p. 353). Once universal, the *natural moral law* confirms "the rights of mankind", which "are not to be made subordinate to the practice of government" (Burke, 1788, p. 357). Although each government constitutes its own reality and must act according to its own circumstances, we find here on Burke a congruent point about the life of all nations and of all races. This connection until here established among the *nature of things*, the *natural moral law* and the rights of mankind is still reinforced with a last point of great importance: the Eternal Justice. The Eternal Justice is "the attribute of the Great God of Nature before worlds were" and "it will reside with him when they perish" (Burke, 1788, p. 511). These points taken together compound one of the fundamental basics of Burke's thought and, once comprehended, will help us to demonstrate the relation among the three Revolutions and why it's possible to explain the three events from a common point of view.

If for the historians and for most of the scholars the term revolution fits perfectly to explain the events that I take as the main subject, it can't be applied at all for Burke. It's notable and well known the horror exposed by Burke in a dramatic perspective about the French

Revolution, once "with or without right, a revolution will be the very last resource of the thinking and the good" (Burke, 1999, p. 119). The vision that he had from this revolution is completely different from what happened in 1688 in Great Britain and also from those events that succeeded in America. To use the Burkean vocabulary, we can distinguish France from Great Britain and America by the fact that these two last nations didn't suffer a revolution, but were reformed.

A revolution for Burke is nothing more than a stage in which an established order would be perverted by the means of metaphysical abstractions, and these would lower the glory of a State, since "the levellers therefore only change and pervert the natural order of things" (Burke, 1999, p. 139). Though the repudiation of major changes is evident in the works of Mr. Burke, we can't consider the Conservative State as a stationary State, as "a State without the means of some change is without the means of its conservation" (Burke, 1999, p. 108). Once more it seems explicit the importance of customs, of history and of tradition for what we can call "the practice of fair policy".

Regarding the events of 1688, Burke is categorical in his words and simplifies his explanation with something that seemed difficult for his rival, Richard Price, to understand. The Glorious Revolution came to preserve the laws and liberties of the 'ancients'; through the principles evidenced by the history and by the tradition of the British nation, the fall of James II meant the preservation of history over undesirable change. Although the event involves religious characteristics and this is an issue unsolved by Burke and deserves its own specific study, what is worth to clarify for the purposes here, is that the Glorious Revolution prevented James II to establish the absolute power for the Crown. In the formulation of the Bill of Rights, the Parliament made solid an atmosphere which warranted the equilibrium among the powers in Great Britain and, then, corroborated to the defense of liberty of the people under the light of the historical legacy from the predecessors.

It is important to stress, in addition, the similarity between the defenders of the absolute power and the followers of the principles of the Enlightenment, e.g. Richard Price. The common point between the two sides is that both based their arguments on immutable abstract principles which in real life are impracticable, or in other words, arbitrary. It's not a vindication about forms of government, but a defense of the history and the customs of a nation, as it is well

known that for Burke the society is formed by a contract between “those who are living, those who are dead, and those who are to be born” (Burke, 1999, p. 193) and the perversion coming from the revolutionaries is nothing but selfish thoughts, as “a spirit of innovation is generally the result of a selfish temper and confined views” (Burke, 1999, p. 121).

What is valid to argue is that both attempts, on the one side of James II to gain absolute power, on the other side Richard Price and the revolutionaries, corrupted the principles defended by Burke as the *natural moral law* and the *nature of things*. Once more it's valid to accentuate that it's not about a battle involving forms of government, but policies established on metaphysical abstractions against policies based upon circumstances and emphasized by tradition and on the legacy of the history of a nation.

Although the American Revolution is marked with more dramatic contours than the Glorious Revolution, the Burkean principles give the possibility to support this event as fair susceptible to the circumstances. As it is known, the debate on the rights of sovereignty were precipitated when the Americans resisted the Stamp Act of 1765 and, afterwards to the Townshend Act of 1767. The American resistance against the policies of the empire generated a repercussion which asked for quick solutions for the question of sovereignty. As Peter J. Stanlis argues, there were in principle three ways to reach an answer: “to grant the colonies outright independence; to compel colonial obedience to Parliament through force; or to conciliate the colonies by granting each colonial legislative assembly considerable legal sovereignty over its internal affairs, including the right of taxation, while maintaining British imperial sovereignty in external affairs” (Stanlis, 1997, p. 25).

Among the defenders of an outright independence, we notice Josiah Tucker, Horace Walpole and David Hume. Among those who were believers in the metaphysical principles of “natural rights”, we notice “a heterogeneous group of Calvinist nonconformists, political revolutionaries, ideological radicals and Commonwealthmen, such as Richard Price, Joseph Priestley, 'Junius', John Cartwright, Brand Hollis, Tom Paine, Mary Wollstonecraft and Catherine Macaulay” (Stanlis, 1997, p. 26).

Among those who argued in favor of a policy based on repression, we find King George III, his minister North and the public opinion. The shared thought was that the Americans didn't

leave any choice to the empire but the use of force. The policy of force was based, more than anywhere, on the legal foundations of the constitutional law and what was introduced by William Blackstone in his classical work *Commentaries on the Laws of England*. As Stanlis argues, for Blackstone the “ultimate power must rest somewhere, and Parliament was the place entrusted by the English constitution for that sovereignty” (Stanlis, 1997, p. 29). Samuel Johnson, a friend of Mr. Burke and one of the founders of *The Club*, also was another important man of this group. “Johnson's political theory presupposed that government is a matter of moral necessity for man, and not a voluntary relationship between rulers and subjects” (Stanlis, 1997, p. 29); the critique against Locke and the origins of the social contract is explicit.

In the third group, of those who defended conciliation with the colonies, was Edmund Burke. For Burke the conciliation was more favorable than the independence, as from his perspective this policy would be more beneficial to both sides; we may see as evidence here that the Americans only rebelled against the abuse of power by the empire, which is justified once “general rebellions and revolts of a whole people never were encouraged, now or at any time. They are always provoked.” (Burke, 1777, p. 170). As Hutchins says “the people have no interest in disorder” (Hutchins, 1943, p. 144).

There was no conciliation as Burke has wished. The policy of force was the one chosen by the empire and soon a war occurred at America. It's interesting to notice that Burke never called this event “American Revolution”, but “the American war.” Essentially, the critique against the empire by Burke was indeed for two reasons: “the violation of historical experience, and the lack of moral prudence in the uses of political power by Parliament” (Stanlis, 1997, p. 33). For Burke, the ministers of the King George III, Grenville and North, based their policies above all on abstract principles to tax the colonies. It's important to understand that these principles are repudiable in any circumstance: if to support a revolution or to warrant the sovereignty of a government. The war, as it may appear, was not a conflict between the defenders of monarchy and those who defended the democracy, but a *civil war*, caused, mainly, by the imprudence of the Parliament. The Americans felt violated in what concerns their liberties; the immutable rights, the *natural moral law*, were being sacrificed in favor of selfish and abstract principles by the empire. “Since taxation

without representation required sacrifices of this order, the Americans had a right to rebel” (Hutchinson 1943, p. 142), because “when tyranny is extreme, and abuses of government intolerable, men resort to the rights of nature to shake it off” (Burke, 1772, p. 110).

What is evident once more here in the explanation used to justify the events is the invariable presence of the *natural moral law* and of the other Burkean principles. The perversity by the Parliament is near from that one from King James II in the characteristics that we must associate to the use of abstract principles to justify the power and, especially, in the attempt to pervert the immutable law of God and to block the possibilities to men perfect themselves through the State, once the State has the “necessary means to the happiness of men” (Hutchins, 1943, p. 141) and, based upon the *nature of things*, constitutes its base in the “natural equality” and makes the “common good its aim” (Burke, 1783, p. 411). Once explicated abstract values and connected them with selfish thoughts, the State finds itself corrupted and degenerated. Through the policies of the Parliament, this was the way which has been drawn in America. In addition, it's also valid to see how relevant the function of the rights of mankind in this situation is, perceived the fact that no nation should be submitted to slavery or to any similar situation. Americans, in Burke's vision, once taxed without being represented, were victims of an abuse of power by Parliament and this, according to the Eternal Justice and to the rights of mankind, was unfair and, thus, considerably condemnable and liable to a justified rebellion.

For Burke, however, the French Revolution is not justified. In addition of being based upon abstract metaphysical principles, so much repudiated in the works of Burke, the French situation also adopted a unique aspect at that very moment: Jacobins established their ideas of the principles of Enlightenment and also carried in their troops the flag of atheism. Though Burke was a defender of the religious tolerance, atheism couldn't be accepted. According to him, what was happening in France was not only a war against the order, the tradition and the legacy of the ancient Frenchmen, but also a war against the Heavens. It's interesting to observe that this war against the Heavens can be understood as mentioning the values of the *natural moral law* and of the *nature of things*.

Frenchmen, just as much as King James II and the British Parliament in the American case, were based upon metaphysics to justify

their own acts. Yet here, more than in the events described above, the dimension of the situation was unique and never seen before, justifying the horror of Burke to talk about that issue. The rupture of order, tradition and of the history of Frenchmen made Burke affirm that “the very idea of the fabrication of a new government is enough to fill us with disgust and horror” (Burke, 1999, p. 119). Although Frenchmen have adopted beautiful principles, the way they exercised them was through terrible methods.

For Burke, the Frenchmen could have built a prosperous nation and make their country a standard for humanity if they had valued and utilized the knowledge from their predecessors related to the constitution, to the institutions and to the moral values. However, they despised these values and started a new government. In the language of Burke, the liberty when persecuted is similar to the conquest of those who never had it, like the slaves, but here the situation is different as the Frenchmen had the liberty, knew it, but threw it away.

When Frenchmen denied the *nature of things*, they were perverting the reason of State and denying the entire legacy of their ancestors; instead of maintaining their traditions, they broke with them. For Burke the French State was unjustified, especially, because “government is not made in virtue of natural rights” (Burke, 1999, p. 151). The liberty for Burke is derived from the history and not from abstractions. The liberty is based upon the restrictions over the human passions and is established by an external power from the individuals. Jacobins exercised in France the same what the British Empire exercised in India. The domination of a group under the power of another is unjustified and destroys the rights of mankind and the Eternal Justice. Tyranny can never be accepted and opens possibilities for revolts and rebellions; in the French case, the possibility for a counter-revolution.

Although we can characterize the three events as revolutions, we notice through a Burkean perspective that there were three distinct events and the only common point among them that gives us the possibility to make an explanation is established upon the principles preserved on the works of Edmund Burke.

It's correct to affirm that King James II in 1688, the Parliament in 1776-77 and the Jacobins in 1789 acted in different ways, with different purposes, but with one common point which was to achieve their aims through the means settled by abstract metaphysical principles which did not correspond to the reality

of the life of men. In addition, the British people in opposition to the absolutist aims of James II, the Americans against the abuses of the Parliament and all of those who were favorable to the previous order in the revolutionary France were defenders of the principles of the *nature of things*, the *natural moral law*, the rights of mankind and the Eternal Justice.

The defense of the British people, of the Americans and supporters of a counter-revolution in France does not reveal an incoherency in Burke's thought. It is valid to remember again that Burke did not lead his life arguing in favor of forms of government, but in favor of the immutable principles that are settled by an external force and they do not allow for the possibility of men to corrupt them.

The events in the late seventeenth century and those in the eighteenth century are fundamentals for a modern comprehension of the power of our contemporary governments. It's tremendously important to understand and to interpret these historical events so we can be able to analyze the policies and the contemporary ideological movements and to opine and suggest policies for our problems which reflect in the international political life of our days. Great Britain, United States and France forms a triangle of extreme relevance to the history of the Occident and the connections among the three nations compounds one of the fundamental requisites for those who are involved in external and global politics.

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Academic Article

# Two's Company; Three's a Crowd? The Impact of the EU on the Future of Anglo-American Relations

Meredith Garagiola  
Georgetown University  
meredith.garagiola@gmail.com

## I. Introduction

The precise nature of the “Special Relationship” between Great Britain and America has been the subject of debate in times both recent and past, and as both countries move into a 21<sup>st</sup> century that features a more complex geopolitical landscape than either has faced previously, there is abundant speculation as to the role this Anglo-American relationship will evolve into in the coming years. Considered from a historical standpoint, the background beyond the “Special Relationship” and the justification for its evolution and continued existence is clearly understandable, given the linguistic and cultural ties that exist between Great Britain and its most prominent ex-colonial offspring. The relationship is likewise readily comprehensible when considered in economic terms, given the extraordinarily close trading ties the two countries maintain, even in the face of both partners' deepening trading connections with the European Union trading block. It is in the realm of foreign policy, however, where consensus on just how special the “Special Relationship” has been begins to break down, and additional questions

arise as to whether or not it will be in the best interests of Britain in the future to continue to stand with the United States in issues of foreign policy.

It is the position of this paper that what has traditionally been celebrated as a unique and “special” Anglo-American closeness in the areas of foreign policy has in fact been the result of differing trade-offs between two countries that can each be deemed pragmatic players in issues having to do with shifting balances of power on both the national and international levels, with Great Britain having to exercise increasing levels of calculated pragmatism in attempting to leverage its own position in the relationship as time has gone on. While the nineteenth century closed with the celebration of Queen Victoria's Diamond Jubilee and the high-water mark of British international power and prestige, by the mid-point of the twentieth century the British found themselves in a position of having to manufacture for themselves a position of relative importance in the eyes of their American counterparts, an aim that never achieved the desired level of political equality, despite the

“special” denomination attached to the Anglo-American title. To illustrate this, the paper will consider as a case study the leadership of PM Harold Macmillan and his relationship with his American political counterparts. While this age of Anglo-American association during the early 1957-1963 period of the Cold War has historically been considered as the “Golden Age” of Anglo-American cooperation, further examination reveals it to have been a time of significant political maneuvering and attempts to secure greater individual autonomy on the part of both sides, with the United States eventually gaining the upper hand, in large part due to the advantage engendered by its overwhelming financial superiority in the area of defense spending. Of the various descriptions that could be employed to define this relationship, “golden period” does not appear to ring true in the light of contemporary scholarship. Following this discussion the paper will then go on to consider whether or not the future best interest of Great Britain will be best met by following a U.S.-led line on prominent issues of foreign policy, arguing ultimately that at present the dominant British line on key foreign policy issues at present is much more in sync with European-Union held position than those of the U.S., and that it is to be expected that the immediate future will see a British move toward EU-directed foreign policy initiatives rather than a closer embrace of American policies.

## **II. Glory Days Revisited**

As a case study of Anglo-American relations, the premiership of Harold Macmillan, positioned between the political rock and hard place experiences that were the Suez canal crisis of 1956 and the Vietnam War of the mid-1960's, at first blush appears as an exemplary model of the “specialness” of the Anglo-American relationship. Taken as a whole, however, the period is rife with examples of division between British and American understanding of and strategies for dealing with Arab nationalism, the role of the British in the Middle East, and the proper conception of the Eisenhower Doctrine as a method for bringing stability to the region. As Nigel Ashton points out (Ashton, “Golden Days?” 693-5), a strong case can be made for the argument that this period was actually one in which Britain felt itself to be in a position of being the victim of American bullying on the issue of Middle East foreign policy. From this standpoint, Macmillan's decision to make an about-face on the issue of pursuing EEC membership was made as a result

of his sense of dissatisfaction with the Anglo-American relationship, and as Ashton describes it, his primary motivation was “his desire to find an alternative European hedge for Britain's international position.” (Ashton, 695) Macmillan began his premiership with a clear desire to return to the Anglo-American state of cooperation that had existed during WWII, as evidenced in his determined campaign for the repeal of the 1946 McMahon Act that blocked the sharing of nuclear information between the United States and the United Kingdom. As Ashton points out, the realization of this goal on the part of Eisenhower coincided with the successful Russian launch of Sputnik, and stemmed from Eisenhower's sense that a renewal of Anglo-American closeness was necessary as a result of the perceived threat to American technological superiority that Sputnik represented (Ashton, 699-700). Here was an instance of American pragmatism, not an act motivated out of a sense of Anglo-American obligation.

Macmillan's further goal, to achieve a level of British independence on the nuclear front through the ultimately cancelled Skybolt and then the Polaris nuclear systems, was likewise based on a desire for greater independence from the Anglo-American relationship. He wanted Britain to be able to maintain its own level of détente with the Soviet Union after it became clear that Washington intended the 1957 Declaration of Common Purpose as a method of establishing greater control in their dealings with Britain rather than as a means of further strengthening the Anglo-American bond. When he recognized that the Washington interpretation of the declaration did not meet these ends, he sought EEC membership as a way out of what Ashton deems the “crisis of interdependence” (Ashton, 695) that had developed for Britain out of the Anglo-American relationship, another example of the British penchant for pragmatism in attempting to address shifts in the balance of power. Whatever the motivation, it is clear that the relationship itself was not one of mutually desired “specialness,” even during what was viewed historically as a very successful period of Anglo-American cooperation.

## **III. Looking to the Future**

In considering the future of the Transatlantic relationship in general, and the Anglo-American relationship in particular, it is important to note the extent to which the post-9/11 world has differentiated the paths toward

which Europe and the United States seem most naturally inclined to follow, as this has a distinct impact on the extent to which it will be beneficial or even possible for Britain to follow a U.S.-directed course in any matter of foreign policy. On the one hand, it is important to remember that the economic ties which bind Britain and the U.S. will ensure that the two nations will never drift apart completely. Britain is the largest single destination globally for US investment and in 2006 accounted for 32.4 per cent of all US investment stock in the European Union, and the U.S. in that year was also the number one source of British capital investment (US Department of Commerce, 2007). However since there are multiple complications that would arise in the event of Britain trying to alter its trading relationship with the U.S. by an action such as joining NAFTA (something which has been ardently endorsed by Euro-Skeptics such as Conrad Black), and the U.S. is also unlikely to support a course that would favor Britain by means of antagonizing the E.U., it is unlikely that any kind of significant structural change will be coming about to further "specialize" the Anglo-American relationship (Rachman, "Is the Anglo-American Relationship Still Special", 8-9).

Yet at the same time, the foreign-policy orientations of these two countries, at a time perhaps parallel, now look toward markedly different directions, with Britain's falling much more in line with the worldview of the E.U. The U.S. looks upon a world of external threats to domestic security that seem best addressed by abandoning deterrence in favor of projecting power abroad, in part through a policy of preemptive strikes and tactical military engagements designed to deal with specific terrorist threats emerging from unstable elements in the Middle East (Niblett, "Choosing Between American and Europe," 2007, 630). Given that it still considers the world from a great-power perspective, multilateralism is considered somewhat warily, always with any threat to American autonomy foremost in mind. Americans may well best be regarded as "multilateralists in principle and unilateralists in practice." (Kohut and Stokes, *America Against the World*, as quoted in Niblett, 628). For Europeans, on the other hand, the age of multilateralism has dawned. Faced with an environment of 27-member states that is significantly different than the 15-member EU of old, the twin impacts of economic globalization and the attempts at better coordination and consolidation that have come with enlargement mean that EU members are in a better position

than ever before to collaborate on collective issues, most notably energy policy, environmental policy, internal security, and foreign and security policy (Niblett, 632).

These final two issues of security are areas where Great Britain is most likely to be pulled closer to the EU and further from the U.S. in terms of policy formulation, for reasons both ideological and pragmatic. In the area of terrorism, for example, it is clear that Britain is operating from the perspective of a very different ideological thrust than that of the U.S., one that takes a significantly less pro-Israel view on the state of Arab-Israeli relations. There is also a sense that terrorism needs to be addressed more broadly, as evidenced in Tony Blair's instance that the war on terror, as Harris states, "can be won only by eliminating another root cause, the structural inequalities between the wealthy West and the poverty-stricken Third World," (Harris, "The State of the Special Relationship", 3). Unlike the U.S., European nations view terrorism as an internal threat, and one that requires much greater levels of state-to-state intelligence cooperation and coordination as EU citizens enjoy freedom of movement through porous EU borders. This line of thinking is very much in sync with the British stance on combating terrorism, and the intense domestic fall-out following the devolution of the Iraq war will likely only make multilateral and coalition-backed military solutions more appealing in the immediate future.

From an internal security standpoint, the issue of Europe as a point of strategic interest is another area in which the US and the EU have divergent perspectives. For the former, the strategic influence of Europe and its immediate neighborhood is waning, while for the latter it is of tantamount importance, especially as enlargement has removed the cushion of neutral border states and now presses the EU up against troublesome areas, forcing greater consideration of issues like the Russia-Ukraine relationship, unresolved tensions in Balkans, and instability in the eastern and southern rim of the Mediterranean. British interests again fall clearly within this second camp, as it spends a vast amount of diplomatic energy dealing with issues on the Continent and its periphery (Niblett, 635). There is also the obvious advantage for Britain of being able to shed the "junior partner" mantle that is perpetually associated with the Anglo-American relationship and to assume leadership positions, as for example it has done in the development of the Common Foreign and Security Policy.

#### IV. Conclusion

There are those, like Robert Kagan, who view the era of Anglo-European collaboration as having ended, as when Kagan wrote that in terms of "setting national priorities, determining threats, defining challenges, and fashioning and implementing foreign and defense policies the United States and Europe have parted ways." (Kagan as quoted in Gordon, "Bridging the Atlantic Divide." 2003, 71) Ultimately, this is a view that is too narrow-minded in scope to consider the fact that the US and the EU face the same set of global issues, and that both can only stand to benefit from mutual collaboration. There are certain areas, such as the future of NATO and its role should the EU decide to take up the issue of its own defense more actively, which remain murky, but the issue of whether or not continued alliance is desirable should be beyond the scope of reasonable speculation. At the same time, however, Britain's need to consider where it is more advantageous to follow the EU in issues of security and foreign policy is very real, and in order to maintain its reputation as the pragmatic player in the realm of political and strategic alliance, it will most likely be best served by approaching foreign policy from the EU side of negotiations first, and the U.S. end second. For global problems, the it appears at present as though a European perspective is likely to be a better fit for British needs than a US one, and there seems to be no better time to begin cultivating some manner of "special" relationship with the EU, at least as far as foreign policy is concerned.

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Academic Article

# Transatlantic Divergence And Convergence

Iva Venkova

Sofia University  
skoharda@yahoo.com

## Introduction

In the past eight years, transatlantic relations have come under considerable strain by wrangling over major security issues. This has left a marked imprint on the relationship and is one of the causes for the inability of both sides to define a comprehensive common security agenda.

According to many analysts, controversies are due not only to diverging interests but also to diverging views on security threats after September 11. The object of this paper is to retrace and analyze the broad outlines of security perception gaps that have crystallized in strategic thinking in recent years. For the sake of pithiness and space limitations analysis will be confined to cornerstone concepts and will avoid detailed examination of specific issues.

## The US security strategy

The most recent documents outlining American security policy are the 2006 National Security Strategy (NSS) and the 2008 National Defense Strategy (NDS). Analysis will focus on these strategies because they are the key documents enunciating the policy of Bush's second-term

administration.

The U.S. and the European perspective on the global security environment have been largely diverging. The NSS describes the existing security environment as a global battleground similar to the ideological battle during the early years of the Cold War. The enemy, however, are now violent extremist movements seen as a "threat to the American way of life" like communism and extremism (NDS, 2008, p.7). Consequently, threats are coached in ideological terms. Thus, the Security Strategy maintains that 'a new totalitarian ideology now threatens' which implies antagonism between democratic that stand up for human rights and freedom, on the one hand, and undemocratic, oppressive ideologies, on the other. The 2008 NDS adds the concept of the "Long War". It regards the U.S. as being in a state of war with extremism and terrorism. The conflict is, however, global and unconventional, multi-front and multidimensional, protracted and irregular in time and space.

The perception of such ideological struggle and its analogy to the Cold War antagonism of a universal nature seem to be an

important point on which differences of view emerge. In the American perspective, this confrontation appears to be regarded as fundamental and calling for action against all governments that repress their own peoples and undermine freedom. In fact, the 2006 NSS describes the country's security as depending on the global spread of democracy and liberty. Therefore, the U.S should foster democracy and freedom worldwide, which is, essentially, an active policy of reshaping the security environment. Conversely, although the European Security Strategy and the recently published *Livre Blanc* recognize the importance of promoting democracy, freedom and human rights as a means of enhancing European security, they draw no such lines between democracies and tyrannical regimes and are devoid of any such 'Cold-War-type' vision.

As a consequence of that vision, the US view on threats and goals in the security field seems to be much narrower in scope and in meaning than Europe's. The centerpiece of the American strategy remains the struggle against terrorism, which in itself forms part of the all-embracing goal of helping to 'create a world of democratic, well-governed states that can meet the needs of their citizens and conduct themselves responsibly in the international system' (NSS, 2006, p.6). From this strategy follows the order of threats according to priority: violent extremism, quests by rogue states for WMDs, challenge by major competitors, and defusing regional conflicts. Although the NDS indicates an increased awareness about other threats, such as population growth, energy shortage, and climate issues, unlike European strategies, the NDS approach remains focused on WMD proliferation and terrorism.

Answers to threats have also been distinct on both sides of the Atlantic. Together with the readiness to give a military response to terrorism, the ESS maintains that the defense of liberty and justice, including support for democratic opposition, should be among the pillars of US foreign policy on security issues. It also states that the character of the regime of a given country matters as much as the country's power, and thus draws a distinction between "those who are with us and those who are against us". Apart from the rhetoric calling for global acceptance of the democratic model, the two strategies proclaim that U.S. policy would have a third pillar – the promotion of free trade grounded in the belief that it brings prosperity and benefits to all. The NDS seems to tend towards a deeper understanding of the need to

further economic development and to engage in post-conflict reconstruction but confirms the preemption doctrine which has caused much damage to transatlantic unity. It has been at odds with European approaches which count on effective multilateralism and backing UN objectives (ESS, 2003, p.11) Alliance-building has also done harm to transatlantic relations. The NDS recommends that it should not be limited to relationships of the past (NDS, 2008, p. 20) and should vary according to circumstances. Finally, strategies used in relations with states viewed as potential rivals, such as China and Russia, have also hardly coincided with European preferences. The NSS and the NDS advance a strategy of "shaping and hedging" which should be construed to mean urging China and Russia to make responsible choices and hedging against contingencies in which their choices have not been the desired ones.

In contrast to U.S. preference for deterrence and active shaping of the behaviour of states Europe has often opted for softer and more engagement-prone approaches.

### **The challenge of the french white book**

As far as transatlantic relations are based on common values, perceptions, and assessments of threats, the French *Livre Blanc* (White Book) on Defense published in 2008 has presented a challenge both to the strategic thinking of the US and to the possibility of forging a common transatlantic vision not only because it highlights the different strategic outlook of a major European ally but also because it competes with some of the basic underpinning presumptions of how international security should be addressed as set out in the U.S. NSS and NDS.

First, this challenge concerns attitudes to globalization. In contrast to the views articulated in the NSS on globalization as universal expansion of the sociopolitical model based on democracy, free market and free trade, in the *Livre Blanc* globalization is considered as a process carrying risks and also having negative ramifications. Thus, it is seen as capable of spawning conflict and friction because of inequalities between haves and have-nots that it creates. Climate change and overexploitation of natural resources which may also engender conflict are also seen as an upshot of globalization processes. Furthermore, since globalization is perceived in some regions as a Western attempt to homogenize the world politically, economically, and culturally, it causes resistance which could be the breeding ground

for extremism. On this issue, the Livre Blanc is in harmony with the ESS which stresses that "terrorism is also a part of our own society" (ESS, 2003, p. 4).

Another challenge is the perception of terrorism. Notwithstanding the clear identification of terrorism as a security threat, no Cold War-type vision of battle between ideologies can be discerned. Besides, terrorism is explicitly separated from Islamism.

The attitude to military force is a major distinction between the philosophy of the Livre Blanc and that of the NSS-NDS. The Livre Blanc speaks of military intervention as of an approach strictly anchored in international law, unjustifiable merely on grounds of national interest and predicated upon authorization. It lays down a series of criteria that have to be met before the decision on the use of military force is taken. On the other hand, it affirms another type of intervention the responsibility to protect which is admissible on humanitarian grounds.

Further, the Livre Blanc argues against some of the views set forth by the NSS by asserting the value of multilateralism. The defense of multilateralism stresses the pivotal role of the UN and the importance of peacekeeping operations, underscores the particular responsibility of permanent Security Council members and argues against UN skepticism. Underlying this vision is the concept of international order based upon international law and legitimacy. In view of these criteria, multilateral action is most appropriate not just because it is more effective but because it is legitimate.

As regards policy tools, unlike the NDS, the Livre Blanc lays heavy stress on preventing the emergence of threats in the broad sense. Thus, prevention in the Livre Blanc differs from the connotation it has in the NSS, and is expanded to cover development aid and the tool of international criminal justice.

The concept of NATO renewal enunciated in the Livre Blanc poses another challenge to U.S. views on transatlantic relations. Even though the document acquiesces to extending NATO mandate to deal with new threats and embraces the idea of "globalizing" NATO by a network of global partnerships, it poses the precondition that the renewal should go hand in hand with strengthening the role of the EU. It postulates that both organizations are not competitors but spells out the necessity of providing for more autonomy of the EU as a security actor, and states that no division of tasks between them is possible, either based on the

the type of mission or on geographical scope. This quest for larger autonomy within NATO may rekindle debate about the relevance of NATO and on how to avoid rivalry and duplication between both organizations. The challenge for transatlantic relations is all the more significant considering that French President Sarkozy has been bent on both strengthening ties with America and French standing within the EU, and that the Livre Blanc has been adopted with the ambition of serving as a first step towards an integrated European White Book on security. The extent to which U.S. and European views converge will have major implications on relations during the first term of the next American administration.

### **Obama's approach possibility of narrowing the perception divide**

With the Obama administration taking over, expectations of shifts in US foreign policy, including transatlantic relations, have been raised. Currently, however, for lack of real foreign policy action, analysis is only possible on the basis of general statements and election campaign pledges made by the president-elect and his team. Therefore, this part will focus upon international security perceptions and visions as outlined in the new president's statements and rhetoric.

The new administration's perspective on foreign and security policy seems to be drawing closer to European worldview in four outstanding areas - priorities, worldview, approaches, and foreign and security policy tools.

With regard to priorities, Obama's foreign policy agenda has been marked by diversification and comprehensiveness which marks a divergence from the approach of the 2006 NSS and the 2008 NDS. Indeed, such issues as tackling climate change and achieving development goals have moved higher on the agenda, thereby tracing the outlines of possible consensus between the US and Europe. Diversification implies that the US administration may be adopting an approach that is closer to the broad understanding of security issues as evidenced by the ESS or the French Livre Blanc. Thus, security has ceased to mean simply 'hard security', for the US as much as for Europe, and has been expanded to comprise a range of issues, such as the environment, pandemic disease, energy, developmental and humanitarian goals. Although in his election campaign Obama has never given a strict definition of security, and bearing in mind that election pledges, being quite different from

political strategies implemented in reality, command caution, Obama's views, nevertheless, may prove capable of redressing the imbalances in the NSS and the NDS, both of which outline a policy heavily relying on the twin pillars of global war against terrorism coupled with democracy promotion and free trade ideology.

The mere expansion of the concept of security does not necessarily imply full harmony and congruence between the goals and priorities of both sides; however, it suggests that European concerns, such as climate change issues, have a better chance of being addressed by the new administration.

Changes in worldview and in approaches towards security issues may be another feature of the new administration's policy. The incoming administration has not presented yet any overarching vision similar to the one outlined in the NSS which, as stated above, lays emphasis on the global war on terror, fighting an 'axis of evil' and actively re-shaping the world. However, some of the goals and principles of future foreign policy have been laid out in presidential campaign statements as well as in new Secretary of State's Senate confirmation hearing. Whereas during the campaign stress has been laid on departure from what has been dubbed 'the Bush legacy', the new administration has embarked upon an ongoing process of molding a new vision of US foreign and security policy.

Consequently, Obama's philosophical point of departure has been the negative assessment of America's image in the world because it is generally 'perceived as arrogant' and obstructionist (Barack Obama and Joe Biden's Strategy to Promote Global Development and Democracy, [www.barackobama.com](http://www.barackobama.com)), as well as exercising unwarranted unilateralism. Therefore, the new administration has pledged to advance the goal of the renewal of American leadership. In fact, this objective is not so much different from the pursuit of American preeminence promoted by the outgoing administration. Two characteristics of this pledge, however, may prove capable of influencing transatlantic relations namely, the pursuit of moral leadership and the presumable shift towards a mitigated globalist approach.

According to Obama, the US must strive towards moral leadership and "repair America's damaged moral authority" (A Stronger Partnership with Europe for a Safer America, [www.barackobama.com](http://www.barackobama.com)). The incoming administration's understanding of morality can

be found in the pledge to reestablish harmony between US values affirmed at home and those promoted abroad, which has been set out as a grounds for closing the Guantanamo prison and reforming detainee interrogation methods. The goal of restoring morality harks back to America's centuries-long vision of representing a 'city upon the hill' and a beacon of hope for peoples around the world. Here, however, the keyword would be "authority". The morality pledge gives an idealist tinge to Obama's rhetoric. However, it derives from the belief that moral behavior would bolster the legitimacy of American power. Therefore, morality is also viewed as a power asset and as a power capability; it is a tool of rallying support from allies, including Europe. Moreover, this approach is not very far from the preferred strategies of the EU which tends to fall back on its soft power appeal.

The second feature of globalism is another indication that European and American strategic thought may be trudging similar paths. The incoming administration has demonstrated a keener perception of the need to design global solutions for global challenges and has admitted that the US is incapable of achieving this goal on its own (Hillary Clinton's Statement at Senate Confirmation Hearing, [www.foxnews.com](http://www.foxnews.com)). What ensues is a marriage between the goal of new US leadership and the exercise of this leadership to strengthen America's international standing across an agenda that comprehends environment, health threats and the UN Millennium Development Goals to reduce poverty which took a bashing by the outgoing administration.

This new vision may open new opportunities for broader transatlantic dialogue because it marks a change in US perception of the tools of security policy, such as the role of multilateralism, military force, international law, alliances and prevention techniques.

Obama's rhetoric has highlighted on various occasions the need to work with international institutions. This may be the upshot of a neo-liberalist view but it may also be the reflection of a pragmatic approach based on the presumption that international institutions may be used to enhance a country's status and power. It also suggests an approach to security closer to the strategy expounded by many European states that is, acting upon the basic assumption that the upholding and the beefing-up of international rules is a way of enhancing national security.

Nevertheless, the program laid out by

Obama and Biden has stopped short of making multilateralism a “founding principle” as the French *Livre Blanc* (Defense and National Security, White Book, 2008, p. 114) does, and nuanced differences still persist. By way of example, on assessment of UN performance, Obama has conceded that the UN has been the victim of mismanagement whereas the *Livre Blanc* underscores that criticism of the effectiveness of UN action is at least partly ill-founded. Therefore, no prediction can be made that views on multilateral efforts will always coincide.

Next comes the transformed understanding of the role of military force. At her confirmation hearing, Hillary Clinton has avowed that the US will bank on “smart diplomacy” meaning the whole range of tools available for foreign policy actions, the combination of which, however, would depend on the situation. Military force, thus, is one of the tools, but not the only one and not the preferred one.

On the other hand, certain ambiguity on the role of military power has been maintained. Thus, Clinton has spoken of applying force “when needed” and “as a last resort”, and Obama has not ruled out its use in tackling the issue of Iran. Therefore, the decision of whether military force is necessary would depend on whether all other means have been exhausted but also on judgement of effectiveness, with no other criteria being mentioned.

Again, this evasiveness is at odds with the *Livre Blanc* which is extremely explicit about the need to abide by international rules limiting the use of force.

Relying on diplomacy rather than on force is accompanied by promises for a new “engagement” approach which seems to bring the US and Europe even closer to each other. Although both sides have shared concerns, indeed to a varying extent but still in a similar fashion, about Russian assertiveness (Defense and National Security, White Book, p. 37-38) and Iranian bellicosity, European allies have nevertheless preferred non-confrontational approaches, although Russia has proven to be an especially divisive issue for EU member states.

Obama's statement of American willingness to prevent great power rivalry would therefore be welcome in Europe. Moreover, rivalry and the rise of new powers could lead, according to the *Livre Blanc*, to a crisis of confidence in US capacity to protect its allies, and it therefore mentions a return to isolationism as a particular concern.

Engagement policies, however, should not be regarded as an absolute priority for the new administration. First, this is because, as the new Secretary of State has affirmed, the US would adopt a pragmatic approach. Second, the president-elect has campaigned for setting diplomacy as a priority, but has also supported “tough-minded” and “aggressive” diplomacy. Engagement should be considered as part of the general vision of the need “to talk to nations” which was advanced by Obama in response to failures brought about by confrontational approaches. It does not, however, imply necessarily a clean break with some of the views held by the previous administration. Thus, in his campaign the president-elect has asserted preference for “direct” engagement and dialogue with Iran but Clinton has been holding all options open and has confirmed that the US would use all the multitudinous tools of US diplomacy to prevent the emergence of a nuclear Iran. Similarly, the policy on China is described as a “cooperative relationship”. The Obama-Biden plan on China opposes the demonization of China and calls for a better understanding of Chinese goals but also voices longstanding concerns about Chinese policies, elaborates on the need to exercise continued caution and vigilance in the military field and promises to press China on human rights issues.

Ultimately, it is probably the avowed commitment to dialogue “with friend or foe” that would make the difference with the views of the outgoing administration. This would bring an end to the dichotomy between friendly democratic governments and hostile tyrant regimes brought forward by the previous government which automatically excluded certain options as regards policies towards the so-called rogue states.

The role of alliances in Obama's worldview also indicates a change of foreign policy. The incoming administration seems more prone to cooperate with allies and has declared the reinvigoration of old alliances as one of its goals. Concomitantly with the pledge to treat European allies “with respect” another promise has been made to renounce the strategy of exploiting internal divisions inside Europe. Obama's policy, however, does not ignore the possibility of forging new alliances, and the idea of the US in the lead of a community of democracies has not been entirely abandoned. Albeit as a presidential campaign pledge, assistance to democrats around the world has been promised. The idea of partnership with fledgling democracies (“We must lead not in the

spirit of a patron, but the spirit of a partner”, (In:Barack Obama and Joe Biden's Strategy to Promote Global Development and Democracy, 2008, [www.barackobama.com](http://www.barackobama.com)) ) is another feature of an approach which bears similarities to EU soft-power strategies and conditionality methods.

All these points of convergence, however, should not obscure the fact that some differences remain.

Certainly, one point of contention may be the future of NATO. According to the Obama-Biden plan on relations with Europe devised for the election campaign Europe should be recognized as a “partner in global affairs”. This enunciation may give rise to interpretations in the sense that the U.S. would develop its relations with Europe on an equal footing. However, the flip side is the clear demand posed by the U.S. for Europe's enhanced role in that partnership based on the formula that “equal role means shouldering equal responsibilities”, even in areas where Europe may not be prepared to deliver. Then the renewal of the relationship, according to the plan, would entail the committal of more troops and resources, especially in Afghanistan which is designated as the main focus of the fight against terror.

Moreover, the definition of NATO as a “global partnership” with “global responsibilities” carries both risks and opportunities for European states because it could provide them with the chance of strengthening their voice in global affairs and gaining additional leverage but could also burden them with loads they would not wish to bear. By way of example, Obama has pledged to make demands for a boosted European contribution to Afghanistan. European allies, however, hold different views on what NATO's ends and objectives in Afghanistan should be, and have been frustrated by the lack of European participation in the planning of the mission. Thus, they could take advantage of current demands for greater commitment to gain more influence in the planning and priority-setting process. Ultimately, however, the scope and the future orientation of the alliance will remain a matter of debate, as will the future of NATO enlargement which has recently sparked heated debate between European allies.

### **Concluding remarks**

The evolution of U.S. and European views and perceptions on security issues has transcended a period of great division and has been confronted with major challenges. New trends towards greater convergence of views

have emerged. On the theoretical side, the definition of a new transatlantic agenda will be an important issue at the Strasbourg-Kehl Summit due in April 2009. On the practical side, the actual implementation of transatlantic policies on issues such as Iran, Afghanistan, climate change, Russia and missile defense will be a major test for the compatibility of the allies' interests, perceptions and approaches.

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Academic Article

# Coping with uni-polarity: ESDP and transatlantic relations

Lorenzo Cladi

Loughborough University

L.cladi@lboro.ac.uk

## Introduction

In the past eight years, transatlantic relations have come under considerable strain by wrangling over major security issues. This has left a marked imprint on the relationship and is one of the causes for the inability of both sides to define a comprehensive common security agenda.

According to many analysts, controversies are due not only to diverging interests but also to diverging views on security threats after September 11. The object of this paper is to retrace and analyze the broad outlines of security perception gaps that have crystallized in strategic thinking in recent years. For the sake of pithiness and space limitations analysis will be confined to cornerstone concepts and will avoid detailed examination of specific issues.

## The US security strategy

The most recent documents outlining American security policy are the 2006 National Security Strategy (NSS) and the 2008 National Defense Strategy (NDS). Analysis will focus on these strategies because they are the key documents enunciating the policy of Bush's second-term

administration.

The U.S. and the European perspective on the global security environment have been largely diverging. The NSS describes the existing security environment as a global battleground similar to the ideological battle during the early years of the Cold War. The enemy, however, are now violent extremist movements seen as a "threat to the American way of life" like communism and extremism (NDS, 2008, p.7). Consequently, threats are coached in ideological terms. Thus, the Security Strategy maintains that 'a new totalitarian ideology now threatens' which implies antagonism between democratic that stand up for human rights and freedom, on the one hand, and undemocratic, oppressive ideologies, on the other. The 2008 NDS adds the concept of the "Long War". It regards the U.S. as being in a state of war with extremism and terrorism. The conflict is, however, global and unconventional, multi-front and multidimensional, protracted and irregular in time and space.

The perception of such ideological struggle and its analogy to the Cold War antagonism of a universal nature seem to be an

this article contains some conclusions.

### **I. Uni-polarity and uni-lateralism: two sides of the same coin?**

With the end of the Cold War a number of scholars argued that the world had become uni-polar, highlighting an historical change concerning the distribution of capabilities within the international system. Precisely, the world had become uni-polar in the sense that one state had considerably more power than its peers. Wohlforth (1999) defines uni-polarity as 'a structure in which one state's capabilities are too great to be counterbalanced' (p.9). Alternatively, following the structural realist logic, a system is uni-polar 'when the second most powerful state cannot by itself counterbalance the most powerful state' (Owen, 2001/02, p. 117). Waltz (1979) did not address the uni-polar power constellation as his theory dealt with the Cold War bipolar stalemate. Subsequently, attempts to understand how states behave in a uni-polar power constellation are quite recent. Following Layne (2006), the USA has been pursuing the aim of a creating a uni-polar distribution of power in the international system at least since the early 1940s. Nowadays, according to Layne (1997), the USA is therefore following the same strategy of preponderance, key of elements of which are 'creation and maintenance of a U.S. led world order based on pre-eminent U.S. political, military, and economic power, and on American values; maximization of U.S. control over the international system by preventing the emergence of rival great powers in Europe and East Asia; and maintenance of economic interdependence as a vital U.S. interest' (p. 87-88).

Seen in this light it is striking to notice how American power rose to such an unprecedented level following changes which happened more rapidly in two years (1989-1991) than at anytime since 1945. Accordingly, the USA was interested in maintaining such a position of primacy and this is notable in the Pentagon's Defence Planning Guidance (DGP) for the Fiscal Years 1994-99: 'Our first objective is to prevent the emergence of a new rival, either on the territory of the former Soviet Union or elsewhere, that poses a threat on the order posed by the Soviet Union' (quoted in Jervis, 1993, p. 53). This document emphasizes that the USA wanted to make sure no rivals would develop (Tyler, 1992).

It is worth noting that the structural realist theory would lead to expect a uni-polar system not to last for too long. In fact a neo-realist like Posen contends that balancing coalitions will

ultimately form in order to contrast the hegemon. To quote Posen (2006), 'structural realism predicts both a general pattern of competitive behaviour that ultimately leads to balances and deliberate balancing against particular powers, usually the most powerful states in the system' (p. 154). Yet, structural realism does not help to predict how soon balancing will happen. What is interesting to notice is how the condition of US led uni-polarity was arguably stretched under the Presidency of George W. Bush. In fact, the American administration has embarked on a growingly unilateral and sometimes even aggressive security strategy since 2001. Put differently, the US security strategy seemed oriented around the US advantage in military power. Examples of the outcomes of this strategy are the abandonment of the Kyoto accords on global warming, the rejected participation in the International Criminal Court and the withdrawal from the Antiballistic Missile Treaty (ABM) (Pape, 2005).

The subsequent strains caused by the Bush administration were somewhat softened by the international sympathy the USA received in the aftermath of the 9/11 terrorist attacks in New York. Moreover, the Bush administration seemed to invoke urgent multilateralism as opposed to unilateralism but this only happened to 'meet immediate and pressing requirements due to the need of coordination among the police and intelligence capabilities of other states 'in order to tack and apprehend terrorists' (Waltz, 2002, p. 348). However, Europeans were soon concerned that Bush would take the new war against terrorism too far when he announced the incumbent war in Iraq after having started the war in Afghanistan. Specifically, concern was caused for the words contained within the document 'The National Security Strategy of the United States' where it was asserted that the USA would not hesitate to act alone and, if necessary, 'pre-emptively' (NSS, 2002) to counter terrorism. Scepticism in Europe (particularly in France and Germany) and elsewhere (most notably Turkey, despite being a long lasting USA's ally) rose even more as the US declared war to Iraq in 2003. The war in Iraq can be seen as a prime example of 'unforeseen costs involved in succumbing to the uni-polar temptations of pursuing fancies abroad' (Hyde-Price, 2006, p. 12). The neoconservatives were wrong in believing that countries of a particular region decide to bandwagon when they face overweening military power. In fact, they tend to 'balance against it' (Hyde-Price 2006, p. 12).

Uni-polarity developed after the end of the

Cold War as the USA emerged the only remained superpower within the international system but, under George W. Bush's presidency, uni-polarity gave space to unilateralism opening various strains within the wobbly Atlantic Alliance. Therefore, 'how do you deal with American power?' (Walt, 2005, p. 106) was a question which, following the USA's invasion of Iraq, very much concerned the EU as well.

## **II. ESDP operations Concordia and Artemis: a new EU-USA (NATO) security partnership?**

The trouble caused within the EU as well as the wider transatlantic alliance by the US decision to declare war to Iraq induced French leaders to announce a drastic change in how they perceived the structure of world politics. On this matter it is worth quoting the speech by former French Foreign Minister Dominique de Villepin: 'To be truly stable, this new world must be based on a number of regional poles, structured to face current threats. These poles should not compete against one another but complete each other. They are cornerstones of an international community built on solidarity and unity in the face of new challenges. The determination of European countries to develop a common foreign and security policy must reflect that...France and the United Kingdom must overcome the current difficulties and remain united. I am convinced that what brings us together concerns the deepest identity of our peoples' (de Villepin, 2003). Nonetheless, Blair adopted a totally different point of view stressing that 'Some want a so-called multipolar world where you have different centres of power...others believe, and this is my notion, that we need one polar power which encompasses a strategic partnership between Europe and America' (quoted in Menon, 2004, p.638)

This clear and unquestionable division between the French and the British visions of world politics was only the more emphasized on the occasion of the war in Iraq. Perhaps it was one more opportunity to show how the EU does not really have a foreign policy and that individual member states are unwilling to compromise their sovereignty. However, despite the Iraq war substantially contributed to driving the European partners apart, its medium term effects for ESDP were 'transitory and even salutary' (Menon, 2004, p.631). In fact, the bitter disagreements over the war in Iraq and the uncertain future of the transatlantic alliance brought about a new emphasis on the development of the EU as a security actor and

the will to make ESDP operational. In this period, and much as a response to the NSS, the EU elaborated the ESS centred on multilateralism. Progress on ESDP was also declared as an important aim to achieve as part of an agreement at a 'special meeting of foreign ministers in Naples in November 2003' (Peters, 2004, p. 394). The history of the European integration shows that the Europeans tend to react when integration is perceived as impossible (Morelli, 2006). The case of ESDP does not figure as an exception in this regard.

As a matter of fact, immediately after the Iraq war started an important ESDP operation was launched. This was 'Operation Concordia' (Menon, 2004, p. 641), a small-scale military intervention in FYR of Macedonia acting as a good test case for the Union's ability to apply some of the military policy instruments it decided it would deploy at the Helsinki European Council in 1999. Moreover, it was also a timely opportunity to prove how effectively the Europeans could handle crisis, especially at a time when transatlantic disputed seemed impossible to overcome. There are at least two main features with regard to Operation Concordia which need to be put in result. Firstly, it constituted the EU's first ever military mission (Grevi, Lynch and Missiroli, 2005). In fact, it took over NATO's Operation Allied Harmony with the aim of bringing a stable and more secure environment in FYROM. With the exception of Ireland and Denmark, 13 EU member states and 14 non EU member states contributed forces to the mission, totalling 350 lightly armed personnel (Grevi, Lynch and Missiroli, 2005). Secondly, the EU's operation in FYROM represented the first test case for the EU-NATO partnership for crisis management (Grevi, Lynch and Missiroli, 2005). Indeed, Concordia was an EU-led mission but the Union drew on NATO assets and capabilities. As a matter of fact, following the final agreement reached at a meeting among Blair, Chirac and Schroeder on the 28<sup>th</sup> of November 2003, an 'embryonic EU military planning capability' (Menon 2004, p. 643) would be created. Consequently, member states consented to create a permanent 'civilian-cum-military cell for strategic advanced planning on civilian/military operations' (Menon, 2004, p. 643). This would run through an *ad hoc* operations centre. Furthermore, the Supreme Headquarters Allied Power Europe (SHAPE) would be strongly linked to this cell and an EU cell would be created within it with its staff in full responsibility for carrying out EU/NATO joint military operations. The common EU/NATO

action played an essential role in contributing to end a dangerous conflict before it could develop into a full scale civil war. Interestingly, this proves that the EU/USA partnership was alive and well, thus somewhat contradicting structural realism's balancing proposition. What is more, the EU/USA institutional partnership also showed to work as peace agreements were led by both NATO officials, including former NATO Secretary General Lord Robertson and EU officials including Javier Solana. Overall, despite the EU was still dependent on the USA, it manifested an attempt to create its own distinct space within the international system.

The other ESDP mission which is worth considering and which took place after the war in Iraq is 'Operation Artemis', launched on 12 June, 2003. Its purpose was to prevent a large scale humanitarian crisis in Ituri, a region in the north-east of the Democratic Republic of Congo (Grevi, Lynch and Missiroli, 2005). Operation Artemis was another important test case 'for the EU as a strategic actor' (Hyde-Price, 2006, p. 5). More importantly, Operation Artemis was 'an autonomous EU-led military operation conducted without recourse to NATO assets and capabilities' (Hyde-Price, 2006, p. 4). However, this mission has been also catalogued as a 'French affair', encompassing about 1,800 soldiers, 'mostly French' (Hyde-Price, 2006, p. 4). It may not sound surprising, given the fact that France is the country that has been more concerned with enhancing the role of the EU military arm as independent from the USA (Bono, 2003). Despite this mission was criticized to the extent that the force deployed would be 'powerless' (Menon, 2004, p. 642) and would have not helped to prevent the massacres that were occurring outside Bunia within the Ituri province, Artemis was the first autonomous EU mission and represented the first case of European military deployment outside the European continent. It was also the first example of the 'peace support operations using coercive military power' (Hyde-Price, 2006, p. 5). Nevertheless, it is important to stress that this mission helped France to add diplomatic leverage in areas of strategic importance for the French such as Rwanda and Uganda. In sum, one of the EU's priorities vis-à-vis the USA was to make ESDP operational. Divisions with regard to how to deal with the American ally were still visible though and the EU-NATO partnership was not mentioned with Operation Artemis where the French had planned the mission even before the EU could be involved.

### **III. Soft balancing and transatlantic relations**

Traditional hard balance of power theory has not been able to explain the evolution of the power relations since the end of the Cold War. In fact, not only has the USA emerged as the only superpower in the system but any hard (military) balancing behaviour has been made by the EU or any other great powers left (Great Britain, France, Russia) or emerged (China, India) within the international system. However, the unilateralism security strategy pursued by the USA which has been particularly visible under the Bush administration has led countries within the EU such as France to feel quite uncomfortable. Despite Posen (2006) contends that the EU is 'balancing US power, regardless of the relatively low European perception of an actual direct and imminent threat emanating from the USA' (p. 151) it might be better to argue that all the EU has been looking for is a different option or more independency from the USA on security matters. Put differently, the deployment of ESDP missions can be interpreted as a manifestation of soft balancing. Following Paul (2004), soft balancing occurs when (a) the hegemon's power position and military behaviour are of growing concern but do not pose a direct threat to second-tier states, (b) the dominant state is 'a major source of public goods in both the economic and security areas that cannot be replaced' (p.59) and (c) it is not easy for the dominant state to respond because it is not directly challenged by military means.

Apart from the missions Concordia and Artemis, ESDP can be said to represent a soft balancing act towards the USA for other factors and in other places. For instance, the EU performed its first ever civilian crisis management with its Police Mission in Bosnia (EUPM) in 2003 despite a poor start in handling the crisis during the 1990s. The mission was a major success as 'the police have really changed from a tool of the state and instrument of war into an organization designed to serve the people rather than oppress them' (Schweiss and Jebb, 2006, p. 111). In Macedonia, the EU also launched operations EUFOR and PROXIMA which highlighted the fact that the strength of the EU is not to conquer a state or show its military power but to offer 'a real possibility of extending prosperity and freedom' (Schweiss and Jebb, 2006, p. 115).

Another element of soft balancing is constituted by the 'consolidation of European defence industries in the 1990s...by building a European Defence Industrial and Technological Base' (Oswald, 2006, p. 155). Particularly, the

creation of a European Defence Agency was itself a form of soft balancing the gigantic 'Bush administration's defence budget of over \$400 billion annually' (Oswald, 2006, p. 155). It is a step forward and constitutes soft balancing in a way, although Oswald (2006) reminds us that the main objectives of such a move lie in increasing economic competitiveness, technological autonomy, and to some extent, 'strategic autonomy' (p. 155).

It is not yet high time to be sure whether soft balancing will transform into hard balancing and thus realize the neo-realist logic of balance of power theory. Transatlantic cooperation has been vital during the Cold War and today 'transatlantic commerce approaches \$2.5 trillion per year and employs directly or indirectly some twelve million workers in Europe and the USA' (Oswald, 2006, p. 158). Moreover, ESDP is not and has not been envisaged as a European Army but as an 'instrument for coalitional coercive diplomacy and military crisis engagement' (Hyde-Price, 2007, p. 106). Its success in state-building and as a carrier of values such as human rights and rule of law represent a way of convincing the Americans that the unilateral use of force may not always be the best option.

## Conclusion

Structural realism would predict that sovereign states will continue to maintain their full control on their foreign policy priorities. In light of this logic, ESDP is therefore likely to remain intergovernmental. ESDP is in fact constrained by Europe's own great powers (France, Britain and, to a lesser extent Germany) which, as structural realism would suggest, 'will continue to jealously guard their sovereign rights to pursue their own foreign and security policies' (Hyde-Price, 2007, p. 113). For instance, the Treaty establishing a Constitution for Europe, rejected by referendums in France and the Netherlands in 2005 and more recently, by Ireland in 2008, would be an 'enabling' text for ESDP (Missiroli, 2004).

The EU could decide to further enhance its autonomous military crisis management capabilities should the USA further reduce its military commitment to Europe. Put differently, as the world's only superpower is committed to pursuing its national interest everywhere in the world, there could be an incentive for the EU to play a serious, 'independent role to defend the principles of international law, multilateralism and the respect for human rights' (Sakellariou and Keating 2003, p. 90). Nevertheless it

remains difficult to envisage a common EU approach to the USA for the time being. The distinction between "old" and "new" Europe which emerged during the Iraq crisis in 2002 and 2003 is 'suggestive of the patterns of relations that could emerge, with some states allying with the USA and others pursuing a small Europe option of integration' (Hyde-Price 2007, p. 114).

The EU as an international actor, although with its inconsistencies, remains the only international actor, with a different approach to the US, that can count on a complete set of tools (economic, diplomatic, civilian and now also military) which are very important and all equally useful to respond to the crises that are part of the new Post Cold War system. This is one reason why the EU should safeguard the value of multilateralism and possibly even look for a renewed healthy partnership with the USA. These are, as difficult tasks to achieve and will continue to be subject of constant discussion on both sides of the Atlantic but nevertheless represent valuable aims in a moment of uncertainty with regard to transatlantic relations.

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Academic Article

# American Liberalism Defining Obama's Philosophy

Sven Brendel

California state university Monterey Bay  
sven\_brendel@csumb.edu

The philosophy of the U.S. president has ramifications across the globe. Understanding his political philosophy is necessary to understand the direction the world's most influential nation will take. Pundits and the popular media have been debating U.S. President-elect Barack Obama's ideological leanings extensively. David Leonhardt of the *New York Times* (2008) opined that perhaps Obama does not have an ideology, but can be described as left or right depending on the issues examined. In a review of his book *The Audacity of Hope* his philosophy is described as a "cautious liberalism" (See *Publisher's Weekly*, 2007). On the right-wing of the political spectrum, however, he has been dubbed a socialist (Herzberg, 2007). These popular opinion pieces are not so much a testimony to the perceived ambiguities in the political views of Barack Obama, but the confusion that exists over what it means to be a liberal in contemporary America. Political surveys in the U.S. reflect (and, perhaps, perpetuate) the ambiguous use of the word liberal by using it as a synonym for "left," while using conservative as a synonym for "right." Yet, Americans seem aware

of the shortcomings of using liberal as a synonym for left; after all, John F. Kennedy, a self-proclaimed liberal, sought to contain socialism through military means, initiating the Bay of Pigs invasion and Vietnam War. That begs the question: what is modern American liberalism? A coherent definition of modern American liberalism (modern liberalism from here on) is needed; a definition that explains why modern liberals are opposed to neoliberalism and socialism. By reviewing the writings of classical and contemporary scholars and politicians, and building upon these ideas using standard neoclassical and Keynesian economic theory, I find that modern liberalism shares the individualism of classic liberalism, but is distinguished from it mainly through its adoption of positive liberty as the main goal of public policy.

Modern liberalism developed from classic liberalism (Clark, 1998, McGowan, 2007). It is built upon the basic assumptions common to all forms of liberalism: the existence of a plurality of intrinsic goods and people being ends in themselves. It is these assumptions that make liberalism, liberalism, by dictating the necessity for the maximization of liberty (Freeman, 2001;

Schwartz, 2005). Since people are ends in themselves and may not be viewed as means to an institution's or other individual's ends, they are all equally entitled to happiness. In the face of a plurality of intrinsic goods, no one person's pursuit of happiness is going to look quite like that of another. With a universal and equal entitlement to happiness but no "one-size-fits-all" lifestyle, freedom to choose one's way of life becomes imperative. Liberty, the first and foremost goal of any society, is comprised of the ability to choose one's way of life; to create that lifestyle for oneself that suits one's own unique needs and desires (see figure 1).

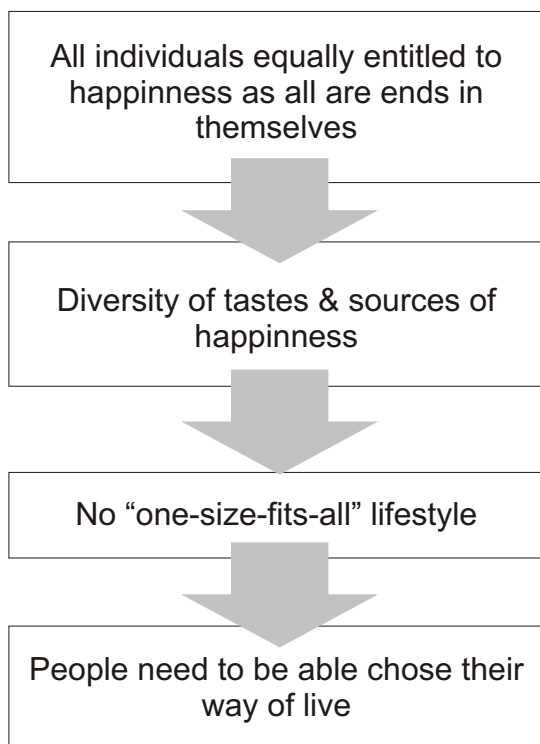
Yet, modern liberals employ a different definition of freedom, and thus harm, than do classic liberals. Modern liberals believe in positive liberty and, therefore, view the universal provision of positive rights, such as education and health care, and negative rights, such as freedom of speech and property ownership, as imperative to the creation of liberty. A sick, poor and hungry person is not a free person in the modern liberal view. **As the English essayist Samuel Johnson noted,** "poverty is the great enemy to human happiness; *it certainly destroys liberty*, and it makes some virtues impracticable, and others extremely difficult" (Johnson as cited in Barr, 2004, p. 213; my emphasis). Classic liberals, on the other hand, believe in negative liberty; in their view everyone is free so long as direct coercion by individuals and institutions is minimized (McGowan, 2007; Starr, 2007).

These competing definitions of freedom give rise to two opposing sets of policy stances. Modern liberalism advocates the creation of a large (by American standards), redistributive welfare state, while classic liberalism advocates a minimalist government that dedicates itself exclusively to providing pure public goods, such as national defense, upholding negative rights, and preventing nothing but the most miserable aspects of the human experience. In the modern liberal view a person must be provided with the opportunity to attain and maintain a decent standard of living. This requires a social safety net, i.e. the provision of social services that ensure everyone can reach their potential and is not subjected to the tyranny of market forces and poverty. It requires the elimination of poverty and establishment of a social minimum, since a poor person, without access to welfare state services, may not be able to escape her plight (Schwartz, 2005; McGowan, 2007; Starr, 2007). Franklin Delano Roosevelt (FDR), who is often cited with establishing the modern liberal dominance in American politics on matters of economic policy that lasted until the late 1970s (Clark, 1998; Krugman, 2007; Bartels, 2008), articulated this concept in his 1944 State of the Union Address (FDR in Rosenman, 1950, pp. 40-42):

We have come to a clear realization of the fact that true individual freedom cannot exist without economic security and independence. Necessitous men are not free men. People who are hungry and out of a job are the stuff of which dictatorships are made.

In our day these economic truths have become accepted as self-evident. We have accepted, so to speak, a second Bill of Rights under which a new basis of security and

**Figure 1 - Basic assumption of liberalism, common to classic and modern liberalism**



But what does it mean to be free to choose one's lifestyle? That is where classic and modern liberalism diverge. Both agree with the harm principle, as articulated by John Stuart Mill: "Whenever... there is a definite damage, or definite risk of damage, either to an individual or to the public, the case is taken out of the province of liberty, and placed in that of morality or law. But with regard to the merely contingent... injury... to society, by conduct which neither violates any specific duty to the public, nor occasions perceptible to any assignable individual except himself; the inconvenience is one which society can afford to bear, for the sake of the greater good of human freedom". (p. 54)

prosperity can be established for all regardless of station, race, or creed. Among these are:

The right to a useful and remunerative job in the industries or shops or farms or mines of the nation;

The right to earn enough to provide adequate food and clothing and recreation;

The right of every farmer to raise and sell his products at a return which will give him and his family a decent living;

The right of every businessman, large and small, to trade in an atmosphere of freedom from unfair competition and domination by monopolies at home or abroad;

The right of every family to a decent home;

The right to adequate medical care and the opportunity to achieve and enjoy good health;

The right to adequate protection from the economic fears of old age, sickness, accident, and unemployment;

The right to a good education.

Beyond these ideas modern liberalism, like all forms of liberalism, is purely pragmatic (McGowan, 2007). This pragmatism, lead by a belief in positive liberty, as articulated so eloquently by FDR, however, has given rise to a recognizable and coherent conception of the relationship between the state and the market. This conception includes the aforementioned support of a redistributive welfare state, but also the maintenance of a market economy, with as few distortions and as much growth as possible.

The goal of enabling one's pursuit of happiness makes affluence imperative, since affluence creates choice. The people of a poor nation do not have as many possible lifestyles to choose from as those in rich societies. For instance, developed societies offer a mindboggling array of consumer goods that is sure to satisfy even those with the most discriminating tastes. The rich are free to choose the combination of consumer goods that suits their tastes and expresses their individuality. They are free to choose those leisurely pursuits from which they derive the most happiness. They are free to dedicate their time and energy to causes they see as worthwhile and satisfying. They are free to create a lifestyle and surrounding that caters to their desires and needs, thus maximizing their happiness. That is not to say that affluence alone is sufficient to enable the pursuit of happiness. A wide variety of unfortunate events, such as illness, the death of a loved one or the end of a romantic relationship can cause devastation and render the

attainment of further material comforts of much less use; depending on individual utility schedules and exact circumstances, it may even make material comforts meaningless<sup>1</sup>. Yet, when a poor person is hit with misfortune that denies her happiness, it comes in addition to having a more limited number of choices. As affluence increases the opportunity to pursue one's happiness, with national affluence allowing for a greater variety of lifestyle to be pursued by all citizens who share in the wealth, affluence becomes an essential if not the most essential building block of a free society. Speaking of a free and prosperous society is thus redundant, for a free society must also be a prosperous one.

The affluence imperative creates a market imperative. Any basic economics textbook teaches students the amazing ability of the market to constantly redirect resources to where they are demanded (e.g. Case & Fair, 2007). In standard neoclassical theory, the demand for a good is a reflection of the utility consumers are able to derive from its consumption. The more utility consumers are able to derive from a given good, the more they will consume. The more they consume, the more profit opportunities for firms, the more firms will enter the market. Once demand for a good declines the market reacts, and certain firms involved in the production of one good will cease operations, with capital and labor being freed up to satisfy the demand for another good. Investment dollars are consistently directed to the most profitable businesses, which tend to be those most successful in satisfying consumer demand, i.e. the most successful in providing people with the goods and services they desire and need. Resources are, therefore, commonly employed in those sectors where they maximize utility allowing people the freedom to consistently meet their desires and needs. No matter what choices people make, the market is most likely to adjust and direct resources so as to consistently meet peoples' desires and needs (See Case & Fair, 2007; Blinder & Baumol, 2005).

The market system does not, however, always work as outlined above. Not only do markets not cater to those unable to pay, necessitating income and wealth redistribution, but several conditions need to be present for the efficient functioning of markets. These conditions are assumed to exist in neoclassical descriptions of the market system, such as the one above, and are thus dubbed the "standard assumptions." In the face of imperfect competition, imperfect information, incomplete

markets, externalities, public goods and increasing returns to scale, the market will fail to function efficiently and government intervention, ranging from tax incentives to nationalization, is warranted. Since the standard assumptions never hold completely, some level of intervention is always required (Barr, 2004). As Joseph Stiglitz (1998) noted,

Today, many of us look at the fundamental theorem not as a description of the world, but as an explication of the conditions under which a market equilibrium will be Pareto efficient... The importance of some of the more explicit assumptions-like the lack of externalities and the completeness of markets-has long been known... In particular, it has been shown that in the presence of imperfect information or incomplete markets, the economy will not be Pareto efficient; in other words, there will always be some intervention by which the government can make everyone better off. (pp. 3-4).

Furthermore, markets require a strong government. All basic rights and liberties are created by government. The market itself relies on the provision of several such rights, such as property ownership. Property rights, however, require billions in government spending (Holmes & Sunstein, 1999). Last but not least, the market system suffers from, what Keynes liked to a disease: the business cycle.

While after-market measures are commonly preferable for they are the least coercive and allow the market to operate and allocate resources efficiently, it is not enough to protect liberty. The negative externalities arising from tobacco consumption and the under-consumption of education, illustrate this point perfectly. In certain instances the consumer does not make a wise decision he or she chooses to consume something that, while providing some satisfaction, is harmful to others, or does not consume enough of a certain good whose consumption is beneficial to others to create sufficient demand for its production, burdening society with high opportunity cost (See Barr, 2004). In the case of tobacco, consumers derive utility from the consumption of poison which imposes considerable costs on society. First, resources that could be use to produce goods that promote health and, therefore, liberty are used to make a toxic product. Second, the adverse health effects on the consumer impose costs on society in the form of lower productivity and higher health care expenses (including the opportunity cost of not spending health care resources on other patients). Third, smoking imposes

environmental burdens as cigarette production and their disposal create pollution while their consumption imposes adverse health effects on third parties through second-hand smoking. In this case the state must attempt to lower demand for tobacco; it must intentionally distort the market, to save society from considerable harm harm that threatens liberty.

In the case of education, the consumer may not be aware of the ideal amount to consume. Uneducated parents have been shown to be especially likely to undervalue the importance of education, thus making them likely to under-consume education (for themselves as well as their children). The benefits of education are numerous. The opportunity cost of not providing enough education is, therefore, high. According to Stacy (1998) many studies, including Auster, Leveson & Sarachek (1969), Gorssman (1972), Silver (1972) as well as Grossman and Benham (1979), have shown that in U.S., "the number of completed years of formal schooling is the most important predictor of good health" (p. 55). Studies have also shown that the "public education system, together with the family, is the main institution for socializing American children" (McGrath in Stacy, 1998, p. 56). Furthermore, Madrick (2009) has shown that the financial returns from a universal pre-school program would likely off-set its costs. Under-consuming education, therefore, leads to a less productive, less cultured, less cohesive, and sicker society. This poorer, less gentle and sicker society is one that does not offer as much liberty. In such cases, the market must not be allowed to work unencumbered; government must intervene (Barr, 2004).

Keynesian economics suits the modern liberal worldview well, as it too, abates harm caused to society by economic forces. The business cycle is among the greatest threats to liberty. It plunges hundreds of thousands, if not millions, into unemployment and poverty. Even today, when the regular employment of Keynesian countercyclical monetary and fiscal policy has succeeded in lessening the severity and length of economic downturns (Madrick, 2009), roughly 58% of Americans fall beneath the poverty line at some point between ages 25 and 75 (Schwartz, 2005). Even more face a tight labor market that forces them to take jobs outside their area of expertise, which creates considerable opportunity cost borne by society as the potential for utility maximization that would have been realized from having these individuals engaged in work within their area of

specialization, is not realized. It was Keynes who provided an explanation and solution for this great disease that afflicts the market system on a regular basis. As Paul Krugman put it (1998), "before Keynes' *General Theory*, economists could not explain how depressions happen, or what to do about them... [but] after 1936, they could." Its adherence to Keynesian economics makes modern liberalism profoundly opposed to laissez-faire; according to Shostak (2008):

In a nutshell, John Maynard Keynes held that one cannot have complete trust in a market economy, which is inherently unstable. If left free, the market economy could lead to self-destruction. Hence there is the need for governments and central banks to manage the economy.

Successful management in the Keynesian framework is done by influencing the overall spending in an economy. It is spending that generates income. Spending by one individual becomes income for another individual, according to Keynes. The more that is spent, the better it is going to be. What drives the economy then is spending.

In the modern liberal view, taming the business cycle means less economic insecurity, more economic opportunity and thus greater liberty. Not surprisingly then, Keynesian macroeconomics is popular among modern liberals.

The adherence to Keynesian macroeconomics is partly responsible for the trait conservatives, classic liberals and libertarians dislike most in the modern liberal economic policy platform: higher levels of government spending and redistribution. While even the night watchman state classic liberals propose requires some redistribution, modern liberals see a much larger role for this practice. Redistribution, in the modern liberal worldview, shifts resources to those who will experience the greatest increase in freedom from them, and prevents harm by sparing society the opportunity cost of less than optimal investment in the public sector.

Owing to the higher marginal utility of income among those with lower incomes, redistributing income towards them promotes liberty, so long as it does not pose an excessive labor disincentive to the rich. Perhaps this idea is best conveyed in an example: Chris makes \$35,000 per year and Jenifer \$750,000. According to the law of declining marginal utility, each additional dollar will have more value for Chris than for Jenifer. Jenifer's material desires are most likely satisfied to the extent where the

opportunity for more consumption has become virtually meaningless (or at least carries far less significance than for Chris). Thus, if we were to give Jenifer \$75,000 (a 10% pay raise), the expanded consumption opportunity would mean little to her. What can \$75,000 buy that she strongly desires but does not already have? Is she really significantly freer than before? Not likely. If we give a 10% pay raise (\$3,500) to Chris, however, he will likely be able to customize his lifestyle to a significant extent by consuming those goods he desires but could not otherwise afford substantially increasing his opportunity to choose his way of life.

Redistribution also enables the spending necessary to prevent the liberty-threatening harm imposed by society by an underfunded public sector. Society comes to great harm if the public sector remains underfunded. Jeff Madrick (2009) has made this point very eloquently in his description of the Reagan Era (ca. 1978-80 to now),

*Today, [is]... an age of limits... America has no free and high quality day care or pre-K institutions to comfort and nourish two-worker families... College has become far more expensive and attendance is now bifurcated by class... Transportation infrastructure has been notoriously neglected, is decaying, and has not been adequately modernized to energy-efficient standards of global competition. America has not responded to a world of high energy costs and global warming in general. America has a health care system that is... providing on balance inadequate care at very high prices... The financial system, progressively deregulated since the 1970s, broke free of government oversight entirely in the 1990s and early 2000s and speculation reminiscent of the 1800s was the result, with potentially equal levels of damage. And, of course, average incomes have been flat to only slightly higher; for men that has been true since the early 1970s. These facts amount to about as conclusive a proof as history ever provides that the ideology [small government conservatism] applied in this generation has failed. (p. 126)*

Modern liberalism is opposed to this age of limits, for it is opposed to limits to self-

development. The goal of modern liberalism is to create the opportunity for everyone to choose their way of a live. Its goal, therefore, is an age of opportunity, not an age of limits.

Barack Obama's plans and beliefs should not seem ambiguous considering the above explanation of modern liberalism. It is not necessary to describe Obama's liberalism as "Chicago School liberalism," or "cautious liberalism" (See Leonhardt, 2008 for the former term). Barack Obama is a modern liberal. He advocates using the most ambitious public works project since the 1950s to counter the current economic downturn, a more progressive tax code, and increased investment in the public sector (Gleckman & Williams, 2008). Yet, he is also a capitalist. That is not a contradiction. Quite the contrary, it is what one would expect of a modern liberal. Modern liberalism, like neoliberalism, is a fundamentally individualist philosophy that stands in support of the market system. Yet, similar to social democracy, modern liberalism advocates redistribution and, at least in the United States, increased investment in the public sector. Unlike social democracy, however, modern liberalism has no link to socialism or collectivism (McGowan, 2007). Modern liberalism advocates public sector investment and progressive taxation not on the grounds that these activities mark a permissible infringement on liberty, but on the grounds that they will promote liberty. Liberty in the modern liberal view is not achieved through the mere absence of restraint; instead, it is a social good produced through social cooperation. The views of modern liberals, including Barack Obama, are not ambiguous or contradictory but simply the natural result of a marriage between a nuanced understanding of positive liberty and pragmatism.

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## Academic Article

# Change, can we?

Marianne S. Batista

University of São Paulo  
mariannebatista@gmail.com

**T**he election of Barack Obama to the United States presidency was surrounded by stereotypes and expectations, often linked. With a Kenyan father and an American mother, being raised in Honolulu and Jakarta, the young father of a typical afro-american family, Obama, is the representation of many Americans, who see a part of themselves, a crossbred nature often ignored by conservative Caucasians, in the nation's most important place. More than that, Obama represents the hope of billions of people around the world, a world on the verge of collapse. The legacy of George W. Bush's administration and the anti-Americanism it brought casts a shadow on the future of Obama. By leading the most powerful nation of our days, some believe he will be able to face not only the current economic crisis, but also the most diverse global challenges: climate change, poverty, energy dependence.

However, some analysts believe there will be no harsh changes in U.S. foreign policy. According to this point of view, this article is composed of three main parts: first I analyze U.S. foreign policy in the past two centuries; then I consider the main points of the Bush

administration in this area; finally, I talk about the hopes that Barack Obama's election brought to the international system.

### **Foreign policy tradition**

At first, it must be established that states are egoistic actors that pursue self-help and that the international system is state-centric and inherently competitive (Brooks, 1997, p. 446); state actions are defined by their national interests, but the system's constraints may influence and modify these actions. On this assumption, and in order to analyse U.S. foreign policy, Peter H. Smith, Professor of Political Science at the University of California, defines three distinct chronological periods: the Imperial Era, from the 1790s until the 1930s; the Cold War, lasting from the late 1940s through the late 1980s; and the Age of Uncertainty, the current era, starting in the 1990s.

During the Imperial Era, the distribution of power was multipolar and the foreign policy goals were largely commercial and territorial. The European powers divided the world into their colonial possessions and promulgated a code of conduct that sought to maintain the balance of

power among themselves and to preserve their sovereignty. The United States entered this contest late and, instead of seeking colonies in Africa and Asia, they established the Americas as their sphere of influence, through territorial expansion and the promotion of economic and commercial interests. The Manifest Destiny and the Monroe Doctrine were widely used to justify these American interests in the region, whether by using political tactics or military interventions.

The rise of the Cold War led to a major rearrangement of power, with the United States and the Soviet Union polarizing the global arena and interpreting the Third World as a battleground where to exert their influence; consequently, the U.S. interests became more geopolitical and ideological. Washington pursued a coherent diplomacy, based on its Containment Policy, banishing suspects forces, supporting friendly governments (whether they were democratic or not) and overthrowing (or aiding to overthrow) allegedly dangerous regimes, actions typical of a realist foreign policy, or Hamiltonian, as in the American tradition.

The end of the Cold War brought changes to the international arena; in the absence of the anticommunist ideology, the U.S. focus has shifted towards economic and social issues, such as free trade promotion and extension of democracy. Smith believes that the current century displays a complex and multipolar distribution of economic power, although there are no countries able to face U.S. military supremacy (Smith, 1996, p. 321-323).

In short, it should be noted that U.S. foreign policy goals evolved from territorial and commercial expansion in the Imperial Era, to geopolitical and ideological purposes during the Cold War, and to economic and social cooperation in the Age of Uncertainty. In the meantime, the U.S. interest remained constant: accumulation and demonstration of power, interest that had defined George W. Bush's foreign policy and, most probably, will also determine Barack Obama's actions.

### **The Bush Era**

It is difficult to analyze George W. Bush's ideas and actions, especially given the lack of the necessary time distance. Criticism can certainly be voiced over Bush's domestic and international performance, but it is a fact that the terrorist attacks of September 11th changed the international arena and, without a political map set in advance, Bush needed to respond to that new scenario<sup>1</sup>.

After the First and the Second World War,

the victorious powers established a new international order. However, the same could not be noticed after the collapse of the Soviet Union; the predictability derived from a bipolar world and the Containment Doctrine which once guided American strategies no longer existed. The end of the Soviet Union brought about a new balance of power and the need to structure a new international security system, which still corresponded to the post-War II reality. Thus, as described by Vasco Rato, "the unilateralism initiated by Clinton, and most clearly expressed by Bush after September 11th, reflected the capabilities of a great power increasingly dissatisfied with the ties imposed on its actions by rules created in 1945-1949 to organize a qualitatively different world" (free translation of Rato, 2008, p. 35). The National Security Strategy, from September 2002, turned out to be Bush's response to this new reality.

During Bill Clinton's administration, Madeleine Albright proclaimed the intentions of turning the U.S. into an indispensable nation, extending the unipolar moment and ensuring the absolute supremacy of her country, all through the American prominence in the international arena. Even though while in campaign Bush announced a foreign policy based on realist premises, September 11th marked the recovery of an international strategy inherited from his predecessor, with regards to issues like democratization, the use of force, proliferation of weapons of mass destruction. The feature that actually distinguished Clinton's and Bush's foreign policies was the different means used by each of them to carry out those policies, especially the importance given by Bush to unilateral action.

To the Bush administration, the order created after World War II was no longer adequate or sufficient to address the problems of international security; the UN Security Council was considered defective and the rules concerning proliferation, human rights and interventions were seen as obsolete. Thus the National Security Strategy confirms the use of unilateral power, even as a last resort. Furthermore, the preservation of unipolarity was held in a context of emergence of new powers, which has been seen as a risk to the existing order.

According to Waltz, "the vice to which great powers easily succumb in a multipolar world is inattention; in a bipolar world, overreaction; in a unipolar world, overextension"

(Waltz, 2000, p. 13). From this point of view, it is possible to understand the concept of limited sovereignty followed by Bush after 9/11 and used to justify the military interventions in Afghanistan and Iraq. Considering that the war against terrorism has no national boundaries, an interventionist foreign policy was adopted, and the democratization strategy was used to broaden the regional security (in Middle East) and, by extension, the U.S. and the world security as a whole (Rato, 2008, p. 36-37).

Some realist premises can be noticed in the U.S. foreign policy leading, even during the Bush administration. In a world where there is no supreme authority above the states, and despite the fact that the speech is often imbued of symbolism and values, the United States always defended its national interests, regardless of what those interests were and the means to achieve them. Although at the present moment, the international security and the system stability issues play a leading role, the international organizations were put aside when needed, proving the realist thesis that institutions serve primarily national rather than international interests, and have little independent effect (Waltz, 2000, p. 18, 21). This is the political scenario inherited by Barack Obama.

### **Barack Obama: a new era**

Throughout his campaign, Obama displayed a realist political vision, while embracing the rhetorical flourishes of an idealist. Not yet identified with any ideology, it seems he will be able to reshape a host of America's bilateral and multilateral relationships around the world, as some might hope (Barnett, 2008). Yet, considering the harm brought by the Bush Doctrine to his own image as president, Obama will be very clever if he does not attach any doctrine to his name right at the beginning of his term.

In the United States, in the period between election and inauguration, the president-elect speeches are characterized by a plea for grand and traditional ideals, such as the Manifest Destiny and the idea of mission of a nation chosen by God to spread freedom around the world. In this moment of global crisis and domestic recession, this may be the type of speech needed to unify America spirits. Basically, two options arise for Obama in foreign policy.

Following Woodrow Wilson's principles, the first option to Obama would be to become the successor of the long line of Democratic presidents who pursued a highly idealist view of

American position in the world. Good examples are Franklin D. Roosevelt and John F. Kennedy; the last one promised that the U.S. would pay any price, bear any burden, support any friend, and oppose any foe, in order to assure the survival and the success of liberty. While Senator, Obama made some statements that put him in this spectrum; in 2007, quoting FDR, he called on America to "lead the world in battling immediate evils and promoting the ultimate good". He also declared that America is "the last, best hope of Earth" and that "the security of the American people is inextricably linked to the security of all people" (Gvosdev, 2008).

However, it cannot be assured whether this will be Obama's path. Another possibility is the realist defense of the United States interests (and a redefinition of what those interests are). In his speeches, Obama stated his intentions to pursue a foreign policy based on prudence and said that the U.S. should lead by example. He also called for global coalitions that could bring together both leading democracies and autocracies to cope with common interests, such as nuclear proliferation and climate change (Gvosdev, 2008). Once again in history, we can see the realist feature of American foreign policy, where international system stability and security are the prevalent objectives, whereas the defense and support of democracies are neglected.

Whether Obama choose an idealist or realist bias, the U.S. is likely to keep the same behavior according to its predominant power in the international system, and to keep the defense of its own interests. The issue is that unbalanced power puts weaker states in an uncomfortable position and leads them to try to balance against the overwhelming power (Waltz, 2000, p. 28). Thereby, the real test to Obama will be how to deal with emerging problems and powers. For instance: the emergence of China and India, the reemergence of Russia, the divergences with Mahmoud Ahmadinejad regime in Iran, and the confrontations with North Korea. Furthermore, the occupations in Middle East and the withdrawal from Afghanistan and Iraq will remain an important issue.

Many hope that Obama will pursue a new foreign policy, based on equality, fairness and democratic ideals. According to Fareed Zakaria, "the country needs fresh thinking that is ready to accept new facts and new ideas" (Zakaria, 2008). David Cameron, British opposition leader, declared that "in these difficult times people everywhere are crying out for change. Barack Obama is the first of a new generation of

leaders who will deliver it." Accordingly, British Prime Minister Gordon Brown wants to include in the bilateral agenda issues of mutual concern, such as climate change, global poverty, energy dependence, nuclear containment, as well as demand a more multilateral attitude from the United States (Davis, 2008).

Nevertheless, will Obama be able to harmonize the global demands with Washington's foreign policy agenda? Provided that it is well known that internal political pressure and national ambition have always been crucial in determining the U.S. foreign policy, it is unwise to say that this new administration will be able to defend idealist policies and to engage in the construction of a new and better world at the expense of its own national interests.

To John Mearsheimer, the United States should adopt the "offshore balancing" strategy, which he explains as being based on "a realistic appraisal of American interests and a clear-eyed sense of what U.S. power can and cannot accomplish". From this perspective, U.S. should leave the Middle East and rely on regional powers like Iran, Iraq and Saudi Arabia to check each other. Mearsheimer believes that this strategy would not eliminate the problems in Middle East, but it would reduce both financial and human costs of maintaining troops in the region (Mearsheimer, 2008).

Barack Obama has been utterly opposed to the Iraq War and, during his campaign, he promised to withdraw from that country; president-elect declared that as soon as he was sworn in he would start a plan to reduce troops in Iraq. Meanwhile, considering the problems the U.S. has been facing, Obama promised to increase troops in Afghanistan and capture or kill Osama bin Laden, so that Al Qaeda is dismantled. He also declared the intention to close down Guantanamo, due to his goal to recover U.S. moral stature. However, campaign rhetoric is one thing and governing is another, and, only from these statements, it is not possible to be sure about what ideology Obama intends to adopt.

Obama's choices for State and Defense Secretaries are the first clues on how he will lead the foreign policy though (at least at the first moments of his administration). Considering the importance of the Secretary of State to the foreign policy leading, the designation of Senator Hillary Clinton to the position seems an irony, due to the fact that this was a great divergence between them. Besides, the permanence of Robert Gates as Secretary of

Defense does not lead us to believe that there may be, in fact, big changes as for the occupations in Middle East in the short term.

In conclusion, it is not possible to establish, in advance, what will be Obama's foreign policy orientation while in presidency. Nevertheless, from the foregoing, it is possible to anticipate that there will be neither a significant transformation, nor a shift towards de post-materialist agenda. It seems true that the United States will continue to define its actions in the international system in accordance with its own interests and ambition, regardless of the discourse or ideology adopted.

### **Notes**

1. "The behavior of states responds more to external conditions than to internal habit if external change is profound." Waltz, 2000, p. 34.
2. "(...) realists believe that international institutions are shaped and limited by states that found and sustain them and have little independent effect." Waltz, 2000, p. 18.
3. "The worst outcome would be for Obama's realist and idealist tendencies to result in paralysis and deadlock." Gvosdev, 2008.

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Academic Article

# Explaining the Transatlantic Trade Dispute over “Frankenfood”: A Case Study of Austria and France

Ozgur Erkan

London School of Economics

[o.erkano@lse.ac.uk](mailto:o.erkano@lse.ac.uk)

## Introduction

This project has originated from a newspaper article, which reported that France would ban<sup>1</sup> the only licensed genetically modified (GM) corn in France, MON810 of the (American) Monsanto Company, (WSJ, 15/01/2008) which was approved for cultivation by the French government in 1998 (BBC, 09/09/2004). This is not the first time France has banned a GM crop, since it joined Austria, Italy, Greece, Luxembourg and Germany, to impose a moratorium on GM imports from the US between 1999 and 2004, a case, which was carried onto the WTO by the US in 2003 and in 2006. The WTO ruled that the EU moratorium on GM imports from the US violated WTO rules (Guardian, 08/02/2006). Despite this WTO decision, Austria insisted on banning MON810 (EU Business, 14/01/2008) and recently France has announced a ban for this product (WSJ, 15/01/2008). More strikingly, although Austria overruled this WTO decision, my research shows that no penalties were imposed on Austria by the WTO.

This project aims to investigate why Austria and France banned MON810. It will first test the rival explanations of the MON810 ban, afterwards

analyse the Austrian and French MON810 bans and the role of EU institutions in the MON810 ban, and it will conclude that, Austria and France used the “ideas” of public health and environmental concerns as “hooks” in this GM ban to mask both the income protection of organic farmers in Austria and the French president's office-seeking behaviour.

## Rival explanations of MON810 ban in Austria and France

Four rival explanations attempt to explain why Austria and France banned MON810. The first one is the risk posed by MON810 on human health. Austria cited this reason particularly to ban the cultivation of MON810 in Austria, and used the escape-route allowed under EC Directive 90/220<sup>2</sup>. Austria announced its concern with “allergenic and toxicological risk assessments” of MON810 for public health (ENS.com, 27/06/2005), even though EFSA<sup>3</sup> tested MON810 and found no risks to human health (GMO Safety, 14/01/2008). A way to test the validity of this explanation is to consider national health policy as a whole and to examine whether the Austrian government shows the same

sensitivity in other issues related to public health. My research indicates that this explanation fails, since Austria does not show the same sensitivity to protect public health in fighting obesity. For example, Klepp et al. found that, Austrian kids are exposed to ads of “junk” food on TV more than ads of health foods (Knut-Inge Klepp, 2007, p.1). Moreover, while Austria is a frontrunner in banning GM food, it does not motivate EU members to eliminate the Common Agricultural Policy (CAP)<sup>4</sup> subsidies given to unhealthy food (EurActiv.com, 04/12/2007). Therefore, the Austrian government has banned GM food with much greater vigour than it has fought obesity. Thus, the Austrian “justification” of banning MON810 out of public health concerns does *not* seem convincing.

The second rival explanation is the environmental concern. France cited “the possible harm done to environment and to non-target organisms by MON810” to ban this product. However, EFSA found no harms to environment in its tests of MON810 (GMO Safety, 14/01/2008). To evaluate the validity of this explanation, it should be tested, whether the French government shows this sensitivity in other issues related to environmental protection. My research indicates that France is not fully concerned with environmental protection, since while it bans MON810 out of environmental concerns, President Sarkozy is determined to maintain nuclear energy in France (Deutsche Welle, 25/10/2007). If France bans MON810 for environmental protection, why does it maintain nuclear energy, which is regarded by environmental activists as a major threat to the environment? (Greenpeace UK, 2008). Hence, the French “justification” of banning MON810 for environmental protection is *unpersuasive*<sup>5</sup>.

The third explanation is related to EU budget, which finances the CAP. As the output level would increase through GM cultivation, the EU budget would be constrained, since payments are still mainly tied to farm output under CAP (Bernauer, 2003, p.86). Since EU members want to avoid any expansion in EU budget, EU members, as Austria and France, would ban GM crops (Bernauer, 2003, p.86). This argument does not hold, since if GM production challenges the EU budget, major net contributors of EU budget like Germany<sup>6</sup>, Netherlands and the UK (BBC, 23/12/2005) should theoretically oppose GM. However, while the UK and Netherlands support GM (BBC, 19/05/2004), Germany “enabled easier GM cultivation” (Food Navigator, 29/01/2008).

The fourth explanation analyses the

MON810 ban from a nationalistic view. According to this view, Europeans, in our case Austria and France, banned MON810, to allow time for the development of “European” biotechnology, and in the mean time to prevent the “Americanisation” of their food market, as Brazil did (Bernauer, 2003, p.83). This hypothesis does not hold, since there is not enough evidence to support it (Bernauer, 2003, p.84) and in our study, if particularly France was concerned about the Americanisation of its food market, why did it authorize MON810 in 1998 (BBC, 09/09/2004)? Moreover, European agrobiotechnology firms face the same opposition in the EU that their American counterparts face, thus this is *not* a nationalistic trade war (Syngenta Interview, 24/04/2008).

If these rival explanations fail, what explains the MON810 ban in Austria and France? The following two chapters are dedicated to answer this question and they will indicate that the real motive behind this ban is economics and politics.

### **Analysing the Austrian ban on MON810**

In this section, where I analyse the Austrian MON810 ban, my hypothesis is that Austria opposes MON810 to protect its 'EU-leader' organic farming, “which is an important income support for its Alpine farmers” (Kurzer & Cooper, 2005, p.9). This association between opposition to GM and support for organic farming is also supported by Toke and Syngenta (Toke, 2004, p.177; Syngenta Interview, 24/04/2008). Before analysing the reasons of the MON810 ban, it is helpful to introduce some figures regarding the size of the Austrian organic food production.

The growth of organic farming in Austria began in the 1980s, when the Austrian government supported organic farming as the 'profitable' survival strategy of low-intensity Alpine farmers, whose incomes were declining then (Kurzer & Cooper, 2005, p.8). Today, Austria is ranked highest EU-wide in organic food production, as a percentage of total farmland dedicated to organic food production and of total food market<sup>7</sup>. 9 percent of the country's total farmland is dedicated to organic food production, while 10 percent of the total food market comprises organic food (Holt et al., 2003, p.2; Kurzer & Cooper, 2005, p.22). Furthermore, Austria exports one-third of its organic production to Germany, UK and Sweden (FAS, 2000).

The key reason why the Austrian government wants to keep Austria GM-free is the argument that organic farming and GM crops should *not*

co-exist (Syngenta Interview, 24/04/2008; SGR, 09/09/2003). According to organic farmers, scientific evidence indicates that GM crops 'genetically contaminate' organic crops through various ways, like pesticide-spill-over, gene flows, cross-pollination, harvesting and storage practices (Brookes & Barfoot, 2004, p.17; SGR, 09/09/2003). Through these contamination ways, undesired presence of GM material in organic crops rises, as a result of which these 'affected' organic crops will not be considered 'safe' by the organic market. Thus consumers of organic food lower their demand for these 'unsafe' organic crops, which puts downward pressure on their price premiums (PG Economics, 2008). The fall in market demand of these organic crops and the downward pressure on their price premium cause economic losses for organic farmers (Brookes & Barfoot, 2004, p.17).

Therefore, if GM cultivation is allowed in Austria, it will put downward pressure on organic price premiums, due to genetic contamination by GM crops, which will threaten the income of Austrian-Alpine farmers. Moreover, if importers of Austrian organic crops find them 'GM contaminated' and 'unsafe', Austria can lose its organic-markets in the EU. Consequently, in line with my hypothesis, the Austrian government banned MON810, since it perceived GM as a threat to its organic farming sector and to the income of its Alpine farmers. This conclusion finds support in Kurzer & Cooper, who stress that the Austrian government banned GM crops in Austria to prevent any downward pressure on organic food prices and to protect the income of Alpine farmers (Kurzer & Cooper, 2005, p.9). In justifying its MON810 ban, however, Austria used the idea of public health concern as 'hooks', "like other anti-GM campaigners did" (Syngenta Interview, 24/04/2008).

### **Analysing the French ban on MON810**

In my analysis of the French MON810 ban in this section, contrary to my initial hypothesis, my research indicated that France banned MON810 following the pressure from France's second-largest farm union, Confédération Paysanne (CP), which successfully 'nationalized its interest'.

My initial hypothesis was an application of the Austrian case to France, which asserted that cultivation of GM crops in France would 'genetically contaminate' organic crops in this country and put downward pressure on high organic price premiums. Since this downward pressure on organic price premiums would

threaten the income of French farmers, French government decided to ban MON810.

This hypothesis failed, since it was based on the assumption that France was still high-ranking in organic farming as it was in the 1980s (Kurzer & Cooper, 2005, p.11), thus it would aim to maintain high organic price premiums. Recent data, however, indicate that France has currently a negligible investment in organic farming, contrary to its position in the 1980s (Kurzer & Cooper, 2005, p.11), thus it grows currently conventional crops. Therefore the Austrian motive of banning GM to protect organic farming cannot be applied to France.

After this hypothesis failed, I shifted my focus to the policy change between 1998 and 2008, to explain why France banned MON810 in 2008, despite its approval of this product in 1998. The answer lies in the rising influence of Confédération Paysanne (CP) on French politics in this period, which represents French rural farmers, who are against the dominance of agribusiness and big agro-biotechnology firms in French farming (Halpin, 2005, p.105). In 1998, when MON810 was approved in France, CP did exist, but in the French Chamber of Agriculture it held only 20% of the votes compared to FNSEA (French National Federation of Agricultural Workers' Unions), which was with 59% of the votes the strongest farm-union, and which has a pro-GM stand through "its scientific approach to agriculture" (Belfast Telegraph, 27/08/2007). In 2000, however, with its rising power in the Chamber of Agriculture, CP gained official government recognition. By 2001, it reached 27% of the votes in the Chamber of Agriculture, and became the second-largest French farm-union, while the votes of FNSEA dropped to 52% (Halpin, 2005, p.105-106). After 2001, CP became more famous with its anti-GM campaigns, such as destroying GM seeds at Monsanto company in France in 2006 (Planet Ark, 08/05/2006). It should also be considered that the success of CP lies in 'nationalizing its interest', fulfilling the "three conditions" of the concept (Schonhardt-Bailey, 2003, p.77-78). Firstly, it has an 'active' leader, Jose Bove, who became a cultural folk hero in France after his anti-globalisation/anti-GM campaigns (Heller, 2002, p.27). Secondly, CP positioned itself as the voice of the public (Halpin, 2005, p.105) and persuaded the public to oppose GM food, by linking the GM ban to positive externalities such as protecting the environment, standing against globalization/liberalism and maintaining consumer safety (Halpin, 2005, p.120). CP also cemented alliances with environmental groups

(Heller, 2002, p.26), making its campaign stronger. Thirdly, the institutional setting in France helped CP succeed in its campaign; "through the rural bias of the Fifth Republic France" (Halpin, 2005, p.109) the voice of rural farmers was heard.

The final step of CP's GM ban campaign was its leader's hunger strike in January 2008, which gained a political spectrum after Segolene Royal visited Bove's protest headquarters, praising Bove's political courage (AFP, 03/01/2008).

As a result, President Sarkozy felt himself 'pressurized' from two sides: Firstly from the CP, which has raised its influence in the French Chamber of Agriculture since 2001 and secondly from general public and environmental groups, which were mobilized through CP campaigns (e.g. anti-globalization festivals). Given the pressure from these groups, since overruling the rural bias of the Fifth Republic and neglecting the French public opinion would be electorally difficult, (Kurzer & Cooper, 2005, p.12) Sarkozy felt forced under the Downsian office-seeking behaviour to ban MON810 on the eleventh day of Bove's hunger strike. Both Kurzer & Cooper and Heller support this conclusion that CP was pivotal in persuading the French government to oppose GM products in France (Kurzer & Cooper, 2005, p.12; Heller, 2002, p.15). Sarkozy, however, used the idea of environmental concern as 'hooks', to justify the French MON810 ban.

### **Role of EU Institutions in the MON810 ban**

It is helpful to examine the role of EU institutions in the MON810 ban, to complete the picture. In the MON810 ban, EU-Commission wanted to force Austria-through a proposal-to lift its ban on MON810 and to comply with the WTO ruling, however, the Council of Environmental Ministers 'swept away' this Commission proposal (EurActiv.com, 12/01/2007). Similarly, the Commission pushed Greece to lift its ban on MON810 in 2006, but the Council has failed to agree over this proposal and EU-Commission plans to take the Greek case to the European Court of Justice (EurActiv.com, 16/01/2006). The European Parliament, on the other hand, sides with the Council, and asks for stricter protection of organic farmers (EurActiv.com, 11/05/2006).

As a result, in the MON810 case the agenda is mainly set by the Council of Ministers, which suppresses the Commission.

### **Conclusion**

This project has implications for political science and economics. Firstly, this project proves Shepsle's thesis of "using ideas as hooks to pursue self-interests" (Schonhardt-Bailey, 2003, p.70). As shown, both the Austrian and French governments used the ideas of public health and environmental concerns as hooks to mask their real intentions.

Secondly, this project questions the ineffectiveness of the WTO, with regards to MON810 ban and it calls the existence of the WTO into question. If the WTO cannot force the biggest trade blocs towards trade liberalization in this GM dispute, why does it exist?

Thirdly, this project questions the level of supranationality in the EU, since as seen from the Austrian case particularly, through the Council of Ministers, EU members can easily prevent the Commission from setting the agenda.

Finally, this project delivers one more message: As long as the EU and the US escalate this transatlantic trade dispute over GM imports, the idea of worldwide 'free-trade' will be a 'myth'.

### **Notes**

1. The French top-court (*Conseil d'État*) upheld the MON810 ban on 19 March 2008. (International Herald Tribune, 19 March 2008).
2. The EC Directive 90/220 rules that, although a GM product may be approved by the European Commission, an EU member state may ban the cultivation of this GM product in its territories, if it finds enough scientific evidence that this product damages human health and/or environment.(Toke, 2004, p.157).
3. EFSA is the European Food Safety Authority; an independent body, which supplies the EU-Commission with scientific advice on food safety.
4. In this article, CAP stands for EU Common Agricultural Policy.
5. Section II does not aim to test whether GM crops have adverse effects on human health or environment. By analysing the Austrian health policy and French environmental policy, it aims to assess whether the Austrian and French justifications of MON810 ban are convincing.
6. Germany was initially among the six EU members to impose moratorium on GM imports from the US, but by January 2008 Germany enabled easier GM cultivation, including for MON810.(FoodNavigator,29/01/2008)
7. All statistics I examined ranked organic food producers by the total farming area devoted to organic farming.

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Syngenta is a Swiss bio-technology company marketing genetically modified (GM) crops, beside other farming products, such as crop protection products.

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## ABOUT THE CONTRIBUTORS

**Thomas Bobinger**, 25, is a college graduate who received his BA (cum laude) in "European Studies" at the University of Maastricht in 2007. In 2008, he obtained an LL.M (cum laude) in "Law and Politics of International Security" at the Free University of Amsterdam. He has written his Master Thesis on private security companies and their influence on state sovereignty, and currently interns at the Europe department of the German Institute for Human Rights in Berlin.

**Moritz Pieper**, 21 years old, lives in Aachen and follows the European studies program at Maastricht University, currently being in his second year. As his interests go out to international relations and foreign affairs, he recently started to specialize on the area of the Union's Common Foreign and Security Policy. Additionally, he is interested in political philosophy and moral issues.

**Dirk Schuchardt** is from Hildesheim, Germany. He studies Political Science as a major and History and Constitutional Law as minors at the Ruprecht-Karls-University Heidelberg. Currently he is an exchange student at the University of Oklahoma for the winter semester 2008 and spring semester 2009. At home he is in a Magister Degree Program. The focuses of his studies are the transatlantic security relations, NATO, and German and European security policy.

**André Moreira**, is a Brazilian student from São Paulo City. He is a undergraduate student at the University of São Paulo and his major is Social Sciences (Political Science, Anthropology and Sociology). He wants to focus his studies on political theories and is currently doing research on Burke's political economy.

**Meredith Garagiola** graduated from Yale University in 2005 with Bachelors degrees in History and Spanish. In 2008 she received a Masters degree in Political Science with a concentration in Trans-Atlantic studies from The University of North Carolina at Chapel Hill, for which significant portions of her coursework were completed at the University of Bath, UK. Her Master's thesis was entitled Imposing Law and Order: Intolerant Idealism in Anglo-American Foreign Policy. She is currently a first-year law student at Georgetown University Law Center in Washington, D.C.

**Iva Venkova** has obtained her Master's degree in international relations from Sofia University in 2006 and has been conferred a second Master's degree in European and international studies from the European Institute based in Nice, France, in 2007. From 2007 to 2008 she did research in the field of Japanese foreign policy towards Asia at the University of Tokyo. Her interests lie in the field of international security, EU foreign policy, Japanese foreign policy and integration processes in Europe and Asia.

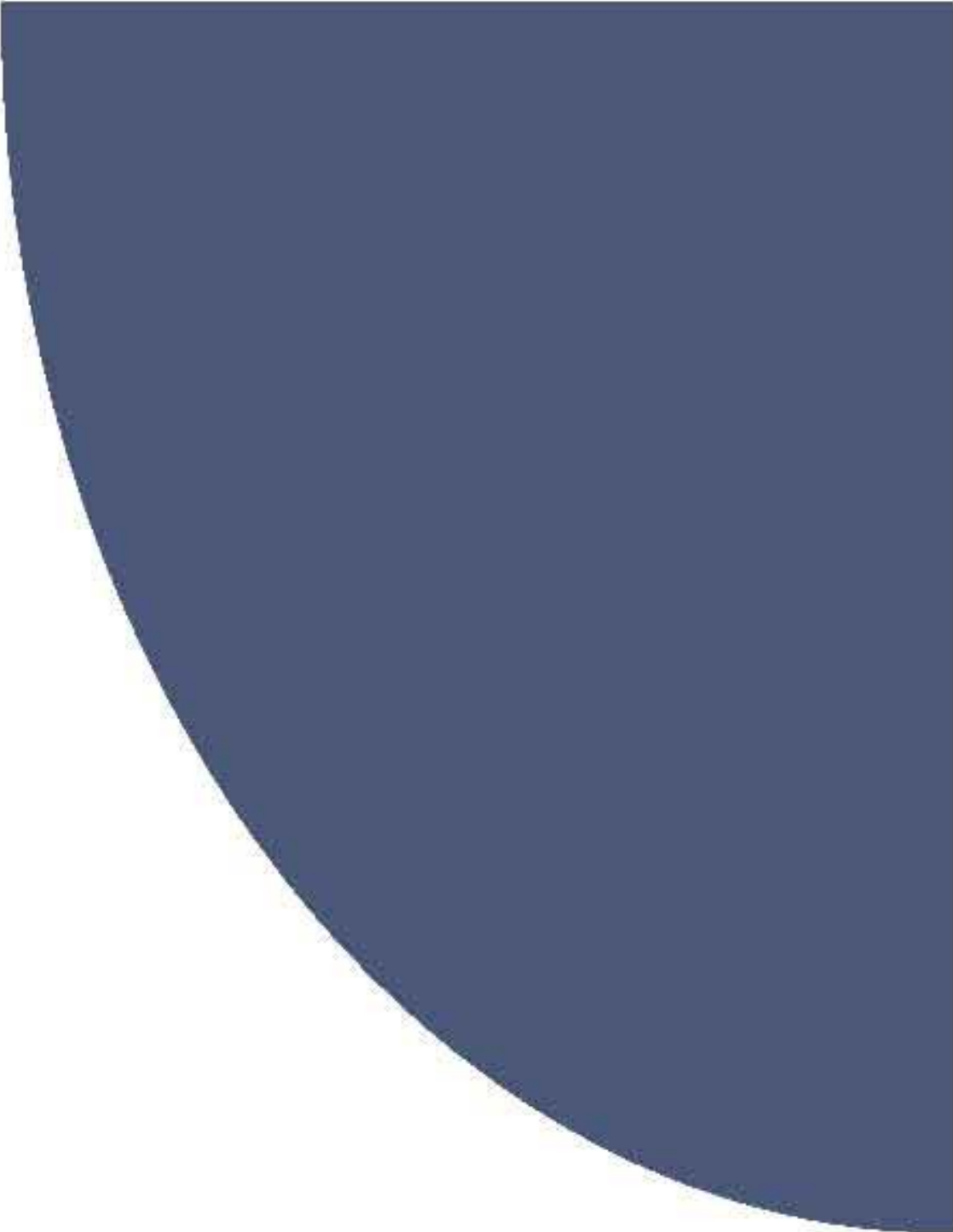
## ABOUT THE CONTRIBUTORS

**Lorenzo Cladi** is a 26-year old PhD candidate at Loughborough University (UK). He obtained his degree at the University of Bologna (Forli) in Italy in 2005 and a Master of Science (MSc) with Distinction at the University of Dundee in 2006. His research interests include CSFP/ESDP, transatlantic relations, the Realist theory of International Relations and its variants, Italian foreign policy and the Middle East peace process.

**Sven Brendel** resides in Monterey County, California, USA. He is a senior majoring in political economy, with a minor in global studies, at California State University Monterey Bay; set to graduate in spring 2008 with magna cum laude honors. In August 2007, he earned his Associate's degree in University Studies from Monterey Peninsula College with high honors. He looks forward to entering the Ph.D. program in political science at the University of California, Santa Cruz in the fall of 2009. His main research interests are U.S. economic policy, having published three papers on the subject last year.

**Marianne S. Batista**, is an undergraduate student from the University of São Paulo, Brazil, where she reads International Relations. In her studies she focuses on Hemispheric relations, relations within Latin America countries and relations between the U.S. and Latin America.

**Ozgur Erkan**, is originally from Turkey. He completed his undergraduate studies at the London School of Economics, where he obtained a BSc. in Government and Economics with First Class Honours. Currently, he is enrolled in the MSc. Programme "Politics and Government in the European Union" at the London School Economics. In his studies, he focuses on public attitude to the EU and national referenda on EU treaties, the political economy of major EU treaties and the external trade policy of the EU.



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