

# Working with the European Union

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by Leslie S. Lebl

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*The past year saw growing uncertainty about the future of the European Union. Whether it becomes weaker or stronger, and whether it acts as a global partner or competitor, the United States cannot afford to ignore the EU. By understanding the different EU decision-making processes for defense, foreign policy, counter-terrorism, and economic issues, the United States can do a better job of advancing its interests in Europe.*

**T**he French and Dutch votes against the European Union's draft constitutional treaty last spring unleashed a wave of uncertainty about the future of the EU, an uncertainty that has been compounded by the inconclusive outcome of the September 2005 German parliamentary elections. Is the EU dead, as some pundits proclaimed this fall?<sup>1</sup> Or is it alive, with the referenda votes having created the perfect opportunity for the United States to jump in and save the day for the EU, as another expert argues?<sup>2</sup> Would doing so be in the United States' interest?

Technically, the impact of the constitutional referenda is fairly clear. The draft treaty consolidated existing EU treaties as much as it proposed further European integration. Without it, the previous treaties remain in force and business continues as usual. The EU has sufficient authority, based on previous treaties, to pursue all existing economic, political, and security policies.

Politically, however, the question is harder to answer. The EU has surmounted many crises in the past, but those crises arose from disputes between member-state governments and were resolved by new intergovernmental deals. This time, the crisis was caused by the lack of public support within two of the founding members of the EU—a much more serious problem. The EU's elite bureaucracy has never dealt well with public opinion and has a

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<sup>1</sup> John C. Hulsman and William L. T. Schirano, "The European Union is Dead," *The National Interest*, Fall 2005.

<sup>2</sup> Ronald D. Asmus, "Rethinking the EU: Why Washington Needs to Support European Integration," *Survival*, Autumn 2005.

widely acknowledged “democratic deficit.” The referenda votes make it much more difficult for EU political leaders to maintain momentum or to reach painful compromises on issues like the EU budget or economic reform.

Is it in the United States’ interest for the EU to be weakened, either temporarily or permanently? Shortly after the French and Dutch votes, the Bush administration reaffirmed the advantages to the United States of a strong Europe that can help advance a broad range of global issues. However, the administration refrained from taking sides on the outcomes of the referenda, implicitly acknowledging that it is not for the United States to “save” European integration, but rather for EU leaders to persuade their own electorates.

If the EU is weakened, does that mean the United States can largely ignore it? One likely scenario is that the EU would become preoccupied with its internal issues in the short run and less ambitious about its political role—i.e., less likely to try to be either a partner or a counterweight of the United States. Nor would it be as energetic in developing or deploying its military forces. The longer run is harder to predict: the EU could continue along that glide path, or it could rebound, as it did after its disarray over Iraq.

Even in a weakened state, however, the EU would not vanish off the radar screen. The EU already shapes an estimated half of all European legislation, and few observers believe that it will halt further integration, although the timing and nature of the steps may vary. And weakness would bring new problems: a weaker Europe would be less able to resist the threat of Islamist terrorism, less willing to participate in bringing democracy and prosperity to the greater Middle East, and less likely improve its military capabilities. U.S. interests might change, but they will not diminish.

In fact, whether the EU will be strong or weak is not the issue. As it is, the United States is not doing a good enough job of advancing its interests in Europe, as evidenced by the high level of frustration in Washington with regard to the EU. Conceptually, the United States lacks a plan for dealing with a big, complex entity that is not a unitary state. In practical terms, it often does an inadequate job of advocating U.S. concerns as issues wend their way among 25 European countries and several central EU institutions. While all U.S. agencies suffer from this problem, the State Department is among the worst afflicted, as it is still organized on traditional lines to deal with countries, not regions. It is particularly unsuited for dealing with a unique regional entity like the EU. The net result of these problems: American officials and experts often feel that the United States has been outwitted; that it is playing a shell game and losing.

These difficulties can best be understood by examining the particular circumstances in four policy areas. Each of them illustrates a different dynamic, due to its bureaucratic or decision-making configuration.

*Defense.* With Europeans now discussing defense issues in NATO, the EU and national capitals, the United States must master the game of “multi-dimensional chess” to decipher these messages properly. EU weakness may

mean a lesser role for EU military forces; it is unlikely to mean more European support for NATO.

*Foreign policy.* The EU sets the agenda for the consideration and adoption by European countries of common foreign and security policies. On occasion, the United States has gotten ahead of this decision curve by consulting in an *ad hoc* manner before the EU had reached a decision. Were it to do so systematically, it would increase the chances of the EU's becoming a partner rather than a spoiler for the United States.

*Counterterrorism.* Most of the practical work of combating terrorism goes on in U.S. bilateral cooperation with European countries. However, the United States must also respond to the EU's growing authority in law enforcement, border and transport security, and other policies affecting Europe's internal security. U.S. officials who initially sought to circumvent Brussels have since become the models of U.S.-EU cooperation.

*Economics:* Economic competition between the EU and the United States is all too real, as is the increasing intertwining of the transatlantic economies. The United States needs a vision and a long-term plan for responding to this global competition, as well as cooperation, while promoting U.S. business interests in the European market—a governmental version of "coopetition."

### **Defense: The Multidimensional Chess Game**

For over fifty years, when Americans thought of European security and defense, they thought of NATO. Today, however, the European defense environment consists of a dense web of interlocking and competing NATO and EU structures. With two overlapping organizations (19 countries are members of both the EU and NATO), it is not unusual for European officials to say one thing at NATO, another at the EU, and yet another to the U.S. embassy in their national capital. To achieve its objectives, the United States must master this multidimensional chess game rather than simply relying on NATO ties. It must be able to track what European governments say in different venues, challenging them when necessary in order to reach accurate assessments of their intentions and their capabilities.

#### *Two organizations*

Of all the relationships with Europe, defense ties are perhaps the most complex. For years, they appeared to be fairly straightforward: NATO was the primary security institution in Europe. Now, however, the EU has set up its own security institutions: a Political and Security Committee that in some ways is the counterpart of the North Atlantic Council in NATO; a Military Committee that, again, is somewhat like NATO's; and a military staff with many of the functions

of NATO's. And the EU has its own military forces, which, under the European Security and Defense Policy, have already deployed in the Balkans and in Africa.

It is absurd to assume, as many Americans do, that these developments reflect merely the ambitions of Eurocrats in Brussels. All of these institutions were approved by the heads of state and government of EU member states in a consistent, multiyear process. There is nothing these developments can reflect other than a desire to assert EU autonomy vis-à-vis NATO, or more precisely, European autonomy vis-à-vis the United States.

Similarly, European security cannot be viewed only through the prism of NATO. Many Americans constantly assert NATO's primacy (during President Bush's February 2005 trip to Europe, he described NATO as a "cornerstone"). But this continued insistence on NATO's primacy obscures the fact that many Europeans, particularly young people, view the EU as the future and NATO only as an "insurance policy." It also suppresses American doubts about whether NATO has outlived its time. While nostalgic for the past, many Americans increasingly refer to NATO as "them" instead of "us," as if NATO were a European organization, not a transatlantic one. While understandable, this inability to make the mental transition to the post-Cold War Europe is costly.

Unsurprisingly, the formal relationship between NATO and the EU is troubled. If Americans are bent on reasserting NATO's importance, many Europeans are preoccupied with ensuring that NATO does not dominate the EU. While cooperation between the two institutions works fairly well in the field, the political and bureaucratic rivalry in Brussels is fierce, as shown recently by the dispute over who would provide modest support to African Union operations in Darfur. For Americans the situation is even more irritating, as European allies sometimes delay a decision in NATO until a common EU position on the issue has been reached at the EU—thus introducing a de facto EU caucus into NATO deliberations.

### *Mixed Views*

Dealing with two venues for discussing military and security issues is only the tip of the iceberg. The greater challenge for the United States is to interpret the mixed views emanating from Brussels and other European capitals about the United States' role in European security. Some Europeans want to reduce or eliminate its role; others want it to remain engaged. Some see a European military force as a hedge against a U.S. withdrawal from Europe; others want it as a means to hasten that day. Many Europeans want the NATO insurance policy, but increasingly wish to escape American tutelage or control. Lest there be any temptation to dismiss this as yet another French plot, here is what the conservative parties in Germany think:

[I]t is of vital interest to the European Union and its member states, including companies as well as citizens, that Europe presents a unified and powerful front to

the outside world . . . and [the EU] must therefore reinforce Europe's ability to stand up for itself within existing alliance systems."<sup>3</sup>

Nor is it easy for Americans to decipher Europeans' true feelings about the EU or NATO from what they say aloud. Some countries are constrained in what they say in NATO by what they feel is the overbearing U.S. presence there. Others, in particular the smaller countries and the new members from Central and Eastern Europe, may feel a different constraint in the EU, where they must navigate around the sensitivities and interests of the larger countries.

### *An Uncertain Future*

U.S. policy must become more adept in maneuvering between NATO and the EU. It must also articulate a more realistic expectation for the future of European military force, and the role that Europe can play in regional and global security issues.

The sad fact is that European defense spending is not going to increase; indeed, it will be quite a feat if it does not fall. The very real possibility exists that most European militaries will abandon any serious war-fighting capability. While the United Kingdom, France, and perhaps Italy will most likely continue to maintain such forces, the expeditionary capabilities of other NATO allies will be limited. Moreover, the low levels of research and development spending, compared with those of the United States, suggest that the technological gaps across the Atlantic will only increase with time. Although NATO is seeking to respond to these problems, in part by developing the NATO Response Force, it is fighting an uphill battle.

The divergences are not limited to technical capabilities. Europeans tend to think very differently about military power, more often seeing it in an ambiguous or negative way. They want to be our equal (i.e., able to match or constrain us), but they do not want to pay for it. This pattern emerges consistently from public opinion polls: typically, some 70 percent or more support having the EU as a superpower, but less than half are prepared to pay for the requisite military force that would entail. Nor do many Europeans want the "militarism" associated with exercising military power or influence. Ironically, while many Americans often worry about the French role in the EU, here one can feel the direct influence of the Germans. They want the EU, like Germany, to be a "civilian power."

This lack of war-fighting capability does not mean that most European militaries will have nothing to offer. They will still be able to offer valuable troops and assets for stability and reconstruction missions, an essential

<sup>3</sup> From the European Constitution Contract, CDU and CSU Proposal, November 26, 2001, p. 12, quoted in Wolfgang Wessels, "The German Debate on European Finality: Visions and Missions," in Simon Serfaty, ed., *The European Finality Debate and its National Dimensions* (Washington, D.C.: CSIS, 2003), p. 146.

component of virtually all out-of-area operations. Those are the types of missions that NATO and the EU are already performing or have performed in the Balkans, the Congo, and Afghanistan, and they are consistent with the political framework most European countries are willing to accept.

In addition, the Europeans are developing civilian crisis-management capabilities that will be very attractive for anyone conducting an out-of-area operation. In particular, the newly-formed European Gendarmerie Force may have the potential to bridge the gap between the end of combat operations and the start of stabilization and reconstruction phases, whether in an EU or a NATO operation.<sup>4</sup>

Based on the above analysis, even with a weaker EU, Europeans are unlikely to gravitate back to NATO. Barring the return of a direct military threat, European publics are unlikely to support a greater NATO role, especially given the unpopularity of the United States. Instead, Europeans can be expected to defend EU prerogatives even more fiercely.

### **Foreign Policy: Staying Ahead of the Curve**

In the 1990s, the EU set itself the goal of becoming a political as well as an economic union, with a Common Foreign and Security Policy, or CFSP. Europeans typically say CFSP will give the EU a greater voice in global affairs. What they actually mean, though, is that first and foremost they want the EU to hold its own with an overwhelmingly powerful United States, either as a partner or a counterweight. Staying ahead of the curve as common policies are elaborated and adopted is therefore an important tactical goal for the United States.

#### *Influencing CFSP*

Agreeing on common policies has not been easy, given the differing traditions and interests of the EU member-states and the requirement for unanimity in decision-making. While the most difficult issues, like the 2002–03 dispute over the Iraq war, cannot be resolved, some estimate that today around 95 percent of European foreign policies are agreed in common. Mostly EU policies parallel U.S. ones, as in the Balkans, Afghanistan, or India-Pakistan, and when the two sides agree, they frequently set the global agenda. In other cases, the EU has sought to block or change U.S. foreign policy, such as support for Israel or opposition to the International Criminal Court. European efforts to deny international legitimacy to U.S. policies have had some impact, but have yet to inhibit U.S. actions.

The United States in turn has sought to influence or change EU foreign policies, with varying degrees of success. While sometimes there

<sup>4</sup> See David T. Armitage, Jr., "The European Gendarmerie Force: An American Perspective," *EuroFuture*, Summer 2005.

are deep political differences that cannot be bridged, often it is a case of timing. The EU develops a common policy gradually; it is first discussed among working-level officials who travel to Brussels from the 25 national capitals. If agreement cannot be reached at that level, it works its way up to the Political and Security Committee, 25 ambassadors from member states permanently assigned to Brussels that, as mentioned earlier, is the counterpart of NATO's North Atlantic Council. Still unresolved issues then wend their way up to the level of foreign ministers or heads of state and government.

For practical reasons, agreed policies are almost never overturned at higher levels—to do so would be to raise the possibility of reopening all other agreed positions. Hence, the United States has the greatest chance of success if it can consult with the EU before it agrees on a common policy. Afterwards, the chance of changing the policy is slim and requires at the least very high-level engagement.

It is obviously most effective to intervene in capitals at the working level, before officials leave for the meeting in Brussels. In practice this is a daunting task, as in any six-month period there are some 1,600 working-level meetings on both foreign and domestic issues, making it very difficult to track more than a few issues. The United States has had more success in pursuing informal consultations with the Political and Security Committee, where a significant percentage of issues are either decided or prepared for consideration by foreign ministers. Both sides profit from these exchanges: The EU gains first-hand information about U.S. positions before it makes its decision, while the United States has an opportunity to influence that decision.

This process thus far has been used in a piecemeal fashion, and is dependent on the degree of interest of senior-level U.S. officials in engaging with the EU. Without a system providing strategic guidance, the risk always remains that an EU initiative like the lifting of sanctions against China will slip through the cracks. (The resolution of that dispute included an agreement to hold high-level consultations on East Asia policy in the future.)

### *The Greater Middle East and Anti-Americanism*

The reader may be probably wondering if all this effort is worth the trouble if the EU's political star is falling: a weaker political union would deprive the EU of any realistic chance to act as a counterweight. In fact, the reader might be thinking that U.S. engagement will only encourage common foreign and security policies, thus contributing to "building Europe." It is therefore worth looking at European policy toward the greater Middle East and its consequences.

Historically, the Middle East has been the source of some of the bitterest transatlantic disputes; it is a region where major European powers

have longstanding ties and important commercial interests. It is also an area where the EU has pursued common policies for more than a generation, particularly with respect to the Israeli-Palestinian dispute.

Some elements of EU policy are clearly positive from a U.S. perspective. The EU has already been helpful with regard to the war on terror in Afghanistan and Iraq.<sup>5</sup> EU engagement with Iran has also been constructive. These negotiations, begun in the hope of improved trade relations, have forced the Euro-3 (France, Germany, and the United Kingdom) to grapple with problems that previously seemed either remote or exaggerated by the United States. The situation remains very difficult, and it does not appear that the Europeans will respond forcefully if negotiations fail. But the exercise has at least gotten those three countries to oppose Iranian support for terrorism against Israel. It may also have contributed to a more realistic approach to combating the spread of weapons of mass destruction—only a few years ago, the typical European answer was simply to strengthen international legal regimes.

Until recently, EU policy toward the greater Middle East was mired in the conviction that nothing of significance in the region could be achieved until the Israeli-Palestinian issue—on which the Europeans were united in differences with the policies of Israel's prime minister Ariel Sharon—was resolved.<sup>6</sup> That position has begun to change, but movement will be difficult. The European nations know that they need to appeal to their Muslim communities, who are sometimes represented by radical Islamist ideologues and terrorists who would be jailed elsewhere and who are very unlikely to favor supporting U.S. positions.

It would be unfair, though, to blame Muslim immigrants for these views, given how widely they are shared among the European political elite. This elite has conflated anti-Semitism with anti-Americanism, a problem that is greatly enhanced by Europe's intellectual leadership on many issues. In a dynamic reminiscent of money laundering, in which ill-gotten gains are made respectable, European intellectuals and media elites often engage in "ideological laundering." If prominent Europeans say that the Jews control the U.S. government and media, or if they embrace elaborate conspiracy theories about 9/11, those theories then circulate to the Middle East with a patina of respectability.

To combat this problem, the United States needs a comprehensive approach. Promoting democracy in the greater Middle East, and seeking to engage the Europeans in that endeavor, has many benefits. It helps to focus EU Middle East policy on values such as democracy, market economics, rule of

<sup>5</sup>The EU never condemned the U.S. invasion of Iraq. It committed itself to the January 2005 elections in Iraq beforehand, urged increased regional cooperation to improve the country's border security, and recently hosted a conference to build international support.

<sup>6</sup>See Suzanne Gershowitz and Emanuele Ottolenghi, "Europe's Problem with Ariel Sharon," *Middle East Quarterly*, Fall 2005.

