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The USA and the EU: Beyond Power and Weakness

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On 7 November 1797, a young man and his retinue and luggage arrived at the gates of Berlin, then the capital of the kingdom of Prussia. Thus ended a long voyage across the Atlantic, followed by strenuous travel along severely damaged autumn roads from the distant harbour of Hamburg.

The young man, John Quincy Adams, was named after his father John Adams, the second President of the United States of America. Twenty-eight years later, the same young man was destined to become the sixth American president, by dint of hard work and fate.¹ This was the first instance in American history in which father and son were both alive and well and able to witness each other's rise to the most honoured public office in the Federal Republic of the USA. It would only be two centuries later that such an event would be witnessed again, with George Bush and his son George W. Bush.

In the diary he kept throughout his life, John Quincy Adams noted that his travel companions had to wait before crossing the Berlin city gates, while a “dapper lieutenant” was elucidated about the existence of the strange new country called, “United States of America” ...²

Adams' trip can be seen in two different ways. On the one hand, it reveals the rare ethical and human qualities of John Quincy Adams, notably his humility and sharp intelligence. Adams was actually able to learn enough German in **few** months to successfully conclude the American-Prussian Treaty of 1799, and even to translate some important books by German political thinkers, such as Friedrich Gentz. On the other hand, the story also illustrates the lack of mutual knowledge that has often shaped the course of American-European relations over the last two centuries.

Tensions between the US and the EU, which have been apparent for a number of years since the end of the Cold War, are now more obvious. These two major Western powers are apparently caught up in a dangerous drift. Analysts on both sides of the Atlantic are writing about the causes and reasons for this, shedding some light on growing

¹ John Quincy Adams' administration began on 4 March 1825 and ended on 3 March 1829.

² Lynn Hudson Parsons, *John Quincy Adams*. (Madison: Madison House, 1998), pp. 57-61.

discontent between two complex cultures that share common values with similar historical roots.

A recent paper by Robert Kagan in *Policy Review* summarises the state of the Euro-American debate, even though it has severe flaws and shortcomings. It is not worth pondering over Kagan's shallow rhetoric about a Kantian Europe and a Hobbesian America, an image I dislike both for its academic inaccuracy and lack of elegance. Nonetheless, I appreciate his candid remark to the effect that nowadays it seems as though there has been a shift in the positions of American and European leaders concerning the use of military might and diplomacy in foreign policy-making.³

Kagan says that Europeans talk today like the first American presidents did. Contemporary Europeans and the American Founding Fathers are (were) fans of the rule of law, the preferential use of diplomatic means over military force, not as a matter of principle but because they lack(ed) the material tools needed to deploy armed force. This provides a graphic and shocking example of the great divide that is being drawn between America and Europe.

The greatest conflicts are usually between those who belong to the same culture, share common values, and view the future with similar conceptual lenses. In my view, what is separating Americans and Europeans at present is the increasingly different way that each side is interpreting and working with the same tradition: political and cultural federalism.

Americans of the revolutionary period (from the first significant violent clashes with the British in 1775 to the final ratification of the Bill of Rights in December 1791) introduced a regime what was new to the world: contemporary federalism. This federalism, which still inspires people the world over, is probably as vital to political science and institutional innovation as Newton's theory of gravitation was for physics or Darwin's vision to evolutionary biology.

The theory of federalism was an interpretation of political realities, its riddles, challenges and dangers. While the European prepared for what was to be almost one hundred and fifty years of national hatred and colonial imperialism (from the Napoleonic Wars to 1945), the Americans set up a new political framework based on four theoretical pillars:

- a) *Multiple layers of representation.* Given the manifest impossibility of establishing an ancient Greek direct democracy in vast republics with millions of citizens, the best way to give concrete expression to the sovereignty of the people depended on inventing a series of representative layers, from local power all the way up to the state, and "general" (or federal) political systems of government.
- b) *A system of checks and balances.* In addition to representative democracy, the different layers of government were to follow an improved version of Locke's and Montesquieu's formulas: the separation of powers. America gave the system of checks and balances, imperfectly present in eighteenth century Britain, new impetus and fresh expression.
- c) *The supremacy of constitutional law.* While **the French**, over a brief thirty years, formulated and abolished ten different constitutions, America discovered more than a century before Hans Kelsen, the validity of the concept of the superiority of constitutional law as the

³ Robert Kagan, "Poder e Fraqueza", *Nova Cidadania*, 14, Outubro-Dezembro 2002, pp. 40-62. The original text, *Power and Weakness* is available at <http://www.policyreview.org/JUN02/kagan.html>.

stable fundamental law (*Grundgesetz*), establishing a new form of constitutional jurisdiction through the Supreme Federal Court.⁴

- d) *Plural interests representation*. The debate about federalism is imbued with a vision of a democratic republican society as a plural and diverse net of relations mingling different interests («factions» to use Madison's words) in co-operation and conflict.⁵ Instead of the fanciful and potentially totalitarian perspective of Rousseau's unitary *volonté générale*, American federalists saw that only sound political institutions and the effort discussion and consensus-building, could lead to a better society for individual citizens.⁶

What lessons can we learn from the American federal political heritage and what light can it shed on the current debate between America and Europe? It would appear that the main lesson is that the main conflict at stake is not between «American power» and «European weakness», but the different set of consequences for a sustainable international order of differing uses of power: either grounded in a solid legitimacy, or based on raw violence.

Kagan's argument that the adoption of federalism as a way to achieve peace was simply a sign of American impotence is more than historically inaccurate. It reveals a deep misunderstanding and forgetfulness among the current US leadership regarding the universal nature of the American experience. It is probable that many Americans today are unable, as the German lieutenant was in 1797, to recognise the United States that John Quincy Adams stood for.

If power were the only thing at stake (and legitimacy did not count) the war against Great Britain in 1812 or even the Civil War would never have happened. Madison would have been paralysed by British might, and Lincoln would have yielded to the ultimatum of the separatist Southern States.

If having power means that one need not worry about legitimacy or even justification, President Woodrow Wilson's attempt to bring a Kantian defensive League of Nations to life can be seen as a simple waste of time.⁷ What is more, how can we understand, if we depart from Kagan's power perspective, President Roosevelt's political stand at the peak of American economic and military dominance (in 1945 the US represented half of world GDP and more than 15 million men in arms around the globe)? Given such overwhelming supremacy, how do we interpret Roosevelt's resolve to make a first priority of US policy the establishment of a global compact, giving every country a voice with the foundation of the United Nations system?

Regrettably, what separates America from Europe today is precisely what could create a stronger Atlantic Union, an enhanced partnership and common purpose that embraces the two largest families of the cultural west. At the heart of the dispute lie two

⁴ Auguste Comte, «Plan des Travaux Scientifiques Nécessaires pour Réorganiser la Société (1822) », *La Science Sociale*, Paris, Gallimard, 1972, p. 63.

⁵ James Madison, *The Federalist*, Jacob E. Cooke (ed.), Cleveland and New York, Meridian Books, 1961, Federalist n° 10, pp. 56-65.

⁶ For a lengthier analysis of the universal meaning of the American Federalism see my *A Revolução Federal*, Lisboa, Edições Colibri, 2002.

⁷ Kant used three concepts to solve the problems of peace and war: *permanenter Staatenkongress*, *Völkerbund*, and *Staatenverein*. For the deepest reflections of Kant on the issue see: *Zum ewigen Frieden*, Akademie edition, vol. VIII, pp. 341-386; *Die Metaphysik der Sitten (Rechtslehre and Tugendlehre)*, Akademie edition, vol. VI, 203-493.

different readings of America's federalist legacy, or even of a new political methodology for creating institutions that can solve conflicts and identify the vital tasks ahead.

Celebrating the Fourth of July in 1961, President John F. Kennedy proposed that Europeans share the ideal of a Declaration of Interdependence. The Europeans were unable to understand the ambitious scope of Kennedy's challenge at the time.⁸ Today, Europeans are more ready than ever to accept the idea of a global compact. Despite signs of mutual fears among Europeans, Europe is aware that cannot have economic prosperity without a solid political spine. The European Union understands that enlargement requires a unifying constitutional law, a process that reflects many institutions Americans invented two hundred years ago. The idea of a Declaration of Interdependence has gained new ground in many European minds.⁹

The problem is now on the other side of the Atlantic, because of the way America is now at war with itself, damaging its own political legacy, replacing wisdom and self-restraint with arrogance, giving a free rein to short-sighted individualistic hubris over the dominant current of American political culture, which encompasses the moralistic culture of the New England states and some elements of the **traditionalistic** approach of Southern political culture.¹⁰

The problem is not President George W. Bush but the values and forces he represents. Bush's political agenda was clear before the tragedy of 11 September. His administration appears to represent a surge of a chronic disease affecting American federalism: the **sectionalism** temptation. To put it in Madison's words, President Bush gives too much room to manoeuvre to a particular faction in American society. This time the **sectionalist** impetus is not a geographic (and deeply immoral) economic one as in the **decades** before the Civil War, or a race-biased majority faction as during Martin Luther King's struggle for the civil rights of African-Americans. This time, the administration seems to be giving too much to big business, especially the oil business, so familiar to Texas and even to the President himself. Unlike his Republican predecessor Theodore Roosevelt, George W. Bush is not fighting plutocracy; indeed, he seems to be the advocate of plutocracy. Over two years, with the astonishing complicity of the Democratic Party, he has offered huge tax relief for the rich, and many of the few federal programmes to alleviate the suffering of the poor (Medicare, Medicaid, the financing of public schools and student loans, among other programmes) are under threat.¹¹

Bush's political programme is not only polarising society in the American Union, but is also creating an abyss between present and coming generations. Unlike Bush, Thomas Jefferson defended a democracy based on the middle class and on the idea (which he first introduced to the history of Western political philosophy) of inter-generational justice. Environmental public policy in the US is a complete disgrace. The rejection of the Kyoto Protocol, itself a global setback and a risky regression, is only the one aspect of this disgrace. American domestic environmental policy is also under attack, with the weakening or dismantling of many instruments that various American presidents, including many from

⁸John F. Kennedy, "Let the Word go Forth". *The Speeches, Statements, and Writings of John F. Kennedy 1947 to 1963*, Theodore C. Sorensen (ed.), New York, Laurel, 1991, p. 317.

⁹ The influence of American federalism is obvious in the work of the Convention chaired by former French President Valéry Giscard D'Estaing that is drafting of a possible Constitution for the European Union.

¹⁰ About the three main American political cultures see: Daniel Elazar, *American Federalism. A View from the States*, New York, Harper, 1984, pp. 109-149.

¹¹ Paul Krugman, "The Big Lie", *New York Times*, May 27, 2001; Bob Herbert, "Tiptoeing to Defeat", *New York Times*, November 7, 2002.

the Grand Old Party laboured to create. There is the authorization to drill oil in Alaska natural preserves contravenes Eisenhower's 1959 decisions; there are the attacks on the prestige of the Environment Protection Agency created by Richard Nixon in the framework of the 1969 National Environmental Policy Act (NEPA); and there is a lowering of standards in air polluted emissions, against the work of Mr. George W. Bush's own father, who helped to produce an advanced Pollution Prevention Act in 1990.

The analysis of Bush's political agenda is an intellectual exercise that allows one to assess the global fight against terrorism and its international and domestic contexts. Instead of using the clear and present danger of terrorism as an opportunity to reform institutions that might prevent and eliminate the sources of terrorism, the American administration is giving the world the impression that the use of military force, including unilateral American force, is enough to overcome the menace of terrorism.

Europeans are all too aware of the price to be paid for falling into a *Machtpolitik* vortex. This is why they do not need Kagan and others of his ilk to teach them about the use of force. This kind of lesson is as silly as imagining that the young Calicles might teach old Socrates how to philosophise in Plato's *Gorgias* dialogue.¹²

Unipolarity may last for a while, but it is not a permanent state of affairs. The US administration must bear in mind the intrinsically transient nature of its status if it wants America to remain the leader of the international system. Europe is neither ready (due to internal struggles and indecision) nor willing to attempt to replace US leadership in the world affairs. This apparent absence of lust for power is partly of product of Europe's distance from *Machtpolitik* and partly a result of its perception that the use of military force by itself cannot destroy the roots of terrorism: on the contrary, such a path is seen to lead to worse turmoil than that we face today.

From the perspective of the Old Continent, the best way to attenuate the risk of Euro-American distance and hostility is to forge a deeper commitment to a larger and united European Union based on the democratic Western legacy or, more specifically, on contemporary federalism as a way to ensure peace and liberty. To put it in the moving words of Alexander Hamilton, what is at stake on a global scale today is to know «whether societies of men are really capable or not of establishing good government from *reflection* and *choice*, or whether they are forever destined to depend for their political constitutions on *accident* and *force*.»¹³

My view of things may seem too grim. Optimism, as we all know, is not a forte among Europeans, and even less among the Portuguese. To become the president of the United States affords a person a unique opportunity transcend what may be called «human mortality». History records how common men become greater for being presidents. But there are other more tangible reasons to hope for a better US-EU dialogue in the coming years.

A general once wrote the following words about the challenges facing America in the period initiated by the 1991 Gulf War: «This is our fourth *rendez-vous* with destiny: to lead the world at a time of immense opportunity [the other three are the War of Independence, the Civil War and the combination of World War II and the Cold War]... «An opportunity never seen in the world before. As Lincoln said in 1862, America could not escape history. In 1992, we must not let history escape us.»¹⁴ The general who wrote these

¹² Plato *Gorgias*, 482c -488d.

¹³ Alexander Hamilton, *The Federalist*, Jacob E. Cooke (ed.), Cleveland and New York, Meridian Books, 1961, Federalist n° 1, p. 3.

¹⁴ Colin Powell, "U.S. Forces: Challenges Ahead", *Foreign Affairs*, Winter 1992-1993, vol. 72, n° 5, 1992, p.45.

words is not European. His name is Colin Powell. I am convinced the difficult times we are witnessing will be overcome. The US will again make its *rendez-vous* with destiny, allying strength and force to inspire others in common action to take advantage of opportunities and meet old (controlling weapons of mass destruction) and new (the global environmental crisis) challenges. Hopefully, Americans and Europeans can sail together boldly on that journey into the future.