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WORKING PAPER SERIES ON EUROPEAN STUDIES

INSTITUTE OF EUROPEAN STUDIES

CHINESE ACADEMY OF SOCIAL SCIENCES

Vol. 12, No. 8, 2020

# **The Preemptory Power of US and Its Influence on Transatlantic Relationship**

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# The Peremptory Power of US and Its Influence on Transatlantic Relationship

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## Abstract

The nature of U.S. power has shifted from "smart power" under Obama's administration to "peremptory power" under Trump's administration, which means highly pragmatic, not providing public goods, rude behaviors, and "weaponize" economic interdependence. By embracing "peremptory power", U.S. has severely hampered the transatlantic partnership which is economically interdependent and security allied. In face of the U.S. transfer to "peremptory power", European countries and the Europe Union hope to improve their bargaining power through solidarity and enhancing independence, mainly to take the advantage of their specialty to counteract in economic and norm fields, but they have behaved divisive and powerless in reality. China-U.S. competition has also brought about "negative effects" to Europe. European countries attitudes towards China's Huawei 5G technology have demonstrated their security dependence on U.S..

In the third year of Trump's presidency, tensions across the Atlantic have not eased. Europe is still concerned about the Trump administration's "America-first" nationalist value orientation. At the Munich Security Conference with the theme of "Westlessness" in February 2020, German President Frank-Walter Steinmeier on February 14 publicly criticized the Trump administration for refusing to accept the concept of "international society", and the U.S. slogan "Make America Great Again" is at the cost of its neighbors and allies<sup>1</sup>. At the same time, Europe also has to bear some "collateral damage" in the United States "repressive retrenchment" strategy which targets at China and Russia to reduce the cost of international leadership responsibility, so as to enhance U.S. economic competitiveness and military strength. In face of the divisive liberal international order and the alienation of the United States, the European Union and the major Western European powers, such as France and Germany, have also begun to adapt to the realities of geopolitical logic and competition among major powers, and introduced a series of independent countermeasures.

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<sup>1</sup> Frank-Walter Steinmeier, "Opening of the Munich Security Conference", Feb. 14, 2020, <http://www.bundespraesident.de/SharedDocs/Reden/EN/Frank-Walter-Steinmeier/Reden/2020/02/200214-Munich-Security-Conference.html>, accessed February 19, 2020.

## U.S. Peremptory Power

According to the classic metaphor of realistic international relations theory, a big country like the United States will not be willing to be a “constrained Gulliver” and endure the “tying-up” of “Lilliput” such as international systems and norms and alliance relations<sup>2</sup>. The current US unilateralist diplomacy is not the sole case in history. However, the power that the United States relies on and exercises under Trump administration does not only belong to "soft power" whose main feature is "attraction"<sup>3</sup> or "smart power" with "liberal internationalism" as its core<sup>4</sup>, nor can it be categorized as the traditional "hard power" where military power is the main factor. Based on the source of power and the way it is exercised, it is more appropriate to use a new concept "peremptory power" to summarize and generalize it.

The so-called "peremptory power" includes the following three basic contents: First, it is a short-sighted pragmatism in concept, aiming at "immediate results", not caring about the loss of reputation and long-term effects. A government that believes in "peremptory power" does not have a strong morality sense, and at the same time it is not affected by ideology. It seeks to maximize the national interest in everything, regardless whether its opponent is its own enemy or ally. Nor do they care about the long-term negative effects of excessive greed. "Peremptory power" is the product of result-oriented realism thinking, but it belongs to the narrow realism category, which means it neither seeks compromise, nor pays attention to prestige or morality. Its implementers can be easily criticized by classical realist theorist Hans Morgenthau as "pure 'political man'"-"a beast without any moral restraint".

Second, power is reflected in the ability and bargaining capacity of trading and gaming. In addition to the military power, it also includes the will and resources to de-globalization and economic interdependence, and to “weaponize” trade, investment, financial networks and people-to-people exchanges. Users of "peremptory power" will not only "show off" the number of their aircraft carrier formations and military expenditures, but also counter liberalism in the globalization era, coercing their opponents by making use of the asymmetry of interdependence and their position in the globalization network. Liberals usually take a positive and optimistic view of economic interdependence and the current state of networking in the world. They believe that the international system can provide information, reduce transaction costs and reduce uncertainty, therefore, active participation in international cooperation is conducive to the growth of the power of all parties involved. In a networked world, power depends on who you are power with, not who you are power

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<sup>2</sup> Stanley Hoffmann, “Groping toward a new world order”, *New York Times*, Jan. 11, 1976.

<sup>3</sup> Joseph S. Nye, *Soft Power: The Means to Success in World Politics*, New York: Public Affairs, 2004.

<sup>4</sup> Suzanne Nossel, “Smart Power: Reclaiming Liberal Internationalism”, *Foreign Affairs*, March 2004; Joseph S. Nye, “Hard, Soft, and Smart Power”, in Andrew F. Cooper, Jorge Heine and Ramesh Thakur ed., *Oxford Handbooks of Modern Diplomacy*, Oxford: Oxford University Press.

over<sup>5</sup>. This is the theoretical basis of "smart power". However, believers in "peremptory power" from a realist perspective of security and relative benefits, value the negative power of a country and believe that "low-politics" issues such as economic relations can be dealt with in a coercive way due to a highly asymmetric network. A reverse thinking of interdependence can make globalization "create a world where everything can be turned into a weapon of war"<sup>6</sup>.

Third, the peremptory way of exercising, while not providing new international public goods, abandons the art of diplomacy and refined rhetoric, and pursues national interests in a demanding manner. First-class diplomacy can amplify the material power of a country<sup>7</sup>. This is a fact recognized by both realism and liberalism. But the "peremptory power" exercisers do not conform to the elements of mutual respect and reciprocity contained in diplomatic etiquette norms, words and logic, impressing the rest of the world with a "outrageous" negative image who try to "conquer others with strength".

Compared to the "smart power" diplomatic strategy under Obama administration, the United States under Trump is more of the characteristics of "peremptory power" and has repeatedly applied this to Europe-US relations. "America first" is essentially prioritizing US trade, US employment, and US economy. In foreign trade relations, the US government with a mercantilist concept regards economic exchanges between countries as a zero-sum game. All countries that endanger US trade and employment are regarded as those which harm the interests of the United States. It abuses the reason for national security and launches a comprehensive "tariff war" with major trading partners including Europe. In 2019, not only did it not lift the steel and aluminum tariffs imposed in 2018, but also it continued to threaten high tariffs on European cars and other goods; at the beginning of 2020 its tariffs on large European-made civil aircraft were raised to 15%; in order to expand the sales of U.S. shale gas in Europe and defeat competitors, the United States sanctioned European companies who participated in the "Nord Stream-2" natural gas pipeline project, which is a key project of Russian gas transmission to Europe jointly constructed by Germany and Russia. As the key country of both international financial system and information system after World War II, the US government not only continued to monitor global currency and information flows, including Europe, but also deterred European governments and businesses from normal economic exchanges and technical cooperation with Iran and China by using its special status as the "weapon" to refuse intelligence sharing, obstruct SWIFT payments System operation, impose "secondary sanctions" and so on. The use of mandatory economic tools by the United States under Trump's administration has been unprecedentedly frequent in American

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<sup>5</sup> Anne-Marie Slaughter, *The Chessboard and the Web: Strategies of Connection in a Networked World*, New Haven, CT: Yale University Press 2017.

<sup>6</sup> Rosa Brooks, *How Everything Became War and the Military Became Everything*, New York: Simon and Schuster 2017.

<sup>7</sup> Maurice Keens-Soper Berridge and T.G. Otte ed., *Diplomatic Theory from Machiavelli to Kissinger*, New York: Palgrave, 2001, p.20.

history<sup>8</sup>. In rhetoric on Europe, Trump has "created" many "firsts" in the history of Atlantic relations: for the first time, a U.S. incumbent president has publicly stated that "the EU is a foe"; for the first time, the incumbent U.S. president has publicly opposed European integration, and used a variety of media and public relations strategies to help populist and anti-integration forces in Europe; he is also the first American president to threaten Europe that the United States may withdraw from NATO. These targeted statements, coupled with Trump and his ruling team's frequent irresponsible behaviors in Europe in interfering in European political and economic affairs have aroused great resentment from European governments and people.

### **European Response and its Capacity**

The "peremptory power" shift of American power has impacted Europe in at least three ways: first, at the global level, it has caused serious damage to international mechanisms which are universally recognized and appreciated by Europe. The Paris Climate Change Agreement to address climate change, the World Trade Organization dispute settlement mechanisms, the UNESCO and Human Rights Council and other multilateral mechanisms that the United States withdraws or obstructs are all recognized agreements and institutions in various professional fields that the EU and its member states value. By doing these, the United States unilateral policy has weakened Europe's global agenda-setting right and discourse right. Second, due to Europe's excessive dependence on the US and the NATO mechanisms led by US in foreign military intervention and homeland defense, Europe was frustrated in its "free-rider" strategy in security and diplomacy. Trump's "peremptory power" amplifies this structural imbalance, which not only makes European Union and European countries such as France more passive on the Syria and Iran issues in the past three years, but also makes most European countries in NATO humiliated by Trump for their military expenditure ratio not reaching 2% of GDP. The transatlantic community sense has been undermined by the United States challenging the "liberal international order" where they co-exist<sup>9</sup>. The European constitutional elites believed that the idea of "making America great again" and various pragmatic foreign policies accelerated the decline of the "West", which was composed of Europe and the United States, cohered by the values of freedom and democracy<sup>10</sup>.

For many years, Europe has been a supporter of "soft power" and "smart power," and one of the makers and leaders of international rules and regulations making process. As the weaker party of transatlantic relations, the Europeans, in face of US shift to "preemptory power" can only hope to enhance its solidarity and independence to improve its bargaining capacity, but in reality they often fail to do so, or even are divisive. After the European Parliament elections in 2019, a new EU leadership team

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<sup>8</sup> Hal Brands, "Reckless Choices, Bad Deals, and Dangerous Provocations," *Foreign Affairs*, 27 September 2019.

<sup>9</sup> John Mearsheimer, "Bound to fail: the rise and fall of the Liberal International Order", *International Security*, 2019, 43(4), pp.7-50.

<sup>10</sup> "Munich Security Conference 2020: Westlessness", <https://securityconference.org/en/publications/munich-security-report-2020/?ftag=MSF0951a18>

has come into being. The new European Commission President Ursula von der Leyen followed the thinking of her predecessor Jean-Claude Juncker, putting on the European Commission under her leadership a "geopolitical" label<sup>11</sup>, which made it clear that Europe would follow its own political line. As the United States is getting away from multilateral cooperation, the EU has to be the "defender" of multilateralism. EU Council President Charles Michel also stated that "Europe needs to think more confidently, and we have reason to be confident, because we have the economic power of 500 million consumers, representing 20% of global GDP."<sup>12</sup> France is the EU country with the strongest sense of independence. At the end of 2019, French President Emmanuel Macron claimed NATO brain death in an interview with the UK's "the Economist" magazine, expressing dissatisfaction with the performance of the United States and Turkey in NATO and spoke directly that Europe needed to get rid of security reliance on the US, and to build a muscular Europe<sup>13</sup>. The whole world was shocked upon this.

However, on the whole, although the EU has increasing external pressures and some endogenous motivations to join the power politics, it will still be difficult to become a strategic force with a high degree of unity and full of defense and hard power in the short term. The member states have insufficient political will to take up EU's defense tasks independently and deal with peripheral security challenges. Germany was quite indifferent to Macron's speech. Chancellor Merkel expressed her different views, insisting that the role of NATO is indispensable<sup>14</sup>. Poland and the Baltic countries still highly trust the US-led NATO and its military protection, so they don't quite agree with Macron. The EU lacks a strong collective will to develop military power. As a result of the "pacifist" culture, and the wishful thinking that the United States' policy toward Europe will change following the US president change, countries are more inclined to use the US and NATO power to cope with geopolitical threats and non-traditional security challenges, rather than "start their own business". Therefore, in the short term, the U.S. tough requirements on the European defense cost sharing issue are likely to be met. For example, Germany's commitment to increasing the military expenditure to 2% of GDP in the next ten years is the proof. However, in the area of market and norms where EU owns advantages, the EU plays quite positively and actively with the United States to protect its status and rights. The EU's strength is reflected in its "market forces" and "regulatory forces", so its response to American economic hegemony and Trump's "tariff war" is quite firm and effective. In April 2019, the European Council authorized the European Commission to start trade

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<sup>11</sup> European Commission, "The von der Leyen Commission. For a Union That Strives for More", 10 September 2019, [https://ec.europa.eu/commission/presscorner/detail/en/IP\\_19\\_5542](https://ec.europa.eu/commission/presscorner/detail/en/IP_19_5542).

<sup>12</sup> Charles Michel, "'Common Sense, Common Europe,' Speech by President-elect Charles Michel at the University of Amsterdam," Amsterdam, 20 November 2019, <https://www.consilium.europa.eu/de/press/press-releases/2019/12/01/common-sense-common-europe-speech-by-european-council-president-elect-charles-michel-at-the-university-of-amsterdam/>.

<sup>13</sup> *The Economist*, "Emmanuel Macron in His Own Words," 7 November 2019, <https://www.economist.com/europe/2019/11/07/emmanuel-macron-in-his-own-words-english>. 马克龙 2019 年 9

<sup>14</sup> Deutsche Welle, "Germany's Merkel, Maas Defend NATO After Macron's Rebuke," 10 November 2019, <https://www.dw.com/en/germanys-merkel-maas-defend-nato-after-macrons-rebuke/a-51191565>

negotiations with the United States and attempted to sign a preliminary trade deal. The EU was not soft on core concerns in trade negotiations (such as whether to include agricultural products), tariff rates, and commodity standards; on the other hand, the EU showed its determination to fight a "protracted war" with the United States over Boeing and Airbus subsidies. After the United States increased the tariffs on large civil aircraft produced by Airbus in Europe to 15% in October 2019 and February 2020, as well as imposing a 25% tariff on European agricultural products, the EU announced that if the United States did not engage in dialogue, it would retaliate and have already had a list of US exports worth \$ 12 billion to Europe.

Based on its own values and the huge market, the European Union retaliated the United States by levying digital taxes and imposing anti-monopoly administrative punishment. The EU believes that individuals own and should control their own data in the digital age, and a system that is convenient for consumers to use and benefit from should be created<sup>15</sup>. But Internet giants such as Google, Apple, Facebook, and Amazon in the United States not only grab large amounts of personal data, but also evade taxes by shifting profits to low-tax countries such as Ireland and Luxembourg. At present, France, Spain, and Italy have promulgated laws and regulations for large-scale Internet companies to levy digital service taxes. At the beginning of 2020, the European Union also proposed to impose a 3% business tax on large-scale technology companies to address tax evasion for multinational companies. Several major companies in Silicon Valley are the key targets, since a large part of their profits come from Europe. The European Union fined U.S. Apple €13 billion on tax evasion in 2018. In response to U.S. Google's unfairness in search engines and advertising, antitrust agencies in the EU and France and other member states have repeatedly fined Google and its parent company Alphabet Company for violating EU competition policies, totaling more than € 9.3 billion from 2017 to 2019.

The most noticeable trend is that the differences and conflicts between Europe and the United States on issues involving third parties have become more intense. As the United States unilaterally withdrew from the Iran nuclear agreement and imposed "long-arm jurisdiction" and secondary sanctions on European companies, it has aroused strong resistance from the Europe. Especially after the United States pressured the international financial settlement system SWIFT to cut off financial ties with Iranian banks, causing normal transactions and settlements between European and Iranian corporate accounts to fail, French Minister of the Economy and Finance Bruno Le Maire said angrily "the United States is not the economic police of the planet."<sup>16</sup> In order to assist and protect European importers and exporters entering the Iranian market, the European Union, France, Germany, Britain and the United Kingdom (E3) stepped up their efforts to establish a "special mechanism" for settlement with Iran, setting up the Instrument in Support of Trade Exchange

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<sup>15</sup> *The Economist*, "Big tech's \$2trn bull run", Feb.22, 2020.

<sup>16</sup> Anne-Sylvaine Chassany, Michael Peel and Tobias Buck, "EU to Seek Exemptions from New US Sanctions on Iran," *Financial Time*, May 9 2018.

(INSTEX) in Paris at the end of January, 2019, which is independent from SWIFT. This is a convenient trading platform. In order to circumvent US sanctions, all transactions are denominated in Euros or British Pounds, not US dollars or Iranian rials. All transactions in the system are not disclosed to the United States and are not subject to US supervision. The significance of INSTEX is not limited to Iran. French Minister of the Economy and Finance Bruno Le Maire said that it could truly serve as an independent financial instrument in Europe, allowing the EU to engage in any transaction with any country while complying with international law and European obligations. However, INSTEX currently limits its business to humanitarian relief areas such as pharmaceuticals, medicines, agricultural products, and food, not supporting the settlement of bulk products such as oil. However, large companies such as Total, Renault, and Citroen in Europe who attach more importance to the US market and fearing US financial sanctions have to withdraw from the Iranian market<sup>17</sup>. In reality, only small and medium companies that value the Iranian market still have sufficient willingness to participate.

### **The game between U.S. preemptory power and 5G in Europe**

Under the backdrop of US "preemptory power", the competition between China and the United States in the economic and technological fields also affects European and American relations: the Sino-US "trade war" initiated by the United States has disrupted normal international trade operations and dragged down the economy growth of the entire world including Europe. Meanwhile, in the field of science and technology, by threatening to stop sharing information, the United States requires its security allies-European countries to join it to ban Huawei from participating in the construction of future 5G communication technology facilities, nevertheless, it is unable to provide evidence of Huawei "potentially undermining network security". Although the EU insists on maintaining "strategic autonomy", upholding the "sovereignty" at the European level, when facing China and the United States, European countries towards Huawei's 5G still have different attitudes, even though French President Macron claims to be a "balanced force"<sup>18</sup>. Their different approaches reflect their dependence on the United States in terms of security: Poland and the Czech follow the United States, and have gone the farthest in setting limits on Huawei<sup>19</sup>; Austria, Belgium, and Greece and most European countries will not tend to implement restrictions; Portugal and Hungary have clearly said "no" to the US Secretary of State Pompeo, who has come to lobby, making it clear that Chinese companies will not be excluded from providing technology for their next-generation 5G wireless networks; Germany, France, and the UK that has signed a Brexit agreement have partial restrictions, allowing Huawei to participate in 5G network construction "in a limited manner". French President Macron and German Chancellor

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<sup>17</sup> Jean de Gliniasty, "Un tournant dans la diplomatie française?", *Le Monde Diplomatique*, Decembre 2019.

<sup>18</sup> Emmanuel Macron, "Speech in French Ambassadors' Conference", Paris, 27 August 2019, <https://lv.ambafrance.org/Ambassadors-conference-Speech-by-M-Emmanuel-Macron-President-of-the-Republic>

<sup>19</sup> Tim Ruehlig and Maja Bjoerk, "What to make of the Huawei debate? 5G network security and technology dependency in Europe", *UI Paper* 1/2020, The Sweden Institute of International Affairs.

Merkel have repeatedly stated that no specific enterprise from specific countries should be discriminated against.

After the United Kingdom decided not to ban Huawei at the end of January 2020, US Capitol Hill and the State Department and other government agencies repeatedly lobby the UK and other European countries not to adopt Huawei technology in the form of "warnings". At the Munich Security Conference in February 2020, Nancy Pelosi, Speaker of the United States House of Representatives, Mark Esper, US Secretary of Defense and Mike Pompeo, US Secretary of State successively made harsh remarks that the European countries which used Huawei to build a 5G network chose a "very dangerous" road, and dependence on Chinese 5G suppliers would endanger NATO, the most successful military alliance in history." The British "Financial Times" commented that the latest warning issued by US officials on the impact of 5G on NATO has opened up a new front between Washington and Europe over the dangers posed by China's participation in network infrastructure construction. The German "Die Welt" believes that the continuous pressure of the United States has put Europeans in a dilemma. The report quoted former Polish Foreign Minister Sikorski as saying, "On the one hand, we do not want to mishandle the issues raised by the United States, nor do we want to fall into unnecessary conflicts between the two countries. On the other hand, we hope that the United States recognizes that what they want is how Europe as a whole faces China, not just a single European country. "As of the completion of this article, based on the 5G infrastructure construction costs, as well as the importance of bilateral relations with China, Europe has not yielded to the US "peremptory power". Even UK, which is one of the "Five Eyes Alliance" countries, insisted that Huawei should not be completely excluded from the British order, after limiting Huawei's share in the British 5G network to 35%. On March 10, 2020, with the support of the United States, 38 Conservative MPs in the British House of Commons proposed that the UK should gradually remove Huawei from the British 5G network construction by 2022, but it was voted down with 282 votes to 306 votes.