

## **Europe's Mars Mission**

*Get used to it: Europeans and Americans are both from Earth*

*John Ashton*

The current dysfunctional state of transatlantic dealings on the environment has deep cultural roots. No one should imagine that Europe and America will stop talking past each other on issues from climate change to GMO's and the role of international institutions simply because of a change in US Administration.

The rule of law is fundamental on both sides of the Atlantic. But it operates in different ways. In the US, law is explicit. It must include provision for every circumstance. There is little discretion to interpret the law, even if its rigid application leads to absurdity.

The law is embedded in the founding experience of modern America: as settlers streamed westward, departing wagon trains would agree their own constitutions to govern their affairs on the journey. There were no rules already in place, so everyone got involved in deciding them. From these roots, the letter of the law is everything.

In Europe - whether in common law or Napoleonic jurisdictions - the law has evolved organically, woven out of a richer tapestry of custom and practice. It is a matter of interpretation as well as code. Discretion to interpret the law comes with the job for courts and administrators. A stronger sense of the underlying purpose of laws guides their application. In Europe, the spirit of the law can matter more than its letter.

The EU is thus happy to subject its choices on biosafety or hazardous chemicals to the legally indeterminate precautionary principle. When US negotiators object, that is not necessarily because they are in the grip of corporations with a disregard for those at environmental risk. Rather, it is culturally more difficult for Americans to accept binding commitments without precise rules covering every circumstance in which they might be applied.

There are other differences between the cultural baggage we carry into international conversations.

US political culture is adversarial. There has been no shared vision of US society since Roosevelt's New Deal. The middle ground is less crowded than in Europe. Where the EU consults

stakeholders to the clink of coffee cups, the US holds hearings under the gavel.

In the US, policy proceeds by legislation. Every detail must be elaborated in law. This is driven not by political parties but by individual politicians, who pull together constantly shifting coalitions according to the latest wind direction on Capitol Hill or its local counterparts. Political parties are loose associations, only coming together fully to secure the election of preferred candidates to public office.

The budgets required to carry out policy are themselves subject to separate legislation. Policies already legislated for are often reopened in subsequent line by line budgetary warfare.

In Europe, political parties are policy-forming engines. Coalitions are assembled not around individual lines in a piece of legislation but around policies and programmes. Only the goals and broad budgetary framework of policy have to be enshrined in law. Implementation is part of the administrative process, including detailed spending allocations.

Public trust is also allocated differently across the Atlantic. NGO's are less trusted in the US than in Europe. The public is more likely in the US than in Europe to believe what it is told by government or corporations. In Europe, NGO's have more credibility than either – and are correspondingly more important in building legitimacy for any course of action.

It is hard to agree on what to do without some common understanding of what science says about the nature of the problem. In Europe the science underlying policy choices remains less politicised than in the US, where debate over the substance is more likely to degenerate into attacks on the personal integrity of individual scientists.

In the US, the environment is on the political front line. It is part of the contest between conflicting views of national identity, inseparable from arguments about states' rights, sovereignty, and wilderness. In Europe, there is a broad consensus on the environment, and debate is conducted at a less iconic level.

Why worry about these differences?

The effort to build an international framework for sustainable development is in crisis. The agenda has been clear for a generation. But on all the big issues of the global commons - climate, ecosystems, freshwater, soil, oceans, fisheries - we are no closer to the outcomes we need.

We will not break out of the crisis unless we can turn sustainable development into a common purpose powerful enough to harness the combined resources available on each side of the Atlantic.

The key requirement for sustainable development is the capacity to innovate. It needs to span six dimensions: not only technological but also legal, social, financial, institutional, and cultural. What we have learned over the last generation is that it is not enough to drive change separately in each sphere. We need an integrated approach, recognising that the outcomes we seek, like the problems we are trying to address, themselves reflect the combined effect of what happens in each dimension.

Innovation of this ambition is beyond the scope of any single country – even a global hegemon – or region. It is in Europe and North America that the necessary capacity is currently concentrated. But it will not be released unless the EU and the US can stop defining themselves by how different they are from each other.

Here are five things the EU can do for a start.

First, we should redirect the thrust of our environmental politics, from sacrifice to benefit – from “gives” to “gets”. We can debate the cost of climate action or the value of a stable climate: the goal is the same in either case, but the latter is likely to be more productive with the US, where the EU is too easily criticised for its moralising tone. That is not a comment on whether or not the US is less moral than the EU. The point is simply that we need a language of engagement that will get us closer to the outcomes we want.

Second, much of the environmental debate can be expressed in terms of the need to channel investment in new directions. If international treaties do not provide a stimulus for this, there is little point in wasting time arguing about them. Climate policy can

certainly be couched as an investment proposition. A transatlantic dialogue of that kind is more likely than the current one to shift US investment in the right direction.

Third, we need to connect better with the anxieties that drive policy in the US. Currently the most powerful driver is security. That is what persuaded Congress to approve expenditure in 2003-4 of \$160 billion for Iraq and Afghanistan alone. The basic condition for security in the 21<sup>st</sup> century will be sustainable development – but the EU needs to make that case more eloquently. Senator Lugar, the powerful Republican Chair of the Senate Foreign Relations Committee is now calling for a new commitment of US civilian resources for nation-building in failed states. Europe should tap into that impulse.

Fourth, we should remember that the US is not the same as its Administration. There is no more multifaceted society on the planet. There are many forces that can be mobilised beyond the Administration, from powerful States like California, to multinational companies and professional associations. Europe must learn to engage them.

Fifth, we need Europe's strengths to be better understood in the US. Many there have never got beyond Kissinger's question – who do I call if I want to speak to Europe? But that is the point. The EU is the world's most advanced experiment in sharing sovereignty while maintaining diversity. That achievement, and its significance for dealing with the stresses of a globalising world, would resonate much more strongly in the US if we explained it better.

US commentator Robert Kagan characterised Europeans and Americans as “two peoples living on separate strategic and ideological planets” – with Americans on Mars and Europeans on Venus. In terms of politics, culture and values that is a grotesque and misleading caricature. For the environment, the notion is a luxury we cannot afford. But if we are to learn to live sustainably on the single planet we share, we each need to try harder to understand each other.

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