



## What Values for Europe? The Ten Commandments

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This policy brief is not to compete with Moses, whose Ten Commandments addressed the domain of personal morality. Here the concern is for the values and system of the European public domain. Nor does the present contribution claim originality, since it is based on the content of the European Constitution. However, Moses also

provided a clear and concise presentation of his message. The European Constitution was meant to do this too, but its Ten Commandments are to be found literally all over the place in the 481-page document, which is indeed more of a bible, open to various interpretations. To be carved into one tablet of stone, brevity is required.

### The Ten Commandments of the European Union

1. Thou shalt be truly democratic and respectful of human rights and the rule of law.
2. Thou shalt guarantee the four freedoms of movement (goods, services, capital, labour).
3. Thou shalt provide for social cohesion between people, regions and states.
4. Thou shalt ensure sustainable economic development for the benefit of future generations.
5. Thou shalt reject nationalism and favour the multiple identity of citizens.
6. Thou shalt assure federative multi-tier governance.
7. Thou shalt assure secular governance and favour multi-cultural pluralism in society.
8. Thou shalt promote multilateral order in international affairs.
9. Thou shalt abstain from threatening or using force against others without just cause.
10. Thou shalt be open, inclusive and integrative towards neighbours that adhere to the above.

The Constitution does actually devote its Article 1-2 explicitly to "The Union's Values". But this turns out to be a disappointing text, with a dictionary of words, the whole being rather unreadable and very unlike Moses. The text goes as follows:

*The Union is founded on the values of respect for human dignity, freedom, democracy, equality, the rule of law and respect for human rights, including the rights of persons belonging to minorities. These values are common to the Member States in a society in which pluralism, non-discrimination, tolerance, justice, solidarity and equality between men and women prevail.*

An attempt to formulate the European Union's Ten Commandments, Moses-style, is offered in the box above. These are all either explicit or implicit in the Constitution. Let us go through these briefly, one by one. Also added are a few words on how other global actors – the US, Russia and China – rank on the basis of the same criteria, since this could be a guide to the possibilities for harmonious foreign policy, or to the difficulties that will have to be managed.

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The Preamble to the Constitution starts by clearly marking out Commandment 1 about democracy, human rights and the rule of law. Here the US is on the same page. Russia, as a member of the Council of Europe, should also be on the same page, but in practice it is currently de-democratising and performing poorly on the rule of law. China makes no pretence of being a Western democracy.

Commandment 2, ensuring the four freedoms of movement, is provided under Article III-130. The US is on the same page again. Russia and China would say the same, but in Russia for example there remain some residual restrictions (*propiska* system) on the freedom to choose where to reside.

Commandment 3 about social cohesion – economic, social and territorial – can be pulled out of Article 1-3. The US, Russia and China would all say they do the same. However the US certainly has a more austere regime of social security and higher interpersonal inequality, but would argue that the EU on the other hand has an unsustainably heavy system, and will therefore converge more towards that of the US in due course. Russia's system of social security, whether at the interpersonal or interregional levels, is in a state of virtual ruin. For China the phenomenal rate of economic growth is the mechanism for lifting people out of poverty.

Commandment 4 about sustainable economic development for the benefit of future generations comes from Article 1-3. In practice the Kyoto Protocol represents the EU's leading contribution for trying to save the world from global warming. Russia has signed on to this. But the US has famously rejected it, while continuing to be the world's most extravagant CO<sub>2</sub> polluter. China cites the need for economic catch-up as the reason not to join Kyoto at present.

Commandment 5 about the abhorrence of nationalism is implicit in the Preamble, where it talks of overcoming bitter experiences of the past, and looking forward to a common destiny while remaining proud of national identities. This is reinforced in Article 1-2 which underlines tolerance, non-discrimination and pluralism; and in Article 1-10 which is explicit about citizenship of the Union adding to national citizenship. Nationalism becomes worrying when it invokes patriotism to the point of justifying intolerant discrimination at home and threatening policies abroad. The patriotic political discourse in the US post-9/11 has registered a somewhat nationalistic tone. However this is quite mild compared to Russian or Chinese nationalistic discourse.

Commandment 6 about multi-tier governance is explicit in Title III with its detailed provisions governing the distribution of competences between EU and member states – between the exclusive competences of the Union, shared competences and those where the Union is only providing coordinating or complementary action. This is reinforced in the enunciation of the principle of subsidiarity in Article 1-11. The US for its part is one of the classic federal democracies. Russia on the other hand is currently de-

federalising, as part of its de-democratising tendency. China can be considered as tending towards an asymmetric federation, with a variety of regimes, from the extreme case of Hong Kong to the substantial degree of autonomy exercised by many provinces.

Commandment 7 about secular governance and multi-culturalism seems to flow from the reference to pluralism in Article 1-2, reinforced by the Preamble's drawing of inspiration from the cultural, religious and humanist inheritance of Europe. The debate during the Convention was far more explicit, however, with serious tensions arising over whether there should be references to God or Christianity. The Pope himself intervened, strongly supported by several devoutly Catholic states, including Poland. Nevertheless, the weight of opinion in favour of uncompromisingly secular governance and on not referring to just one religion was evidently strong enough to prevail. The US is arguably succeeding better at multi-culturalism than the EU, but its secularism is slightly coloured by the apparent political influence of Christian evangelist movements. Russia is certainly secular and substantially multi-cultural, but the relative harmony between mainstream Russia and the Volga Muslim communities stands in contrast to the deepening conflicts and ungovernability of the Northern Caucasus. China is officially secular and multi-cultural, but Tibet exemplifies authoritarian rather than democratic multi-culturalism.

Commandment 8 about multilateralism is explicitly endorsed by the European Security Strategy adopted in 2003-04, while the Constitution in Article I-3 commits to the strict observance and the development of international law. The US is clearly resistant to any multilateral legal encroachments on the sovereignty of Congress. Russia's idea of the multilateral order is strongly related to its role as permanent member of the UN Security Council, giving it exceptional diplomatic leverage to require consensus on given issues. Yet Russia's role in the OSCE and Council of Europe today is revealing its limited interest in values-based multilateralism. China's position is similar to that of Russia.

Commandment 9 about the use of force is not explicit in the texts. There is a normatively neutral remark in the European Security Strategy – “we need to develop a strategic culture that fosters early, rapid and when necessary robust intervention”. But it is evident enough that the EU collectively would not achieve consensus to go to war without an indubitably just cause. Individual member states may be more willing to go to war where the justness of the cause may be more controversial, as Iraq has shown, but at the EU level the requirements of consensus to undertake forceful action will continue to be very strenuous. As for the US, the post-9/11 environment has seen a revision of security strategy in the direction legitimising pre-emptive action, justified by the proliferation of weapons of mass destruction combined with the new hyper-terrorism. However the Iraq war was highly contested according to ‘just cause’ criteria. Russia has shown a continuing inclination towards unprincipled

pressurising behaviour towards its former Soviet Union neighbours, but without threatening war. China openly threatens to use military force to take Taiwan, which the West does not consider to be a just cause.

Commandment 10, about an inclusive and integrative EU, follows from Article 1-58 of the Constitution, stating that the Union shall be open to all European states that respect its values. In addition Article 1-57 envisages special relationships with neighbouring countries. The ongoing enlargement of the EU and its new efforts to develop a neighbourhood policy testify to the importance of this commitment as a mechanism for extending the EU's values. The US, on the other hand, does not integrate its neighbourhood, at least not beyond the limited NAFTA initiative in the economic domain. This apparently is because its political structure and own demos is too strongly formed to make the progressive integration of its neighbourhood feasible for either party. Russia wishes to re-integrate the former Soviet space to the maximum extent, but lacks normative political attractiveness – at least to its European CIS neighbours – as recent developments in Ukraine have shown. China is developing a Greater China concept in east and south-east Asia, but since China is not democratic it had to find a different way. This seems indeed to develop in practice with a different logic, from the bottom up rather than top down, through deepening trade, investment and personal relations between mainland China and the Chinese diasporas in the region.

In total what picture do we have of the values of the EU compared to the US, Russia and China? A simple count shows the US sharing 6 out of 10 of EU values. Russia's showing is very bleak, with unqualified commitment to hardly any of the commandments. China is more convincing on a few accounts.

Of course this has so far been an utterly Euro-centric approach to matters that are to a degree only subjective perceptions, and the rest of the world can indeed claim that they have a different value system, without that meaning a lesser one. This is a question that we must now dwell on.

The US parts company from the EU on four accounts: lesser commitment to multilateralism in general and to sustainable development, a greater preparedness to use force, and a lack of an integrative regime for including the neighbours. The US certainly can and does make the argument that its lesser multilateralism is just a reflection of the impracticability of much of the UN system, with its membership crowded with so many weak states. It also argues that its greater preparedness to go to war is no more than facing up to the world's actual security challenges, which the EU runs away from. Finally the US can point out that lack of an integrative regime is hardly a lack of values, but just a structural political fact. Together these arguments are a plausible rebuttal to European sermonising about their superior value system.

That is not an end to the story, however, since there is still the question of which system is going to attract more support in the world. Whose is the closest to what may

become the global reference model? The US weaknesses, according to our Euro-centric reference, are part of the explanation why the US's international reputation as global actor has suffered serious damage under President Bush. Polls show this clearly, and the US is obviously uncomfortable with it. The message of the second Bush administration appears to be softening the anti-multilateralism at least in diplomatic tone. Whether the Iraq war has stiffened domestic political resistance to embarking on risky wars is not yet known, with the Iran affair due to reveal an answer even this year. The other side of this coin is the evident success of EU integrative policies in achieving the democratic transformation of the former communist states of Central and Eastern Europe. President Bush makes striking speeches about the cause of global democracy, but it is much less clear what the instruments are to be. War, as in Iraq, has been too costly and uncertain as to its consequences to be presented as a model. Elsewhere it is not clear whether the US has any new instruments of leverage on authoritarian Arab regimes or Putin's Russia. To round off on a constructive note, however, the transatlantic synthesis of the very different strengths and slightly different values of the EU and US is to exploit these as complementary assets, as maybe in the 'good cop, bad cop' imagery. The 'good cop, bad cop' act can indeed work in practice, as long as both cops are working to the same rule book.

The very poor Russian performance according to the EU system of values poses a different question, namely whether the present Russian political regime is sustainable alongside that of the EU. Russian political discourse is all about the pursuit of Russian national interest, rather than 'obeying the West' as they say happened in the early post-Soviet years. Maybe Russia can conceivably turn in on itself for some years at least, just selling gas to the EU, and buying consumer goods and holidays in the sun in exchange. But there is also the question of whether Russia's current foreign policy priority, to re-consolidate the post-Soviet space, is sustainable. The last two years has seen Russia's diplomacy score one own goal after another, as clumsy pressuring of its neighbours drives these states even faster in a West European direction. Russia may choose for the time being a very different value system for its 'near abroad' foreign policy, based on a restrained *realpolitik*. It is restrained in the sense that no-one expects Russia to invade Ukraine or Moldova to get the leaderships it prefers. Yet the combination of clumsy *realpolitik* without a credible threat of invasion is a sure loser. Since the neighbours know that they will not be invaded, the pressurising only pushes them away even faster. Russia's choice of a categorically divergent value system in its near abroad policy, compared to that of the EU, is working contrary to its declared national interest.

These considerations bring us back to the question whether the EU's set of values – the Ten Commandments – is just the preference of one region of the world. Or is it more than a parochial West European affair, which is gaining

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increasing weight and recognition as a pre-eminent global reference. At least this proposition is now being discussed.

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