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**“REORGANIZING NATO: EUROPE’S LAST CHANCE TO PRESERVE
FUNDAMENTAL RIGHTS”**

Donald Trump's campaign rhetoric opens up two diplomatic initiatives that will transform America's relationship to Europe. Under the first, the President makes a deal with Vladimir Putin to deescalate the intensifying confrontation between Nato and Russian forces on Europe's Eastern frontier. Under the second, he demands that Nato allies stop "free-riding" on America and pay a much bigger share of the alliance's budget. Given Trump's penchant for wheeling-and-dealing, he will be tempted to pursue both strategies at once.

This is a mistake. If the president tries to have his cake and eat it too, it is all too likely that his partnership with Putin will lead to the tragic disintegration of Nato. To see the danger, suppose that Trump follows through on his plan to join Putin's ongoing campaign against the Islamic State and its successors. As they announce their alliance in the Mideast, the two strong-men also declare that they will extend their détente to Eastern Europe and deescalate the rising military tensions in this region as well. But as their war against "Islamic extremists" continues for months and years, Putin repudiates his broader commitment to détente. He seizes the opportunity to engineer a Ukrainian-style takeover of the Baltic states – despite the fact that these countries, unlike the Ukraine, are members of Nato. Under this scenario, local Russian minorities in Estonia or Latvia engage in "spontaneous" uprisings backed by poorly disguised Russian ground troops streaming across the border.

At the same time, Trump has been loudly demanding that his European allies stop their intolerable "free-loading," and pay their fair share of Nato's costs. He insists that they, like America, should be paying 5% or more of their GDP for defense. The Europeans will predictably balk at this demand. After all, most of them are falling short of the modest 2% goal that they have set for themselves. In a series of melodramatic meetings, defense ministers engage in bitter confrontations. The wrangling that ensues will further increase Putin's temptation to engage in a Ukrainian-style takeover of Estonia or Latvia.

This leads to Trump's moment of truth: Will he abandon his Mid-eastern alliance with Putin, and order American troops into action to repel the threat of a Russian takeover in the Baltic? Or will he be so disgusted by the squabbling Europeans that he will allow the piece-meal incorporation of the Baltic states into the Russian Federation, and thereby destroy the credibility of Nato's guarantee of mutual defense?

Long distance psychoanalysis isn't my specialty, but I could readily imagine Trump telling the "selfish Europeans to go to hell." As Nato disintegrates, the Russians will reestablish an expanding sphere of influence in Eastern Europe. In the meantime, Western Europeans will desperately remilitarize to defend themselves, since they can no longer count on the United States to help counter future threats.

Yet Trump is all too likely to try to have-it-all – unless European leaders act now to preempt the clear dangers involved in this dual strategy. This involves, first, a strong diplomatic effort to convince the President-elect that he should limit his rapprochement to Putin to symbolic gestures – and preserve his freedom of action in the Mideast. At the same time, the European leadership should signal its willingness to bargain in good faith on a new cost-sharing agreement for Nato. Such an overture would only serve as the beginning of an extended period of tough negotiations. Nevertheless, it would offer the new President the prospect of a grand Trumpian moment in which he triumphantly announces that he has made a Big Deal with Europe which makes NATO and America Great Again.

It will be tempting, of course, for Europeans to wait awhile and see how Trump's policies actually evolve before stepping forward with a bold initiative – especially one which will cost them a lot of money. But I hope that I've persuaded you that time is not on Europe's side – and that Continental leaders run the risk of losing a crucial bargaining chip if they allow Trump to close a serious deal with Putin.

Suppose, then, that Chancellor Merkel and others rise to the occasion and convince Trump to make a New Deal for Nato a primary objective over the next couple of years. What should the new agreement look like?

I begin on the military side of the equation, before turning to the way Trump's New Deal should reinvigorate Nato's role as a force for trans-Atlantic democracy in the twenty-first century. Here is where the construction of a new Nato institution, modelled along the lines of the Venice Commission, will emerge as a central issue in the on-going negotiations.

But to hold your attention to the very end, I'll keep you in suspense about Nato's adaptation of a Venice-like Commission for a while, and focus first on the military side of the equation.

So let's begin with the obvious. A key element of the New Deal will be a major increase in European military investment over the next decade. But more than money will be involved. The Europeans should declare that, by 2026, their ground troops will take primary responsibility for guarding the Eastern frontier. This won't be possible so long as national armies, and their officer corps, remain independent from one another. The current regime not only encourages enormously wasteful duplication of military assets, but prevents the effective command coordination which would be required to serve as an effective fighting force against Russian incursions.

At the same time, Trump would recommit the United States to a strong and continuing role in trans-Atlantic defense. Not only would America provide crucial air, sea, and logistical support, but the American army would reinforce European troops on the ground at moments of crisis.

This deal offers clear benefits to both sides. Trump not only gets substantial cost reduction over time. As the transitional period proceeds, the European army will also be prepared to accept a greater share of the bloody sacrifice if Putin, or his nationalist successors, attempt a Ukraine-style takeover.

Despite these long-term burdens, Europe will obtain a decisive short-term gain. Trump's recommitment of American ground forces to the Eastern frontier will dramatically reduce the chances of Russian aggression.

Consider that Putin presides over a declining and aging population of 140 million, whose prosperity is heavily dependent on oil prices. His military only looks formidable if Trump moves in the direction of detente with Russia. Once the president has reaffirmed America's determination to put boots on the ground in defense of the Eastern frontier, only a foolish adventurer would mount a Ukrainian-style takeover in the Baltic – and Putin is no fool.

This point will carry a lot of weight with Angela Merkel. As the Continent's economic powerhouse, Germany will have to accept a big share of the increased financial burden. At the same time, it has a powerful national interest in keeping the Eastern frontier as far to the east as possible. If Nato disintegrates, the Federal Republic will be forced to increase its military investments dramatically in response to Putin's advances in Eastern Europe. The vast sums required would far exceed the substantial increases that Trump might find acceptable. Indeed, in recent months, Merkel has already backed plans for greater military investment, as well as increased integration of German units into European strike-forces.

Nevertheless, the Chancellor will have a tough time sustaining political support for a sensible deal with Trump.

During the coming year, she will be facing a serious electoral challenge, with the Extreme Right gaining substantial parliamentary representation for the first time in post-war history. Alternative für Deutschland has elaborated a strongly nationalist foreign policy, categorically rejecting German participation in entangling alliances. While Merkel's coalition partners will repudiate such extreme views, many members will greet Trump's offer of a New Deal as a dangerous invitation to propel the country down the same militaristic path that led to the Nazi catastrophe in the twentieth century.

So far as these skeptics are concerned, Nato lost its *raison d'être* at the end of the Cold War. Rather than reinvigorating the alliance, Merkel should reject Trump's initiative and engage Putin in a more collaborative effort to secure peace, if not democracy, in Eastern Europe.

I take seriously the skeptics' fear of resurgent German militarism. But their anxieties are misplaced in the present context. After all, a New Deal for Nato does not envision the creation of a mighty German army defending the homeland against foreign danger. It proposes the very opposite: German troops will be integrated into a coordinated European force that will guard the Eastern frontier in conjunction with trans-Atlantic allies.

Moreover, the command structure of the European army should be organized in a way that is responsive to the very real fears, in Germany and elsewhere, provoked by the catastrophes of the twentieth century. In organizing the European high command, German generals should play a relatively modest role. Instead, the high command should largely be composed of officers from other European nations. This will not only pacify anxieties, but generate institutional momentum that will encourage political forces in the rest of Western Europe to maintain on-going support of the united defense of an Eastern frontier. In addition, the unified European command could impose a restraining influence on their American counterparts – especially when the country is governed by a president like Trump, who might well respond excessively to minor Russian provocations.

The skeptical critique is also misdirected on a second dimension. It ignores the greater danger of militarization if a Russian *détente* breaks down after a few years, and Germany is then obliged to respond with a massive military build-up. While the Federal Republic would then appeal to France and other Western Europeans to form an effective multi-national force, this last-minute effort would likely fail. The country would have no choice but to organize a powerful *German* army led by a *German* high-command – just the nightmare conjured up by pacifist critics of a New Deal for Nato.

The skeptical critique of the Trump initiative is, in short, self-defeating – promoting the very catastrophe that the critics want to avoid. The challenge for Merkel and other European leaders is to emphasize this fundamental point. President Trump is likely to make their job much more difficult. Rather than conduct himself in a statesmanlike fashion, he will be loudly demanding that Europeans quit “free-riding” and support Nato's on-going effort to Make America Great Again. Given his egregious acts of self-promotion, it will be up to Europe's more sober leaders to rise to the occasion, and make every effort to convince their fellow citizens that a revitalized alliance is worth the price.

I have been presenting my case in hard-boiled realistic fashion – although even here, my military-strategic arguments ultimately led to a moral confrontation with the legacy of the Nazi past. But it's time to take the next step, and consider how a second moral issue will force itself onto the bargaining table. From its very beginning, the Nato alliance was understood as something more than a mere marriage of military convenience. Instead, it was a crucial vehicle for the defense of democracy in an epochal struggle against totalitarianism

– in which Nato members committed themselves, in the words of Article Two of their Treaty, to “strengthen their free institutions.”

If the trans-Atlantic community is to renegotiate Nato’s basic commitments, it cannot avoid asking itself a final question: What to make of this Treaty commitment to democracy as Nato redefines itself for the twenty-first century?

For all his strong-man posturing, it will be Trump who will be obliged by his political allies – as well as his enemies -- to take this question seriously. As we have seen, to gain increased financial support, he will have to give the Europeans something in return – a renewed commitment that American ground troops will fight and die with their European comrades to defend against future military invasions on the Eastern frontier.

But it is this guarantee that will put Trump in a politically exposed position. During his campaign, he exploited widespread disenchantment with the endless wars in Afghanistan and the Mid-East to promise voters that he will never again order ground troops onto the field to fight and die for corrupt Middle Eastern autocrats. But this will provoke many of his political allies to question the very legitimacy of his New Deal with Europe. Quite simply, if Americans should no longer be required to die in defense of Baghdad or Kabul, why should they die for Danzig or Riga?

Trump has only one plausible response – but only if he can convincingly portray Poland or Latvia as vibrant democracies. In that case, he can tell his fellow America Firsters that, in the case of Danzig or Riga, our soldiers will be dying in the defense of the Great American values that we share with our embattled fellow-democrats on the Eastern Frontier.

There is, however, an obvious problem raised by Trump’s democratic riposte. Recent events in Poland and Hungary and Turkey render their claims to democracy deeply problematic. If nothing is done, dying for Danzig or Budapest or Ankara will soon become the moral equivalent of dying for Baghdad or Kabul. Why then should Trump recommit the country to Nato if the alliance is no longer dedicated to the defense of the democratic way of life?

Unless he can provide a decisive answer, this question will generate a powerful domestic political backlash against Trump’s New Deal. To save his initiative, he will have a compelling incentive to launch require concrete diplomatic initiatives with Poland, Hungary, and Turkey – aimed at defining the concrete actions NATO will require to guarantee democracy in these nations. If Erdogan or Kaczynski or Orban refuse to make the necessary concessions, they should not be allowed to remain in Nato.

This does not imply that they could not enter into new military arrangements with Western partners. After all, both the United States and Europe have had a long history of maintaining such unholy alliances. But these marriages of convenience should not be confused with an enduring membership in an enduring alliance based on the on-going defense of democracy in the twenty-first century.

Suppose, though, that the current campaigners for “illiberal democracy” will be sufficiently impressed by the dangers of Nato exclusion that they reach a strong agreement that guarantees fundamental rights. Nevertheless, similar crises may well arise in the future. If Nato members are to redeem their pledge to “strengthen their free institutions,” their New Deal should contain a new Democracy Protocol that defines procedures and standards for resolving future controversies.

In hammering out the terms of this new Protocol, the experience of the Venice Commission serves as a valuable resource. On the positive side, the Commission’s performance demonstrates the feasibility of professionally disciplined investigations into real-world

practices that threaten foundational principles. On the negative side, the EU's response to the Commission's findings has been painfully inadequate. They make it clear that the rules regulating EU sanctions can't serve as a plausible model for the new Nato Protocol. If it is to sustain a credible commitment to democracy, Nato can't allow individual member-states, or small minorities, the broad veto-powers granted by the EU sanctions-system.

This is not the place to consider plausible replacements. But I do suggest that this is a moment for the Venice Commission to offer its assistance to Nato on these critical design issues -- so that its leadership won't be blind-sided if the political dynamic I have described does indeed lead them to make a serious effort to redeem Nato's democratic mission.

I have been engaging in a damage-control mission. I have no doubt that a Trump presidency will do terrible harm to the moral, economic, and cultural ties that have bound the trans-Atlantic community together since the Second World War. This is indeed a dark hour for the Enlightenment.

But it is too soon to give up hope. To be sure, it will take far more than a new Nato to reinvigorate the democratic way of life. It will take millions of grass-roots activists to demonstrate to their fellow-citizens that "democracy" is not a formula disguising rule by plutocratic elites, but a vibrant pathway to social justice for all.

But in the meantime, it remains critically important for current leaders to shape prevailing political dynamics in ways that provide a space for democratic forces to regain the initiative. If they fail to rise to the challenges of statesmanship, it will be even harder for the next generation to repair the terrible damage to the trans-Atlantic community that looms before us.

This is, at least, the thought motivating my talk today. A New Deal for Nato will hardly suffice to extricate the West from its current predicament. But it is all that I can offer you at present.