

spotlight europe

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It's hip to be a euro-critic

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In the area of European policymaking, established parties are nowadays also confronted with pressure from the left-wing and right-wing fringes of the political spectrum. The fact is that, try as they might, they cannot explain away all the negative results of EU policymaking. Instead of fighting a communications war from their entrenched positions, the supporters of European integration should recognize that there are contradictions in European policies which need to be dealt with frankly on a political level.

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Some people point out that the European Union was built on the basis of consensus, whereas others warn that it needs controversy, or else will lose its legitimacy. Jürgen Habermas and Günther Verheugen, two proponents of these opposing positions, crossed swords in the politics section of the *Süddeutsche Zeitung* in June 2008. “Politicize the debate,” demanded the former. “Bring in the citizens.” “That won’t work,” retorted the latter. “Europe is based on consensus, and not on controversy. It is slow and painstaking, and often excruciating; but it is efficient. That is how we should go on. All of us, by working together.”

And in fact after the referendum in Ireland the European governments and the administration in Brussels have tried to do what they are best at: waiting until things have calmed down, conducting discreet talks, and preparing for another referendum. However, at the same time the debate on European policy, has already been taken out on the streets. Not by the governments and the established political parties, but by players who do not have very deep roots in the system. They believe that the voters are sufficiently irritated to respond to their criticism of the Union, which enhances their profile and enables them to generate influence. In this they are aided and abetted by centrist governments and parties, which do not openly

acknowledge that there are contradictions in European policymaking, and react in a fundamentally defensive manner to fundamental criticism. Thus they have failed to lift the debate on European policy to a constructive and more differentiated level.

As a result the debate on European policy remains uninspiring and the electorate continues to be suspicious. Furthermore, the extraneous and internal systemic criticism of the European Union continues to gain momentum, and, in the context of the forthcoming elections to the European Parliament in June, is becoming more cogent. Will this be the first test for the assumption that anger due to the Union is sufficiently pronounced to reward the political groupings which actually reject the EU?

Who is criticizing what

Taken as a whole, the critics of Europe are fragmented and rather inscrutable. And ever since the “No” votes in the referendums in France, the Netherlands and Ireland they have started to be in a state of flux, and new euro-critical groups are making an appearance. Nationalist parties are reorganizing themselves. Classical protest movements are stating their arguments in a new and upbeat manner. At the same time the topics and the mode of expression are moving in from the fringes to some of the centrist parties, which quite obviously believe that they have to show where they stand so as not to lose voters to their new opponents.

„Eurocriticism is moving in from the fringes to some of the centrist parties.“

Libertas, the newcomer among the right-wing critics of Europe, has provoked some broken coalitions and new alliances in the right-wing and conservative camp throughout Europe (for example, in France, the Czech Republic, and in Portu-

gal). This pan-European party is a product of the Irish anti-Lisbon campaign. In the entrepreneur Declan Ganley it has an ambitious and by now fairly well-known leader who has described the debate on the Treaty of Lisbon as a political awakening which he wishes to share with all other Europeans. Yet hitherto Libertas has achieved fame more on account of its history than as a result of its political positions, and Ganley is finding it more difficult to recruit suitable comrades-in-arms in the member states than he had anticipated. A meeting with euro-critical Czech President Vaclav Klaus generated a lot of buzz, but the Libertas lists include either unfamiliar names or well-known radical nationalists such as Frenchman Philippe de Villiers. Yet Ganley differs from the majority of right-wing nationalists not only on account of his slick appearance, but also on account of his market radicalism, which he has in common with self-appointed “EU dissident” Klaus. Both of them believe that the Treaty of Lisbon stipulates economic and social norms which simply go too far. In February 2009 Vaclav Klaus summed this up in a speech to the European Parliament as follows. “It needs to be said quite openly that the current EU economic system is a system which oppresses market forces and continually strengthens central control of the economy. (...) The solution can only be the liberalization and deregulation of the European economy.”

Since Libertas is still a party without a manifesto three weeks before the European elections, statements about political positions can only be made on a provisional basis. However, when it comes to communication and marketing, Libertas is certainly innovative. It landed a real public relations coup by managing to secure the support of Polish trade union legend Lech Walesa. At the start of the election campaign in Rome Walesa told the delegates to be courageous. “[You have the potential to change Europe for the better.](#)” Walesa’s appearance was not only of considerable importance on account of his

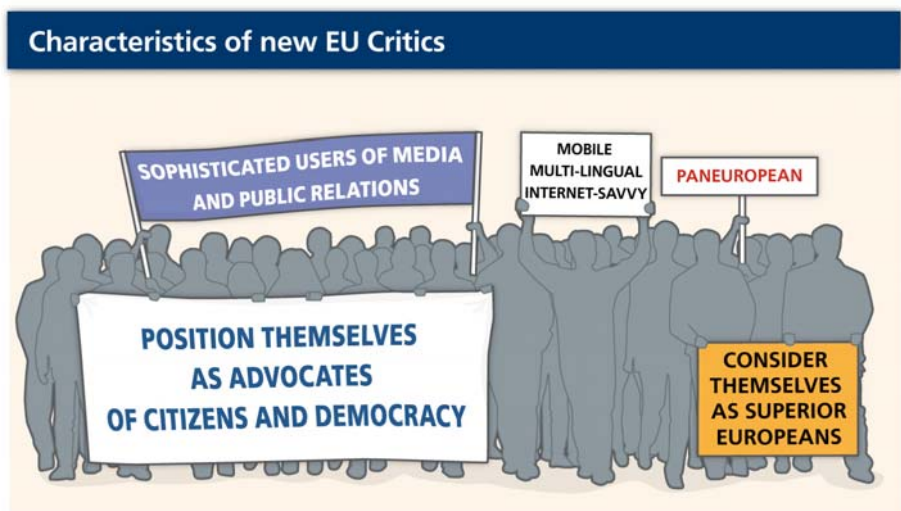
popularity. He is a member of the group of “Wise Men” which has been assembled by the heads of state and government and next year is due to present its vision of the future of the European Union.

Libertas not only makes use of prominent names, but also utilizes the [new media](#) in a professional way. The few messages are presented on its website in a style that is straightforward and easy to understand. In a manner reminiscent of the Obama method, the visitor is asked either to become involved or at least to sign up to the mailing list. Ganley himself has not made any mistakes in public. Hard-hitting stuff such as “We’re going to hunt for Barroso!” he leaves to his comrades-in-arms and prefers to cultivate the image of a successful businessman who wants to put things right in the political sphere. In this way he has managed to prise right-wing euro-criticism out of its unsavoury nationalist surroundings, thereby making it more palatable to the mainstream, and thus putting pressure on other conservative parties.

On the left-wing fringe of the political spectrum a number of actors have adopted a euro-critical stance. They include the pan-European protest network Attac, and left-wing parties such as Die Linke in Germany and Nouveau Parti Anticapitaliste (NPA) in France. At the end of the 1990s Attac and its [systemic critics](#) had demonstrated that they are able to seize on a certain topic and turn on the heat in political terms. Recently they have begun to focus on the European Union. Despite the fact that they stand aloof from the system – they are not in favour of “marching through the institutions” – there are clearly visible links to

political parties, in Germany, for example, to Bündnis 90/Die Grünen, and especially to Die Linke, which for the 2009 European elections has adopted a more strident euro-critical tone. Even if Lothar Bisky, the party leader, always emphasizes his party’s essentially pro-European attitude, there have been, especially with regard to assessments of the Treaty of Lisbon, bitter disputes within the party, in the course of which those who completely reject the treaty have gained the upper hand.

Left-wing criticism of Europe tends to see the EU as a purely elitist project, especially a project of the economic elite. Business and capitalist interests, such critics complain, are deliberately encouraged, a fact which they trace back to the neo-liberal ideology of European treaties, policymaking and court rulings. A general mo-



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tion proposed at the party congress of Die Linke in Essen devoted to European matters stated that “The confiscation of the money of female and male workers and of those who are socially disadvantaged has swept more and more capital into the international financial markets. The deregulation of the international financial markets was a project that the European governments also supported.” Beyond the confines of the EU, development and peace policy were supposedly being neglected. Both EU enlargement in eastern Europe and negotiations on regional trade agreements are repeatedly cited as examples of

wrong-headed policymaking. “The EU Commission continues to propagate free trade as the basis for ‘competitive economies’ and as ‘the catalyst for development’ and is thus the ‘lackey of the European corporations’.”

Furthermore, the policy of the EU was increasingly being used for the imperialist enforcement of capitalist interests. “The present common EU security and defence policy is based on the offensive military capability of the European Union and rearmament.” For these critics such deficiencies are part and parcel of the whole system, and for this reason they reject all of the reform treaties out of hand (Constitution, Lisbon).

With regard to European policy issues, the centrist parties are under pressure from the left and the right. In Declan Ganley the right-wing and conservative camp now has a publicly effective leader whom the masses find congenial. In Germany Die Linke is the first player to act in a decidedly euro-critical manner.

The CSU has simultaneously reacted to this development by adopting tougher European policy positions. The CSU European election manifesto includes the following statements. “We are asking for fewer decisions to be made centrally in Brussels.” (...) “We trust that the Federal Constitutional Court will strictly examine whether the EU has adhered to the legally valid assignment of responsibilities.” (...) “We want to take decisions about land and property ourselves.” (...) Furthermore, there is a promise to create more democracy and grass-roots policymaking with the help of referendums on European topics.

Recently Bündnis 90/Die Grünen has voiced more vociferous criticism of the EU and have put Sven Giegold, co-founder of Attac Germany, on the party list for the European Parliament. In Austria both of the two large popular parties, the SPÖ and the ÖVP, have relinquished their pro-

European positions, and as a result provoked a breakdown of the governing coalition last year. The FPÖ and the BZÖ continue to pursue their national, populist, exclusionist and protectionist line with success, as do Vlaams Belang in Belgium, Fidesz in Hungary, and Lega Nord in Italy. In France the Socialists are embroiled in bitter disputes, not only within the party itself. They are also being goaded from the left of the political spectrum by the NPC and its charismatic leader, Olivier Besancenot.

In the United Kingdom hardly anyone still believes that New Labour can actually win the forthcoming elections. David Cameron, the Conservative leader, is thought to have a very good chance of becoming the next prime minister. However, the members of his party in the European Parliament are just on the point of withdrawing from the union of European Conservative and Christian Democrat parties, since they consider the pro-European stance of many of their fellow politicians, including the CDU, to be insupportable.

The critics seem to be making a lot of headway. Yet the classical pro-European centrist parties are making it all too easy for them by choosing to ignore most of the contentious issues with which they have been confronted and are failing to shift the debate to a constructive level.

II

Who is turning what into a taboo

“Germany more than anyone else profits from the internal market!” “Where would we be without the euro in this crisis?” “Mobile phone rates!” “Cheap flights!” These are some of the typical replies that are trotted out as soon as anyone says anything that smacks of criticism. An [online spot](#) produced by the European Movement network shows quite clearly the whole gamut of European blessings which

can be marshalled to deal with criticism of any kind. Watching the film, the critic simply gives up and withdraws his question, "What has Europe ever actually done for us?" as a result of this barrage of positive answers. Hans-Gert Pöttering, the President of the European Parliament, must have been hoping that similar things would happen when at the beginning of the year he spoke on the subject of "Communicating the European Parliament elections." He pointed out that not every topic that was dealt with and voted on in the European Parliament was easy to explain to the public. But there were numerous successes and decisions which actually produced a specific, easily comprehensible and explicable value for EU citizens. "It is our task," Pöttering said, "to look for these topics, to concentrate on them in our public relations and thus to inform the citizens about the value of our work."

Politicians in the government, so it seems, are determined to fight a communications war from their entrenched positions, whilst the European citizen - if one is to believe the latest Eurobarometer surveys - is moving farther and farther away from the scene of the action. He or she may be pleased about sinking mobile telephone costs, freedom of travel and consumer protection, but does not seem to be convinced that this means that everything in the European world is neat and tidy and in order. In fact, he directly experiences the disadvantages of European policymaking just as much as the advantages. Unfortunately, the disadvantages are talked about only by specialists or populists.

In the following section two examples are adduced to illustrate how EU policymaking has an effect on important sections of society-which in a national context are accepted as an important source of feedback about a specific policy- and can influence their attitude to the project of European integration. On a local level the effect of certain internal market freedoms can lead to friction between basic political rights and local arrangements on the one hand

and the basic freedoms of the internal market on the other.

The example of non-profit associations in the Tübingen area may help to elucidate this. The associations of the town and the surrounding district used to finance themselves by collecting and selling scrap paper. As long as only a small amount of money could be made in this way there were no conflicts of interest with private waste management companies. But last year, as prices of resources soared, the private firms entered the market and placed blue collecting bins on the streets. The Administrative Court ruled that on the basis of Article 13 of the Recycling Law the freedom to engage in business also had priority in the case of resources such as scrap paper. The blue bins could stay. The sources of income of non-profit-making clubs and societies are drying up. A change in Article 13 - which regulates the relationship between the provision of essential services and the freedom to engage in business in the waste management sector - and other political options, for example, local exceptions for the waste management industry, were discussed and then rejected. The ministry in Berlin responsible for this issue believed that the waste management industry was quite clearly covered by the provisions of the internal market.

Thus Berlin points its finger towards Brussels and tells the non-profit associations via the local government "We cannot do anything for you. These are the freedoms of the internal market." The reasons given are correct in both legal and macroeconomic terms, and the political responsibility cannot be clearly assigned. It is true that these decisions were made in Brussels, but there is no mention of the fact that Berlin actually participates in EU decision-making. It would be more honest to reply as follows. "We agree with the current state of EU legislation and for the following reasons," or "We criticize the current state of legislation and are in favour of making the following changes."

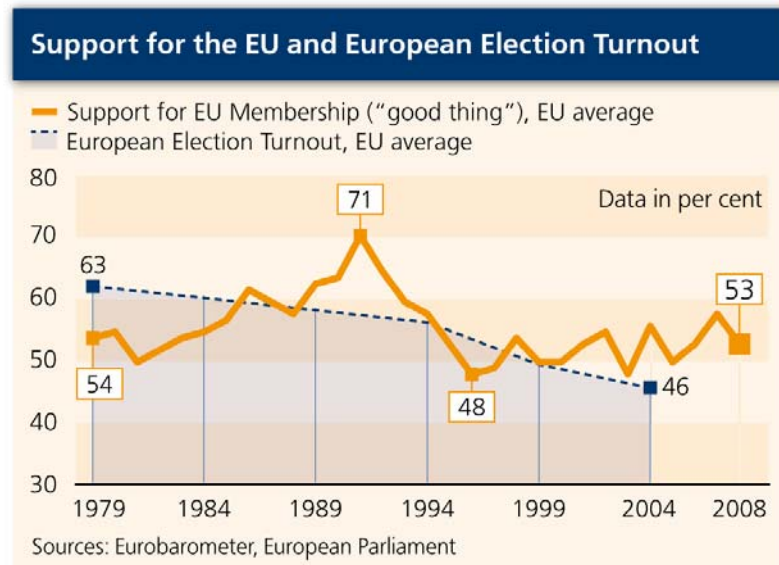
Here European policymaking affects EU citizens in a direct and unmistakable way. But at the same time clubs and societies in towns and villages are a powerful source of feedback with regard to their interpretation of the situation on the ground. “Voluntary work is being made more difficult by market economy principles. It is all the

A similar dispute is concerned with the effects of EU legislation on wage bargaining autonomy. ECJ judgements, as for example in the case of Viking, Laval and Ruffert, are adduced as a warning that the EU is undermining basic rights such as the right to strike or wage bargaining autonomy. In the case of Ruffert the ECJ ruled that only

generally applicable wage agreements (i.e. two per cent) were binding for foreign employers. Thus with its definition of the law the ECJ has had an effect on the basic pillars of the German collective wage bargaining system. For this reason Frank Bsirske, chairman of the Ver.di trade union, argued in an open letter to Chancellor Merkel that the ECJ “claims to possess competences to which it is not entitled and which have not been transferred to the European Union and

its institutions by Article 23 of the Basic Law.” The Chancellor’s answer, which unfortunately has not been made public, falls back, going by the available quotations, on two arguments which have become de rigueur in the European context. First, such a matter could not gain sufficient support in Brussels, and, secondly, as a result of the Treaty of Lisbon—and especially the Charter of Fundamental Rights—everything was going to be much better. “You say nothing at all about this, dear Chancellor. Instead you point to the inclusion of the Charter of Fundamental Rights in the Basic Treaty...,” Bsirske said in his reply.

That trade unions and associations are powerful sources of political feedback is a truism on the nation-state level. Thus it is all the more remarkable that this fact should be ignored when the topic is the European Union. “Viking,” “Laval” and “Ruffert” have become the war cries of the trade unions and left-wing critics of



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fault of the EU.” It is difficult to say whether cheaper telephone calls can dispel views of this kind.

The issue cannot be the idea of calling the internal market into question. It is an important pillar of the European Union. Without the enforcement of the four basic freedoms of the internal market and strict laws governing competition, a common currency would be difficult to envisage. Whereas a group of specialists has for years been discussing and conducting negotiations on the role of the basic freedoms of the internal market in the area of the provision of essential services and local self-government (for example, the Commission’s green and white papers on services of general interest, the protocol note of the Treaty of Lisbon on this subject, or the subsequent communications by the Commission), the official European discourse simply ignores these contradictions.

Europe. Ignoring them certainly does not help to generate more understanding for European policymaking.

The responsibility which has been shunted off to Brussels not only lacks an addressee because debates and votes in the European Council are not made public, but also because unanimity and the principle of collegiality in the Commission have become cornerstones of European policymaking. The European level cultivates rules of conduct and negotiating practices based on diplomatic manners which have little to do with a public struggle for a particular course of action based on democratic procedures, rules and regulations. The quality of the democratic process becomes apparent not only on account of its legitimacy, but as a result of transparency and perceivable responsibility. A differentiated perception of the members of the Commission is slowly beginning to emerge. An openly conducted conflict such as the one between French President Sarkozy and EU Trade Commissioner Mandelson last year is still rather rare. Originally this way of doing things was intended to protect the commissioners and to ensure that they were independent of their countries of origin, but today it also facilitates undifferentiated criticism of the Commission. European policymaking, and this is a solemn declaration that crops up in every official discourse, is an integral part of the daily lives of Europeans. However, that the latter do not only benefit from the advantages of such policymaking, but sometimes have to endure the disadvantages is usually never mentioned. This vacuum devoid of meaning is seized on by populists and critics of Europe, and they fill it up with views of their own.

III

The Future European Discourse

“The people,” Kurt Tucholsky once wrote, “may misunderstand most things, but they

have a sense for what is true..” If he was right, then surely Europe must plunge citizens into a state of emotional chaos. Who or what can they believe? Those who tell them “Everything is going to be alright?” Or those who tell them “Everything is going down the drain”? Especially when what they experience is somewhere in between. The absence of a differentiated discourse about the realities of European politics paves the way for populists and radical critics and is reminiscent in structural terms of the asylum and migration debates of the 1990s. In those days the doctrine espoused by the state (“Germany is not a country of immigration. We do not have a problem with foreigners.”) no longer corresponded to reality and was thus very useful for those who wanted to make political capital out of the issue. The situation first changed after the large political parties had agreed to say “Germany is, like all European states, a country of immigration. And there is, as in all European states, an integration problem.”

„Subsidiarity to be borne in mind as responsibility.“

In order to restore credibility to the European discourse and to pull the rug from under the populists’ feet there is a need for a similar shift in perception. Initially this would involve an admission that there are contradictions in European policymaking, and that they need to be thrashed out politically. This would entail not only respecting the maturity of EU citizens and assuming responsibility for one’s political decisions by dealing with the societal consequences, but also including an awareness of such contradictions in the European policymaking process.

Subsidiarity is an important principle. The endless and ongoing debate on this subject erroneously leads one to believe that levels function quite separately from one another and that the efficacy of specific measures remains confined to the areas for which political decision-makers are responsible. However, subsidiarity cannot

merely be part of a debate about who is responsible for what. Subsidiarity also signifies that every level of responsibility has a duty to bear in mind and understand the effect of its policies on other levels. Civil society and individual citizens would do well to ask their governments to act on these lines. "What do you intend to do with regard to Europe?" is a sensible question. It is also appropriate when there are national and local elections.

However, at the moment the critics of Europe seem to be doing rather well. At the European elections in June it will be-

come apparent whether or not they can actually mobilize voters, or if they are simply grabbing the headlines. It would not be the first time at elections to the European Parliament that a good result was achieved by a combination of a generally low turnout, the simultaneous mobilization of one's own camp, and the support of numerous protest voters. The Front National showed how this can be done in previous elections. So did the League of Polish Families, which on the basis of this selfsame recipe attained the second-best result in Poland in 2004.

For Further Reading:

Paul Magnette/Olivier Costa: Une Europe des élites? Réflexions sur la fracture démocratique de l'Union européenne. Editions de l'Université de Bruxelles, 2007

Nicole Doerr: Listen carefully. Democracy brokers at the European Social Forums. European University Institut, 2009

Dieter Fuchs, Raul Magni-Berton, Antoine Roger: Euroscepticism. Images of Europe among mass publics and political elites. Barbara Budrich Publishers, 2009

Sylvie Goulard: Le coque et la perle. Les cinquante ans de l'Europe. Edition Seuil, 2007

Thomas Risse et al: Transnational identities. Becoming european in the European Union. Rowman & Littlefield, 2004

Responsible

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