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Now Poland in the EU Doghouse: The EU and “Real” Democracy are the “Losers”

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The apparent disintegration of the EU continues, as to be predicated. Poland has not voted to leave but the storm clouds are gathering on the horizon. It is now under threat of having its voting rights within the EU taken away, under Article 7 of the Lisbon Treaty, because its parliament has passed a domestic law which will effectively make opposition demonstrations illegal, if it is applied in the way its critics fear.

The proposed new law of assembly, which the President has yet to sign, will give local authorities the power to allocate certain spaces for demonstrations by certain groups, allowing them to effectively book those spaces for months or years in advance. At present, if more than one group wants to hold a rally in the same space the group which applied first is given priority. Under the new law, demonstrations of “national importance”, however that is defined, will automatically be given priority, irrespective of when the organisers applied to hold them. Any other assembly in the same place, or within 100 metres of it, would be illegal.

The Polish government, which is another of these anti-Communist “conservative” ones which is disturbingly fond of Communist methods, claims the purpose of this law is to ensure the safety of demonstrations. A bevy of human rights groups, and even the Polish Supreme Court, regard the new proposed law as disproportionate and unjustified. Their argument rests on the notion that the government will only define demonstrations in favour of itself as being “of national importance”. Certain now-deleted clauses of the original bill, which gave special privileges to demonstrations organised by the state or Roman Catholic Church, suggest that this is indeed the intention.

The EU is probably in line with international opinion in opposing this proposed law. The trouble is, there are many laws in different EU countries which can be described in the same way. When Latvia entered the EU a substantial proportion of its population were denied Latvian citizenship, and the relevant laws have become more exclusive since. Poland can quite rightly say that if the EU wants to take sanctions against it over this proposed law it should also take sanctions against other EU countries over laws already in existence.

But Poland isn't the problem. Once upon a time the EU had some shared values which held it together—common interests too. Now it has taken in a number of nations which are not as equally European, but have only joined to see what they can get out of it—bigger is not better.

These nations argue that there is no reason they should be deprived of the benefits of EU membership, such as access to the single market, when they are themselves part of Europe, and differences in values between fellow European nations are perfectly permissible. The EU doesn't like this, but is having increasingly difficulty arguing that “as Europeans” we believe this and that when millions of Europeans plainly don't.

Having largely created the notion of “European values”, the EU no longer knows what these are. By trying to take Poland's voting rights away it is fighting for its own identity. No one takes any notice of EU treaties, and the values enshrined therein, unless it suits them, because they are words on paper with no real substance. But the EU only has itself to blame for this situation – and the solution to its problem is not an appeal to hypothetical values, but an honest appraisal of what the EU is and why it still exists.

To see ourselves as others see us

Everyone knows what principles the former EEC was built on. They know because they made a lot of sense to the original founders and the populations they represented. The original “European ideal” had an emotional reality the modern EU hasn't had for a very long time.

The original six founders, Belgium, France, Italy, Luxembourg, the Netherlands and West Germany, had seen what the Second World War had done to them. Either they had been invaded and occupied or defeated. Their economies had been devastated and their political systems destroyed by extremism or collaboration. The correlation was clear: war left you unable to feed your people, so prosperity meant preventing further war.

The concept of integrating economies to make war between the member states impossible worked. There were no more European wars and all the members benefitted from the economic miracle of West Germany. Point proven, the founders thought. Then other countries began looking at the EU with envious eyes, and that is where its present problems began.

The UK tried to join the EU for a decade, and all its credible political parties supported joining, to varying degrees. But it wasn't interested in preventing wars because it kept winning them, and still rejoices in the fact. It merely wanted to change direction because its "special relationship" with the US and its own former Empire was unsustainable in a world of declining British influence and increasing decolonisation.

Ireland had been neutral in World War Two, so it also had no need to stop war. But it was always poor, and EU recognition, funds and trading advantages would help it grow more than the traditional link with the UK ever had whilst protecting the advantages of that link. Denmark had likewise been neutral but wanted to protect trade with the UK, so if the UK joined, so would it, and its people endorsed this position in a referendum.

These countries weren't interested in values but in economic benefit. There was much resistance to EU dictates in areas like food labelling, where common EU definitions of food products excluded what natives of various countries had long regarded as "butter" or "beer". Greece's accession in 1981 was a sop to its domestic audience, to show that military rule was over. Spain and Portugal joined in 1986 for the same reason, having nowhere else to go politically if they wanted to build their own recently-emerged democracies.

Being in the EU makes you part of the Western democratic world, which still has a positive image, and gives you economic benefits in the form of trading privileges for the few and grants for the many. It also enables some of your citizens to earn decent wages doing mostly dirty jobs in the richer EU countries. All these are progressive options for the newer EU members, who've never had much economic clout on their own or as part of other alliances. They are therefore what the EU is about, according to most of the members it has today.

But the EU can't face this. It became a political union simply to try and will this problem away: it had to maintain everything is based on higher ideals than simply monetary ones. It had to develop a new set of guiding principles to replace the original ones, but that also meant imposing them on everyone else, regardless of local context, an insecure reaction which shows it is failing to do this.

Georgia isn't even an EU member. Nevertheless, one of the conditions of the free trade agreement it signed with the EU was to pass laws supporting "gay rights". Homosexuality was already legal in Georgia, but not socially acceptable – something you have to put up with in a

democracy, supposedly run by We The People. The old argument was raised – as we are Georgians we are already Europeans, we don't need to be told how Europeans are supposed to think.

Now Poland has joined the long list of actual EU members saying the same. It is ignoring EU protests over its proposed assembly law, in the same way Hungary did when it erected big posters telling foreigners from other EU states that they wouldn't be allowed to take Hungarian jobs – in the Hungarian language, so these foreigners couldn't read them.

One law for the rich

The EU doesn't give a damn about Sweden excluding foreigners from jobs like driving because they don't speak Swedish, when the applicants speak English, so does everyone else in the workplace and all the safety information and manuals are in English. This is because it is certain that Sweden has “European values”, whatever they are, so this violation of the EU's discrimination and employment principles can't really exist.

But Poland is a different matter. It is new member, only there because the Iron Curtain fell. It isn't considered trustworthy enough to really be at the heart of Europe, and relies on handouts rather than generating wealth for the other countries. So as a second tier nation it has to be told what to do, not for Poland's sake, or for that of the victims of this proposed assembly law, but for the EU's.

The search for common values that actually mean something has sent the EU into its shell. Rather than embracing the new members and their potential contribution it increasingly harks back to the good old days of the original six. These six still have a greater input to the notion of a common Europe than anyone else. The EU may not know what this means, but it is not willing to discuss the issues its newer members had in the same time period, which define how they themselves see Europe.

One such issue is colonialism. Ireland still debates its relationship with the UK, this still being the point of division between its main political parties. The Eastern European members don't want to go back to Soviet or Yugoslav dominance, which they equally saw as an assault on the national identity.

Yet the EU is not encouraging these countries to act on the basis of their independent traditions. It tells them to adopt laws invented by the founding six, who hadn't had this problem within living memory. The new members see EU membership as confirming their independence but the EU tries to take it away, but is incapable of seeing this.

Another is terrorism. Angela Merkel frequently complains about “migration” in the context of Muslim terrorism, whilst at the same time insisting on freedom of movement within the EU itself. Freedom of movement was invented because the original six EU members had land borders with each other in an age before international terrorism became possible, and restrictions made no sense. However unrestricted immigration from aspirant countries, as all the rest once were, is being presented as spreading terrorism and the problems associated with poverty.

When terrorist outrages are committed the perpetrators are almost always found to be nationals of the older EU states, who would have the right to be there whether they were in the EU or not. The older EU states have well-established Muslim communities, often products of their own previous colonial adventures. They also all have poor people, who would love to work their way out of poverty as migrants from poorer countries are doing in their midst.

Terrorism is a domestic problem for the older and richer EU members, not the newer ones. Paris gets bombed, Sofia doesn't, despite the vocal and organised Muslim minority there. But the newer countries are being lectured about it, and made to pay for it, when they likewise think Muslim terrorism is foreign to them, and have more reason to say so. Again the EU maintains that only what the older countries do is a European value, and that is the only definition of a European value, because they can't think of anything else.

No enemy can match a friend

EU politicians should know by now that the values of an organisation are set by all its members, not imposed from above. In every EU country domestic political parties have attracted members whom they never thought would join them, because these individuals have found unexpected room for their thinking in that party's ideology and then transformed the organisation as a whole.

Many watched in horror as Austria's Freedom Party changed from a Liberal International member into a neo-fascist party when the twists and turns of Austrian politics left its far right with nowhere else to go. One of the factors in the UK's Brexit vote was that the governing Conservatives have transformed from being strongly pro-EU to strongly anti, due to new members they have attracted, while Labour has gone in the opposite direction. If Labour had still been in power the Leave forces would have had less motivation to turn out and achieve the result they did, if any referendum had been held at all.

In the standoff between EU and Poland the side with greater motivation will win. Though most Poles disagree with the proposed law on assembly they have a strong commitment to their country and its independence. The EU isn't offering them a set of values they can believe in more strongly, only lectures on what a few people far away think Europeans are.

Countries join the EU because they want to be seen as liberal democracies, whether they are or not, and they want to be richer. These are the genuine values of the EU, and the EU would do well to treat them as such. The details of how a democracy is configured, and how its people should think, are not the basis of the European Union, nor can they be dictated by the original six to the rest of the membership.

If it really does want to save Poland from the proposed law on assembly the EU should unite its members around the values they actually have, which would then make them more susceptible to EU suggestion. At present, all it is doing is alienating them by insisting on "common values" which may be worthy, but cannot be European values when Europeans themselves do not accept them as such.