# The European Journal
## The Journal of the European Foundation

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A Dissident Speaks Out

Bernard Connolly was found guilty by the ECJ of crimes for which he had never been charged. The assumption that he had broken the terms of his employment contract went unchallenged in many press reports.

The following is a personal account of events.

“Il faut infliger la sanction la plus extrême”

(The severest possible penalty must be imposed)

That was the decision taken in September 1995 by my then-employers, the members of the European Commission, two days after the serialisation of my book The Rotten Heart of Europe began in The Times - and before I was even informed that disciplinary proceedings would be instigated against me. One of the Spanish Commissioners, Manuel Marin, was the only member to protest, I learned subsequently. Of course, it was those same Commissioners who a couple of years later resigned in disgrace and panic in order to save their own pensions.

Fortunately, the severest penalty legally available to the Commission at that time was not death or even imprisonment. I was merely suspended when my unpaid leave ended. The secretary-general of the Commission, David Williamson (subsequently created Baron Williamson by Tony Blair, for “services to Europe”) disgracefully and unlawfully told me in writing not to leave Brussels without informing him. I am convinced that my phone was tapped and whenever I metaphorically put two fingers up by leaving Brussels my absences were noted. It was during those absences that my family was harassed and, once, the door of our house was opened with a key at 4am so that it could be found, frighteningly, unlocked next morning. ‘Mug shots’ of me were posted at the entrances to Commission buildings. Letters sent to me at my office were intercepted, opened, read and held back by Commission officials, even when marked “personal and confidential”. A smear campaign was conducted against me in the press. I was subsequently sacked, and the Commission deployed every effort to make sure that newspapers would not give me a platform; even universities were threatened with the amputation of their Commission funding if they allowed me to speak within their precincts.

What had I done? According to the official charge-sheet – drawn up in obedience to the Commission’s instruction that I was for the high jump – I had published a book without permission; I had accepted royalties for the sale of that book; I had noted that the ineffable Geoffrey Delors was sworn to uphold against national or party-political interests; I had criticised the arrogance of Jacques Delors for fanning rumours, when the French franc was under attack in early 1993 at a time when France’s Socialist government was facing difficult parliamentary elections, of an immediate Franco-German monetary union – contrary to the Maastricht treaty, to the German constitution and to the very ‘Community interest’ that Delors was sworn to uphold against national or party-political interests; I had described the physiognomy of former Portuguese Foreign Minister, Joao Pinheiro, as “Satanic-featured”; and I had abused confidentiality by referring to a meeting of the Monetary Committee fourteen years earlier.

At the hearing of the disciplinary Board presided over by Williamson, my lawyer effectively but inconveniently refuted all the allegations that I had failed to respect my obligations as a Commission official. Williamson’s face showed particular fury when my lawyer gave him incontrovertible evidence that any ‘abuse of confidentiality’ about that meeting of the Monetary Committee in 1981 had been committed in a previously-published book, a paean of praise to the ERM and EMU – against which no action was taken, of course – written by a Commission consultant and a former Commission official.

I was soon to learn of the secret decision taken by the Commission and its inevitable implication that I would be sacked on political grounds whatever arguments I presented. But my lawyer insistently asked the Board that any complaint relating to the substance of the book’s arguments should be made formally, so that I could defend myself against it. Of course, Williamson, who throughout the hearing exceeded the role of impartial chairman laid down for himself against it. Of course, Williamson, who throughout the hearing exceeded the role of impartial chairman laid down for him in the rules, for once did not reply.

So I was hardly surprised when the Disciplinary Board recommended that I should be sacked for allegedly having publicly expressed opposition to Commission policy on EMU, a policy I was supposedly paid to implement. By sacking me for something I had not been charged with, the Commission avoided any debate of the substance of The Rotten Heart of Europe. It simply asserted that my book had gravely damaged the interests of the Community and the image and reputation of the Commission (a textbook definition, by the way, of seditious libel, a Star Chamber crime abandoned centuries ago in free countries) – and this was the soon-to-be disgraced Commission, remember, of Santer, Cresson, Kinnock, Brittan and the rest.

Naively, I complained to the Court of First Instance of the European Communities, claiming that the Commission had interpreted the staff regulations in an unlawful way. I argued that my sacking
unlawfully infringed free speech and that the disciplinary proceedings had flagrantly denied me the right to a fair and impartial hearing and had failed to respect the rights of the defence. Three years later the Court gave its verdict. In doing so, it outdid even what had gone before: it introduced a new ‘charge’ (three years after I had been sacked!) that I had described the ERM and EMU as a threat not only to our prosperity but also to our freedom and to our peace. Moreover, it had combed through my book, looking for horrors that the Commission had missed: it triumphantly – but deceitfully – claimed that I had equated Delors personally with the Nazis! I was an enemy of ‘Europe’, the Court’s judgment implied: a bad man who had no rights whatsoever – no right to free speech, because what I had said was blasphemous, heretical, treasonable – and no right to a fair hearing.

The Court was not embarrassed by the logical contortions it had to perform to justify its verdict. It said the right to free speech was subordinate to “objectives of general interest pursued by the Communities”. In other words, free speech could be limited whenever the Commission decreed. Up to now, that pernicous doctrine has affected only Community officials; but when the Commission begins using the Justice and Home Affairs provisions of the Nice Treaty, combined with the ludicrously-misnamed EU Charter of Fundamental Rights and the even more ludicrously-misnamed “anti-racism and anti-xenophobia” provisions of the existing treaty – that is, the provisions aimed at stifling statement of opposition to ‘Europe’ – everyone will be at risk of civil or even criminal sanctions for telling the truth about ‘Europe’ and its totalitarian ambitions. After all, recall that the European Commission’s former President Jacques Delors has said more than once that anyone opposed to ‘Europe’ is a racist.

The Court had no difficulty in justifying my sacking for a political crime with which I had not been charged: I must have known in my own mind, it said, that I was guilty of political dissent, so why should the Commission be put to the bother of charging me and thereby giving me the opportunity to speak in my own defence? It presumably knew that if I had been given such an opportunity, I could have shown that while I was respecting the obligations laid down for the Commission by the Treaty, the Commission itself was pursuing a hidden agenda – laid down nowhere in the Treaty – of planning the economic and financial disaster of EMU with the aim of enforcing an anti-democratic political union. The Court even affected to find evidence of self-incrimination in my oral statement to the Disciplinary Board – a statement which I had prefaced by stressing that all the charges against me had been refuted by my lawyer and that I merely wanted to show the Board that if they did their duty and acquitted me, against the instructions of their Commission bosses, they would be acting in the Community interest. The purported evidence came from a minute of the hearing, a minute of whose very existence I was unaware until a year after my sacking. The minute was distorted. Although the Court, like the Disciplinary Board, had a written version of my original statement available to it verbatim – it unaccountably chose to favour the secondary and twisted paraphrase supplied by the Commission.

When I pointed to Williamson’s breaches of the rules, the Court demanded proof – yet even the Commission’s own record provided proof enough. When I argued that during unpaid leave the rules on prior permission for publication did not apply, the Court again demanded proof of such a practice – even though I had provided the Board with an affidavit from my previous director-general. When I offered the Court further proof by asking for him to be called as a witness, it refused. I complained that the Disciplinary Board had additionally broken the rules by not producing a report on all the evidence and surrounding circumstances – Williamson seemed to regard any evidence in my defence as an unwanted encumbrance in the execution of his task of sacking me. The Court required me to prove that the report did not exist, even though the Commission had not been able to produce the slightest shred of evidence or argument that it did exist! When I complained that the Disciplinary Board had not even bothered to read the large volume of correspondence that I produced as evidence of my own goodwill and desire to follow the rules; and of the systematic breaking of the rules by more senior officials and Commissioners in pursuit of their own agendas, the Court insisted that I had not proved that the Board had not read the correspondence – despite the total absence of any argument or evidence, even in the Board’s own minutes, that the correspondence had been read. It then declared, without of course mentioning what the correspondence contained, that nothing in it could possibly have made a difference even if the Board had read it! Of course it couldn’t: the Court gave every indication of being in cahoots with the Commission against “an enemy of Europe”, and nothing was to be allowed to stand in the way of my punishment.

A little less naive by now, but determined to show the European Court system for the political tyranny it is, I appealed to the European Court of Justice itself. The ECJ’s Spanish Advocate-General outdid even the Court of First Instance in producing arguments that would not have been out of place in the Inquisition. Criticism of the EU, he said, was akin to blasphemy in its legal consequences; and the common law (and Strasbourg) doctrine that no governmental body may apply civil or criminal sanctions to protect its own political reputation was a mere ‘theory’ with no relevance for European law. For several weeks, the press office of the Court vehemently denied that the Advocate-General’s opinion even existed, and denounced and threatened journalists who wrote about it. Finally, the European Court, in dismissing my appeal, repeated the astonishing arguments of the Court of First Instance – while adding that the “human rights” of the Commission had been breached by my book and that my right to free speech was thus overridden.

So I was convicted before I was charged; I was sacked for something I had not been charged with; standard legal principles regarding the consideration of written evidence, the burden of proof, equality of arms and the rights of the defence were contemptuously disregarded; English and Strasbourg legal doctrines were dismissed; free speech was subordinated to “the interests of the Community” and to “the rights of the Commission”. Perhaps I am still somewhat naive, but all that reminds me very much of the modus operandi of Stalin’s courts in the political show trials of the 1930’s and of Roland Freisler’s “People’s Court” in Nazi Germany. As Hitler himself put it, in ordering the Reichstag to eliminate the Rule of Law by passing the notorious Enabling Act of 1933, “The Government of the national revolution regards it as its duty … to keep those elements from influencing the nation which consciously and
intentionally act against its interests. The theory of equality before the law cannot be allowed to lead to the granting of equality to those who treat the law with contempt… But the government will provide equality before the law to all those who back the national interest and do not fail to support the government… The nation rather than the individual must be regarded as the centre of legal concern.”

The ECJ, in applying similar principles to my case, must have known that it was acting in defiance not only of the constitutions of many of the EU’s member states but also of the European Convention on Human Rights, which was put in place fifty years ago precisely to prevent the re-emergence of legal systems such as Hitler's. How does it think it can get away with it? It clearly believes – though I aim to prove it wrong – that no review of its acts is possible in the European Court of Human Rights: the ECJ was agast several years ago at the suggestion that the EU should become a signatory of the Convention, since it regards itself as above any source of law (it declares its powers to be sui generis and ex proprio vigore), a doctrine which absolutely forbids any review by Strasbourg.

A nd that is where the wider significance of my own experience lies. The new EU Charter of Fundamental Rights and the Justice and Home Affairs provisions of Nice are intended between them to extend the competence of the EU into the field of regulating political freedoms. The Charter's sinister Article 52 says that any and all political freedoms – including not only free speech but also freedom of political association, freedom from arbitrary arrest, freedom from retroactive legislation, freedom from politically-biased courts and even freedom from torture – can be restricted by the EU if made "necessary by objectives of general interest recognised by the Union". Individual EU countries have not dared limit freedom in this way because they would be hauled up before the Strasbourg Court. But once the EU itself restricts freedom, the European Convention and the Strasbourg Court – not to mention English common law – risk becoming dead letters as far as member states are concerned. The new Fascism that is the EU will not even have to bother revoking the European Convention. And how much our own government, which supports the EU Charter, hates freedom is shown by its attack – totally in contradiction not only of our constitutional principles and traditions but also of the Convention that it has just incorporated directly into the law of Britain – on the presumption of innocence and on the avoidance of double jeopardy; by its creation of 'thought crimes', readily extensible to the political field; by its desire to limit jury trial and to eliminate the lay magistracy; by its support for a force of totally unaccountable, armed Eurocops to suppress 'civil disorder'; and by its intent to evade the constraint placed on arbitrary power by habeas corpus through conspiracy with foreign countries to issue 'eurowarrants' of arrest and detention.

No wonder the government is full of praise for the ECJ. To draw attention to Pinheiro's curly black hair, goatee beard, beetling eyebrows and pointy ears by calling him "Satanic-featured" was a joke. To point to the Satanic nature of the legal and political precedents and principles embodied in the revolutionary new 'Europe' hailed by Tony Blair is no joke at all.

Bernard Connolly is Chief Economist of AIG International and the author of The Rotten Heart of Europe.

... news in brief

Europeans react cautiously to German plan

Chancellor Schröder's plan to turn the European Union into a fully-fledged state has met with a certain scepticism among other European leaders. The Schröder plan, which will be presented to the Social Democrats' party congress in the autumn, and of which various details remain to be clarified, seems to be little but a re-hash of old ideas which have been kicking around for ages. They involve making the Commission into a full government (albeit an unelected one), the Council of Ministers into an upper chamber of the European Parliament, and giving the European Parliament the full power over the budget. Spokesmen like Alastair Campbell in London and at the Quai d'Orsay in Paris said they welcomed the proposals as part of a debate but that the plan contained elements with which their governments did not agree. A well-known pro-European in Denmark, Claus Larsen-Jensen, who speaks for the ruling Social Democrats on European issues, said that it would be a mistake to make the Commission into a government. He said that he did not think that the European Union would grow any closer to citizens if it created more institutions. Finally, the pro-European Austrian Chancellor, Wolfgang Schüssel, warned against the German plan, saying that to have a federal state would lead to “a European superstate”.

On the other hand, Elmar Brok, a veteran Christian Democrat pro-European, welcomed the German Chancellor's proposals, saying that Social Democrats and Christian Democrats had the same policies on Europe. Brok said that the proposal to create a bicameral European parliament "stands in the great tradition of Germany's European policy". The leader of the Christian Democrats, Angela Merkel, said that her party had been calling for "a democratisation of the EU" for a long time and that the SPD plan was good from that point of view. Wolfgang Schäuble, the previous party leader, said that the SPD's plan "corresponds to what we in the CDU have wanted for a long time".

Poles become ever more hostile to EU

Perhaps because of the unseemly horse-trading between rich EU states keen to defend their hand-outs, the Polish people are becoming increasingly disenchaught with the prospect of joining the EU. When the Polish Schuman foundation, a pro-EU lobby group, organised its yearly street party in Warsaw recently, its activists found themselves being filmed while a famous TV anchorman asked them if the Poles should not wear black arm bands since the EU obviously did not want them. Meanwhile, demonstrators stood around with placards saying, "Have you not been told what you will gain from EU membership? We can tell you what you can lose!" The opinion polls show a majority of Poles, 55%, still in favour of joining the EU but the numbers of those opposed is at 30% and rising. Two thirds of Poles were unable, when asked, to give any reason why Poland should join the EU. Meanwhile, unemployment continues to rise in Poland while subsidised EU agricultural exports are destroying local production. Public opinion was also shocked when Brussels classified Poland as being dangerous for BSE, even though there have been no cases of mad cow disease or even of foot and mouth disease in Poland at all. Now of course, the German and Austrian demand for a seven-year transitional period before Poles will have the right to go and work in the EU is making them even less keen on EU membership. A spokesman for the chief negotiator has, for the time being, flatly refused to consider accepting such a transitional period because, says Warsaw, it is an infringement of citizens' rights.

[Gerhard Gnauck, Die Welt, 15th May 2001]
The Dangers of Deception

by Frederick Forsyth

O
f all the spurious claims put forward by Euro-federalists on behalf of the European Union the most impudent is that the EU has kept the peace in Europe these past fifty years and will continue to do so, thus meriting our support.

The desire to ensure that never again is our continent soaked in the blood of its young men has got to be a noble one; but to suggest the EU has had or will have anything to do with it is so insolent as to deserve only derision. Let us therefore look at both halves of the claim, the past and the future.

Any historian would have to insist that the threat to peace in Europe between the Second World War and 1991 was the Soviet Union and world Communism.

The brief and illusory honeymoon between the Western allies and Stalin finally ended with the Berlin Blockade in 1948, nine years before the EEC even began.

NA TO was founded the following year and for the forty-three years of the Cold War NA TO and only NA TO was the shield and buckler that kept Europe free. The role of several of today’s EU members varied throughout from lacklustre to self-serving.

Finland and Austria had sound reasons to remain neutral but Ireland and Sweden had free choice and chose to let others protect them. France quit NATO for reasons of nationalist arrogance in 1963 and is today the inspirator of the anti-NATO Euro-army.

Spain never joined until the danger was over. Britain, Canada and America held the line on the Elbe while Germany invested in modern plants for the economic miracle. Norway was stalwart but is not in the EU.

Even at the end, when London and Washington sought to face down the threat of the Soviet triple-nuked SS20 rockets aimed at all our cities, who led the demonstrations that hurled rocks and abuse at our embassies and bases? The same Socialist politicians who, now ill-fittingly reclothed in the garments of Social Democracy, strut the Euro stage and claim with breathtaking mendacity that they kept Europe secure.

As the Sun might say, it was the USA wot did it, and from Bevin to Thatcher Britain stood at her shoulder. Today the USA is reviled again and her goodwill taken foolishly for granted. Enough of the past; what about the future? Will the EU keep Europe safe, free and democratic for another fifty years? The auguries are unconvincing. Indeed, there exists a looming and unspoken hazard that sometime could still turn nation against nation.

Cocooned in the political stability created by NATO until the final dissolution of the USSR and Communism under Gorbachev ten years ago, and enjoying sunny economic uplands for the past eight years, the EU and its most passionate advocates have had a pretty easy ride since formation by the Treaty of Rome in 1957.

Supposing the next decade brought a seismic shock to the existing complacency? How would the broad masses of the peoples of Europe react?

Here lies the hazard. The claims have been and remain so boastful, so unqualified and so high-handed that if things went quite badly wrong someone would have to be to blame. The popular reaction right across Europe would be likely to be one of black rage of frightening proportions.

Until 1999 each member government could claim, albeit with diminishing credibility, that it was the true governing entity for its own country. Each voting populace could, if it chose, blame its own politicians for any ills. The British clearly blamed the Conservatives for leading us into the calamity of the Exchange Rate Mechanism and the hapless Tories of today still carry that opprobrium. But 1 January 1999 changed all that.

On every journey there is a mark on the map called the point of no return. One of the pillars of the British constitution has always been that no government will ever pass an Act or sign a Treaty that a successor government can never, under any circumstances, repeal or revoke.

But the abolition of the national currency is that point of no return. It is irreversible.
From that point on the EU and only the EU is in charge. Britain has not yet taken the fateful step, but twelve nations have.

Just supposing – and it is far from impossible – that economic performances in the Eurozone failed and failed badly. Supposing the world markets finally lost all patience and confidence in this strange hybrid of a currency. Its value would start to fall; not a slow drift downwards but a plunge. Who would rescue it?

Well, the IMF and the World Bank. But here the American writ runs large. Would Washington imperil its own economy to save the euro? Perhaps not. George W. Bush will be president for four more years, maybe eight, and the insults being hurled at him from Europe will leave long memories.

What would be the reaction of the peoples of the Eurozone if they learned that they were virtually ruined, their savings reduced to waste paper, their purchasing and importing power a fraction of what it once was? The only human reaction would be of anger; not because of what had happened, but the way it was done. Here one really comes up against the rock of Scylla. It was done without national consultation. And it was done by all the parties in their governments, nem. con.

There are three ways of accomplishing a great project that involves other people: coercion, volition and deception. In the building of the EU coercion was never an option. But for popular volition to have been the base it would have been necessary for the original structures of the project to include periodic and simultaneous referenda. This was never done. The French had a referendum on Maastricht but the result gave the establishment such a shock that it decided there and then: never again. The Germans have never had one. They are reputed to be devotees of blind obedience, but are also capable of terrible anger.

When something is done with national consent but then goes badly wrong, the politicians can say: but we were all agreed. For the last ten years the EU has been forwarded by a combination of deception and imposition. That is fine if things work like a Swiss watch; but if they fail badly there is no hiding place. Politicians however do not like to accept blame; they seek to slough it off onto another. Unable to blame alternate parties at home, they would assuredly seek to save themselves by blaming Johnny Foreigner.

So where does that leave Britain? Not in the euro but endlessly flirting; forced to accept Frankfurt’s imperious lectures; riven by dissension masquerading as debate. More to the point, a Euro-federalist government desperately trying not to consult a largely sceptical voting public. If the beleaguered Tories but could see it, this is their ace. It is a trump that could even now reverse their dire poll ratings.

For four years the Conservative Party has hidden behind two mantras that convince only partially or not at all. “In Europe but not run by Europe” is a nice idea but utterly impossible without root-and-branch reform of the CAP and the CFF, plus the repatriation by negotiation of a raft of already transferred national competences. Messrs Hague, Portillo and Maude will never achieve Europe’s agreement to renegotiate by themselves. But the British people, voting en masse, could, if only they were allowed to speak.

“Keep the pound” is the second mantra, but everyone knows it only applies for two parliaments starting 1997; i.e. until about 2006. Britain has had no referendum for a generation, and even then we were duped in 1975. It is time to cut the Gordian knot and pledge us a referendum by Christmas on one single, easily understood but crucial question: do we or do we not with to abolish the pound?

Such a pledge would damage Labour badly. Everyone knows they are praying that this issue, one of the few on which they trail badly. Everyone knows they are praying that it has to be extended to the whole of the EU. [Handelsblatt, 15th May 2001]

Frederick Forsyth is a best-selling novelist and a member of the European Foundation’s UK Advisory Board.
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Vigilance: A defence of British liberty
by Ashley Mote
published by Tanner Publishing
The European Union is Bad for British Agriculture

by Linda Whetstone

During the last 20 years many sectors of the economy have been denationalised, including the motor industry, ports, water, gas, electricity and telecommunications, amongst others. Privatisation has generally produced greater competition, more efficiency and lower prices. Instead of public money flowing to the nationalised industries in the form of subsidies the flow is now from privatised industries to the public purse in the form of taxes.

UK agriculture is more protected and subsidised by government than any other area of the economy and yet it was facing its worst economic crisis since the 1930s even before the foot and mouth epidemic. Is it a coincidence that industries working in a competitive environment are flourishing whilst the ones still ‘enjoying’ high levels of government support are far from healthy?

The CAP is subject to constant criticism and remains stubbornly defiant of change. It is a hugely expensive system that costs the average family of four in the EU somewhere in the region of £20 per week. They pay partly through higher taxes and partly through higher food prices in the shops. It is an extremely inequitable system as the poor spend a higher proportion of their income on food than the better off – even those who do not pay income tax still have to pay for the CAP through their food bills. Furthermore, the greatest beneficiaries are the largest farmers – about 80% of the money goes to the biggest 20% of EU farmers. This means that about 40% of the entire EU budget goes to less than 0.5% of the EU population.

EU agricultural policy has soured international trade talks for many years now. The CAP has had a detrimental effect on traditional non-EU producers. First they lost markets within Europe as it closed its borders and then they suffered when the EU dumped its produce on world markets. At one time EU wheat export subsidies per ton were more than twice the world price! The CAP has certainly not improved the environment either – production has intensified, hedges have been grubbed out and marshes drained and so forth.

Worst of all, farmers as a whole have not really benefited. Scores have gone out of business – as would be expected in any industry where demand for its product is relatively price-inelastic yet technology is enabling huge increases in productivity. Nevertheless, not enough farmers have left the industry to enable those who remain to earn an acceptable return. Land prices and input costs have risen as a result of government support. This has made farmers less competitive, as have the supply control mechanisms introduced to reduce the increase in production generated by the subsidies. The result is that young people can no longer get into farming, and the average age of dairy farmers in the EU is 58.

Farmers are crying out for more support but one is entitled to ask: why should a group whose average asset value exceeds £500,000 (that is in England, and does not include tenant farmers) receive any support at all, particularly as it comes from individuals who are incomparably poorer than they are? Admittedly there is a view that subsidies should be redirected towards environmental ends. Nevertheless, those who have seen the agriculture lobby shift its raison d’être for support over five decades depending on the political climate will take this latest justification for handouts with a pinch of salt.

Although most of us would agree that a beautiful countryside is highly desirable, we would probably also agree that we want a wonderful health service and top class education for all. There are two problems here. First, it is necessary to ascertain exactly how much we would actually each be prepared to pay for these environmental services to be provided by farmers. Second, we need to work out how best to arrange that they do it. Most of the talk at the moment is in extremely general terms: we need ‘more’ stone walls and hedges, say, and ‘more’ wetlands. But we have no way of relating the demands of pressure groups to the willingness of the electorate to pay out hard cash. Myriad other potential demands are competing for scarce resources.

By far the greatest obstacle to rational change in the UK is that agricultural policy is determined at EU-level and the political balance in Europe has been very friendly to the farming lobby. Every serious change has been thwarted. A case in point is that of the Agenda 2000 reforms which will eventually result in an increase in CAP spending of some £4 billion.

Political changes in Germany, the prospective enlargement of the EU and the Uruguay round requirement that after 2003 the EU must cease direct payments to farmers may force some serious thinking – although in the end this may lead to no more than re-arranging the seats in favour of environmental spending. The only way to get the changes needed to achieve a healthy and competitive farming industry in the UK is for agricultural policy to be repatriated.

Renationalising UK agricultural policy could have considerable benefits not least in dealing with such unwelcome occurrences as the current foot and mouth outbreak. It can also be argued that it is EU agricultural policy that is responsible for the catastrophic nature of the epidemic, although the incompetence of the government in dealing with the problem should not be overlooked.

The difficulty with infectious epidemics is that few are prepared to argue that it would be more effective to leave market forces to deal with the situation.

It seems almost certain now that foot and mouth was spreading throughout the national sheep flock well before it was identified at the pig farm in Heddon. How else could it have been that the tests carried out (immediately the UK government announced the outbreak) on sheep exported from the UK to France showed antibodies? This indicates that the outbreak started in sheep and could even have been taken to the pig farm by MAFF inspectors who visited it shortly before its animals were found to be infected.

The government and the NFU have been keen to suggest that the infection in imported meat was fed to pigs through improperly cooked swill but as yet no proof has been produced.

Although it seems that the infection started in sheep, few have made the connection between this and EU policy. However there definitely seems to be a link between the encouragement of UK sheep farming and the increased movement of sheep. Headage payments exist to increase the returns to sheep farmers and sheep numbers have increased as a result – even if profitability has not. The extent of sheep movements seems entirely unreasonable (moving sheep from the north to Devon, for instance, costs at least as much as any
difference in price). It does make sense to move sheep, though, if the reason is to collect headage payments.

The only reason for 'bed and breakfast' sheep would be to provide sufficient numbers to satisfy the headage payment requirements. The government says it will now pass a law to stop sheep being moved on within three weeks of a previous move. It would be better to stop the payments and to have one fewer regulation for farmers to cope with, but this is not possible while our agricultural policy is tied to that of the EU.

Another control imposed by the EU relates to vaccination. Despite considerable smoke screens put up by both the government and farmers, EU policy probably played the crucial role here. Undoubtedly the EU's vaccination policy exists to safeguard the export of EU farm produce – primarily to the USA. Other countries that vaccinate seem able to sell their meat all around the world. The UK is known that products from vaccinated animals had been consumed by humans for many years with no ill effects. The vaccination ban was introduced in Europe more than 10 years ago (as Magnus Linklater pointed out in *The Times* on 26 March 2001). The UK government's credibility was at stake, so no one had an interest in looking at the counter-arguments, although much expense and misery could have been saved at the smaller cost of loosing some food exports in the short run.

The government has broken every rule on air pollution with its massive funeral pyres while environmental standards officers stood watching. Each of its own animal welfare standards has been violated with the RSPCA standing by doing nothing. Hundreds more farmers than necessary have seen their animals destroyed or worse still left to starve in muddy fields. The economic cost to the rest of the community has yet to be totalled. In the UK meat exports are under £600 million per annum while it is expected that the cost of containing the outbreak without vaccination will exceed £20 billion. Much of the rest of agriculture – including *inter alia* markets, abattoirs and hauliers, the tourist industry, and many sports and sporting activities – has been decimated. All this came about because UK agricultural policy is determined by an EU policy which gives far greater weight to the perceived interests of a highly focused minority against the dispersed interests of the majority.

**It is time to take a rational look at agricultural policy. This would undoubtedly greatly reduce agricultural protection; which would in turn reduce the power of the farming lobby. High levels of government support for an industry give it a conduit to government which in turn give it a high profile with and hold over government. If this were not the case why would the NFU have been calling the shots throughout these FMD months? Could one imagine any other industry being accorded such a position during a national disaster for which is has only itself to blame?**

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**news in brief**

**Editor of Slobodna Dalmacija sacked**

Public opinion in the Dalmatian city of Split has been inflamed by the sacking of the editor in chief and several journalists at the newspaper, *Slobodna Dalmacija* (Free Dalmatia). Ever since the election of a new government in Croatia in early 2000 – headed by two senior former Yugoslav communists, Slobodna Dalmacija has been the only voice of opposition in the entire Croat media: now it has been silenced. This is in spite of the fact that it was always alleged that the previous government harassed the media. Candlelit processions were held in Split to demonstrate against this decision. The sacked editor in chief, Josip Jovic, in a valedictory editorial, said that financial reasons were being used for his removal but that in reality it was a political decision. He blamed the return of cadres of the old counter-intelligence services and secret police to the highest offices of the state in Croatia and also attacked the international community for not caring. “No one is interested in democracy and freedom as such, but only if it serves their purpose,” he wrote. He went on, “This is all about Bosnia and Herzegovina. We are the only paper to support Croats in our neighbouring state, among whom we are the most widely read paper. This is the reason why we must be removed, just as Erotel (the Croat media TV station in Bosnia-Herzegovina) was removed. Racan (the Croatian prime minister) was obedient in this case, as he is obedient in all things from arresting generals to paying employees. Croatia in general,” Jovic continued, “is not run by the Croatian government but by power centres outside Croatia.” [*Slobodna Dalmacija*, 3rd May 2001]

**Yugoslavia prepares to join EU**

The Yugoslav Deputy Prime Minister and Minister for International Economic Relations, Miroljub Labus, has chaired a preparatory meeting of federal Yugoslav and Serbian ministries and the National Bank of Yugoslavia in order to pave the way for opening talks on signing an agreement on Yugoslavia’s accession to the European Union. The minister said it was necessary to develop a national strategy for EU membership and he spoke about the conditions which Yugoslavia and other South-Eastern European countries had to fulfil in order to start talks. [Tanjug, 15th May 2001] These moves come in spite of the fact that we are always being told that President Vojislav Koštunica is a “nationalist”.

In a separate development (or is it?) it was announced on 5th May that a new multinational Balkan “peace-keeping force” is now operational. Agreed by seven countries in 1998, it has been formed by Albania, Bulgaria, Greece, Italy, Macedonia, Romania and Turkey. The force will consist of a brigade of between 2,000 and 3,000 troops from the forces of the seven member nations, which have been undertaking joint exercises since last September. The force's headquarters has opened in Plovdiv, southern Bulgaria, but will rotate every four years among member states. The group's commanding officer for the first four years will be a Turkish General, Hilmi Zorlu. Earlier this month, Bulgarian Prime Minister Ivan Kostov said his country and Greece would conduct a study into whether the new force could be formally integrated into NATO's KFOR peacekeeping operation in Kosovo to help protect the Macedonian border.
The rise of Corpus Juris

The creation of an entirely new system of law and criminal justice has been discussed by leading academics and politicians in the EU for some years now. It is easy to understand why such a scheme would appeal to supporters of the European project. The process of European centralisation could never be fully completed without the introduction of extensive EU criminal legislation. Following the imposition of a regulatory state, a single currency, an integrated military structure and a single system of taxation, it appears logical to those with a tidy Euro-mindset to harmonise crime prevention. At the heart of the plan to achieve the harmonisation of law lies a still relatively unknown project called ‘Corpus Juris’. The project in one of its early incarnations was first revealed as a world exclusive in the European Journal in April 1997.1 The story was subsequently picked up by the mainstream press in November 1998, over a year and a half later.2

Lawyers will know that the original Corpus Juris Civilis was the most comprehensive code of Roman law and stands as the basic document for all of modern civil law. It was compiled by a commission of 17 lawyers presided over by the eminent jurist Tribonian by order of the Byzantine Emperor Justinian I. Its first three parts were published between 529 and 535 AD. The original Corpus Juris Civilis was an attempt to systematise Roman law after over 1,000 years of development and use. Presumably, this means that the new Euro-Corpus Juris is an attempt at synthesising a thousand years of ‘European’ law – a megalomaniac project if ever there were one.

Evolution

It is difficult to know for sure when pro-EU scholars started seriously designing an alternative criminal code. What we do know is that in 1995 and 1996 a team of academics worked on Corpus Juris under the leadership of Mireille Delmas-Marty and with the support of the Commission. They designed a prototype criminal code concentrating in the first instance on the protection of the so-called financial interests of the EU. The document was unveiled in San Sebastian in Spain on 17-18 April 1997 at a seminar convened by DG-XX, the arm of the Commission which, supposedly, deals with Financial Control. Corpus Juris was published as a book later the same year.3 Following resolutions voted on 12 June and 22 October 1997 in the European parliament, the Commission was asked to carry out a feasibility study. The EU’s anti-fraud unit Office de Lutte Anti-Fraude (OLAF) and the European Parliament subsequently funded a team at the Centre for the Enforcement of European Law at the University of Utrecht to research a follow-up to Corpus Juris. The study, led by Ms Delmas-Marty and co-ordinated by J.A.E. Vervaete, ultimately led to a conference being held in Florence in Italy on 6–7 May 1999. Proposed amendments to the original 1997 draft were extensively discussed by a panel of ‘experts’. The follow-up study was finalised in September 1999 and published in four volumes in 2000.4

A European legal space

A particularly good summary of some of the revolutionary implications of the proposed “Corpus Juris 2000” are to be found on page 188 of the study, which introduces the new Principle of European Territoriality: “For the purposes of investigation, prosecution, trial and execution for the offences set out above [i.e. in the book] … the territory of the member States of the Union constitutes a single area, called the European judicial area. The competence rationae loci of the European Public Prosecutor and of national public prosecutors to issue warrants and judgments pursuant to the Corpus Juris extends to the entire European judicial area. The EPP brings proceedings and conducts investigations across the territory of the Union (Article 24(1)(a) of the Constitution) and judgments delivered by courts and tribunals of the member states of the Union (Article 24(1)(b) and judgments delivered by courts and tribunals of the member states of the Union (Article 24(1)(c)) are enforceable throughout the territory of the Union. The EPP chooses the national jurisdiction of judgement, under the supervision of the European Court of Justice (Article 26). The necessary corollary of European territoriality is the unconditional recognition of the rules of ne bis in idem. In relation to Articles 1 to 8 of the Corpus Juris, this rule requires all national authorities responsible for investigations or prosecutions and all criminal jurisdiction of the Union to give res judicata status to judgments on the same offences and the same facts from other European criminal jurisdictions (Article 23(1)(b)).” In plain English this means that the concept of extradition for countries within Europe is abolished for those offences covered by Corpus Juris. There will be European arrest warrants which the EPP can use to request the arrest of an individual located anywhere in the EU.

For those readers wondering what functions the European Public Prosecutor would take on, here is what Article 18(2) has to say: “The EPP is an authority of the European Community [sic], responsible for investigation, prosecution, committal to trial, presenting the prosecution case at trial and the execution of sentences. It is independent as regards both national authorities and Community institutions.” Article 18(3) describes the structure of the EPP which includes “of a European Director of Public Prosecution whose offices are based in Brussels and European Delegated Public Prosecutors whose offices are based in the capital of each member state, or any other town where the competent court sits…” Crucially, Article 18(5) states that “National Public Prosecutors [such as the Crown Prosecution Service] are also under a duty to assist the EPP”.

Corpus Juris at Nice

There is no doubt at all that the French presidency wanted to introduce Corpus Juris at the Nice Intergovernmental Conference held in December 2000. The following is an extract from an official communiqué: “For nearly ten years now, at the request of the European Parliament and the Commission, a group of experts in criminal law from all the Member States has been working on the criminal protection of the Community’s financial interests. Their work produced the proposal for a set of rules for the criminal protection of the Community’s financial interests, the well-known Corpus Juris. It recommends the creation of a unified Community law-enforcement area as regards the preparatory stages of court proceedings precisely by the harmonious insertion in the national systems of a European Public Prosecutor, excluding any communitarisation of the administration of criminal justice. The Commission proposes that the European Public Prosecutor be appointed by the Council, acting by a qualified majority on a proposal from the Commission with the asset of the European Parliament.”5 In the end, there appear to have been two major attempts to introduce Corpus Juris at Nice.
Plan A was to amend Article 280 to include the creation of a European Public Prosecutor in charge of prosecuting in the national courts. The proposed article 280(a) of the Draft Treaty stated that the “European Public Prosecutor shall be responsible for detecting, prosecuting and bringing to judgment the perpetrators of offences prejudicial to the Community’s financial interest and their accomplices and for exercising the functions of prosecutor in the national courts of the member states.”

Thankfully, the suggestion was defeated and there is no mention of a European Public Prosecutor in the final version of the Nice Treaty. Instead, the European negotiators turned to Plan B and launched a new body called Eurojust. Only months after its conception (and before the Nice Treaty is even ratified) this organisation is increasingly being used as a Trojan horse for Corpus Juris. It is more than a mere “co-operation unit” to “coordinate” prosecutors from the 15 member states. The European Commission has already announced that it wants to have a seat on the body’s central steering committee and wishes to increase the power of Eurojust by making it work through Interpol. Press reports quoted officials as saying that “in the commission’s opinion, Eurojust should be more than a documentation and information centre. The unit should be involved in individual criminal investigations. It should be able to contribute actively to proper co-ordination of individual cases, in particular when urgent cross-border action is needed and/or when such action must be backed up legally.”

Following the creation of Eurojust, the European Parliament voted in February 2001 for the introduction of a European Public Prosecutor and an extension of the remit of the European Court of Justice to some criminal affairs. It is quite obvious that the forthcoming IGC of 2004 will present another major challenge to opponents of EU judicial centralisation.

**The death of justice**

The original seminar in San Sebastian in Spain made it very clear that Corpus Juris would go much further than merely fighting EU budget fraud. The proposed new code was infamously described by its promoters as “the embryo of a future European Criminal Code.” As with the whole of the EU’s foray into “Justice and Home Affairs”, Corpus Juris will have disastrous consequences for civil liberties. For instance, it introduces the concept of pre-trial detention (suspects may be locked up for up to nine months, perhaps even for longer) and it would effectively abolish traditional legal safeguards such as trial by jury. At a time when issues of law and order feature high up on the political agenda, we should not be blind to the EU’s growing ambitions in this area.

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5 Extracts from a Communication from The Commission of The European Communities Brussels, 29 September 2000. See also the partial reproduction of that document on www.kc3.co.uk/~dt/law.htm

6 See www.euroscep.dircon.co.uk/corpus9.htm


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MUCH ATTENTION in Britain has been devoted to the threat posed to national sovereignty and democracy by the institutions of the European Union. Less, however, has been paid to the same threat from other forms of international government. This is in spite of the fact that a whole raft of globalist governmental institutions is being created in the judicial, economic, political and military domains which threaten democracy no less directly than the EU does.

One of the most important areas in which national sovereignty is ideologically under attack is human rights. Universal human rights were used to justify the attacks against sovereign Yugoslavia by NATO in 1999 and to re-draw the Atlantic Alliance’s own charter in April of that year. They have also been used to justify the creation of supranational judicial institutions like the International Criminal Court which the Labour government is committed to supporting but which the Bush administration has said it will not sign. The European Union itself has just drawn up a Charter of Fundamental Rights, while Britain has just integrated the European Convention on Human Rights into British law through the Human Rights Act. Finally, the doctrine of universal human rights is a key notion underlying the British government’s ‘ethical foreign policy’. The leading human rights lawyer, Geoffrey Robertson, QC, has written, “The movement for global justice has been a struggle against sovereignty.”

It is important for democrats to understand the threat posed by the ideology of human rights and to have the means by which to counter its arguments, for these go for the very jugular of the notion of statehood. The argument runs like this: there are some “crimes so black that they do not admit of human forgiveness”; human rights law must be used to prevent such crimes; to date, the doctrine of national sovereignty has prevented people who wield state power criminally from being brought to justice. In other words, because the values embodied in human rights law are universal, states have no right to flout them.

This argument is so full of holes that it is difficult to know where to begin. First, even if it were true that certain practices had to be absolutely forbidden, it is a non sequitur to say that an international political organisation is the best way of enforcing such. This make only opens the oldest question in political philosophy, “Who guards the guardians themselves?” Second, it is false to allege that national sovereignty means that rulers can do whatever they like. National sovereignty simply means constitutional independence. Human rights ideologues do their utmost to confuse ‘immunity’ with ‘impunity.’ If a state official enjoys immunity from prosecution under the laws of another state this is simply a consequence of the fact that the world is divided up into different and separate legal systems, each with their own jurisdiction, which human rights ideologues wish to replace with a single one-world judicial system. But there is absolutely nothing in the concept of national sovereignty which prevents a state from prosecuting its own officials or even leaders. This has happened many times in human history.

Perhaps the most interesting area where human rights ideology falls down, however, is on its own central claim to universalism. The legitimacy of particular states (and thus of statehood per se) can be successfully questioned only if this universalism is properly demonstrated. In reality, the claim to universalism is not only bogus in theory; the practice of the human rights industry shows that, far from embodying universal values, human rights ideology is an agent of the most extreme relativism.

First, the theory. It is false to allege, as human rights ideologues do, that there is a choice between universalism and relativism. This argument is usually deployed to portray the sovereign state as positivist and value-free. The boot is on the other foot. Objective values do not exist only in the universal realm, as Kant claimed and as human rights ideologues imply. Values exist in the real world of human affairs. Indeed, values cannot be discerned in the abstract but only in the particular. It is precisely for this reason that, when someone is trying to make a theoretical point about a general rule that he very often illustrates it with a concrete example.

A moment’s reflection is sufficient to see this. Human rights documents typically enunciate general principles like the right to life. But we already know in advance that several categories are excluded from right to life laws. First, Article 2 of the European Convention allows states to kill people in order to quell a riot or to put down an insurrection. Second, prosecutions are not brought against states which kill people in war. Third, the right to life does not apply to foetuses. So even before any particular cases of alleged infringement of the right to life have been considered, several important swathes of exceptions are made to this general rule.

MORE IMPORTANTLY, a conviction for infringement of the right to life (what used to be known as ‘killing’) can be obtained, like any other conviction, only when the facts of the individual case are known. As Aristotle was at pains to show in his Metaphysics, we see universal values only in particular things. We see beauty in a beautiful building or person; we see goodness in good acts; we see justice in specific cases where wrongdoing is met with retribution. But we can never judge beauty or goodness or justice unless we have to hand a maximum of particular elements concerning the matter in hand.

The very application of human rights documents, therefore, shows why the assumptions on which they are based are nonsense. It is simply false to say that there is a right to life, since no state in the world has ever accepted this as an absolute rule. All states have given themselves the right to take life under certain circumstances, a right which even human rights ideologues do not deny. But if the so-called right to life is so hedged around with qualifications, how much more is this the case for other so-called universal rights?

Justice, according to Aristotle, is the arrangement of competing claims within a society according to just proportions. Real things need to be arranged in a certain proportion to one another. This means that the jurisdiction must be clearly defined. It is only possible to achieve a just proportion among competing claims in society if the
boundaries of that society are known. It is also imperative to compare things with other things and arrange them according to a rule. Excellence and justice are rated by comparing things in public with one another. The existence of a polis, in other words, is the very prerequisite for arranging human affairs in a just order at all.1

Because human rights ideology does not accept this point, it refuses to compare with like with like. In the practice of human rights ideology, for instance, the 'human rights record' of different countries is often not compared with that of similar countries. The British Helsinki Human Rights Group has very often asked the big governmental organisations to explain why they do not do this but to no avail. The consequence is that, in practice, the use of human rights in politics is highly capricious and relativist.

To see this, we can compare the treatment at the hands of human rights organisations of two countries in Central Europe, Belarus and Slovakia. Belarus is the object of unremitting hostility from the international community, a hostility which is justified in the name of human rights. Slovakia, by contrast, is the object of unremitting indulgence and is considered, like Croatia, to be making leaps and bounds towards democracy, the rule of law and 'Europe'.

So, for instance, false allegations are repeatedly made about Belarus. A common lie is that the October 2000 parliamentary elections were condemned by international observers. The truth is that they were largely approved by international observers but condemned by an organisation which did not monitor the poll, the Organisation for Security and Co-operation in Europe (OSCE). The OSCE co-opted the European Parliament and the Council of Europe (as if there were any difference between all these bodies!) to sign up to a decision it had taken the previous August to condemn the poll. When one MEP, the French Eurosceptic, Paul-Marie Coûteaux, expressed his dissent from the opinion expressed in the report drawn up in his name, he was shouted down by the German head of the OSCE, Hans Georg Wieck. Wieck, who is a former head of the German intelligence services, yelled "Silence! Silence!" to Coûteaux during the press conference. One older Belarusian woman said that Wieck's behaviour reminded her of the behaviour of the German Gauleiter who ran White Russia from 1941 onwards. When Coûteaux returned to his parliamentary offices, his colleagues – including a British Conservative MEP, Robert Goodwill – tried to prevent him from ever being an observer again. In other words, when you are sent by the European Parliament to observe an election, you 'observe' what you are told to observe.

The condemnation of the poll, in other words, was a foregone conclusion based on decisions made in August. But nowhere in any human rights account of the Belarusian elections will you find anything other than the lie that "nothing governmental organisation recognised the election results".4 The truth is that the majority of observers approved it. There is no space to go into all the other untruths which are told about Belarus but this story about the elections is a good indication of the sheer mendacity of the human rights industry.

Let us compare this with Slovakia. Ever since the government of Vladimir Meciar left office in September 1998, following years of relentless attacks from the West, Slovakia has glittered in the West's eyes as a paragon of excellence. It is strange, therefore, that there are no media outlets for the opposition (neither in the electronic nor print media); that the government is conducting a wholesale onslaught on the judiciary, including a vehement media campaign to sack the president of the country's Supreme Court; and that members of the HZDS opposition party are all repeatedly hounded by prosecutions which, to date, have all failed. The leader of the opposition, former Prime Minister Meciar, was himself the victim of an extremely brutal police action in April 2000 when a group of armed police blew off his front door with dynamite and carted him off to the police station, only to release him a few days later.

In effect, there is nothing short of a violent and sustained attack against the opposition and against the rule of law by the government in Slovakia and yet you will never read anything about this in any human rights reports.3 This is largely because the 'human rights non-governmental organisations' which reported so intensely on the alleged infringements under Meciar were in reality simply mouthpieces for the then opposition. Now that the political goal has been achieved, these bogus NGOs have unscrewed their brass plates and been wound up. Many of their members now have government jobs.

What is true for Slovakia is also true for Serbia, Montenegro, Croatia, and Albania. In all these countries, which have Western-friendly governments, the opposition is harassed by the government and denied outlets in the media. So next time you meet a human rights activist who tells you he stands for universal values, ask him what he is doing to support the elementary democratic rights of the opposition in these countries. He will not be able to give you a very full answer.

2 Crimes against Humanity, p. 374
4 See, for instance, Human Rights Watch Year Book 2000.

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Slovenes go cold on EU

Support for EU membership is declining in Slovenia, a country which has always glittered in euro-eyes as a fast-track candidate. In a poll released on 8th May, only 49% of Slovanes now say that they support EU integration, while 27% would vote against it. 24% remain undecided. Only 40% of those polled are persuaded that Slovenia would benefit from EU membership, while 29% believe that the EU will damage Slovene interests. 15% expect no changes. 16% are undecided on whether things will be better or worse. 44% believe that Slovenia has not safeguarded its own interests in negotiations; 34% think those interests have been defended. Although the sample for these polls is small (just over 500) it is the third or fourth which suggests that support for EU membership in Slovenia is now under 50%. Last year, the figure was around 60%. [STA Slovene News Agency, 9th May 2001; BBC Monitoring, 9th May 2001]
From Communism’s Bosom to the Central Control of EU Planners: the case of the Czech Republic

by Josef Sima

The issue of European integration has taken on ever-greater economic and political importance since the end of the Second World War. A special new dimension was added to the process following the collapse of communism in Eastern and Central Europe. The idea of building a united and integrated Europe by abolishing artificial state frontiers and creating the conditions for Europeans to live peaceful and happy lives remains very attractive. The problem, however, is that the ‘Europe’ that is emerging is far removed from this great and noble classical liberal idea. There are thus two conflicting visions of Europe: on the one hand, the ideal of a united and integrated Europe, to which I subscribe; on the other, its complete opposite in the shape of a politically unified Europe. The best way to understand the full implications of how those two visions differ is to remind ourselves of the crucial distinction between the notion of the ‘state’ and the notion of ‘society’.

There is no doubt that European society would be greatly strengthened through the removal of barriers to trade, capital controls and restrictions on tourism, among others. The quality of life of Europe’s peoples would doubtless improve quite dramatically if entrepreneurs were allowed to operate in larger markets covering the whole continent (it would be even better were they not limited by continental borders and if free trade were extended worldwide).

Current European developments can, in contrast, be described as an orchestrated political attempt to establish a European state based upon the same devastating public policies including regulation, taxation and inflation that have caused so much havoc in Eastern Europe over the last few decades. The only difference is one of degree.

**Europe should be About Competition**

‘Europe’ may be quite difficult to pin down in exact geographical terms. It may mean different things to different people. One thing is clear, however: the reason for Europe’s astonishingly high standards of living is that there has traditionally been competition at all levels in our continent – competition between economic agents in the strict economic sense, competition between decentralised political units, competition between legal systems, educational systems and so on. If there is such a thing as a ‘European Idea’ it is that this sort of competition is the reason for the unprecedented success and prosperity of the people of Europe – the ‘European Miracle’. As Gerald Radnitzky has argued, “The secret of [Europe’s] success was the diversity required for evolutionary competition. It led to the taming of the state, to respect for private rights, which in turn led to growth and wealth. Europe’s great luck was that a centralised power did not emerge.”

Whenever Europe stuck to these traditional principles and the power of European states remained limited, European society flourished as market forces generated evolutionary competition. Whenever politicians tried to gain power over European society, wealth and opportunity was squandered on the political battlefield. The concept of a European state has thus always been the enemy of European society.

This article is not the place to provide a comprehensive analysis of the sources of European wealth and prosperity although I think the brief summary I have just presented will suffice to prepare for the discussion that follows.

There were three major attempts to establish a European state in the 20th century stemming from three distinct ideologies: (1) The pan-European Movement; (2) The Nazi attempt to create a centralised Europe; and (3) The EU’s attempt to create a centralised European government. The pan-European idea never really materialised. Thankfully, the Nazi attempt ended in failure. The EU is thus so far the most ‘successful’ attempt to create a single European jurisdiction.

The best way to understand the conflict between noble European rhetoric and what is actually happening is to study the current effort of EU official bodies to re-regulate societies that just a few years ago freed themselves from the shackles of communism. It is true that following the demise of the Soviet empire the reforms enacted were far from perfect – they mainly consisted in moderate amounts of deregulation. These post-communist societies went from being completely state-run to being half-socialist – complete with high taxes and high inflation. Many important steps were taken, however: barriers to entry to some markets were removed and licensing of occupations was abolished in certain sectors. Due to the swing of the political pendulum, markets became freer in some areas of the economy in Eastern Europe than they are in the rest of the world. Unfortunately, this ‘freeing-up’ did not last for long and politicians – even those who had employed the most free-market rhetoric – swiftly began re-socialising all the post-communist countries (including the Czech Republic).

The problem was that all the post-communist countries made a terrible mistake: they announced that joining the new European superstate was their top political priority. This put paid to any hope of bringing in a truly free society. It no longer makes any sense to discuss reforms when European political bodies now control everything. Pro-EU advocates always seem to use the same argument, which comes in left-wing and right-wing versions, to ‘trump’ their opponents. The leftist will argue that “the EU wants us to enact this or that, don’t you wish to become part of the EU, the embodiment of civilisation?” The rightist will argue that “Although this measure or law is not very sensible, we have to implement it because it is what the EU demands. With a bit of luck we might be able to postpone the application of this measure by two or three years. When we become part of the EU, we will have the opportunity to try and change the law. The EU is admittedly socialist but do you know of any other option other than to join?”

The following are a few selected examples of measures that the Czech Republic is being forced to adopt as its government prepares for EU membership:

1 EU Propaganda

“In the years 2000–2002 total financial assistance to the Czech Republic will amount annually to euro 79 million for PHARE. PHARE provides the applicant countries …
with support for institution building, investment to strengthen the regulatory infrastructure needed to ensure compliance with the acquis and investment in economic and social cohesion.”

This program is especially focused towards:

- Ensuring that the Czech Republic is capable of applying internal market rules and regulations, in particular in areas such as data protection, finance, telecommunications, energy and public procurement.
- Preparing the Czech Republic for the Common Agricultural Policy, notably when it comes to the registration of agricultural assets.
- Ensuring full compliance with the acquis relating to health and safety regulations.
- Strengthening the institutional and administrative capacity to manage the acquis, in particular in the areas of public administration and the compilation of statistics.

The inflow of EU funds means that one can now find regular pro-EU propaganda supplements in several major Czech newspapers and journals. New pro-EU M.A. degrees in the social sciences have been launched, thanks to EU subsidies; pro-EU high school programs have been introduced and a number of pro-EU books have also been funded by Brussels. Most recently a pro-EU campaign has been launched using private radio stations, TV and billboards.

2 Statistical Research

The EU has realised that to be able to exercise control over a society it needs to be able to rely on statistical information. How else would the Brussels bureaucrats know what to regulate? “The Czech Republic has made considerable progress in the field of statistics. As regards statistical infrastructure, legislation is substantially aligned with the acquis,” according to official EU documents.

3 Education and Training

The regulation of research and education is viewed by the EU as particularly important. The takeover of schools would prevent any unexpected change or reforms taking place and reaffirm the EU’s grip on Czech Society. As a first step, this is what the EU has to say: “Legislation on Research and Development should be adopted to harmonise the conditions for state support of research and technological development with those of the EU. Legislation on Public Research Institutions should specify the legal status of these institutions and regulate their creation and liquidation… In the field of education and training, an appropriate institutional framework is in place. It includes the Ministry of Education, Youth and Sports (MoEYS), national institutions providing services related to education directly managed by the MoEYS…”

The inflow of EU funds means that one can now find regular pro-EU propaganda supplements in several major Czech newspapers and journals.

4 The Media

After statistics and research and education, the next logical step must be to sort out the media. According to the EU “the Czech Republic has made some limited progress in aligning with the Community audio-visual which is a short term priority of the Accession Partnership. As regards administrative capacity, the current competence and powers of the regulatory authority should be extended and its resources reinforced in view of the full implementation of the Community requirements. Particular importance should be attached to the establishment and strong supervision of a transparent and predictable regulatory framework in this field.”

5 Bureaucracy

The EU wants life-long employment to be guaranteed for civil servants in order to “secure stability”. The necessary result will be to make it impossible to remove thousands of bureaucrats – half of which are inherited from communist times – and thus rule out even the possibility of radical reform. It should be noted in this context that the Czech Republic today has more civil servants than under communism.

6 Tax Increases

The Czech ministry of finance argues that “due to Czech accession to the EU the Czech Republic must change its laws to align them with those of the EU… According to data from 30 September 1999 EU tax policy includes 76 directives, 9 regulations and 62 orders. Only 5 directives and 2 regulations have at this stage been completely incorporated… It is therefore still necessary to:

- Limit the number of goods for which the lower rate of VAT is applicable;
- Lower the threshold for compulsory registration for VAT;
- Increase excise taxes;
- Shut down duty-free shops.”

Although some direct taxes may be lowered so as not to discourage foreign investors, the primary objective of fiscal policy is to stabilise (rather than decrease) overall levels of taxation. Lowering taxes to boost the private sector (as Ludwig Erhard did extremely successfully in Germany after the Second World War) is out of the question.

7 Health and Safety Regulations

The adoption of EU health and safety standards irrespective of the wishes of the local workforce is making Czech firms uncompetitive. According to the EU the “enforcement of legislation in areas such as occupational health and safety and public health is weak. As regards labour law, the Directive on Young People is only partially transposed.”

8 Agriculture

Following demands from the EU that land be withdrawn from the market, the Ministry of Agriculture has set up a program to subsidise farmers who produce nothing. Farmers have therefore secured a monopolistic price for their products with the EU ‘kindly’ providing money for the administration of the scheme.

9 Subsidised milk

Czech bureaucrats have happily introduced a “milk program for children in basic schools, high schools, and universities”. The purpose of this regulation is apparently to promote ‘healthy drinking habits’ but as a result subsidised milk is handed out even to university students.

10 Barriers to Entry

Many occupations that used to have no barriers to entry have been re-regulated. For instance, licenses are now needed to run ‘strategic’ businesses including animal training, hairdressing and travel agencies.
11 Burdensome Rules
Along with the rest of the EU, travel agencies must now purchase compulsory insurance, which has resulted in higher prices for customers.

12 Tax on Photocopies
Harmonisation of the “protection of property rights” has meant that since January 2001 all firms that provide photocopying facilities for the general public have to pay an extra tax for each photocopy made by its customers for the benefit of the Association of Authors. Apparently, this means that property rights are now ‘safe’.

13 Labour Markets
A harmonised labour code sets out not only a minimum wage but also compulsory breaks (every 4 hours) and limits to overtime, among others. The state is increasingly protecting citizens against themselves.

14 Financial Regulations
In the same report the EU ‘suggests’ that the Czech financial markets increase the number of its employees to strengthen bureaucratic supervision of the financial market.

15 Regulatory Madness
It is literally impossible to find a sector of the economy untouched by EU regulations. The EU “evaluation report” is full of the following sorts of claims: “The EC Directive on the Safety of Toys has now been transposed (from July 2000) but technical standards must be further aligned”; “The amendment to the Act on Fertilisers was also adopted”; “In the field of cosmetics…”; “As regards the banking sector, the Czech Republic needs to adopt the new Act on Banks”; “In the field of anti-trust… only limited progress has now been achieved”; “legislation regarding the control on imported fish needs to be adopted”, but not a few, either.

How are all these regulations adopted? They are simply taken ready made from the EU and translated into Czech. The task of translation alone presents a huge technical problem although the EU is, of course, ready to help and has willingly sponsored this absurd legal enterprise. “Applicant countries are to translate the various legal texts constituting the acquis into their national languages by the time of their accession. The acquis, consisting of primary and secondary binding legislation, represents at present a considerable volume of acts, roughly estimated at 60,000–70,000 pages of the Official Journal. To help the candidate countries in this process, assistance is being provided under the PHARE programme. As of June 2000, all documents of the primary legislation and about 28,000 pages of the secondary legislation have been translated, of which 10,000 have been fully revised. It is estimated that about 8,000 more pages will have been translated by the end of the year. With the consent of the Office for Official Publications in Luxembourg, approximately 200 of the revised documents have been displayed as working documents on the Internet, thus helping their implementation and general understanding in the public. However … further efforts are required in this area.”

All in all, it is clear that Europe has been destroying the source of its prosperity. As Rosenberg and Birzdell have rightly pointed out, European decentralisation was crucial for the development of our continent: “Initially, the West’s achievement of autonomy stemmed from a relaxation of a weakening of political and religious controls, giving other departments of social life the opportunity to experiment with change. Growth is, of course, a form of change, and growth is impossible when change is not permitted. Any successful change requires a large measure of freedom to experiment. A grant of that kind of freedom costs a society’s rulers their feeling of control, as if they were conceding to others the power to determine the society’s future.”

“There was not one Empire, Inc…, but a number of competing Monarchies, Inc., Princes, Inc., and City-States, Inc.”

Now we have it: the Euro-statists are setting up a huge and powerful superstate obsessed with regulating everything in sight. It was relatively easy to drum up support to fight a dictatorial Europe with Hitler as its leader. The problem with the EU’s attempt to politically centralise Europe is that it is being conducted in the name of human rights and democracy. The result is that the momentum behind radical reform following the collapse of the Soviet Union has now been lost. With the help of the EU, the forces of statism are regaining ground: they have re-established strict regulations, blocked the possibility of tax cuts and helped establish a tenured class of state administrators – all in the name of democracy and ‘human rights’. The result will be to impoverish post-communist economies and to place Eastern Europe firmly under the control of the EU Leviathan. A unique opportunity to move from the bosom of communism to a society based on property rights, individual responsibility and freedom has been squandered.

1 This distinction is developed for example in the work of Franz Oppenheimer, Albert Jay Nock, Murray Rothbard and Wendy McElroy.
2 See Gerald Radnitzky, “European Integration: Evolutionary Competition Against Constructivist Design,” Mont Pelerin Society Meeting, 1990, p. 4
5 Alan Sked, Good Europeans?, Occasional Paper 4, London: the Bruges Group, 1989, or Carlo Lottieri, “European Unification as the New Frontier of Collectivist Redistribution, The Case for Competitive Federalism and a Free-market Economy,” Mises Institute Working Papers, Auburn, Alabama: Ludwig von Mises Institute, 2000. Lottieri identifies four superstitions or erroneous beliefs which in his view underlie the attempts to create a new state called ‘Europe’: individual liberty and juridical polycentrism cause tensions and ultimately wars, the market is the result of the juridical order created by the State, the existence of a European identity calls for the construction of a single European state, a united Europe would be more harmonious and better able to support the development of poor societies such as those of Eastern Europe.
7 If not explicitly stated otherwise, all following citations are from the 2000 Report from the Commission on the Czech Republic’s Progress towards Accession, the most important political document relating to the Czech Republic’s planned accession to the EU.
8 Nathan Rosenberg and L.E. Birdzell, Jr., How the West Grew Rich, p. 34
9 Ibid. p. 137

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The European Union is Bad for Liberty

by Alberto Mingardi

There are many good reasons for libertarians today to be very sceptical of the new state being constructed in Europe. This is in contrast to the 1950s when the idea of a European common market seemed to be a first step in the right direction: it appeared to mean freer trade, fewer barriers and more freedom. The European single market was defined as "an area without frontiers in which the free movement of goods, persons, services and capital is ensured in accordance with the provisions of this Treaty" (Article 7 of the Treaty of Rome).

But we must remember that trade is heavily conditioned by the legal framework under which it operates: treaties and international free trade agreements have all created complex legal structures and rules that businesspeople must follow. This is particularly true in the case of the European Union, which possesses its own legal order – a crucial point that distinguishes the EU from the former GATT and other international trade arrangements which operate at the level of relations between states. The EU legal order is embodied in a number of rules made under various Treaties and empowers European institutions to engage in the widespread 'harmonisation' of standards for goods and services. Generating many thousands of pages of detailed legislation, this system imposes unnecessarily high standards and cumbersome regulations.

The move from a generally classical liberal legal order (which attempted to introduce Europe-wide general rules to prevent discrimination against nationals of other member states, and tried to achieve general rights of establishment and movement of people) to an authoritarian one was swift – perhaps because the EU has always been simultaneously "the Europe of Adam Smith and Colbert", as the leading French political philosopher Anthony de Jasay has recently argued. The two tendencies were present from the beginning of the Community: on the one hand a free common market and a minimal European government (as envisaged by Italy’s Luigi Einaudi and Germany’s Ludwig Erhard, for example); on the other the creation of an integrated government (rightly called "European federalism", with reference to Alexander Hamilton's federalist views).

This is why Wilhelm Roepke, a twentieth century German "ordo-liberal" economist, deserves to be recognised for his work on Europe. One of his most famous books detailed the disastrous consequences of collectivist economics and explained how trade restrictions, exchange controls, and government planning would invariably destroy the international division of labour (Wilhelm Roepke, International Economic Disintegration, Philadelphia: Portcupine Press, 1978 [1942]). For Roepke, the idea of a European Community could be traced to the 'fatal conceit' of bureaucrats and to the statist tendency not just to plan and tax, but also to 'harmonise' and amalgamate different people and different cultures.

Roepke saw ahead of time what should by now be clear to all freedom-lovers: although the single market is an important aspect, the European Union is about far more than the promotion of trade. In fact, the single market isn't even the EU's central activity. Apart from the common market itself, the goals of the EU include a common foreign and security policy, justice and home affairs co-operation, extensive Europe-wide 'social' legislation, environmental policies, and of course the creation of a common currency. It is all part of "the process of creating an ever closer union amongst the people of Europe" (Maastricht Treaty, Article A).

The Ventotene Manifesto

Ever closer union seems to be a euphemism to denote the creation of a federalised and centralised state. This was the dream of the Italian Leninist and former Stalinist Alitiero Spinelli, who was an architect of Europe's common institutions. During fascism, Spinelli was an enemy of the government. As such he was effectively imprisoned in Ventotene, an island in the Gulf of Gaeta located off the Italian coast between Rome and Naples.

Others confined to Ventotene included all the other 'European federalists', led by Ernesto Rossi. Rossi, formerly head of the anti-fascist group Giustizia e libertà, would after the Second World War become one of the most prominent Italian advocates of a 'third way' between socialism and laissez-faire capitalism.

Rossi was a friend of Luigi Einaudi, the free market economist mentioned above as a supporter of the European Community. Einaudi, well-known in international academic circles as one of Italy’s leading free-market advocates (he was a founding member with F.A. Hayek of the influential Mont Pelerin Society of economic liberals), sent Rossi the writings of Hamilton, Jay, and Madison. The latter had the most influence on his thought. Among contemporary writers, it was no surprise that Lord Beveridge had a strong influence on both Rossi and Spinelli.

This, then, was the political background leading Rossi and Spinelli to write the so-called Ventotene Manifesto, a landmark in the history of European federalism. The Ventotene Manifesto has had an extraordinary impact, inspiring those who drafted the policies of re-emerging Italian parties. After the war, it became the basic document for the European Federalist Movement.

In the Ventotene Manifesto, Spinelli and Rossi argued that a Federal Union of Europe had to be the top priority for post-war Italy because the workers of both capitalist and communist countries had to be 'liberated.' Not surprisingly, given Spinelli's background, it reads like a communist tract.

"A free and united Europe … will immediately revive in full the historical process of the struggle against social inequalities and privileges. All the old conservative structures which hindered this process will have collapsed or will be in a state of collapse… In order to respond to our needs, the European revolution must be socialist…" (Ventotene Manifesto).

Spinelli thought that ending the nation-states of Europe would have other benefits as well. "The multiple problems which poison international life on the continent have proved to be insoluble: tracing boundaries through areas inhabited by mixed populations, defense of minorities, seaports for landlocked countries, the Balkan question, the Irish problem, and so on. All matters which should find easy solutions in the European federation."
This is still the vision endorsed by supporters of a federal Europe (especially the governments of France, Germany and, of course, Italy). It leads us to examine the most recent EU Intergovernmental Conference held in Nice in December 2000, where the agenda included a number of points Spinelli and his friends would have strongly supported. One was the ‘harmonisation’ or integration of defence, leading ultimately to a European military force. The second was the process of harmonising justice and policing, and the creation of some sort of European criminal code. The third was to achieve that final and definitive attribute of statehood, a written constitution for the EU.

1. The Army

What was proposed at the Nice Intergovernmental Conference wasn’t about making additional military resources available to the European Union. Rather, it was the command structure of existing troops that was at stake. As no EU member state wants to increase defence expenditure, the focus at Nice was on the creation of politico-military structures in Brussels. Rather than relying on either an intergovernmental or a NATO-based approach to defence, there will now be a direct input from the Commission and Council of Ministers. In addition, it is worth recalling that following the Cologne summit there is now a specific force called the Eurocorps. This force was first deployed a few months ago in Kosovo and is seen as the nucleus of a European army.

2. Policing and the Judiciary

What is being proposed by the EU is not the mutual recognition of judgments or the co-ordination of judicial practice. That already happens both within the EU and around the world. There are already plenty of sophisticated treaties dealing for example with the fact that time spent in prison in one country can be set against a sentence in another jurisdiction; other provisions guarantee translation in courts and so on — all of that is already there.

What is being proposed is something much more far-reaching and ambitious, which is the creation of a new criminal code for the EU. For the first time it would be possible to be tried in court not because one has committed a crime under English or Scottish or French or Portuguese law, but under a new criminal code. This is almost unprecedented and the intention all too clear: a European legal system would naturally require a European police force to enforce it. The idea is literally to turn Europe into a police-state. Luckily, the worst provisions of Corpus Juris were not incorporated into the final version of the Nice treaty but we did end up with a new and sinister body called Eurojust.

3. The European Constitution

The justification for all these measures can be found in a new 'European Constitution' (for the moment it is more modestly entitled the "Charter of Fundamental Rights and Freedoms"). It is not a Bill of Rights: as American readers of the European Journal will recall from their history lessons, to have a Bill of Rights as well as a constitution requires some sort of political struggle. In the case of the United States it was the fight between federalists and anti-federalists that led to the establishment of a balanced constitution. This has not happened in our increasingly unified Europe. Here, the nascent Euro-state has decided by itself what a right is, and what a right is not, and has formalised this in a constitution. There has thus been no fight and no struggle — just power claiming that it is ‘limiting’ itself.

4. Crushing Tax Competition

Nice is just the latest step in the creation of what I choose to call "the Europe of Colbert". It represents further centralisation of policy-making in Brussels and moves another step closer to the total eradication of differences between legal orders — the ultimate death of what economists generally call ‘tax competition’. The aim in Brussels is to stop citizens ‘voting with their feet’ by preventing the movement of capital from more socialist countries to lower tax ones. The triumph of Colbert’s Europe is the end of the ideal of a free-market Europe. As anyone can see, ‘harmonisation’ means destroying the benefits one can obtain from the free movement of capital and labour. There would be little point in moving one’s economic capital only within the confines of a totally politically integrated system — where every country, province, and city has the same regulations and the same level of taxation.

Wilhelm Roepke deserves to be praised as he demonstrated ahead of his time not just the existence of "the Europe of Colbert" but also that increasing centralisation was paradoxically anti-European. This is because Europe was the birthplace of capitalism, as (among others) Ralph Raico in America and Jean Baechler in Europe have extensively documented. Pluralism reigned in Europe until 1861, the year of the unification both of Italy and Germany. Before that time, Italy and Germany were comprised of a number of small states that competed with each other in the positive, free market sense of the word. Even the Austrian empire, which collapsed at the end of the First World War (with the contemporary emergence of the social-democratic model of government) was really a pluralistic and decentralised entity where people had the right to be different.

Making this point, Roepke correctly explained that "decentralism is of the essence of the spirit of Europe: to try to organise Europe centrally, to submit the Continent to a bureaucracy of economic planning, and to weld it into a block would be nothing less than a betrayal of Europe and the European patrimony. The betrayal would be the more pernicious for being perpetrated in the name of Europe and by an outrageous misuse of that name. We would be destroying what we ought to defend, what endears Europe to us and makes her indispensable to the whole free world.

"It is an ominous sign that there should be any need even to argue about the fact that a certain method of European integration should be excluded because it is un-European, centrist, and illiberal in the broadest sense of European libertarian thought. Economic nationalism and planning on the continental scale is no progress whatever in relation to economic nationalism and planning on the national scale. Indeed, it is much worse because these tendencies would have much freer scope on the larger territory of a whole continent…"

"Respect for distinctions and particularities, for diversity and for the small units of life and civilisation … these are the general principles whose observance alone identifies us as true Europeans who take the meaning of Europe seriously."

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Guilt, Humiliation and Dishonour: The Origins of the European Idea

by Dr Christie Davies

If does no good pointing out to ‘pro-EU’ Continental intellectuals that the European Union has been a disaster for their peoples as well as for us. You may speak to them of the cost of the CAP, the regressive tyranny of Brussels, the damage caused by the unworkable drive for a single currency for countries needing diverse monetary policies and the threat to military security stemming from the undermining of NATO and they may well concede each and every point but still they want a united ‘Europe’, a European superstate. It is for them an idea, an ideal to which the wishes and welfare of the ordinary person can be sacrificed. They are zealots for ‘Europe’ not because they love Europe with its distinctive history, culture and traditions but because they hate their own countries’ history. The actual Europe is for them a source of guilt rooted in past vendettas and humiliations, atrocities and dishonour that can only be expunged by creating a new, perfect, fictitious ‘Europe’.

This torment can be well illustrated by constructing a schematic model of the history of the relationship between France and Germany (the two original key investors in the European idea) in these terms; it is a horrid tale of the politics of competitive humiliation. Where as in this case the citizens of two countries were or are in thrall to national myths that stress their past humiliation by the other country, this is likely to lead to a situation of chronic conflict in which, as the fortunes of war shift to and fro the winners impose humiliations on the losers, who in turn return the hurt when it is they who are on top.

The French intervention in the thirty years war (1618–48) led to the annexation of Alsace and helped to reduce the German people to starvation (in some areas well over half the population died) and Germany to a shatter belt of small states. Later Louis XIV, the builder of the Versailles palace, exploited continuing German weakness to annex further territories whose inhabitants were German-speaking. Eventually the balance of power shifted and following the defeat of France by German armies in the Franco-Prussian war, a defeat long celebrated in Germany as ‘Sedan Day’, the King of Prussia was in 1871 crowned Emperor of the Germans in Versailles, the palace of the same French King who had earlier harassed ‘Germany’, a palace which for forty years past had been a French national museum. Nearly fifty years later when the French were again victors over the Germans, the Versailles treaty was deliberately imposed on the vanquished in the very same palace, beneath a scroll that read Le roi gouverne par lui-même. For the French this was a means of imposing a humiliation on their enemy and thus erasing their own. Earlier, in the time of Napoleon I, the French had occupied Germany and oppressed its peoples to the point where they eventually rose up and drove the French out in an angry war of national liberation. These events provided later German nationalist with a sense of resentment and images of an eventual triumph. It was “the time of Germany’s deepest humiliation”, according to a contemporary German pamphlet which is commemorated in the monument to Johannes Palm, the patriotic bookseller executed by the French for selling it. More than a century later Hitler was still angry about the incident.

After the Franco–Prussian war it was the French who harboured resentment and a wish to regain control of their lost German-speaking but French–feeling provinces of Alsace and Lorraine. French officers would take small groups of conscripts secretly across the German frontier to look down from the wooded hills at Colmar and would tell these children of their country: “one day this will be yours”. Here lies one of the roots of the First World War. In 1919 the French regained these provinces and imposed on Germany an impossible burden of reparations, which was also a revenge for the reparations France had had to pay after losing the Franco–Prussian war. When the Germans were unable to pay, the French deliberately occupied the Ruhr with black colonial troops, which, in the racist climate of the time, when Africans were seen in Germany as an ‘inferior race’, was perceived as an extra humiliation. For many Germans it was Napoleon all over again – Leo Schlageter, executed by the French for sabotage, was seen as the new Johannes Palm. In 1940 the invading Germans easily defeated the French army and the French had to ask for an armistice. At Hitler’s insistence it was signed in the same railway carriage brought from its siding in Compègne in which the German leaders had surrendered at the end of the First World War. The carriage was then taken to Berlin and placed in a museum where it was later destroyed in an air raid by the RAF. This entire saga is a remarkable example of the politics of cyclically repeated and competitive humiliation in which yesterday’s humiliation can only be erased by imposing today’s. It is this image that is at the back of many Eurosceptics’ fear of the nation state.

The European myth is that the EU and its post-war predecessors provided the cure – indeed the only possible cure – for this kind of disastrous exchange of assertion; by implication were the EU to be dissolved it would mean a return to this kind of hostility leading to a never ending series of vendettas and even wars. Nonsense. The rivalry between France and Germany came to an end because neither country was a great power following the Second World War. Power lay with the United States and the Soviet Union, with the latter occupying a substantial proportion of Germany. Also both countries were demoralised, in Germany’s case by a realisation of the appalling atrocities committed during the Second World War including the Holocaust. The French had to live with the uneasy and less than perfectly concealed knowledge that on the whole their country had collaborated with the Germans and aided their excesses. When the occupier left, ordinary French citizens scapegoated and lynched without trial a large number of individuals alleged, often without cause, to have been too pro-German – the infamous épuration. The European idea in these two countries is rooted not in any positive ideals but in the perhaps unconscious wish to expunge the shame and dishonour that is the legacy of this period for both countries. Inside the intellectual who calls himself a proud European there often lurks either a guilt-ridden German or a Frenchman queasy about the past.

The malady even extends to the Belgians and the Dutch. In 1995 I was in Doorn in...
the south of the Netherlands, visiting the retirement home of the former Kaiser Wilhelm II on the very day when the Dutch were celebrating their liberation by British and Canadian forces from the Germans who had occupied their country during World War II. The Union Jack, anachronistic maple leaf flags and orange balloons were on display everywhere. A Dutchman dressed as Churchill, complete with cigar, was driven around the town in an open car giving V-signs to the happy crowds in the street. It was a patriotic and pro-British demonstration by ordinary Dutch people. Meanwhile back in Amsterdam the intellectuals had put on an exhibition in which it was pointed out that a very large number of Dutchmen had fought for the Nazis in the SS, far more than had taken part in the Resistance or in the Dutch armed forces abroad. What these ‘liberal’ intellectuals were saying was very likely true. It helps us to understand why many Dutch intellectuals feel alienated from their own country and its patriotism. They have become good Europeans because they are in one sense or another bad Dutchmen. Like their French and German counterparts when they look in a mirror they recoil with horror at their own reflection; it is easier to look away to the remote yellow stars in a blue sky.

Still, at least they have been honest; unlike the extreme section of our own Welsh nationalists who, like some of their Breton friends, would happily have enlisted for Hitler if he had crossed the Channel. One could easily imagine them taking part in a Landrindod Wells government of occupied Britain with the aged war hero Lloyd George as Pétain and Plaid Cymru’s neo-fascist leader Saunders Lewis as Laval. Thus even Europe’s supporters on our own Celtic fringe might easily imagine them taking part in a Celtic case of Waldheimer’s disease.

The key problem on the Continent is that most of its countries have long had extreme problems in establishing a stable democratic state capable of containing both internal and external violence. Their states have been either too weak or too strong and sometimes both. This is the reason for their Euro-intellectuals seeking to retreat from the hideous realities of their own past into the utopian myth of a new Europe.

There is little need to speak of Hitler’s praise for his own people’s unique capacity for creating and sustaining a powerful state, one capable of conquering and dominating the whole of Europe. The consequences are well known and it is easy to see why Germans with a bad conscience about this are content to see the powers of their own country handed over to Europe. Europe offers them not merely the biggest, lederhosen-sized seat at the top table from which they can run things but also the sense of safety provided by external constraint. The German elite no longer have the power nor the will for conquest (as distinct from bureaucratic hegemony) but they still fear themselves.

For other countries the problem, rather, is that their nation is pitifully weak and divided and their state ineffective. As Pieter Geyl noted in his criticisms of Henri Pirenne, Belgium has never really existed. Belgium is merely a neutral buffer between the once great powers created by diplomacy, a sort of European equivalent of Afghanistan. Belgium has in effect now split into Flemish and Walloon states with only limited powers reserved to the centre. These fragments will happily accept rule from Brussels as a substitute for … rule by Brussels. Mussolini once boasted that Italy was a real nation, unlike Belgium which was a mere aggregate. He was right about Belgium but wrong about Italy. Italy was and is an unstable aggregate of Sicilians, Calabresi, Lombards, Tuscans, Venetians and Austricans. There are no Italiens. The rise of the Northern League is almost the equivalent of England seeking to secede from Scotland, Wales and Ulster knowing that it will take with it the political and economic power of the United Kingdom. Also whereas England, Scotland and Wales have behind them two hundred and fifty years of successful and effective collaboration within a single nation state, Italy has nothing. The Italian state is a kind of mini-Europe, something to be plundered but not to be loyal to. Europe is the Italian postal service writ large. What does it matter to the Italians if all power moves to Brussels? Everyone knows that Italian unification was a mistake. In the 20th century, Italian politics have lurched from corruption to disastrous war to threatened Red revolution, to Fascism, to military humiliation, to the rise of a huge communist party (initially at least willing to accept Soviet overlordship), to more corruption and now to fragmentation. All roads lead away from Rome.

It is because Italy has never been a nation that Italian armies have always had a strong propensity for running away. It is not a new phenomenon, for it was noted by Erasmus, Macchiaveli, Montaigne and Rabelais and also later on in the nineteenth century. After unification there was an Italian nation-state in form only, a post-colonial ragbag of areas of recent or distant occupation by the Germans, the Spaniards, the Austrians and the French. The Italians could not possibly have any sense of responsible allegiance to their country, their government or their army. The Italians ran away again in Ethiopia, at Caporetto in the First World War, after which they had to be rescued by their Allies, and in the Spanish civil war. Their finest retreats were in the Second World War when they tried to stab France in the back only to find that their knife rebounded, followed by their invasion of Greece when they were quickly routed by a country one sixth of their size. When they tried to advance into Egypt they were expelled by a British and Allied army of 30,000 men which took 130,000 Italian prisoners. When Bardia was taken the British discovered large stocks of white flags which the Italians had prepared ready for surrender. Itali sunt imbelle. By no means are the Italians cowardly; they simply have no cause for which to fight. Such a history makes it difficult for contemporary Italians to create triumphantist military museums of the American kind. It is curious that today their most significant military display is in the Italian naval museum at La Spezia which concentrates its attention almost entirely on the courageous Italian attacks on British naval bases by midget submarines, tiny boats crewed by a couple of individuals, with no mention of their big ships that failed at Cape Matapan and Taranto.

Given that even today national solidarity is visibly reinforced by the rituals, parades and commemorations of a nation’s armed forces, what are the Italians to do? Italian military history is no feather in one’s cap. Pro-European Italian intellectuals looking into the mirror of their recent history see a retreat from which it is difficult to retrieve. Better to join the new European army where everyone will run away together. Europe after all is a re-run of the fragmented Italian nation and the failed Italian state. What House would fight for Europe?

European enthusiasts are largely drawn from those damaged by and seeking to escape from some kind of collective trauma. The shame and dishonour of the core nations of Europe is matched by the desperation of the Spaniards to get away from a
history of political instability, followed by Civil War, followed by dictatorship and isolation. To become European is to annihilate a remembered Spanish nightmare.

None of this matters to the British. It is not part of their collective consciousness. It all happened a continent away – to them, to the others. The British need to know these things only in order to understand and undermine Continental Europhiles. When the Europhiles mock British fears of a loss of identity if they are sucked into the European confusion it is worth speculating about their own secret self-hatred.

By contrast the majority of ordinary people in Europe do not dwell on such things and feel at home in and proud of their countries. These are sentiments we should foster in their interests as well as our own. There is no point in drawing contrasts between our lucky experience of continuity and solidarity and their damaged pasts. Not everyone has the good fortune to live on an island or in a mountain. Rather we should stress to these fellow patriots that the European idea will destroy the real Europe whose glory and creativity flourished best in an era of competing states (much as it did in Ancient Greece). The wars and turmoils and atrocities of Europe have in fact been no greater than those of, say, China and cannot be blamed on our system of little states. Why throw away European tradition because of the memory of and fears generated by a mere thirty-one years of horror during the twentieth century?

The small nations of the periphery of Europe such as Portugal, Greece or Ireland joined the EU for a more respectable reason – they were paupers who wanted to get their snouts in the Euro-subsidy trough. The would-be applicants to the EU from Eastern Europe such as Portugal, Greece or Ireland joined the EU for a more respectable reason – they were paupers who wanted to get their snouts in the Euro-subsidy trough. The wars and turmoil and atrocities of Europe have in fact been no greater than those of, say, China and cannot be blamed on our system of little states. Why throw away European tradition because of the memory of and fears generated by a mere thirty-one years of horror during the twentieth century?

The small nations of the periphery of Europe such as Portugal, Greece or Ireland joined the EU for a more respectable reason – they were paupers who wanted to get their snouts in the Euro-subsidy trough. The would-be applicants to the EU from Eastern and Central Europe are likewise hopeful that it will provide a transfer of income and capital from the wealthier countries to themselves. It is not going to happen. To use two cynical American phrases about the porcine qualities of government there are now more pigs than teats and the county pork barrel is exhausted.

No one should sneer at these countries’ indulgence and desperation, for these were the very same qualities that led Britain to seek to join the Common Market in the first place. Macmillan and Wilson alike saw it as a solution to Britain’s immediate economic problems; only Edward Heath was sufficiently stupid and unpatriotic to wallow in Euro-rhetoric. We went into Europe because we were broke and for no other reason; it was in no sense a free political choice. In this context it is worth noting that it was France, not Britain that lost an empire and needed to find a role. The loss of Syria and the Lebanon (French mandates invaded by British forces and given their independence during the Second World War), the humiliating French military defeats in Vietnam and the French failure and atrocities in Algeria that nearly led to a civil war in France really did mean that the Gallic cock needed a new Euro-stage on which to strut and sharpen its claws. By contrast Britain remained on friendly terms with most of its former colonies whose move to independence was not traumatic for Britain in the way it had been for not just the French but also the bone-headed Dutch, Belgians and Portuguese.

Britain’s crisis, Britain’s shame and Britain’s cowardice have been economic not political. The country that had once been the world’s workshop, merchant and banker was by 1960 seen as the disabled person of Europe. Britain was characterised by low growth, failing industries, high inflation and a chronic balance of payments problem in a world of fixed exchange rates. It is a story as shameful in its way as the inglorious fall of France in 1940, for we too ran away from our difficulties. Macmillan’s unwillingness to impose proper monetary controls on the economy led inevitably to inflation, to an unrealistic exchange rate, to more stop than go and to dictatorship by the trades unions. Ted Heath repeated all the same mistakes. The failure to privatise the crumbling heights of the economy and to cut the unions down to size were the post-war Conservative equivalent of Stanley Baldwin’s unwillingness to rearm against Hitler. Both policies were a product of by-election induced timidity.

Britain entered the Common Market as a supplicant. The politicians wanted to hitch Britain’s obsolete wagon to Europe’s fast train and be on track for the economic miracle. Joining did Britain no good whatsoever. The miners’ strikes, 25% inflation and the winter of discontent all occurred after Britain’s entry into the then EEC. That Britain is now the world’s fourth largest economy with low inflation, low unemployment and a strong currency owes nothing to Europe – indeed, belonging to Europe retarded the transformation. It is now time to call it a day for the same reasons that we joined Europe – economic advantage. Unlike many Continental nations we have no reason to subscribe to a Euromyth to escape from past infamy; rather, that time was our finest hour and the source of most of our best situation comedies on television. History is for us nostalgia not trauma and our shame has been economic, that of a good people who had seen better days and were reduced to cadging.

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Other words, inflation in the EU is higher in the Eurozone than outside it. The usual excuses are being proffered: the price rise in Italy is because of increases in car tax and cigarette prices. [Corriere della sera, 16th May 2001] But previous highs have been “explained” away by the rise in oil prices. These excuses miss the point that the whole monetarist theory of controlling the money supply – on which ECB policy is based – reposes precisely on the assumption that it is the role of the state to manage the level of prices. In other words, if every price rise is explained away by reference to a temporary fluctuation, then what is the point of trying to control inflation at all.
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The Swiss were Right to Reject the EU
by Keith Marsden

In their recent national referendum, Swiss voters emphatically rejected a proposal to open immediate negotiations for European Union membership. The result was greeted with consternation by parts of the (French language) Swiss media and in some political circles, with Socialists and Greens expressing particular concern. “Goodbye to Europe” lamented Le Temps in a banner headline. “With a 77% no vote the Swiss sweep aside the European ideal”, it cried, and called the vote “a terrible defeat”.

A defeat of what and for whom, you may ask? I don’t pretend to have any special insights into the Swiss psyche. But as a foreigner based in Switzerland for half of my last 50 years, and having worked as an economist in more than 60 countries, I’ve had the opportunity to compare the Swiss way of doing things with that of many other states and nationalities. And nowhere does Switzerland compare more favourably than in areas the EU has laid down as being of special importance to Europe. Consider the following categories

Peace

A main motivation of the ‘founding fathers’ of the EU was to bring previously warring nations into a framework for peaceful cooperation. The Swiss Confederation has been doing that since 1291, when three cantons agreed to a defensive alliance to safeguard their freedom. A new constitution in 1848 created a federal state, but Switzerland has retained a system of decentralised government and direct democracy that allows different language groups to live and work together in relative harmony. It doesn’t need to join the EU to prove its peaceful intentions. On the contrary; membership in a partisan bloc might damage its reputation for independence and neutrality, things that are still useful in its roles as founder and headquarters of the International Red Cross and site of several UN agencies.

Economic Integration

The EU treaties seek to advance European integration by “a process of creating an ever closer union among the peoples of Europe”. Switzerland has, of course, succeeded in doing this within its boundaries, without weakening its links to the rest of the world or giving up its political sovereignty. Its total trade in goods (imports and exports combined) represented 103% of its GDP measured in purchasing power parity dollars in 1998, nearly double the level for the Eurozone. Its exports of services easily top those of EU members of a similar size, such as Sweden, Denmark, Finland and Portugal. It is both a host for and source of massive foreign direct investment. Its stock of inward foreign direct investment totalled over $60 billion in 1998, of which 67% came from the EU and 27% from the US. Its stock of outward FDI has reached nearly $170 billion, of which 47% is in the EU, 23% in the US and 15% in Asia.

Recent bilateral agreements between Switzerland and the EU provide for the gradual dismantling of trade barriers for certain agricultural products and foresee mutual recognition of technical rules and procedures and reciprocal liberalisation of road and rail transport. True, given Switzerland’s heavy volume of trade with its neighbours, one could argue that the most sensible course for Switzerland would be to join the EU. Yet while the barriers to trade that remain are something the Swiss could do without, staying outside the EU has one major compensation: namely, freedom from the economically burdensome social and regulatory chapters of EU law. As it is, tariffs (excluding agriculture) between the EU and Switzerland are negligible.

Freedom of Movement

Without the imposition of EU directives, Switzerland has welcomed a higher proportion of immigrants than any EU member except Luxembourg. Foreigners represent 19% of its resident population and 25% of its labour force (including workers who cross its borders daily). Contrast this openness with the barriers to, and barely disguised antipathy towards, foreign workers found in some EU countries. Moreover, in a bilateral agreement with the EU already accepted by the Swiss population through a referendum, (though still to be ratified by some EU members), freedom of movement will be extended by Switzerland in several ways. Preferential treatment granted to indigenous workers will be eliminated, and its quota system for work permits to EU citizens phased out. Mutual recognition of diplomas will also be provided.

Subsidiarity

Title I, Article 1 of the EU Treaties refers to the creation of a Europe “in which decisions are taken as openly as possible and closely as possible to the citizen”. Article 5 of the Treaties’ general principles also states: “the Community shall take action, in accordance with the principle of subsidiarity, only if and insofar as the objectives of the proposed action cannot be achieved by the Member States”. In practice, however, only lip service is given to this principle. Binding decisions are increasingly being made by European Commission bureaucrats in Brussels, without proper democratic scrutiny, and by Ministers and Heads of State negotiating (or ‘horse-trading’) behind closed doors in EU Councils. Advocates of Swiss membership of the EU argue that participation in these Councils would have a significant influence on their outcomes. This is illusory, particularly as most decisions are now made by qualified majority vote.

The Swiss Constitution also lays down the principle of subsidiarity. The difference with the EU is that Switzerland systematically applies this principle throughout its 26 cantons. The Swiss Federal Government is formally responsible only for defence, foreign and economic policy. It accounts for only 30% of total public spending – which is itself relatively low (about 34% of GDP compared with a Eurozone average of 47%). Value-added taxes range between 2.3% for ‘essential’ products and services to a maximum of 7.5% – much lower than the EU rates.

It is the cantons, then, that are the country’s most important political units. Each has its own government and parliament; and each is in turn divided into communes, of which there are 3,015 throughout Switzerland.

Swiss personal income tax levels vary substantially from canton to canton. For a family with two children and a gross income of 100,000 Swiss francs, (approximately £37,000), they ranged from 6,080 francs (including Federal income tax) in Zug to 13,990 francs in Geneva in 1998. But each local authority has to justify its tax level to its electors. A popular referendum in Geneva in 1999 voted to reduce taxes by 12%. This has already been accomplished within two years, while at the same time
balancing the budget. And enough signatures have been obtained for another referendum that will be voted on later this year. This would modify the Geneva constitution to require a popular vote on any future tax increase. Contrast this with a European Commission that wants to “harmonise” EU-taxes up to the highest national levels by means of binding directives.

People’s initiatives and referendums are salient features of direct democracy in Switzerland. They ensure that elected representatives don’t get inflated ideas about their self-importance or run too far ahead of the will of the people. Membership of the EU would mean giving up this constraint on overwhelming political power. Rather than bewail the supposed abandonment of the ‘European ideal,’ good democrats should congratulate Swiss voters for once again showing their sound judgement. It took a paid announcement (by a private banking firm) in Le Temps to put their decision in proper perspective: “What seems to divide the Swiss is, in reality, what brings them together. The spirit of independence, faith in private initiative and – better than tolerance – respect for differences: these values built Switzerland.”

As European statesmen ponder the future of the EU and debate the relative merits of enlargement vs. deepening, of the community method vs. intergovernmentalism, of a unified superstate vs. an alliance of sovereign nations, of a one-speed vs. two-speed vs. 10-speed Europe and so-on, they could hardly do better than to keep the Swiss example foremost in their minds.

## A Kingdom at Bay: Part Three
### The psychology of empire

**by Stuart Jackson**

1. **The Fifth Column**

Post-war history revealed the presence of a Fifth Column in the entrails of the British state. In the 1950s, Burgess and Maclean fled to Russia. In the 1960s, Philby too fled, tipped off by a co-conspirator. Many years later, the fourth man was unmasked. Blunt had not fled. Instead, he had wandered in and out of Buckingham Palace, supervising the royal pictures. He was now available for execution, treason being a capital offence. Yet he was not executed. He was not to be let off altogether, though. He was required to relinquish his knighthood. As the Welsh might phrase it: there’s punishment for you.

These spoiled darlings of empire had plotted the destruction of the homeland that had showered its gifts upon them. But putting it like that highlights their predicament. In the sight of these displaced persons, was their homeland truly home? Was anywhere home?

In the twentieth century, the British establishment had asked much of its subjects in the way of sacrifice. The British populace now looked at its masters in astonishment. A long silence ensued. Then something snapped. It was the tie of trust that binds ruler to ruled, and ruled to ruler.

2. **The Tully Syndrome**

Until recently the BBC’s top man in Delhi, Mark Tully pontificates still on India to the British, and on Britain to the Indians. The mission he has chosen for himself is to find a half-way house that combines the economic achievements of the West with the spiritual understanding of the East. In other words, he is a purveyor of pretentious nonsense. He has been well rewarded for his efforts.

The point about Tully is that he is a denizen of post-imperialism. Like all displaced persons, his perceptions are divided and his loyalties are divided. There is not much about this country that excites his praise. He is not a member of the Fifth Column, of course, but I see him as its heir.

3. **Loyalty Conflicts in the European Union**

The European Union is what sociologists call a ‘construct’. It did not evolve slowly and naturally. It was called into being as a fully-fledged plan in response to two cataclysmic wars and a nervous peace. Its creation has unleashed a host of disruptive forces.

From the start, the new entity (known at different stages of its history as the Common Market, European Economic Community, European Community and European Union) filed an overarching claim for the allegiance of all populations living within its boundaries. A symbol, a parliament of sorts, a flag, a court, a passport, a currency, followed in quick succession.

A bid for an all-embracing loyalty was an audacious challenge to long-established arrangements. If successful, it could only be at the expense of pre-existing loyalties to the nation states. As loyalty to the Community strengthened, loyalty to the nations would weaken correspondingly. Such was the turn of events that was about to sweep the United Kingdom into deep and disturbing psychological waters.

4. **Patriotism**

Patriotism is a nation’s cement. It is rooted in the familiar. It develops gradually in childhood and young adulthood. The bargain has two sides. The nation in the form of the state offers protection against external enemies and internal disorder. In return, the subjects of the Crown yield up the loyalty required for the state’s continuation.

Half a century’s ridicule has had its effects. Patriotism is out of fashion. Pan-nationalism is being pushed as its replacement. A loyalty transfer is called for. This creates problems. It ignores the fact that loyalty is a sentiment that evolves spontaneously from long exposure. Loyalty is not amenable to the word of command.

5. **The Fallacy of Loyalty Transfer**

Patriotism is a unifying influence. It enables disparate groups to live in harmony. It encourages mutual respect. If, on the
other hand, Londoners are encouraged to feel a lessened bond with people in Liverpool, it does not follow that a quantity of loyalty is thereby released for transfer to Lisbon or Berlin. To think that it might is to commit a gross psychological fallacy. It is far more likely that severing Londoners from Liverpudlians, and Liverpudlians from Londoners, would intensify inward-looking loyalties in both cities.

6 A Europe of the Regions
Consider the absurdity of the arguments adduced in favour of a Europe of the regions. They break every psychological rule known to man.

It is as if the order had gone out from Brussels on the following lines: henceforth you will be loyal, first, to the European Union as a whole (of whose periodic boundary revisions you will be notified) and, secondly, to the bureaucratically-defined region in which you happen to be resident at the moment. It is not exactly a message that plays to the heart.

7 Falling in Love with Empire
Some people simply love empires. The Roman Empire, the British Empire, the American Empire of Theodore Roosevelt, the Soviet Empire, each has its admirers.

There now arises a new empire: the Franco-German Empire, otherwise known as the European Union. It too has its adherents and admirers.

With empires go opportunities, especially when those empires are in the ascendant. But with empires also go problems, especially when they are in decline. To run an empire of your own is headache enough. To be part of someone else’s empire is a bleak prospect indeed.

8 Full Circle
And so we come full circle. The predatory stare from across the Channel continues.

Eastward expansion remains contentious
Despite endless rhetoric about how the Nice treaty, which naturally gave the EU considerable new powers, was really all about making it possible for the EU to accept new member states, Eastern enlargement remains a bone of considerable contention between the various EU states. Very basic questions about money remain stubbornly unresolved. Spain, Portugal and Greece, in particular, are proving awkward, demanding cast-iron guarantees that their net receipts from European coffers will not be reduced once new members are admitted. These three countries receive upwards of £50 billion per year from the structural funds and they have every intention of ensuring that the money continues to pour in after 2006. Spain is demanding that these guarantees be given before it accedes to the demands of Germany and Austria that, for a transitional period of seven years, the freedom of movement be restricted for citizens of the new member states so that they do not undercut the jobs market there. (The European Union having been founded in order to extend freedom of movement for people, goods, capital and services throughout the European space, the EU states are now trying to restrict this freedom for new member states. The demand is addledly odd in view of the fact that hundreds of thousands of Poles are allowed to work in the EU as seasonal workers anyway.) Fears are now growing that the EU will fail to resolve this matter by the summer, as had been hoped. Even though Germany hopes to enjoy the support of France on the question of restricting the free movement of workers in return for supporting France in her refusal to liberalise her energy sector, the hugely important question of agriculture remains unresolved. Here, France is seeking to defend her interests as well - she is the greatest beneficiary of the Common Agricultural Policy. Germany has for the time being backed off on its wish, expressed earlier, to re-nationalise agricultural policy and thereby cut German contributions to the EU budget, a step which would have disadvantaged France.

No wonder a mood of apprehension grips the populace of the United Kingdom.

Can the British people look to their rulers with confidence; to the establishment that nurtured Burgess, Maclean, Philby and Blunt; an establishment infiltrated by cohorts from the New Labour and Liberal Democrat coalition?

At present the stare from across the Channel is being met by a counter-stare. As long as that counter-stare endures, the United Kingdom has a fighting chance of survival.

Stuart Jackson is a social psychologist by training and a market researcher by profession. This is the final instalment of his trilogy.
Advertisement for Rotten to the Core
by June Goodfield
While the Blair administration has sought closer political and economic union with the EU, surveys show that not since the early 1980s has public dissatisfaction with ‘Europe’ been higher. Britain & Europe: The Choices We Face, a collection of articles by politicians, journalists and businessmen from all sides of the great debate, deftly encapsulates why this is so.

Although nominally an even-handed anthology, the paucity of constructive pro-EU argument on offer is striking. EU President Romano Prodi contributes an article entitled “Britain’s Future in Europe” but neglects to come up with a single specific reason why the UK would benefit from closer ties with the EU. Others in Brussels are more honest. Chris Patten, the EU Commissioner for external relations, admits that “there has been an undeniable shift of focus away from Westminster”, which means people “do not feel they have any control over the process of change through the democratic process”. Such candour is admirable, but to then turn around and expect the public to concede to a greater loss of political and economic freedom smacks of self-delusion.

Patten is not the only Europhile to betray signs of irresolution. The European historian Timothy Garton Ash rejects the federal model and speculates that it could all “fall apart, like some 1950s tower block”. Mark Leonard, Director of the Foreign Policy Centre, argues that federalism strikes at the heart of national democracy and calls for the EU to be substantially reformed. As befits Quentin Letts’ notorious description of him as a “commissar of cool”, Leonard’s faith in the European project has been undermined at a time when ‘democratic deficit’ has replaced ‘subsidarity’ as the current buzzword.

That is not to say that the pro-Europeans have entirely lost their intellectual arrogance. They still regard the public as a pliable bloc that will automatically shift their way over time. The ‘Little Englander’ slur on Eurosceptics is ironically invoked by Liberal Democrat leader Charles Kennedy, MP, who, in arguing that rejection of the euro is synonymous with a dislike of Europe itself, betrays a deep mistrust of the people whom he aspires to govern.

But the contemptuous strut that characterised the Europhile’s case has been undermined by events. As Professor John Curtice, deputy director of the ESRC Centre for Research into Elections and Social Trends, records, opposition to further integration continues to harden. In the face of the UK’s relatively lightly regulated labour market being hampered by an onslaught of EU directives and the incorporation of the European Convention of Human Rights into British law, just a quarter of the public now regard membership as a “good thing”.

Furthermore, the one new idea discernible among the pro-European body collated in this book seems unlikely to take off. Both Kennedy and Dame Pauline Neville-Jones, a former Foreign Office mandarin, argue that devolution has showed England up to be inferior to Scotland and Wales. Apparently, the only way to rectify the situation would be to give up control of our economy to an unelected European Central Bank – a strange way to revitalise democracy.

Although devotees of the EU continue to put ideology over people they are now becoming increasingly desperate. They wishfully argue that the grass really will be greener at an undefined point when the EU finally sorts itself out. With enlargement from Eastern Europe imminent, ‘pro-Europeans’ are convinced this will happen. Patten, Prodi and the American diplomat Philip Gordon even suggest that Sir Winston Churchill would have been sympathetic with their aims, omitting to mention that Churchill explicitly stated that Britain should play no part in European integration.

Those of a europhiliac disposition have already suffered enough from this book without needing a contribution from Keith Vaz, MP, but it arrives nonetheless. Never one to shy away from adopting a disingenuous line, the Minister for Europe argues that under this government “we have finally embraced a simple truth: our destiny lies at the heart of Europe”.

The ‘pro-European’ case remains riddled with contradictions. Advocates of a European superstate sneer at the global influence that America commands, whilst simultaneously (and misleadingly) citing the USAs economic might as evidence that a ‘one-size-fits-all’ interest rate idea can work for EU member states. Furthermore, the argument continually put forward that long-term benefit will start accruing only when the UK more closely embraces integration has been discredited following the ratification of the Amsterdam Treaty and the signing of Nice.

Britain & Europe: The Choices We Face is edited by Martin Rosenbaum, a producer on Radio 4’s Today programme. Thankfully his choice of Eurosceptic contributors is more apposite than BBC television’s recent Referendum Street. For every Christopher Booker or Boris Johnson, who will be familiar to readers of the European Journal through their newspaper columns, there is a Jens-Peter Bonde, a Danish MEP, who highlights that ‘enhanced co-operation’, via an increase in QMV, will lead to a reduction of democracy for the member states.

Simon Wolfson, Chief Executive of the clothes chain Next, provides an admirably lucid guide to the likely effect of the euro. Supporters of a single currency emphasise the elimination of exchange rate risk and the subsequent boost to trade that the euro will allegedly deliver. However, as Wolfson points out, this short-term exchange-rate fluctuation can be offset by businesses buying or selling in advance and making use of modern hedging techniques. Wolfson’s chapter, in detailing the potential consequences of a loss of government economic management, should be read by anyone who still believes the cliché that the Europhiles have the upper hand when it comes to the economics of the euro project.

Foreign policy is also well served by Rosenbaum’s collection. Former Chief of
Defence Intelligence at the MOD Sir Michael Armitage spells out how the Rapid Reaction Force, in lacking NATO's vast military capabilities, is, at best, superfluous. Meanwhile, Conrad Black, the Chairman of the Telegraph Group, observes that had a common European foreign policy by majority voting been in effect at the time of the Gulf War or the Falklands campaign, "it is almost certain that the majority of EU nations would have voted against military action". Black's chapter on the Atlantic Alliance, brimming with articulate vigour, is a reminder of how much of a shame it is that the newspaper proprietor has only chosen to publish his 1995 memoirs outside of Europe.

In highlighting the dearth of ideas currently afflicting the pro-European camp, Britain & Europe: The Choices We Face makes a handy accompaniment to The Eurosceptical Reader edited by Martin Holmes and published in 1996. Where The Eurosceptical Reader contained Thatcher's seminal Bruges speech, this includes Blair's speech in Warsaw that envisaged a European superpower, boosted by enlargement. Such a vision detracts from the urgent need to resolve the question of whether or not Britain adopts the single currency. According to John Curtice, "not a single survey whenever taken and however worded, has ever ascertained a majority in favour of joining."

Christopher Soames' slogan that "it's cold outside" proved persuasive with voters the last time a referendum on Europe was called. However, Rosenbaum's collection demonstrates that a quarter of a century later, it is the 'pro-Europeans' who are now feeling the chill.


... news in brief

Christian Democrats want to impose sanctions on the Netherlands over euthanasia

The German Christian Democrats have called for the European Union to impose sanctions on the Netherlands for its recent decision to legalise euthanasia. The head of the Bavarian Christian Social Union, the Bavarian prime minister, Edmund Stoiber, has said that he was thinking about whether the Dutch decision could be revoked by the European Court of Justice. It had to be clarified, he said, whether the Dutch decision was compatible with the European Charter of Fundamental Rights and Freedoms. He said that "the relativisation of life" could not be permitted. Meanwhile a CDU Member of the Bundestag, Martin Hohmann, said, "Decisive EU action against the Netherlands is necessary." If the EU had taken action against Austria to the extent of isolating the country diplomatically when the Freedom party entered the ruling coalition in Vienna, said Hohmann, it was much more necessary to protest against Holland's "contempt for the whole basis of European values". The CDU politician said that, under the mantle of liberalism, the Dutch had passed a law which was "like a copy from the days of national-socialist inhumanity". The Dutch had put themselves outside the community of European values and were walking in the footsteps of the Nazi regime. Hohmann spoke of "early deaths which protect social spending and allow people to cash in on inheritances" and said that the Dutch euthanasia law could even apply to young people who had been severely injured in accidents and that over such victims there would now hang a sword of Damocles. [Hans-Jürgen Leersch, Die Welt, 27th April 2001]

EU passes new secrecy laws

The European Union has passed a new law on public access to documents which has been designed to harmonise its secrecy rules with those of NATO. The new rules are designed to regulate public access to EU documents, especially in the military field. NATO and the United States had insisted on these new rules as a condition for co-operation between the new Euro army and the Atlantic alliance. Now, European institutions can block public access to documents if they consider that publication of them will threaten military, economic or international interests – a pretty wide-ranging definition. Internal advice and plans can also be blocked if publication of them would threaten the authority in question. The rules are strictest in the military domain. They provide that any classified document may be released only with the permission in question. The rules are strictest in the military domain. They provide that any classified document may be released only with the permission of the author. So for instance, the USA would have to agree if the EU wanted to publish papers passed to EU politicians by the American secret services. [Nikolaus Blome, Die Welt, 26th April 2001] Sweden had blocked the agreement for a long time since it has a constitutional commitment to transparency but it gave in in the end. Naturally, therefore, the Swedish government has been hailng the new regulation as a victory for transparency. [Reuters report in International Herald Tribune, p. 7, 26th April 2001; also BBC World Service, 3rd May 2001]

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The Future of Liberty in the European Union

by Professor David Conway

What kind of future does liberty have in the European Union, as classical liberals understand this notion? I shall argue below that the prospects for liberty in the EU are very bleak indeed. The good news for classical liberals, however, is that the prospects for survival of the European Union itself are not much better. It too does not have much of a future ahead of it.

Dissolution of the European Union may come about in any one of several possible ways. The least painful form of dissolution would be peaceful, gradual, and democratic, coming entirely from within. It could end this way, if, after becoming progressively more disenchanted with membership and sceptical of the alleged benefits of membership, first one member state, followed by an ever increasing number, decides and was allowed to secede. Although the least painful possible form of break-up, it is by no means the most likely. Worryingly, the Maastricht Treaty, which created the European Union, contains no formal provision for secession by a member state.

Alternatively, and this possible scenario is, perhaps, more likely, the European Union will come to an end all at once, and only after considerable blood has been shed in Europe. It might be formally dissolved as part of some comprehensive international peace-settlement, of the scale of the Treaties of Versailles and Yalta, if the difficulties into which the attempt at ever closer union has led the continent lead to some form of European civil war to which finally the USA judges it to be in its national self-interest to put an end. What has in recent years been witnessed in the former Yugoslavia suggests this second possible mode of dissolution is by no means as unlikely as it may at first sound.

A third and still bloodier way for the European Union to an end would occur, if, to secure or protect what it considers vital energy or food supplies or trade routes, the European Union was, having acquired its own independent armed force, to embark on some military venture somewhere in the Middle East, or in alliance with Russia, in the Far East, thereby precipitating a full-scale Third World War.

Whether whatever eventually comes to replace the present European Union will prove any more congenial to liberty, I have no idea. All I feel that can be said for certain is that for liberty to have much of a future in Europe the European Union must be dissolved. Only when member states which have once known liberty, such as Britain, break free from the European incubus and regain their full national sovereignty, will liberty be able to regain a foothold anywhere within Europe. If such states were to reclaim and revitalize their historically liberal national traditions, institutions and practices – which, despite having become ever more moribund in recent years under pressure from the EU, have not altogether been wholly extinguished, they could serve to show the other member states the way to and benefits of pursuing liberty. Only as a confederation of independent liberal states, united by a common love of liberty, to which each has found its way at its own speed and in harmony with its own traditions and culture, or such elements of them as are compatible with liberty, can the states of Europe enjoy a form of union in which liberty has a future. It will never have one so long as, under the impetus of creating ever closer economic and political union between them, they continue to be ever more dismembered into a set of centrally administered regions and provinces of a collectivist super-state.

Why Liberty Has No Future Within the European Union

Although currently comprised of fifteen members, with many more states queuing up to join at its eastern borders, the European Union has, in fact, been the brainchild of, and continues to be dominated by, only two of its members, France and Germany, of which the latter is by far the more senior partner. In neither state have genuinely liberal ideas and ideals ever taken deep root institutionally or ideologically. As a result, the statesmen who have been most instrumental in constructing the EU and determining its policy agenda have always and quite self-consciously made it pursue illiberal goals.

That the EU has always been anti-liberal in its design was for a long time camouflaged by two factors. First, by having initially portrayed its primary purpose as being the creation of a so-called ‘common market’ for the free passage of goods, labour, services, and capital within its member states, the advocates of the European Union were for a long time able to foster the illusion, especially among the British, that its creation was intended to do no more than remove barriers to economic exchange between its members. Hence, its champions were for a long time able to portray the European Union as designed to advance, rather than impede, the cause of liberty.

Second, the term ‘liberty’, together with its cognates in other European languages, is so notoriously protean in meaning as to have often enabled the opponents of liberty in the classical liberal sense of the term to pass themselves off as its friends. This they have done by using the term to refer to ideals of their own which, in reality, are anything but truly liberal in spirit as classical liberals construe this notion. As well as seeming to support the cause of economic liberty whilst in fact doing the opposite, therefore, the European Union has been made to pursue an anti-liberal agenda in the name of liberty itself.

For a succinct account of the kind of political order that classical liberals regard as exemplifying liberty, it is hardly possible to improve on the following description of the classical liberal ideal, reputedly offered by Adam Smith in 1755, more than twenty years before the publication of his Wealth of Nations. Smith states:

“Man is usually made use of by statesmen and makers of projects, as the material for a sort of political handiwork. The project makers in their operations on human affairs, disturb nature, whereas people ought simply to leave her to herself to act freely, in order that she may accomplish her objects. In order to raise a State from the lowest depth of barbarism to the highest degree of wealth, all that is requisite is peace, moderate taxation, and good administration of justice; everything else will follow of its own accord in the natural course of things. All government which act in a contrary spirit to this natural course, which seek to divert capital into other channels, or to restrict the progress of the community in its spontaneous course, act contrary to nature, and, in order to maintain their position, become oppressive and tyrannical.”
With the exception of members of the Austrian school of economics, the form of political order Smith delineates here has never had much appeal to the political and intellectual elites of continental Europe. Seldom have they equated liberty with, or valued liberty much when they equated it with, mere absence of governmental coercion; albeit that this enables individuals to do their own thing within the confines of uniform laws designed to minimise their coercion of one another. On the continent of Europe, for liberty to acquire any lustre at all, it has always had to be given a far more collectivist and interventionist guise. It has had to be presented as something that individual members of a society enjoy only when administered by a central political authority which considers itself, and is considered by those it administers, as licensed to interfere with and regulate their lives far more closely than is compatible with liberty as classical liberals understand that notion. Accordingly, on the continent of Europe, the ideal that Smith later calls the ‘system of natural liberty’ has always been thought to fall short of providing any worthwhile form of liberty.

A brief glance at the role assigned that some of the most seminal and influential thinkers of France and Germany assign to government reveals just how far distant their political culture are from that of the Anglo-Saxon world which spawned classical liberals ideas and in which these ideas have gained their greatest influence and acceptance.

The two most seminal thinkers in France are surely Descartes and Rousseau. Unlike the latter, the former never himself wrote a formal political tract. However, in his influential intellectual autobiography, Discourse on Method, Descartes had occasion to draw from, his optimistic estimate of the power of human reason, an explicit inference about the best way for a society to acquire laws. Given the enormous prestige which Descartes enjoys in French national culture, where his philosophy still forms a compulsory part of the secondary school national curriculum, it is arguable that this view of Descartes’ continues to exert an enormous influence among French thinkers and the educated public. So well does Descartes’ view encapsulate the long-established mind-set of the French political and intellectual elite that one can be forgiven for supposing it to have long been an unspoken axiom of faith of the graduates of the Ecole Nationale d’Administration (the famous énarques) from whose ranks the higher echelon of the European Commission continues to be disproportionately recruited. Descartes observed:

“[Ju]st as often there is less perfection in works composed … by different masters than in those at which only one person has worked…, [x]o … peoples who … have become civilised only gradually, making their laws only in so far as the harm done by crimes and quarrels forced them to do so, could not be so well organised as those who, from the moment at which they came together in association, observed the basic laws of some wise legislator.”

Descartes’ notion of a wise legislator who knows best how a society should be organised reappears in the writings of Jean-Jacques Rousseau. In his Social Contract, Rousseau offers his famous or infamous solution to the problem which he had set for himself in that work. This problem was to specify how people can be made to gain the undoubted benefits of political association without their having to forfeit any of that liberty which each may be presumed to enjoy outside of all forms of political association where they would be subject to the direction of no one’s will but their own.

Rousseau’s ‘solution’ is, of course, his famous version of the social contract. This he envisages as a tacit mutual pledge of all who seek the benefits of political association to obey whichever laws and directives are issued by their supreme political authority. Since, according to Rousseau, that authority is, or at least ideally should be, none other than the contractees themselves, united together as a single supreme legislative body or sovereign, compliance with the directives issued by it does not involve any compromise of their natural freedom.

At the root of this proposed solution of Rousseau’s stands his belief that every society has an objective good – that is, some optimum form of organisation – of which each member of society can be presumed to be in favour, and of which, therefore, each member can be said to will the institution, in addition to each willing his or her own individual good. According to Rousseau, there is some deep metaphysical sense in which the members of a society may all be said to will that their society be ordered in whichever way it is objectively best that it be ordered. They may be presumed to do so, even when they do not exactly know themselves in concrete terms what this consists in. Consequently, if and when organised under the direction of whoever does know, the members of a society can be said to retain their freedom. For in being so governed, they are being made to act in a way which they all truly can be said at heart to will – namely, in furtherance of their common good.

Ideally, according to Rousseau, a people should govern itself. However, it should do so only when it knows what is best for itself – that is, only when it knows what its general will is. When it does not, claims Rousseau, it should be governed by those who know better than it what is best for it. This is where there appears in Rousseau’s thought Descartes’ notion of a wise legislator.

Rousseau writes:

“The people, being subject to the laws, ought to be their author; the conditions of society ought to be regulated solely by those who come together to form it… [But] how can a blind multitude, which often does not know what it wills, because it rarely knows what is good for it, carry out for itself so great and difficult an enterprise as a system of legislation? Of itself the people always wills the good, but of itself it by no means always sees it… It must be shown the good road it is in search of… [It] stand[s] equally in need of guidance… The public … must be taught to know what it wills… This makes a legislator necessary… The legislator is the engineer who invents the machine, the prince merely the mechanic who sets it up and makes it go… He who dares to undertake the making of a people’s institutions ought to feel himself capable of transforming each individual … into part of a greater whole from which he in a manner receives his life and being.”

For Rousseau, as for Descartes, therefore, deliberate state direction, rather than any ‘invisible hand’, best ensures the advancement of the good of a society.

In Germany, no less than in France, the kind of liberty championed by classical liberals has, for the most part, always been rejected. In the case of Germany, however, it has been rejected less because, as in the case of the
French, the political authorities there are considered to be potentially superior judges of how members of society should organise their affairs so as to secure their collective and individual good. In the case of Germany, the prime reason for repudiating the classical liberal system of natural liberty has been the belief that, over and above the individual good or well-being of members of a society, stands a still higher good which it should be the aim and business of the state to advance. This higher good is the spiritual perfection of the nation to which the citizens of a state belong antecedently to and independently of citizenship of that state.

Among the first to articulate this peculiarly German species of collectivism was Johann Gottlieb Fichte. In his 1808 ‘Addresses to the German Nation’, Fichte declared that

“The State, merely as the government of human life in its progress along the ordinary peaceful path, is not something which is primary and which exists for its own sake, but is merely the means to the higher purpose of the eternal, regular, and continuous development of what is purely human in the nation. It follows … the vision and love of this eternal development, and nothing else, should have the higher supervision of State administration at all times, not excluding periods of peace.”

This collectivist and nationalistic view of the role of government became adopted by Hegel as it was by many other nineteenth century German thinkers. It licenses on behalf of the state an agenda that, potentially at least, is totalitarian and far more interventionist than is compatible with liberty as classical liberals understand the notion. It also so transmutes the very notion of liberty that it comes to be equated with nothing less than total and whole-hearted subservience to the nation in its own distinctive individuality. In a 1916 essay on the German idea of liberty, Ernst Troeltsch once observed that the German idea of liberty is that of “an organised unity of the people, … a critical devotion of the individual to the whole, … completed and legitimised by the independence and individuality of the free spiritual culture. … [It is] state socialism and cultural individualism.”

In sum, with only rare exceptions, liberty in the classical liberal understanding of this term has always tended to be rejected in Germany and France as far too individualistic and politically unorganised to be worth seeking to bring about politically. Little wonder then that, ever since the idea of European Union was first mooted, its principal advocates and architects have always been intent on creating a political order for Europe in which there would be little room for liberty in the classical liberal sense.

Ever since the idea of European Union was first mooted, its principal advocates and architects have always been intent on creating a political order for Europe in which there would be little room for liberty

The Tainted Source of the Idea of European Union

The idea of European Union is often represented as having only come into being after the Second World War. According to this view, it was thought up as a way of so entwining the economies of Germany and France as to ensure that conflict between them could never again engulf Europe in the kind of conflagration into which their past conflicts had twice done earlier that century. Nothing could be further from the truth.

Although it is always difficult to say definitively who was the very first to have had some given idea, that of an economic and political union in Europe can be traced as far back as to the writings of Friedrich List in the first half of the nineteenth century. Furthermore, so far as List was concerned, the main reason that European states had for entering into such a form of union was not to prevent war between themselves. It was, rather, to enable them better to wage economic war against more economically advanced states outside it. In List’s day, these enemies were Britain and the USA. Moreover, according to List, the prime mover of European Union was to be Germany. Writing in 1844, List observed: “If … Germany could constitute itself with … Holland, Belgium, and Switzerland, as a powerful and political whole … then Germany could secure peace to the continent of Europe for a long time, and the same time constitute herself the central point of a durable Continental alliance… All [of these less powerful nations] have a common interest in protecting themselves against the destructive competition of England… If we … consider the enormous interests which the nations of the Continent have in common, as opposed to the English maritime supremacy, we shall be led to the conviction that nothing is so necessary to these nations as union…”

List’s vision of European union was less Anglophobic than anti-liberal. He envisaged a future time, now long past, when, in his opinion, it would become in the interests of Britain to enter this union. According to List, European union was to be achieved by voluntary agreement among its member states, as, indeed, has happened. However, it did not do so before the Nazis had sought to forge such a union in ways and for purposes more consonant with their self-image as harbingers of the ‘Aryan master race’. Reputedly as early as September 1939, the Nazis had formed the objective of creating European economic and monetary union. A memorandum reputedly written at the time by the deputy head of the German Foreign Ministry reveals how greatly influenced were the Nazis by the idea of European as envisaged by List. It reads:

“The present war … is … a war for the unity and freedom of Europe. Its aims are: to bring about and guarantee lasting peace for the European countries; security against the economic strangulation and interference by outside powers, Britain and the US; Europe for the Europeans… Loyalty to Europe does not mean subjection but honest co-operation based on equal rights… The Axis powers are determined that an edifice will be erected by the joint efforts of all European peoples, in which all can live in freedom, prosperity and security…”

In June 1940, Hermann Goring assigned to Walter Funk, Nazi Minister of Economics and Chairman of the Reichsbank, the task
of drawing up an economic plan for the German-European economic area to be implemented after fighting ceased, following the anticipated German victory. A memorandum issued in July 1940 by the Reich Chancery explains the aims of such a union:

“The great success of the German armed forces have laid the foundation for the economic reorganisation of Europe under German leadership… A new large economic area will come into being, in which the economy can develop with only basic direction from the state. The parts of Europe under Germany’s influence must be unified in the same fashion as other continental areas, e.g. the USA and Russia… Such a central European economic community under German leadership will require a solution of the following problems among others:

1. The central European currencies must be placed on a uniform basis by establishing a fixed rate of exchange between those of the other countries and the Reichsmark.

2. Customs barriers in central Europe must be abolished...”

A month after having been given his assignment, Funk delivered a speech on the reorganisation of Europe which had at the time, according to the editor of the anthology from which the following extract is taken, “a sensational effect” and was widely “regarded as a kind of semi-official blueprint for all the occupied countries”. The speech ends with Funk stipulating the main measures being proposed for Europe by the Nazis. They included “long-term economic agreements with European countries … to secure a place for the German market in the long-term production planning of these countries, i.e. as a safe export outlet for years to come; stable exchange rates; a rational division of labour … in Europe; and finally a stronger sense of economic community among the European nations … by collaboration in all spheres of economic policy.”

The measures Funk proposes here bear an uncanny resemblance to many of those which have been adopted by the present European Union. The close parallels between the European union which the Nazis proposed and what came into being after the war appear still more strikingly in a book published in 1942 in Berlin by the Association of Berlin Business People and Industries and the Berlin School of Economics. Entitled Europaische Wirtschaftsgemeinschaft, which translates as ‘European Economic Community’, the book comprises a collection of essays on this subject, including one by Funk. They are prefaced by an introductory essay summarising the overall themes of the essays written by Heinrich Hunke, President of the Association of Berlin Business People and Industrialists and of the Institute of the German Economy. Not only does Hunke’s essay make absolutely clear just how similar in form the present European Union is to the sort of economic union which the Nazis intended to create in Europe. It also makes clear how great was the influence on Nazi thought of List’s proposal for a closed European trading area, deliberately and self-consciously designed in opposition to classical liberal policies.

Hunke specifies three principles as forming the basis on which the new European Economic Community is to be organised: “the individual will be replaced by the people; the world market will be replaced by living space [Lebensraum] and capital will be replaced by the organisation of labour”.

The first principle, Hunke asserts, “expresses the fact that the aim of the economy will be entirely different [from the Anglo-Saxon system]. Thus of necessity the unbridled striving for profit as a regulator of the economy will disappear and be replaced by the guiding powers of the Community.”

The second principle – that of substituting Lebensraum for Germany for the world market – is said by Hunke to “encapsulate the contrast between the view of Adam Smith and that of our Friedrich List… [W]hereas Adam Smith promotes market theory, Friedrich List asserts the theory of productive forces… For Adam Smith, the route to prosperity is the international division of labour, whereas for Friedrich List it is confederation. The third principle, substituting the organisation of labour for capital, is said by Hunke to convey the idea that the interests of labour will prevail above those of capital.

I have absolutely no wish to assert or insinuate that, simply because the Nazi’s envisaged and favoured the creation of a European Economic Community, therefore, the present European Economic Community is simply a continuation of the Nazi project minus their insignia, goose steps, and the other more disturbing practices for which they have become only too well remembered. At the same time it is sometimes difficult not to be reminded of the rhetoric used by the Nazis in selling their idea of economic and monetary union to the nations whom they had conquered by the vaguely menacing tone adopted by some latter-day German political leaders on behalf of Economic and Monetary Union.

Compare what Reich propaganda minister, Joseph Goebbels, said to a number of Czech journalists in September 1940 upon their completion of a conducted tour of Germany with a celebrated remark made by Helmut Kohl some fifty odd years later. Goebbels states:

“I am convinced that in fifty years people will no longer think in terms of countries… People will think in terms of continents, and European minds will be filled and swayed by quite different… problems. You must on no account think that when we Germans bring about a certain order in Europe we do so for the purpose of stifling individual peoples… It has never been our intention that this new order or reorganisation of Europe should be brought about by force… We must approach each other as friends or as enemies. And I think you know well enough from past experience that the Germans can be terrible enemies, but also very good friends. We reach out our hand to a friend and co-operate with him in a truly loyal spirit, but we can also fight an enemy until he is destroyed… Our great nation with its large population, together with Italy, will in practice take over the leadership of Europe. There are no two ways about that… We are performing here a work of reform which I am convinced will one day be recorded in large letters in the book of European history.”

Now former Chancellor Kohl, speaking in February 1996 in criticism of Britain’s continued opposition to European Monetary Union: “European integration is in reality a question of war and peace in the 21st century… We have no desire to return to the nation state of old. It cannot solve the great problems of the 21st century.”

Irrespective of whether the correspondence between Nazi ideas about Europe and the shape which post-war Europe assumed is anything more than purely coincidental, the unmistakable fact remains that, right from its post-war beginnings to the present, the principal advocates, architects, and agents of European
unification have uniformly been animated by collectivist objectives that are inherently anti-liberal in spirit and form. To illustrate the point, consider the following few choice remarks made by Romano Prodi, current President of the European Commission and former Italian Prime Minister, in his recent book Europe As I See It.

Prodi starts out on a cheery note in which, coincidentally, he seems to give his unequivocal endorsement for the ideals of liberty and democracy. He writes:

“Europe at the turn of the millennium finds itself at a cross-roads. On the one hand, a bright future is promised by completion of monetary union, the opportunity to make the old international barriers a thing of the past by enlarging the European Union, … and the universal affirmation of the principles of liberty and democracy…”

Prodi quickly makes clear, however, that the future of Europe is not wholly bright as he sees it. He goes on, “[O]n the other hand, there are increasing anxieties over falling populations, mass immigration and doubts over the possibility of maintaining the European mode of social welfare”. Above all, in Prodi’s view, the European Union faces two main problems. The first is “how to reform the European economic and social model.” The second is “how to deal with anxieties relating to individual identity.” It is in his proposed solutions to these two problems that Prodi reveals just how fundamentally illiberal his attitude is. By way of proffered solution to the first problem, Prodi writes:

“[…] we need to fuse together the welfare state’s collectivist tradition, which was the twentieth century’s greatest achievement, and the ability to compete in a globalised economy, which is the twenty-first century’s greatest challenge… Clearly, we must not abandon the social market economy. The task is to reform it and make it sustainable in the new international climate.”

Contrary to what one might initially have expected, the problem that Prodi sees as being generated by anxieties relating to individual identity is not how to preserve the cherished national identities of the peoples of Europe in the face of Europeanisation or globalisation. Quite the opposite. It turns out that, for Prodi, the problem these anxieties raise is that of how to replace these distinct historic national identities by a common sense of European identity. Prodi claims the solution lies in the “need for a common education policy… The real challenge is to bring together in an unprecedented melting-pot not only the great Latin and Germanic cultures, but also the Anglo-Saxon culture, which joined later, and the Slav culture, which will soon be bursting onto the European scene.”

The principal advocates, architects, and agents of European unification have uniformly been animated by collectivist objectives that are inherently anti-liberal in spirit and form.

Precisely why there should be thought to be a need for effecting a meltdown of European diversity Prodi does not say. However, in the course of elaborating on what he claims is the need for creating a common European identity, Prodi lets slip a very telling phrase which, if any further proof were needed, reveals the depth of his illiberalism as well as that of the European Union over which he presides. He writes “[a] ‘European’ ruling class could not be established without world-class educational centres of excellence that are truly international and multicultural.”

Admittedly, I have only quoted from an English translation of Prodi’s original Italian text. Perhaps, therefore, the term he originally used should have been more accurately translated as “political class” rather than “ruling class”. However, since Prodi authorised the English translation, I can only presume he stands by what it contains in which case all I have to say to President Prodi is: “Excuse me! I thought in a liberal democracy no one but the people ruled themselves through their democratically elected representatives. In any form of polity which claims to uphold the values of liberty and democracy, surely the political class serves rather than rules the people!”

Selective though the foregoing quotations have been, I believe they are not at all representative of the thinking that has been instrumental in guiding those who have created and fostered the European Union. Those championing it have always sought to create what its earliest advocates always envisaged and hoped for it to be – namely, a collectivist, interventionist, centrally administered political union, self-consciously and deliberately designed along lines and for purposes diametrically opposed to and incompatible with liberty as classical liberals have always understood this notion. If the European Union proceeds towards its goal of ever closer economic and political union, therefore, the future of liberty in Europe cannot be thought of as anything other than very bleak indeed.

Why the European Union Does Not Have Much of a Future

Fortunately, lovers of liberty need not despair of ever seeing their cherished ideal flourish in Europe. For, despite the European Union being an enemy of liberty, its own future is by no means assured. Given the size of Europe, as well as its great economic and cultural diversity, European Economic and Monetary Union is – especially, when combined with the vast amount of intervention and regulation called for by its various economic and social policies – nothing less than a recipe for disaster and thereby contains the seeds of its own destruction.

The single currency requires a common interest rate policy for the EU which will never simultaneously suit all parts of such a diverse continent as Europe. The high labour costs created by its social and employment policies have begun and will continue to deter inward investment. This will be especially so, if, as is currently being mooted, European policy against so called ‘unfair competition’ leads to the imposition throughout the member states of ever greater harmonisation of corporate and other tax rates. The extreme cultural diversity within Europe, something positively benign and attractive in itself, renders its labour force relatively immobile by comparison with that of the USA, for example.

The combined effect of all these misguided and illiberal policies is already beginning to manifest itself in Europe in the form of high levels of persistent structural unemployment. As a result of its overly regulated labour market, unemployment rates in Europe are very high indeed everywhere, with the exception of the UK which has managed to retain a more flexible labour market and lower tax rates than
elsewhere in Europe. As Prodi himself observes, "At the end of 1998, the average unemployment rate both for the EU and the Euroland countries was about 11%. On the other hand, the United States ended the same year with an unemployment rate of 4.3%." 27 Within the EU, there is wide variation in unemployment rates.

Given the rigidities of the labour market, there is little remedy beyond subvention of regional aid by Brussels. In time, such prolonged high unemployment cannot but result in widespread discontent among the less advantaged regions of Europe. This will be particularly acute, should global recession make it more difficult than normal for the relatively affluent regions of Europe to support the less affluent ones. Eventually, the popular discontent generated by the misguided policies of the EU will bubble over and prove its undoing. Popular disaffection for the EU, brought on by its misguided economic and social policies, is already beginning to grow. As has been rightly observed: "Forty years of institutionalised attempts to 'build Europe' seem to have had little impact at the level of popular consciousness and the transfer of loyalties from the nation-state to Europe institutions in Brussels ... simply has not happened." 28

Without these missing loyalties to Europe, the centre cannot hold. The European Union will disintegrate as its economic difficulties intensify just like the Soviet Union and former Yugoslavia. My hope is that it is not yet too late for such member states as the United Kingdom, which have not yet wholly relinquished their independence to the European Central Bank and other agencies of the EU, to draw back from the abyss and radically renegotiate their terms of membership, or else withdraw from the Union, while there is still time to do so. Britain would be able, if not forced, to adopt more truly liberal policies than Europe has. By doing so, it would start to flourish even more than it has done since leaving the ERM. That way it could start to serve as a beacon of liberty to the other peoples of Europe.

W_ hether the French and Germans will ever be willing to follow Britain were it to set out on the path of liberty I do not know. Of one thing I am pretty certain. The future of liberty in Europe today once again rests upon the moral leadership, decency, and courage of Britain as much as it did sixty or so years ago, when Britain alone stood against the tyranny of Nazi Germany. One can only hope that, when the British people finally wake up to the real danger that European Union presents to their freedom and prosperity, they will still be able to find within them enough of their historic patriotism, independence, and moral courage to be ready and able to stand alone again, if necessary. There is room for hope, but little for complacency.

1 This paper was first delivered at the 7th Austrian Scholars Conference organised by the Mises Institute, Auburn, Alabama in March 2001.


10 List writes, "A glance into the future ought sufficiently to console Britons for the anticipated disadvantages [of continental European union]. For the same causes which have raised Great Britain to the present exalted position will (probably in the course of the next century) raise the United States of America to a degree of industry, wealth, and power, which will surpass the position in which England stands, as far as at present England excels little Holland... Thus in a not very distant future the natural necessity which now imposes on the French and Germans the necessity of establishing a Continental alliance against the British supremacy, will impose on the British the necessity of establishing a European coalition against the supremacy of America. Then will Great Britain be compelled to seek and to find in the leadership of the united powers of Europe protection, security, and compensation against the predominance of America, and an equivalent of her lost supremacy... It is therefore good for England that she should practise resignation betimes, that she should by timely renunciations gain the friendship of European Continental powers, that she should accustom herself betimes to the idea of being only the first among equals." List, The National System of Political Economy, pp. 423–24.


12 Reich Chancery memorandum: "Organisation of the German Economy" (9 July 1940), in W. Lippens, Documents, pp. 57–8.

13 Lippens, Documents, p. 65.


16 Hunke, Introduction to Europaische Wirtschaftsgemeinschaft, p. 10.


18 Helmut Kohl quoted in The Times, 3 February 1996.


20 Prodi, Europe as I See It, p. 3.

21 Prodi, Europe as I See It, p. 3.

22 Prodi, Europe as I See It, p. 3.

23 Prodi, Europe as I See It, p. 3.

24 Prodi, Europe as I See It, p. 4.

25 Prodi, Europe as I See It, p. 4.

26 Prodi, Europe as I See It, p. 5.

27 Prodi, Europe as I See It, p. 30.


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**CHUNNEL VISION**

**Appeal to the Franc-tireurs**  
by Dr Lee Rotherham

**First, the crazies.** I escaped from the delights of the Brussels funny farm just in time. The Gare du Midi/Zuidstation was packed with mime artists, stiltswalkers and steam engine buffs to commemorate 75 years of the Belgian rail network.

MEPs were more concerned with getting the Belgian police to allow a photocall to take place. Someone had thoughtlessly declined to ask if they could bring a horse along. The legislation supported by the parliamentarians covered those animals which some Europeans want to eat, and others want to pat. Those who want to pat them also want to stuff them full of medicines so they don’t keel over. Those who want to eat them don’t want to be pumped full of pet drugs. The Belgian police didn’t want Dobbin going amok in a public place. All in all it was a classic case of how Europe will never work as a single unit. So the MEPs had to make do with a wabbit in their press releases instead.

Another animal law covered an element of passports for pets. This involves marking the critter to show he has had the Rabies jab, whether or not he be allowed to travel freely between member states. A happy day for customs officials across the Union; but a grave blow for the Single Market in Northern trouser contents.

It will not have escaped your notice that Britain Plc is facing a possible corporate takeover. TB, the present MD, has indicated that he wishes to merge the company in Euro Enterprises Inc, a subsidiary (sic) of Bilderberg Co. Leading business commentators have indicated that the business share price will plummet as a result, and will lead inevitably to the company being totally swallowed up by the new head office in Brussels.

TB is presently being supported by another small faction in the Board of Directors headed by his junior partner. Nevertheless, he is facing stiff opposition from one quarter, namely Bill Hague, formerly of UK (Wales) division. The overwhelming majority of the ordinary shareholders back the challenge.

Perhaps you hate pinstripes, so I’ll use a different, nautical, analogy to show the full nonsense of what has since developed. The ship of state, in which the boggle-eyed Captain and his cheery Lieutenant are lashed to the wheel, is steaming towards the rocky shore at a rate of knots. Downstairs, his Number Two the formerly critical Chief Steward is at the gin. Outside the cabin, a handful of officers dressed in resplendent blue are hammering at the door, attempting to smash in and rescue the vessel and its many passengers. And what happens next? Some of the engine crew run up to them and start jostling them because they want to go to another port when the vessel has been saved.

There are, in the country, a number of seats where a known Eurosceptic is fighting for election, whose credo and resolve are known and proven. Some will be old rebels, others veterans of the cause. In a smaller number, perhaps a score or thirty, the election will be tight, and the introduction of a small party candidate may affect them. Particularly one whose appeal cuts across the very message he or she is putting out.

So why oh why oh why, in these seats, is UKIP standing? I speak as an outsider, and since I have often been the subject of merry pontificating by our electoral cousins I feel quite happy for once to return the compliment! UKIP, as I see it, exists to further one particular strategic message, specifically withdrawal from the EU, via several tactical objectives. These, even if no one seems to have ever considered spelling them out, would I suggest include ‘getting the message across’ about the disastrous policies of the EU through the dispersal of literature, mobilising a grassroots network to challenge local opinion, and applying pressure on other parties in much the same way as the Greens have done, and like the Referendum Party in 1997. Policies can only be changed in the first instance by informing the electorate.

Through some singular absence of an grand strategy, through a complete lack of central co-ordination and more obviously (and understandably) control, UKIP has let a golden opportunity slip.

Half of the campaign can go by before the candidate’s last opportunity to formally withdraw (and even after then he can openly encourage his backers to shift their vote). Local associations can thus set out their message early on in a campaign, and reward sound Conservatives by shifting their support later on. If properly thought out, each could be a significant media event for only a localised effort. It also acts as an encouragement and endorsement for vibrant and honest politicians, rather than a stab in the back.

Here I betray the time of writing. I hope that by now a number of UKIP’s candidates have stood down, have lent their support to their local Conservative. If not, it may not be too late in the few days that remain before the election. I won’t mention names – I shouldn’t need to – but there are some blatant examples where a Conservative candidate has a proven track record. A UKIP candidate could link his standing down to a specific policy area of national concern. He could stand alongside his Conservative counterpart by some small business threatened by EU legislation; they could bob around on a fishing boat together; or they could stand outside the Bank of England; and as the national media snaps away he could then stand down. The issue has been highlighted, the EU’s failing underlined.

Eurosceptic activists will be among the most ardent and impassioned of those on the campaign trail over these weeks. You will find widespread support for these core beliefs. You will make a mark on the campaign.

But as you put on your beret and pull out your sten gun from under the floorboards, to step out and ambush your Conservative candidate, consider. Will your internece Eurosceptic warfare give you a month occupying the moral-battlefield high ground, at the cost of the national interest? What is the democratic price of a point of principle? Will your few hundred votes tip the balance in the wrong direction? Is your local UKIP party association going to contribute to Blair’s murder of the pound?

The only option is such circumstances is total support for the Conservative candidate. Local decisions by a handful of individuals really can make a difference in the coming hours. The opportunity is there to be seized. But cometh the moment, cometh the man?

Dr Lee Rotherham is Conservative PPC for St Helens South and Secretary of CAFE.
The European Foundation

The Great College Street Group was formed in October 1992 in order to oppose the Maastricht Treaty. The group, consisting of academics, businessmen, lawyers and economists, provided comprehensive briefs in the campaign to win the arguments in Parliament and in the country. The European Foundation was created after the Maastricht debates. Its task has been to mount a vigorous and constructive campaign in the United Kingdom and throughout Europe for the reform of the EC as a community of independent sovereign states. The Foundation continues to establish links with other like-minded institutes across Europe.

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The objectives of the Foundation, set out in its constitution, are as follows:

- to provide a forum for the development of ideas and policies for the furtherance of commerce and democracy in Europe;

- to increase co-operation between independent sovereign states in the European Community and the promotion of the widening and enlargement of that Community to include all applicant European nations;

- to resist by all lawful democratic means all and any moves tending towards the coming into being of a European federal or unitary state and for the furtherance and/or maintenance of such end;

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- producing policy papers and briefs;

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- liaison with like-minded organisations in other EC and EC applicant countries and elsewhere;

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