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Europe

European Union: the Spirit of Saint Denis

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Although the European Council at Thessalonica had given a 'positive welcome' to the draft Constitutional Treaty drawn up by the European Convention, it is obvious that the intergovernmental conference (IGC) has opened a Pandora's box.

[https://npa31.org/IMG/jpg/15_david.jpg]

The opening of the IGC on October 4, 2003 in Rome, by a Berlusconi who some days earlier had tried to justify Mussolini, had to face a street mobilization of tens of thousands of trades unionists from the European Trades Union Confederation (ETUC) and global justice activists. But it also had to face an internal blockage on the key questions of the draft from the Convention; the composition of the Commission, the internal division of votes and the capacity to block community institutions, the level of 'communitization' of foreign policy and the role of the EU's foreign minister, the legislative functioning of the Council and so on.

These are not formal or secondary questions, but on the contrary key elements of the articulation of the 'governance' of the European power, which illustrate the difficulties of the Franco-German axis which seeks to impose its model of functioning on a Union enlarged to 25 member states. These difficulties have their origin partly in the sharpening of inter-imperialist competition at the time of the second Iraq war. The war in Iraq and now its 'reconstruction' have divided 'old' and 'new' Europe, have blocked the possibility of a referendum on the euro in Britain as well as the incorporation of Blair in the Franco-German axis and have taken the shine off the construction of a European power, resting essentially on the Franco-German axis and the intergovernmental consensus stemming from the growing weakness and discredit of the Prodi Commission.

If Paris and Berlin were able to rest on the massive anti-war demonstrations to oppose Bush at the UN Security Council, their attempt to rebuild a social base ready to accept, as a lesser evil, neoliberal reforms and the 'Spirit of Lisbon' in the name of 'competitiveness' and competition with the US has met many more difficulties. In France, the teachers' strike before the summer has created a new social situation and opened a crisis of Raffarin's government, which would be deeper but for the spectacular malaise of the Socialist Party and the crisis of its old allies of the 'plural left', incapable of the least resistance for fear of being overtaken by the far left. In Germany, Schröder was able to restrain the last rebellion against his neoliberal reforms by a sector of the parliamentarians of the Social Democratic Party (SPD) only through the blackmail of threatening a general election. The negative result of the Swedish referendum on the Euro has not been helpful to maintaining the Franco-German dynamic either.

In this situation, Chirac and Schröder are meeting unexpected opposition at the IGC. Neither the warnings of German foreign minister Joschka Fisher that any proposed modification of the draft Constitutional Treaty submitted by the Convention must be accompanied by an alternative consensus formula, nor the open threat to cut aid on the part of those member states which are net contributors to the European budget, in the context of negotiations for the EU financial perspectives for 2006, have prevented Spain and Poland from demanding the maintenance of the quota of power and blockage that they obtained in the Treaty of Nice to the detriment of the 'big' member states. Nor have they stopped the small member states from pursuing their campaign to be represented directly in the Commission with voting rights and putting in question the 'directorial method'. Finally, they have not stopped the more Eurosceptical sectors from launching their own campaign for a European referendum on the Constitutional Treaty with the hope of thus depriving it of legitimacy.

This was the scene when the IGC was inaugurated on October 4. The absence of any democratic constituent process could not be more evident. The debates and the struggles between the member states, linked to the negotiations of other questions and interests, like the financial perspective after 2006, promise a continuous erosion of the credibility and legitimacy of the Constitutional Treaty that will finally be adopted. But if the capacity to impose a

new resolution at the Security Council for the reconstruction of Iraq is a fundamental test for the credibility of the international hegemony of the USA and the Bush administration, the ability to impose a rapid 'consensus' in the debates of the IGC is also an acid test of the ability of the French-German axis to lead the EU.

The intergovernmental debates on the future of the EU have become one more example of the crisis of legitimacy of neoliberal policies and the institutional reforms necessary to continue imposing them. The 'optimal' framework chosen by the European dominant classes to impose these reforms with the minimum political and social cost - the EU - is in deep crisis. The Commission, imposing neoliberal policies 'from above', plays with its hypothetical technocratic prestige and grants partial and focused compensations through structural aid to try to avoid the worsening of the political and social crisis inside the member states. But given the lack of legitimacy, the opacity of the decision making process and their consequences, it is inevitable that social resistance to these policies becomes confrontation with the governments of the member states, extending the crisis of the EU. The 'French contamination' has continued to spread and it has already reached new members like Poland.

The reasons for a 'No' to the Constitution of the European oligarchies

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As the IGC negotiations develop, illusions on the 'progressive character' of the Constitutional Treaty vanish. In the first place, because people begin to read or to familiarize themselves with the content of the Convention's draft. It is impossible to maintain with a minimum of seriousness that it marks a step forward in the construction of a 'European social model' or a 'Europe of progress'. It appears as a text that tries to set in stone as European basic law the neoliberal management of the European economy, to trim existing social rights in many member states, to impose an oligarchical 'governance' against all democratic legitimacy, to militarize European societies through brandishing the spectre of 'international terrorism'.

Nor should we accept the argument that a 'no' to the Constitution of the European oligarchies is equivalent to accepting the Treaty of Nice. If the European dominant classes have taken the trouble to organize a Convention and the IGC it is because they are perfectly conscious that the Treaty of Nice never had sufficient legitimacy for the construction of the European power they need, or even for the operation of the EU after enlargement. It is enough to remember the result of the only referendum that was held on Nice in a member state, Ireland. There was a clear 'no' to the beginning of the militarization of the EU that it implied and to the institutional inequality between the member states it represented. A second referendum was needed, with enormous pressures, blackmails and promises of economic aids, before the Irish government persuaded its population to accept Nice.

On the contrary, the reasons to reject this draft Constitution of the European oligarchies are easy to summarize in eight basic deficiencies:

1. There is no constituent process based on the sovereignty of the citizens and the peoples of Europe. The Constitutional Treaty is born of an intergovernmental agreement and is a charter granted by the existing regimes
2. It does not establish a federal Europe, but continues subordinating the process of European construction to intergovernmental agreements of the Council and the dynamics of the single market. Whereas the neoliberal management of the single market is centralized and coordinated, responsibility for social policy remains with the member states. It legally imposes a neoliberal European economic model and rejects a European social model. The European Parliament, the only representative institution of the European citizens, remains limited and subordinated in its legislative powers by the Council.
3. It does not even ensure the exercise of the individual and social rights in the Charter of Fundamental Rights - itself largely inferior to the European average - because Title VII subordinates them to the legislation of each

state member. The inequality of citizens thus becomes a norm, as well as the inequality of people who, as in the case of immigrants, are exposed to illegality.

4. It does not promulgate a peace policy, but maintains the bellicose option of subordination of the EU to the obligations of the members of NATO, creates a European army and gives an institutional impulse to a community weapons policy.
5. It does not guarantee the right of self-determination of the European peoples, but fixes and articulates the operation of the EU on the basis of the existing member states, which are affirmed as the only frame of development for any type of administrative, cultural or political autonomy. It does not even guarantee equality between the member states, because it institutionalizes 'strengthened cooperation', in other words centres and peripheries.
6. It does not allow a social and economic policy aimed at the satisfaction of the needs of the citizens. It establishes legal limits to the budgetary capacity of the EU, prohibits its indebtedness, throttles its tax capacity and rules out anti-cyclical economic policies. It guarantees the independence of the European Central Bank and submits the EU to a regime of permanent austerity. Any social advance is conditional on competitiveness.
7. It does not create a democratically transparent and responsible European administration. The Commission will thus continue being an opaque and independent administration, with legislative initiative to propose its regulations, decisions and laws for adoption by the Council and the European Parliament. The communitarian institutional confusion does not respect in any way the division of powers and the existing institutional democratic control in the member states.
8. It does not promote a 'green Europe', but subordinates sustainable development and respect for the environment to the interests of the market and to neoliberal policies.

The spirit of Saint Denis: for a democratic and social re-foundation of Europe

The challenge for the European Social Forum is to give a European framework to the dispersed struggles of resistance that occur in each member state against the neoliberal reforms impelled by the 'Spirit of Lisbon'. That is the great contribution that the 'movement of movements' can make: the understanding that the challenge is posed at a European level. This means analyzing the institutional instruments that articulate the hegemony of the dominant classes at European level. That is, to build a common campaign for a 'No' to this draft constitution.

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In spite of the crisis of the EU, it is necessary to reject the idea that a return to the framework of the nation state is possible. The communitarian single market is a reality that links the European economy with the world market. 'Resistance in one country' to neoliberal policies is not possible. The battle unfurls within the European framework; its outcome depends largely on the ability to build a solidarity of the working-class capable of imposing social redistribution and rights for all beyond the member states, beyond the present borders of the EU, overcoming the dynamics of division and the social and geographic segregation of 'fortress Europe'.

A coordinated trade union resistance at a European level is another essential element. The campaign against the draft Constitution of the European oligarchy should allow the establishment of the bases of a democratic and social re-foundation of Europe, an anti-hegemonic project based on the extension of citizenship rights, with the perspective of constituting a Congress of the Peoples of Europe.

The first practical step is to demand the holding of referendums in each member state. Denmark, Ireland, France, Luxembourg, Holland, Spain, Portugal and the Czech Republic and Poland are trying to ratify the Constitutional Treaty with a mere parliamentary approval, under the pretext of its intergovernmental character. What will happen if a state member says 'No'? How would it affect the EU's current crisis of legitimacy? There is no easy answer to these

questions, any more than there was when Ireland said 'No' to the Treaty of Nice, one of the main causes of the present constitutional process.

So that another Europe can be possible, of the citizens and the peoples, the European Social Forum must register the common interests and objectives that allow us to oppose the weight of the majorities against the oligarchical hijacking of our sovereignty and to articulate those majorities in social resistance and political alternatives. That is really our best weapon - understanding that if we act together we are much stronger than they, that the Europe of solidarity can be much stronger than the neoliberal European power.