

# Don't Trust *the* European Union

BY BERNARD CONNOLLY

*American presidents, beware!*

A well-known writer, Thomas Friedman, has argued that the United States should support the European Union because “The European Union is the United States of Europe.” Perhaps one should not be surprised at such failure of analysis and insight, and even of simple observation, in a *New York Times* writer. After all, people far more eminent have made such mistakes. U.S. President Ulysses S. Grant misread German unification under Bismarck as presaging an era of democracy in that country and congratulated Bismarck on establishing a constitution to be compared to America’s. The doyen of American historians of modern Germany, Gordon Craig, wrote:

*Grant congratulated the German government for having completed the long-desired unification of its territory and for its decision to embark on a new federal union like the United States itself, a decision, the President indicated none too delicately, that showed a desire for speedy progress toward the blessings of democracy. This engaging exercise in self-satisfaction must have amused its recipient, Prince Bismarck, and he subsequently made a point of assuring American visitors gravely that he had been much influenced by the United States constitution when making his own plans for Germany. It is quite possible that he had gone so far as to read that document, but it would be difficult to demonstrate that he borrowed anything from it. The similarities that Grant found between the two constitutions were as superficial as his prophecy concerning Germany’s future political course was erroneous.*

Far from pursuing the path of democracy within a federal union, imperial Germany was Prussian-dominated, personal, dynastic, authoritarian, and illiberal. And, forty-six years after Grant sent his message of congratulations to Berlin, one of his successors,

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Woodrow Wilson, declared war on Germany at almost exactly the time that the German Chancellor's secretary, Kurt Riezler, was noting in his diary:

*The policy of the Chancellor [Theobald von Bethmann-Hollweg]: to lead the German Reich, which cannot become a world power by the methods of the Prussian territorial state ... to an imperialism of European form, to organize the continent from the center outwards (Austria [which then included what were to become Czechoslovakia and Hungary and large parts of the Balkans], Poland, Belgium) around our undemonstrative leadership.*

Even though Friedman is in celebrated company, his misreading of the European Union is deeply worrying. Given the present state of American politics and society and the disgust so many Americans evidently feel for their political institutions, one might question whether it is wise to hold the United States up as a model for everyone else. No doubt some aspects of some national systems in Europe are an improvement on the American model. Nonetheless, to paraphrase Winston Churchill, the United States has the worst possible system of government—except for all the others. But the European Union strives to eliminate anything that expresses democracy in its subject states. Unhappily, too many American commentators and even some American political figures see the European Union as the model for the United States, not the other way around, and have already succeeded in moving some way towards it.

It is too often forgotten that the American system of government, warts and all, is rooted in Magna Carta, in the primacy of common law established by Henry II in the twelfth century, in Bracton's principle, accepted by Edward I in the thirteenth century, that *lex facit regem*, not *rex facit legem*, in courts that were at least in theory apolitical, in the presumption of innocence, in the hatred of monopolies that was one of the factors leading to the Great Rebellion of 1642, in Lockean political philosophy, in the Glorious

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Revolution and the creation of a “merchant state,” in the 1689 Bill of Rights and in particular the prohibition of attainder and arbitrary arrest, in Blackstone's *Commentaries on the Laws of England* and in the principle, expressed particularly forcefully by Thomas Paine, that no generation can bind its successors in perpetuity. In short, the roots were in England (and later, via David Hume and Adam Smith, in Scotland). And when the break with Britain came (recall that Alexander Hamilton, for instance, believed the British constitution to be the most perfect ever devised), the questions of taxation without direct representation and the related American rejection of the notion of “indirect representation” at Westminster were very important.

The European Union is virulently opposed, in practice and sometimes even in form, to all of those roots, which it sees as inimical to the construction and maintenance of explicitly anti-democratic rule by an extended oligarchy, a *nomenklatura* comprising not just politicians and bureaucrats but also vested financial, business, media, legal, and academic interests. And its finances and indeed all its workings are based on the notion of so-called indirect representation rejected by the American revolutionaries.

Let us group the points of difference, beginning with the “constitutional” system of the European Union. There is no direct representation, the main power residing in the cabal of ministers (or rather their bureaucrats) meeting in the Council of the European Union, a body whose main purpose is to allow its members to conspire to free themselves from any residual constraints of democracy in their own countries and instead to serve vested economic interests, and in the unelected and ruthlessly would-be imperial Commission. The so-called European Parliament is nothing of the sort, and, as the German Constitutional Court stated clearly in 1993, can never be a democratic focus because there is no European demos. The European Union's treaty and the doctrine of the *acquis communautaire* (no relinquishing of power once conferred) are in direct contradiction with the principle of freedom that no generation, even were it to operate in what one might call a contemporaneous democracy, could ever bind all

future generations. And of course there is no contemporaneous democracy, as the European Union's contempt for the "wrong" referendum and for national election results has made plain: for the European Union, *rex* (or rather *imperator*) *facit legem*. What the European Union has done not just to Greece but to Italy and even, via its ignoring referendum results, to France and the Netherlands and, via the expropriation of savers, to Germany, would have provoked a War of Independence many times over in late-eighteenth-century America.

The "legal" system of the European Union is quite simply an abomination. In its insistence on the divine right of bureaucrats, it recalls Charles I of England. That monarch, like the institutions of the European Union, had a firm belief that he was above the law, a belief abandoned by his predecessors over four centuries. His behavior in provoking and rejecting Parliament's Petition of Right in 1628 set England on the path to civil war, which broke out fourteen years later. Parliament had demanded that Charles reaffirm the common-law constitutional principles that no one should be imprisoned without just cause, that everyone had the right to a writ of *habeas corpus*, and that every prisoner should be freed or bailed if no just cause for his detention could be shown. The discussions in the so-called European Parliament on the imposition of the European Arrest Warrant confirmed that such principles were regarded with open horror by the European Union. The European Union abhors, and seeks to eliminate, common law and all the principles established so painfully in

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England and given to America. Article 52 of the so-called Charter of Fundamental Rights incorporated in the Lisbon treaty states explicitly that any and all freedoms, including freedom of speech, freedom of association, freedom from arbitrary arrest and unfair trial, can be overridden if judged necessary—by some undefined person or body—in pursuit of objectives of general interest of the Union. Even the infamous article 58 of Stalin's constitution was not so blatant. The coming establishment of a European Public Prosecutor will allow a bureaucrat to ordain the arrest and detention of anyone in any EU subject country. It is already the case that the system of European Arrest

Warrants, equivalent to the *lettres de cachet* of ancien régime Europe, can allow governments to collude in a give-and-take to procure the arrest and detention of anyone they do not like—thus introducing attainder, in effect, and arbitrary arrest. And, under the inquisitorial system prevalent in Continental Europe and extended to Britain and

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Ireland via the EAW, no charge or even evidence need be laid, allowing periods of detention without trial which in practice are indefinitely extensible. To make things even more horrendous, if Turkey were to become a member of the European Union as a result of Merkel's panicky and frankly despicable attempt at deal-making on immigration, the autocratic Recep Tayyip Erdogan or his successors could click his fingers and have anyone of more than 300 million people in EU subject-states rendered to a Turkish prison without charge, evidence, or trial. As for the so-called European Court of Justice, its overarching principle is that no concept of law, national or international, no constitutional principle, and not even the text and advertised intention of the European Union's own treaty shall be allowed to stand in the way of *une certaine idée de l'Europe*, to be determined by its judges, who typically have no judicial experience (certainly no experience of common-law adversarial systems) and are more usually politicians or bureaucrats.

The European Union was originally advertised as a trading mechanism, the European Economic Community (a customs union, not, of course, a free-trade area). But that advertisement was totally fraudulent. The intention of the European Union is not to improve anyone's economic welfare (save the welfare of its own *nomenklatura*, including the permanent coalition of bankers, exporters, and Euro-imperialists which rules Germany). Its intention, set out in unabashed form in last year's "Five Presidents' Report," is to use economic mechanisms to trap countries into an anarcho-imperial political union. Nothing makes this clearer than monetary union, which has had a devastating effect on the economies of "peripheral" countries, has made Germany even more locked in, politically, to the self-serving rule of the permanent coalition, and has

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contributed to the global imbalances plaguing the world. Monetary union has been an excuse for eliminating sovereignty, legitimacy, and democracy. It has been very different from the American monetary union, which did not take recognizable form until the American Civil War and arguably later and did not have a Maastricht-style shape until 1913. Monetary union requires a demos, and the sustainability even of the American demos had first to be tested by civil war. Monetary union in Europe has been imposed in the absence of a demos because its purpose is to eliminate democracy.

The European Union is, by its *nomenklatura*-ruled nature, the friend of big business and the enemy of new entrants. The Commission has even proposed a system of licensing for all professions, including journalism. That would give it control over the media. And it would make everyone dependent on its permission to pursue their careers, recreating another aspect of the Soviet Union. At the level of firms, the granting of favors by the Commission to those who will support the aim of entrenching *nomenklatura* rule and the placing of barriers in the way of anyone challenging the established order are reminiscent of the system of monopolies in early-Stuart England, a significant economic factor in triggering the Civil War.

Given that the aim of the European Union is to eliminate democracy by reversing the result, as perceived by the European Union, of the Second World War—supposedly a victory for the sadly mythical “Anglo-Saxon model”—it is not surprising that Britain is a primary target and that the EU *nomenklatura*—and indeed the global *nomenklatura*—is so desperate to retain control over it. The ultimate intention is to establish anti-democratic rule, and the “Rhenish” model of crony capitalism, globally. But Britain has been the low-hanging fruit. That is why it is so important for the world for Britain to be allowed to regain its freedom and to re-establish democracy.

That need to support Britain’s struggle for independence is, from an American point of view, as urgent in terms of international relations, defense, and security as it is in terms of economics and democracy and, of course, morality. The United States quite rightly distrusts many of the EU subject countries. It should also distrust the European Union as a body. The European Union has consistently sought to downgrade and ultimately destroy NATO. The European Union seeks to establish a European army. But in the absence of a European demos such an army would be the tool, for an anarcho-imperial monster, of internal repression and external “adventurism.” It would be what John Stuart Mill called multinational armies: the executioners of liberty throughout history. Moreover, a European army will mean the end of the U.S. security relationship with Britain. It will mean the end of the Five Eyes alliance. And in the

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interim, the obsession of the European Union with creating and “profiting” from endless crises, both domestically and externally (think of the chaos caused by EU adventurism in Ukraine, for instance, not to mention Libya and consequently the whole of the Arab world), does two things. It creates a far worse environment for international relations. And it is a massive distraction from the major security issues faced by the West: Putin and ISIS. The United States should certainly not support the European Union’s ambitions. And it should actively support British withdrawal.

When the United States was created, it formed a demos. The American Civil War was a conflict between two polities (slaves being excluded from one of them) with a largely shared ethnicity, language, religion, law, and political and cultural traditions. Even those factors were not enough, given a perception on both sides of political illegitimacy, to prevent a horrible conflict. Compare that with the European Union: neither a demos nor legitimate. That is a recipe for disaster, a recipe for what its architects want—an anarcho-imperial monster with a repressive multi-national army. The European Union’s attempt to obliterate a political sense of national identity based on the demos, not on the very different notion of Volk, will, frighteningly but inevitably, force people to seek a focus of belonging in ethnic, racial, linguistic, or religious “identities”; indeed, it is clearly already forcing them. That is the anarchic element of the European Union’s future, an element which must then be conjoined with an imperial element imposed with a multi-national army. And one should never forget that it was neither democracy nor the nation-state (of which the United States is perhaps the prime example) that produced two world wars in the twentieth century. Rather, the trigger for the First World War was provided by the travails of anarcho-imperial Austria-Hungary in a context formed by the clashing ambitions and fears of three non-democratic rival empires, not democratic nation states. And it was the even more obviously anti-democratic anarcho-imperial Nazi state that produced the Second World War. Four dreadful conflicts—the English and American Civil War and the two World Wars—warn against the ambitions of the European Union. It is time those warnings were understood—even by *New York Times* writers and even by U.S. presidents. ◆