

## Address given by John Monks on the European Constitution (London, 4 April 2005)

**Caption:** On 4 April 2005 in London, John Monks, Secretary-General of the European Trade Union Confederation (ETUC), emphasises the need for a Constitution for Europe and reaffirms the ETUC's support for the Constitutional Treaty.

**Source:** Introduction by John Monks General Secretary of the European Trade Union Confederation. [ON-LINE]. [London]: European Trade Union Confederation, [25.05.2005]. Disponible sur <http://www.etuc.org/a/1043>.

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First a bit of history. The Common Market, founded 1957, was essentially just that. It was why many trade unionists did not like it.

Yet its motivation was never pure and simple capitalism. It was believed by the founding fathers - they were all men - that free trade would merge and intermingle the economies of France and Germany so that these two ancient foes, who had been at the heart of the two world wars of the 20th century, could never fight again.

And unlike the North American Free Trade Area - which remains free trade only - the Common Market, the European Community and now the European Union - soon developed a social dimension; trying to balance the common market with social rules. In that system, unions became an honoured and respected social partner. That was an attractive position in Thatcher's Britain and in 1988, the TUC changed from negative to positive on the EU.

In 1992 in the Maastricht Treaty, unions achieved the right to negotiate agreements with employers on behalf of all the workers in Europe and the agreements would become European law. The achievements have been many:

- European directives on health and safety on such questions as the fundamental right of worker representation and consultation; coverage of all risks; new standards for mining, construction and shipping.
- European Works Councils
- Pro rata rights for part-time workers and for workers on fixed term contracts
- Four weeks minimum paid holidays and a normal upper limit of 48 hours
- Information and Consultation rights in firms with more than 50 workers
- A teleworking deal and a recent agreement on stress.

The transfer of undertakings regulations are, too, based on EU law.

There would have been other achievements but our Labour Government, in the name of the flexible labour market and worries about unemployment levels in France, Germany and Italy, is resisting measures such as:

- removing the individual opt out from the working time directive, and
- introducing proper protection for temporary agency workers. That's another debate for another day. But Europe is not a neo-liberal construction. Social Europe is alive. The ETUC/French defeat of the Bolkestein Directive 10 days ago shows that. Other governments can be an ally for us when we are making limited progress with our own Government.

Now we have a constitutional Treaty for Europe.

Why was there a need for one?

Well first there are many people, including many on the European Left, who want to transform Europe into a counterweight to the Americans, less aggressive, less military but with a great deal of economic power. I rather take that view myself. We want a Europe which can handle the US better and to deal on an equal footing with it.

But it's not just America. To be able to handle the rise and rise of China, India, Russia and perhaps Indonesia and Brazil - the new superpowers- we need this region to act together.

We don't want to become Americanised. We want Europe different from the States - characterised by welfare states, public services and collective bargaining; and we want this to be the development model for the world, not the neo-liberal one that the Americans, IMF, World Bank etc - press on Africa and the rest of the developing world.

The UK's - and some other northern and eastern countries - take a different position. They regard Europe as an economic zone, a single market in which the nation state must be paramount, the relationship with the US of prime importance, and there should be less Europe on social matters. I am not being unfair to Labour with this analysis.

So question 1. In this debate, which side are you on? You might wish there was another side to back. But in the debate about the EU constitution, there is not another position. The British trade union case needs to be the same as the European trade union case.

The next question is who initiated the constitution. That's easy. It was the federalists who wanted a constitution. It was the free marketers who have sought to prevent it becoming a federal one.

The result inevitably is a compromise. It is not easy to answer the question is it more Europe or less. In some areas, foreign policy, it's a bit more. In others, it is a bit less - the power of the Commission is reduced. On voting rights, it will be much easier to run a Union of 25 states.

On our areas, it is more with rights and protections for workers and unions. That surely is good in a time of great danger and challenge, a time of uneasiness about globalisation and Europe.

In the 15 'old' member states, the fear is of 'jobs out, people in'. Jobs emigrating through what the French term *délocalisation* to cheaper locations; and a fear that people are coming in prepared to work under the established terms and conditions.

In the new member states, undergoing huge changes in their post communist era, there is an even bigger sense of insecurity and fear as huge Western companies move in. They create jobs for sure but they also wipe out the local competition and many long established jobs. At the same time, many of their brightest and best educated are emigrating to work in the West.

This sense of insecurity, high unemployment, and worry about the future is the mood of the time - a mood being exploited by the far Right, the racist Right. And it is influencing the mood of the Left too.

Yet the EU has been a marvellous vehicle for solidarity. The whole experience of new members is that they close the gap on the rich states. Look at Ireland and now Spain.

The basic message of the world business community is "Americanise Europe, more and easier hire and fire, work till you drop, longer working hours, worse pensions, cheaper welfare states, less public services, and weaker collective bargaining".

It is a dagger at the heart of every European trade union and worker.

It is trade unions who stand between Europe and a neo-liberal future. Not alone, we have allies - democracy and the new constitution - but we carry the central responsibility, and we must act together.

One Prime Minister in the EU has been quoted as saying - "We all know what to do but we don't know how to win elections after we have done it."

That picks out our first ally - democracy - the right to vote is the best deal that working women and men ever achieved.

The people of Europe expect reassurance and support from their Governments in the face of insecurity.

Our second ally, if the referendums in 10 countries are positive, is the new constitution in the EU. That will help us.

I cannot let the proposed EU Constitution be mis-represented.

It's wrong to say for example that "Bolkestein, délocalisations, constitution" are the same thing as some are arguing.

The fact is that separately we have secured a victory over Bolkestein. That proposal is being fundamentally reconsidered. We can't be complacent. Our opponents might come back at us if the French referendum votes "yes" to the Constitution but it is a huge and important victory. Bolkestein today looks less like Frankenstein and more like Mickey Mouse.

Next, the constitution is not, repeat not, a neo-liberal tract.

The truth is that the constitution will be the best arrangement in the European Union that we have ever had, a big increase on the Nice and previous treaties.

There are welcome commitments on full employment, services of general interest (ie. Public services) and on social dialogue.

There is the inclusion of the European Charter of Fundamental Rights in full in the Constitution. The UK Government has sought to limit its impact but few independent legal experts think that they have.

In the Charter there are guarantees about the rights to organise and to strike. These principles will underpin rights in the older member states and, more importantly, compel their inclusion in any new member states, for example Turkey. This is a massive blow in favour of democracy and trade unionism in Europe and we should not underplay it.

We campaigned for the inclusion of the Charter in the Nice Treaty. We did not succeed. We have now been successful.

The vote in the referendum is really do we prefer the Nice Treaty to the new Constitution. Of course, we don't. We would have liked some more Social Europe in the Constitution but there is more in it than in Nice.

We would have liked a better Part III which in effect is Nice and older treaties. But the gains in Part I and Part II are big advances. So it's better than what we have now.

So let's recognise victories when we achieve them, and not just dwell on shortcomings. We are in tough times but on the Services Directive - Bolkestein - and on the Constitution, we have made considerable progress. And I hope that this will be fully recognised by French workers and unions in the referendum in May and eventually by the others, including the British.

We tried for more than we achieved - of course. Unions always do that. The UK Government tried for more than it achieved too. And it is wholly wrong to characterise the new Constitution as a charter for the Anglo-American way. True - it is not a Constitution for a federal Europe or a socialist Europe but neither is it a Constitution for untamed capitalism.

One other thing - if the Constitution is voted down, there is no alternative strategy for the EU. It will, for a period at least, be paralysed while 25 countries scratch their heads about what to do next.

All social policy will stop. All environmental policy will come to a halt.

But what won't stop is the workings of the market, délocalisation, restructuring and privatisation. International capitalism has never needed a Constitution. We do - and the present text is not just the best on offer, it is the only one on offer now and in the foreseeable future.

Britain must never turn its back on these battles for Europe, any more than it could turn its back on the great

wars of the 20th century. Winning it is vital for the future of trade unionism here, in Europe, and everywhere. If unions lose in Europe - the world's strongest base by far for trade unions - we lose everywhere. Win here and we can export our model of welfare, public services and strong unions to the developing world.