

*"I was never of the opinion  
the international economic order would be just.  
It is not.*

*Financial markets do not have  
the common welfare as objective,  
but actually the opposite.'*

*Jean Claude Juncker*



## ***Masterplan EUrope NEWnited***

*Draft of a Partnership minded Society, Market- and Solidarity Economy  
as an inspiration for a basical common renewal of the European Union.  
Excerpt.*

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# Abstract

## Real Constitution Analysis

After the Second World War the "Social Market Economy" produced as result of a "Positive Class Compromise" between citizens and capital owners wealth in all countries of the arising European Union. With the Break down of the Sowjet System capital owners terminated the "Positive Class Compromise". The term "Neo-liberalism" for the wealth creating concept of Walter Eucken was stolen by Friedman and Hayek. They declared the unrestricted Free Market to the highest political authority and Supreme Principle of the EU. Markets were deregulated. The dysfunctionality of the financial sector is the direct emanation of the wrong Supreme Principle and policy. The basic provisions for the primacy of the Financial Oligarchy and the Big Corporations were created.

## Renewal Strategy

Although the situation of today is quite different it seems to be the most favourable way to try to create the necessary conditions for a new "Positive Class Compromise". To regain the primacy of politics it seems to be advisable to transform the Art. 26, Internal Market, of the European Treaties to Art. "Principles of EU Policy", declaring "Partnership" as justiciable Supreme Principle of the EU.

## Implementation Steps

Building an Alliance between partnership minded citizens, politicians, trade unionists, members of NGOs, entrepreneurs and funders, who want no longer to submit to the domination of the Financial Oligarchy and Mega Corporations. Enforcing a primary law EU Treaty Change by cooperating with election candidates, starting 2014 at EU level, continuing at other levels. Gradual implementation of a "Partnership minded Society, Market- and Solidarity Economy" by citizens, politicians, entrepreneurs, scientists and solidarity economy and other initiatives in existing social systems.

## Legalization of Partnership as the Supreme Principle of the European Union

New Art. 26, Principles of EU policy, Treaty on the functioning of the European Union, Par.1 The sovereign citizens of all EU nations explain "Partnership" the Supreme Principle of the European Union. All future law-making and practices at supranational, national and sub-national level are to be based on it. Being citizen of the European Union means ensuring all actors operating in the EU a fair action: An encounter of FREE people on an EQUAL footing and mutual BRO(SI)STERHOOD promotion. This is determined by the question: "How do we act - in a convenient manner to the common wealth - in a way, that all involved and affected people - me and nature included - can live as well as possible with process and outcome?"

## Implementation Supporters

The implementation process is supported by Partnership-Fora, -Mediators, -Counselors, -Court Sections, a Market Management Authority and a Three Step Citizen Legislation Process.

## Implementation of a Partnership minded Society, Market- and Solidarity Economy

The Europe-is-different! Initiative introduced 9 demands concerning the Competitiveness Pact which are key elements of a Partnership minded Society, Market- and Solidarity Economy.

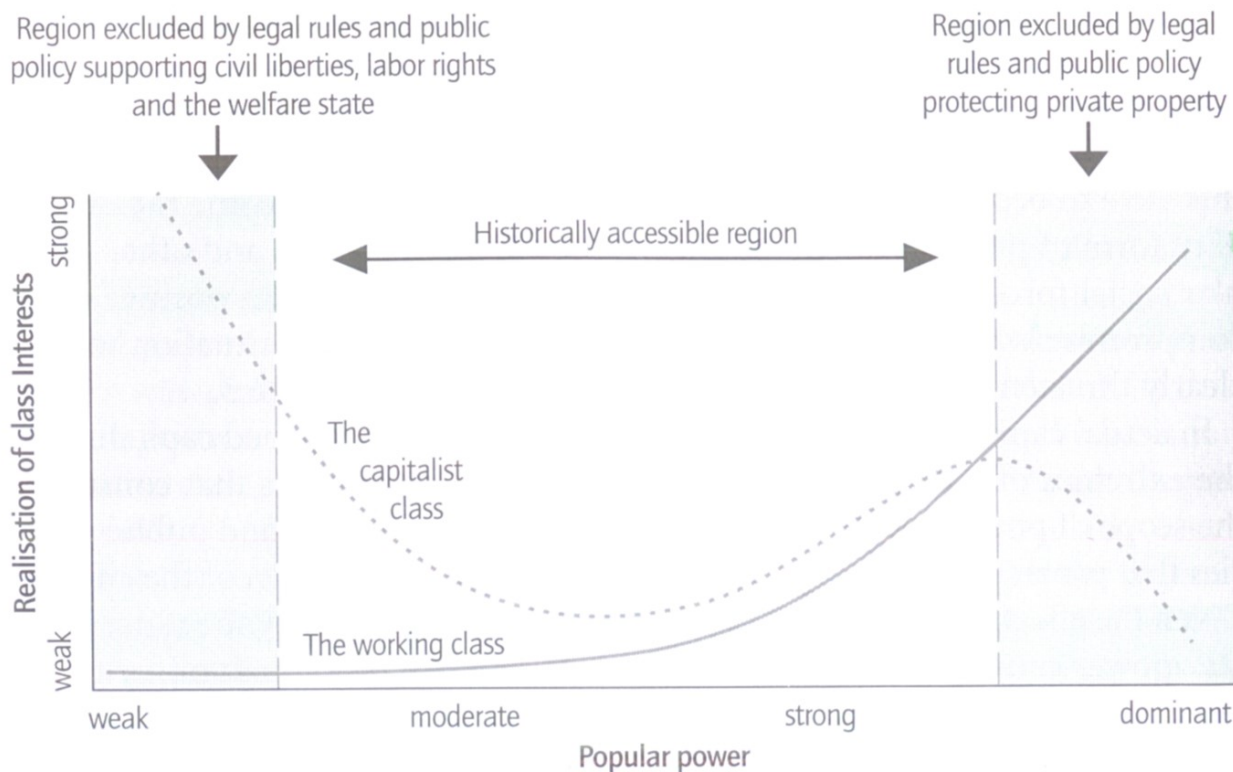
- A European re-distribution of wealth through fair income and higher taxation of wealth and profits
- An end to wage decreases and discrepancies between member states within the monetary union through current account surpluses that harm other member states
- Strengthening employee and union rights
- Stronger regulation of financial markets
- Democratization of the European fiscal policy
- The creation of treaties to reduce unemployment in every member state
- A European investment programme to extend infrastructure and ecological modification

## Real Constitution Analysis

After the Allies succeeded 1945 in a big joint effort to overcome the live contemptuous reign of National Socialism, they tried to find an advantageous way to realize a good life for the people in their different political systems. "To all according to their needs. All according to their abilities." was and still is the highest principle of communistic theory - and not so far from Christian ideology. According to the experience, that a radical systemic change without a strict order threatens to end in a mess. Stalin & Co set up in all annected countries the so-called "Dictatorship of the Proletariat", which degenerated immediately to a brutal Dictatorship of a power obsessed elite. The state-ownership-based Plan Economy and an omnipresent spy mischief contributed significantly to the failure of this attempt.

The western countries enrolled in contrary "Freedom" at the top of their flags. Social Democrats and Christian Social Politicians tried to reach broad wealth with the help of a private equity-based self-directed market economy. Germany, France, Italy, Belgium, Luxemburg and Netherlands merged to the Coal and Steel Union, which was soon extended to the European Union. The representatives of the interests of citizens and the representatives of the interests of capital entered with Ludwig Erhards "Social Market Economy" into a "Positive Class Compromise" (Erik Olin Wright, "Class Struggle and Class Compromise", Nicos Poulantzas Institute, Athens), built on the values of the French Revolution "Liberty-Equality-Fraternity".

Figure 4: Excluded regions of Class Compromise Curve



Unfortunately only "Freedom" became part of the Treaties (Article 26, Internal Market, Treaty on the Functioning of the European Union). The knockout of the other two core values will revenge later. For now, the "Social Market Economy" became an impressive success story for all involved.

This development became possible because the representatives of capital interests wanted to show that a public welfare-oriented capitalist system is the better solution for all. Given the countless mistakes made by the state ownership based Plan Economy this was not very hard.

The success of the Positive Class Compromise "Social Market Economy" was based on three pillars (Source Erik Olin Wright, "Class Struggle and Class Compromise"):

1. Various forms of officially supported prevention against various risks, especially in the areas of health, employment and income.
2. A taxsystem that is sufficient to ensure a generous state financing of public goods, particularly basic and higher education, professional training, public transportation, cultural activities, recreational facilities, research and development, macroeconomic stability.
3. A regulatory framework for the capitalist economy, which is able to prevent the negative externalities of capitalist markets such as pollution, product and workplace risks, exploitative market behavior, etc.

Under these conditions, the market system unfolded its positive sides in an exemplary manner. The system inherent dynamics created a variety of different manifestations in the labor and consumer sphere. This process was facilitated by the fact that there was a low market saturation and the markets were not open for cheap products produced under socially and environmentally unacceptable conditions.

Unfortunately, the collapse of the Soviet Empire enticed the representatives of the capitalist interests to consider the pillars of the Positive Class Compromise "Social Market Economy" as no longer required and terminated it. Now it retaliated, that Equality and Fraternity had been left out of the contracts. Beginning with the collapse of the Bretton Woods system of fixed exchange rates started the representatives of the interests of capitalism an unprecedented demolition process.

1938 at an international conference in Paris, which was organized by the American publicist Walter Lippmann, the ordo-liberal German scientist Alexander Rüstow used the first time the term "Neo-liberal" for a counter program to a laissez-faire policy of unrestrained market freedoms, subordinating everything to the logic of profit, including basic human needs as education, health and social security. Later on Walter Eucken, an ordo-liberal university professor in Freiburg, described this system in his main scientific conception "Principles of national economy". Euckens and Rüstows neo-liberal conception was characterized by wealth promoting regulations and the prevention of explosive growth of companies as indispensable conditions for the functioning of an economy, which supports people and protects nature. Participants of this conference were also the austrian economists Ludwig von Mises und Friedrich August von Hayek, who developed a few years later - together with the so called "Chicago Boys" around Milton Friedman - a radical economic system, which was characterized by a self-disempowerment of the state. Mises, Hayek and Friedman called their concept also "neo-liberalism", although it is the opposit of Euckens and Rüstows system.

Obviously their aim was to misuse a positive connoted term to their benefit - as they also did it with the terms "Freedom" (for "UNFreedom of the majority), "Partnership" (for the exploitation of others) and "Investmentbanking" (for destroying money in the financial casino). It is hard to believe that this was only a pseudo-scientific error and not an intentional deception to lead citizens and politicians astray - which apparently succeeded.

As mentioned before, after World War II Ludwig Erhardt realized Euckens and Rüstows conception as "Social Market Economy" very sucessfully in Europe. As long as the members of the European Council - obviously under the influence of Hayek and Friedman - declared the deregulated FREE MARKET to the highest political EU authority. Despite the tremendous success of the "Social Market Economy". Even so the "Social Market Economy" is one of the goals in the European Treaties!!!

The deregulation opened the doors for an inconceivable explosion of company growth, ruthlessness and irreponsability. The basic provisions for the Primacy of the Financial Oligarchy and Megacorporations were created. The result is known. The glorification of the pursuit of self-interest has led to recklessness and freedom of the fittest, an escalating inequality and "non" freedom of the vast majority. The financial market actors brought the European project almost to failure. The dysfunctionality of the financial sector is the direct emanation of the wrong Supreme Principle. Welfare-generating tasks such as social services, education, transport, water supply, housing etc were subjected to the logic of profit. Regional companies degenerated to playthings of oligarchy power hungry mega-corporations and "(Non)Free Trade" Zones.



People were reduced to functional components of profit maximization-driven production and consumption processes. The wage share has been restored with the argument of price competition. Large property, large income and megacorporations have still massive tax privileges. Member States look more than ever to their own advantage. Caused by the lack of any flexibility the EURO System got in heavy troubles. The suffering economies in Greece, Spain, Portugal, Irland and Italy were starved out by recovering concepts at the expense of the disandvantaged. The banking system got totally out of control. 75 % of the money for Greece received Banks and Creditors.

Nevertheless third States are still be forced to accept subsidized imports and to agree in "(Non)Free Trade" regimes. People who live in these states are brutally exploited or deceived to perilous own initiatives. The positive accents that are set by the EU can not really outweigh that.

These short-sighted, liberalism perverting policies caused that we are now in a most unsatisfactory "Negative Class Compromise". Partners have turned into opponents.

## **Renewal Strategy**

Essentially we are faced with a systemic and a power problem.

The mission concerning the systemic problem is to find a public wealth creating alternative to the destructive neoliberal capitalism of today. Thanks to Hayek and Friedman it is not necessary to fight against Neoliberalism. It is sufficient to re-establish and realize the real meaning of Neoliberalism - providing wealth creating regulations and re-balancing the economic power. Minimizing inaquality, the waste of resources and capital usage pressure. Giving human and technical capacities priority to profit maximization. Healing the Faster-Bigger-Better-Hypertrophy-Syndrom and the Price-Wages-and-Safety-Reduction-Spiral.

In companies with a maximum of 250 employees and 50 Millions Euro tournaround this will work relatively easy. In Germany for instance this are 99,8 % of all companies. The missing 0,2 % (or 8.000) companies generate 67 % of the national tournaround. Many of them have an oligopolistic or monopolistic market position. One third are family enterprises. During the first generation this enterprises do often a good job for their customers, employees and the public. Some of them are so called "Hidden Champions", who open new markets with innovative products.

Two thirds this 8.000 are "Shareholder-Value-Companies", which are only interested in high dividends and the enlargement of their market share. Jean Claude Juncker recently said in an interview with the philosopher David Precht: "I was never of the opinion that the international economic order would be just. It is not. [...] Financial markets do not have the general welfare orientation [...] as goal, but actually the opposite. "

Therefore especially with the latter companies it will be difficult, to eliminate the lack of regulations and to rebalance power. But what can we do, not to continue wasting our energy in the contemporary "Negative Class Compromise"?

The experiences of the last years confirm Euckens theory: neither by parlamentarian nor by non-parlamentarian means it was possible to create a public wealth producing economy. That means: If we want to find a way out of the "Negative Class Compromise", the (by Colin Wright so called) "Popular Power" must be strengthened. This is a precondition to bring the Megabanks and Megacorps to the insight, to govern Europe together is the best solution for all. This could work if we put together your and our power.

Fortunately there is a way, how we citizens - as the sovereigns of the nations of the European Union - and you as our representatives can strengthen the Popular Power quite easily in a democratic and peaceful manner.

The "(Non-)Freedoms of Persons, Goods, Services and Capital" in Article 26 of the European Treaties, the Internal Market, are handled as the Supreme Principle of the European Union and

*Financial Oligarchy and the Megacorps. Replacing the (Non)Freedoms by the re-completed European Core Values Freedom-Equality-Bro(s)terhood creates the legal basis for a wealth creating Neoliberalism. Restoring the Primacy of Politics by the togetherness of FREE people on an EQUAL footing and a mutual BRO(SI)STERHOOD support. Using the question: "How do we act in a community-useful manner and in a way, that all affected and involved people - me and nature included - can live as well as possible with process and outcome?" as guideline for all supranational, national and sub-national law-making and practices and the cooperation with banks and companies. This brings the power peacefully and by legal means back to where it belongs in any democracy: to the people.*

*The legalization of "Partnership" as an all other rules overriding principle is admittedly a legal revolution, reminiscent of Alexander the Great's handling of the Gordian knot. That we are dealing with such a situation is obvious. Our entire legal system has become so complex, that many obviously guilty defendants get away unmolested because they can finance legions of lawyers. This don't strengthen the believe in justice. Also what - according to the co-chairmen of the Constitutional Convention, Giuliano Amato - members of the European Council ordered concerning the Lisbon treaty, doesn't strenghten this believe. Our alleged representatives ordered, the Treaties should be written UNREADABLE for ordinary people.*

*If we want to stop the impending change of the Law State into an Outlaw state and re-establish the Primacy of Politics in a peaceful way, we need unconventional solutions, similary to those of Alexander. A legal framework in which cooperative action is not dependent on the voluntary cooperation attitude of willing people, but an assertive social right.*

*This will not only change our law, it will be a socio-political impetus, that changes thinking and acting of people and - above all party political boundaries - opens the doors to a social, ecological and democratic Europe. If people, political parties or representatives of banks or companies refuse a natural attitude as "partnership" as top EU Principle, remains only one conclusion: they want to continue to act recklessly and prefer bloody street fights compared to a common peaceful change.*

*That this change is only a question of the political will, proves what Jean-Claude Juncker said in the same conversation with David Precht. "Politics has lost its primacy then, if they are not reminded that they can make their own primacy powerful again".*

## **Implementation Steps**

*Given the enormous superiority of the Financial Oligarchy and Megacorps the renewal of Europe requires persistent joint efforts of all democratic forces. The following three steps could be helpful to implement such a process.*

- Step 1: Construction of a internet supported trans-national, non-partisan and inter-organizational partnership alliance as a Treaty Amendment Community. A common emancipatory project that connects partnership minded citizens, politicians, trade unionists, members of NGOs, entrepreneurs and funders, who want no longer to submit to the domination of the Financial Oligarchy and Megacorps.*
- Step 2: Enforcement of a primary law EU Treaty Change by cooperating with Election Candidates who will advance as deputies with all means available to them the legalization of "Partnership". For the first time in elections to the European Parliament in 2014, subsequently in all national and supranational elections. One of the instruments for it can be an SELF AUTHORIZED European Citizens' Initiative, even if their applicability to Treaty changes must first be sued.*
- Step 3: Gradual implementation of a "Partnership minded Society, Market- and Solidarity Economy" by EUrope NEWnited citizens, politicians, entrepreneurs, scientists and solidarity economy and other initiatives in existing social systems. This process is supported in all systems by Partnership Mediators, -Counselors, -Groups, -Fora, -Assemblies and -Court Sections. Construction of Producers-Consumers Networks.*

# **Legalization of partnership as Supreme Principle of the EU**

*"The constitutional foundations of the European state  
scots against a social reformational [...] transformational policy [...].  
The programmatic requirements of the European primary law <sup>1)</sup> are so narrow  
that they allow only policy in a [...] neo-liberal way. "*

*Andreas Fishan,  
Domination in Transition - Towards a critical theory of the state,  
PapyRosa, Cologne 2008 379f:*

*<sup>1)</sup> The term Primary Law defines right contents,  
to which other legal contents have to align.*

## **Proposed new Article 26, Principles of EU policy, Treaty on the functioning of the EU**

### **Paragraph 1**

*The Union shall adopt in agreement with the sovereign citizens the necessary measures to achieve the Values, the Objectives, the Charter of Fundamental Rights and the Principles of the Union's policies in all Member States.*

### **Paragraph 2**

*The sovereign citizens of all EU nations explain "Partnership" the Supreme Principle of the European Union. All future law-making and practices at supranational, national and sub-national level are to be based on it. Previous legal settlements and practices are to be adapted as necessary. In particular, this applies to Article 21 TEU, 63, 106, 119, 120, 127, 130, 206 TFEU, the Fundamental rights and the "competition" protocol.*

*Being citizen of the European Union means ensuring all actors operating in the EU a fair action: An encounter of FREE people on an EQUAL footing and mutual BRO( SI)STERHOOD promotion. This is determined by the question: "How do we act - in a convenient manner to the common wealth - in a way that all involved and affected people - me and nature included - can live as well as possible with process and outcome?"*

*In particular, this applies to a partnership minded self-determined nature-, persons-, services-, goods-, competition-, establishment and capital being. From all non-EU citizens who want to work in the EU, therefore, a corresponding passage has to be signed.*

*The guarantee of a partnership action also extends to people and social systems outside the European Union who act towards the EU, its citizens and other actors operating in the EU after signing a partnership agreement.*

*Find concerned and involved people - despite support from third parties - no amicable solution, the right for a partnership minded action may be sued. Defendants must prove that they have acted anyway in a partnership minded way. If in the course of this process no agreement is found, it is to decide to the best of knowledge and belief - if in doubt always going for the weaker / potentially disadvantaged.*

*If already was traded without consent, it is to determine how this can be converted into a partnership based action or which reparation is instead to provide. Here too, in doubt it is to decide for the weaker / potentially disadvantaged. Penalties beyond reparation may be imposed only if there is sufficient evidence. If necessary measures are taken to prevent a recurrence.*

### **Paragraph 3**

*In the spirit of these principles and strictly observing the separation of powers the EU institutions are re-constituted. They work out and decide on guidelines and conditions to ensure in all sectors a targeted and value compliant, balanced progress.*

# **Implementation of a Partnership minded Society, Market- und Solidarity Economy.**

Just as the concept of neo-liberal market economy has developed in a decades-long process, also a Partnership minded Society, Market- and Solidarity Economy can not be designed on the drawing board. In view of the prevailing neo-liberal culture of "How do I pick out the best for me," this will be a long road. A work-in-progress process that requires the cooperative interaction of the whole society, so that the dormant - public wealth generating - potential of the Partnership Principle can unfold.

*This process is facilitated by the fact that many people and companies already work in such a direction - although they must do it "undercovering" the wrong neoliberal principle. Implementing Partnership as the new official Supreme Principle of the EU will remove this obstacle and accelerate this process.*

*Finding out what partnership means concerning a special subject or situation and how it is to be realized. How solutions in various areas can be designed in a way which don't interfere with individual life and economic benefits of other areas. How various life and business areas and levels can support and complement each other. How it can be ensured that quality gains are associated with quantitative stability. Changes will be taken everywhere in attack, where partnership disabling conditions exist - in a balance between large tasks and easy to be realized changes.*

*Megacorps enlarge their influence on markets by friendly or hostile takeovers of competitors. This nourishes the destructive potential of competitiveness in a neoliberal context. A Partnership minded Market- and Solidarity Economy focus on realizing the best solutions for costumers. This makes partnership guided providers the more successful ones and contributes to a more cooperative and liveable world.*

*To support the implementation of a "Partnership minded Economy" Basic Concepts should be developed for all important political fields. There is a great number of remodeling suggestions from various, the destructive form of Neoliberalism criticising experts, initiatives and institutions such as the Euro Memorandum Group, Trade Unions, Labour Chamber Austria, European Parliament, EPP, Euro Greens, S & D Faction, European Food Declaration Groop, platforms such as Europe goes-different!, NGOs such as Attac, Greenpeace etc. These can be integrated meaningfully into this work.*

*As mentioned before, there are not only distressed realities, but many structures, processes and legal regulations, that comply already with the principle of partnership. And many people, organizations and companies, who work already in a partnership minded way. To all of them we have to say "Thank you". All liveplaces and economic areas are invited, regardless of the progress at the supranational level to establish local Partnership Fora to drive forward the implementation of the partnership principle in its own sphere and to promote it on the national and EU-level.*

*The Europe-is-different! Initiative introduced 9 demands concerning the Competitiveness Pact which are key elements of a Partnership minded Society, Market- and Solidarity Economy.*

- *A European re-distribution of wealth through fair income and higher taxation of wealth and profits*
- *An end to wage decreases and discrepancies between member states within the monetary union through current account surpluses that harm other member states*
- *Strengthening employee and union rights*
- *Stronger regulation of financial markets*
- *Democratization of the European fiscal policy*
- *The creation of treaties to reduce unemployment in every member state*
- *A European investment programme to extend infrastructure and ecological modification*
- *A European social union*



## ***Preconditions for re-establishing the Primacy of Politics.***

According to Walter Eucken, the father of the ordoliberal "Social Market Economy" the establishment of a public wealth generating legal framework is only possible BEFORE the development of a powerful economy. Unfortunately the destructive neoliberal forces succeeded in declaring unrestricted Free Market to the highest political EU-authority and deregulating all markets. This led to an explosion of economic power.

*In such a situation Walter Eucken sees no possibility for a fruitful cooperation. We have two possibilities: To accept to be helpless. Or to transform the destructive misused Neoliberalism into the wealth creating authentic Neoliberalism.* Revoking without necessity given unconditional concessions which concerns market access, capital movement and state budget financing.

Today this is possible, because the EU market is still indispensable for the Financial Oligarchy and the Megacorporations. *In 20 years it will be probably to late, if we do nothing today.* If countries don't want to participate in this self-liberation process, because financial industry is - to their opinion - an indispensable mainstay of their economy, we should develop together an exit strategy and support them in their implementation. If they do not want that, they must ask themselves: Do we want to realize together with our European friends our core values in a selfishness driven world or do we want to continue to make common cause with the gravediggers of democracy. WE should in any case not allow to be forced to do this.

Proposals are:

*Creative Debt and Money Volume Reduction Management. Direct funding for all Memberstates by ECB under strict conditions. Steering for balanced budgets by a state tasks enabling tax policy and moderate redistribution from top to bottom.*

*Restructuring of the whole finance system in a public wealth supporting way, implement democratic control, no loans for corporate takeovers and speculative transactions, division of Real Economy Banks and Finance Casino Banks (= Investment Banks called No Investment Banks).*

*Harmonizing tax policy between the memberstates, increasing company taxes and introducing capital taxes in a co-ordinated way. Measures against tax evasion and aggressive tax competition. All Member States commit to the principle of progressive taxation, tax transparency and full information exchange. Tax avoidance devices and the use of tax havens are eliminated. The shift from direct taxes to indirect taxes is reversed to eliminate the destructive dynamics of tax competition.*

*The contractual prohibition of capital controls is repealed and its responsible use becomes again an optional part of the European Financial Policy.*

*Taxation of gains on company sales, capping salaries of top managers, prohibition of stock options as part of Manager salaries, dividends in "bad" years, short selling transactions without existing real economy transactions and share buybacks (as it was some years ago), because of the damaging affects to the substance of companies.*

*No market access for companies who play in the financial casino.*

*Transformation of Shareholder Value Companies into Partnership Companies.*

*Expanding the rights enshrined in the German Co-Determination Act on strategic issues and transfer this legalization to the EU as a whole.*

*Strengthening the power of the EU-Parlament, national Parlements and subnational structures. Such an orchestration is necessary to be able to prevail against the superior forces of the Financial Oligarchy and Megacorporations especially at the EU-level.*

*Inviting representatives of the Finance and Economic Sector to work together in a transparent way in a Law Development Commission and in all Partnership Implementation Units instead of sen-*

## **Potential impact of a forward-facing return to Europe.**

*In the destructive neoliberal capitalism people and habitats are means for power- and profit maximization. If we do not want as European Union to remain part of this self-destructive system, but to follow our goals and values, we must - following the thesis of Adorno "It's not possible to do the right thing in the wrong context" - realize a system based on our goals and values. All we have to do, is to change § 26, Internal Market, in the sense of the "Social Market Economy"-Goal of the European Treaties and to revive this European contribution to a liveable world.*

*This will only be possible if we delimit clearly against the destructive neoliberal system and cooperate at the same time closely with all those who are trying to achieve similar goals and values. Transforming the reckless, by profitexpansionism- and capitalutilization-driven elbow economy by political means in an organic development process. Just as today many Europeans already do - as far as this can be done under the wrong (neoliberal) principle (see Adorno).*

*For such a process it would be highly counterproductive to enter into a profit-driven ruthlessness "(Non)Free Trade Area" with countries like the USA, where even well-intentioned Politicians can not prevail against the power of the Financial Oligarchy and reckless acting corporations, who sent out so called Economic Hitmen and assassins to eliminate recalcitrant governments and destroy the own land by megalomania driven oil and gas fracking technologies a.s.o. This would give the destructive neoliberal policies a further boost. We would be constantly exposed to the pressure from U.S. companies, the import of genetically modified seeds and products, hormone-meat etc, instead allowing us to focus on a mutually fertilizing economy. The problems in the existing United States - Mexico "(Non)Free Trade Area" illustrates the difference between theory and practice in an impressive way*

*Likewise it is regarding a "(Non)Free Trade Area" with India. In this case market potential and growth rates threaten us to blind in respect to the negative overflow from the opening to a society, which is still characterized by a strict caste system and religious hate.*

*But we must not say "no" to both. We can offer states who want to cooperate with us more closely, a self-empowered "Partnership Area", based on the "EU's Principles Catalogue."*

*A Partnership minded EU-Society is built of strong memberstates with strong local communities, making a common, partnership based policy, instead of trying to enforce own interests, which are neither in the sense of the whole community nor in accordance with the EU's Principles Catalogue. This is not a question of nationalism, that's a question of being able to restore and maintain the Primacy of Politics. On the national and subnational level it is much easier for democratic forces to prevail the interests of people and nature. At the EU level it is much more difficult to support politicians and to protect them against the influences of Finance Oligarchy and Megacorps Lobbies.*

*In the first days of the partnership transformation - in opposit to the qualitative benefits arising from a forward facing return to our Core Values - a quantitative waiver of markets and contracts could happen. In procuring resources and concerning sensitive areas of policy like arms industry trade-offs could be required at least temporarily. But in good faith of all parties we surely can compensate this without major problems by eliminating our blatant economic imbalances and by reorganizing our economy in the direction of Jeremy Rifkin's Third Industrial Revolution. Not least because more and more people realize that material wealth without time- and social- wealth is a self-deception.*

*In the long term facing forward to our Core Values will bring Europe closer to the people, lead to a livable existence in Europe and unite us with valuable and reliable partners around the world.*

## **Implementation Support**

*The invisible regulatory hand of the market was a fiction. Markets without such a regulatory hand are not able to provide a high level of public wealth and a good life for all. The neoliberal regulatory hand of the Commission supports ultimately the benefits of the big corporations. The partnership*

To succeed, processes of change need professional support. "Partnership Fora", "Partnership Mediators", "Partnership Court Sections", "Partnership Counselors", a "Market Management Authority" and a "Three Steps Citizen Legislation Process" (similar to the proposal of More-Democracy) are ideas to support a process which brings Europe closer to the people.

### **Partnership Fora**

*The aim of Partnership Fora is the greatest possible self-regulation of markets and habitats, designed by own initiatives, cooperative thinking, feeling and acting of markets and habitats participants.*

*Partnership fora can be set up by citizens at local and regional levels. As the legitimate sovereigns of the EU countries they work together with elected politicians, NGOs, entrepreneurs and trade unionists to shape their lives and their habitat according to their ideas in line with the "EU's Principles Catalogue". This includes using what, how and by whom is offered and produced in the respective habitat. This creates a contrast to the oligopoly-related consumer disempowerment of what John Galbraith is speaking.*

*If members of a Partnership Forum develop solutions that contradict existent relevant provisions, this can be accepted in this special case if the solutions do not affect other areas of life and business, and are in line with the "EU's Principles Catalogue".*

*Within the fora, citizens form Partnership Groups, which focus their attention on what is happening in the group and common concerns. In part, existing groups of all kinds are integrated as partnership groups in the "Europe NEWriting", in part new groups will arise. When groups need support, they express their concerns in a "their" forum.*

*The fora increase citizen participation and shared responsibility, strengthen the regional economy and promote the contact between consumers and providers. They are not just add ons of the representative structures like the Agenda 21. Local Authorities integrate the fora in all fundamental questions including a participative budget conception. Partnership fora can be initiated by communities.*

*The partnership fora coordinate in regional meetings and send delegates to a supra-national "Partnership Assembly", which is integrated in the Law Making Process by the Partnership Mediators on demand. To reduce the distance between the existing Brussels community and the citizens, the delegation could be changed (for example) every 6 months. The main function of the Partnership Assembly is raising the EU political process closer to the social reality in the Member States.*

### **Partnership Mediators**

*Nonpartisan Partnership mediators are established at all levels of government to curb the excessive influence of the Financial Oligarchy and Megacorps in representative democracy. The mission of the Partnership Mediators is to steer the political process in a cooperative direction. Partnership Mediators load - in agreement with mandatories - Members of Partnership Fora (or the Partnership Assembly) to collaborate if they think this is important.*

*If Partnership Mediators have the impression that the development threatens to go in the wrong direction, they are authorized to involve the Partnership Section of the competent court. The Court Section decides for this proposed solution which corresponds to the principle of partnership and the "EU's Principles Catalogue" best. If none of the proposals corresponds to, the project is referred back to develop appropriate proposals.*

*The appointment of the Partnership Mediators is made by the parliamentary committees. The candidates are proposed by the Partnership Assembly in line with a panel of citizen-related institutions such as Labour Chambers, Trade Unions, Attac, Greenpeace, Amnesty, etc..*

*Partnership Mediators open up a new professional occupation opportunity which offers great personal satisfaction and makes a valuable contribution to the development of a desirable society.*

## **Partnership Court Sections**

*Partnership Court Sections are established at the European Court of Justice and other comparable courts on the various political levels.*

*In countries like i.e. Austria the Supreme Court can be consulted only after decisions on laws. In a partnership guided law making process a Partnership Section of the competent court can be involved by Partnership Mediators, who have the impression, a process threatens to go in the wrong direction. The Court Section decides for this one of the proposed solutions which corresponds to the principle of partnership and the "EU's Principles Catalogue" best. If none of the proposals corresponds to the project is referred back to develop appropriate proposals.*

## **Partnership Consultants**

*Although the world is in principle the property of all, in most societies, private property is a very critical, legally anchored part of the system. But many owners are not aware that the property includes responsibility to manage this in a way that serves the community. Or owners do not act in accordance with this responsibility. The larger the property, the more relevant it is for the society.*

*Once owners have recognized and experienced that a common wealth relevant property management can provide pleasure and satisfaction, they feel their responsibility is no longer a burden, but a privilege. Partnership Consultants support these processes for the benefit of owners and society. This offers a new alternative career - with a high chance of satisfying.*

## **Market Management Authority**

*"The belief in a market economy with sovereign consumers is one of the most widespread forms of deception. [...] Buyers face a massive manipulation exposed by extremely wealthy actors. [...] this is [...] as a politically accepted form of deception."  
John Kenneth Galbraith, +2006,  
President of the American Economic Association,  
Univ. at Princeton and Harvard,  
Advisor to Kennedy and Johnson*

*The Market Management Authority takes over the functions of the non existing invisible hand of the markets and of the existing neoliberal hand of the commission. Its aim is the greatest possible self-regulation of markets, designed by a partnership minded thinking, feeling and acting of market participants.*

*To protect the decision makers against destructive neoliberal lobbyists the ultimate decision in the Market Management Authority belongs to consumer representatives.*

*In a partnership minded Market- and Solidarity Economy goods and services are supplied partly in a market economic and partly in a solidarity economic manner. Services and products of particular public interest, such as the health care system, education, knowledge and research system, living system, transportation system, resource system, power supply system, waste management system, post / telecommunications system, recreational, cultural and sports system are provided partly or entirely in a solidarity economic way.*

*The providers are organized in a cooperative, participatory, public or private way.*

*In order to maintain the dynamics of the free market and to ensure nevertheless a partnership minded market process the following procedure is being considered.*

*1. Revision of the existing standards and regulations for all products, services and the establishment in the European Union according to the "EU's Principles Catalogue" and conversion to market access criteria. No ex ante examination, but consultation for new offers (today 2/3! of all new products fail). Rigorous penalties for non-compliance with the criteria (for example the*



1.

*questionable practices are used, these products cannot be placed on the EU market. The practice, to declare a only partly content of products as if it would be a fully content - as it is allowed in the German food regulation now - is to terminate. It is indispensable that the burden of proof lies with the producers and decisions are made in doubt to the advantage of consumers.*

*2. In cooperation with existing labels an Evaluation Commission is established, who offers a Partnership Label. In opposite to existing labels the Partnership Label will capture ALL aspects. The Commission is financed by the fees of the producers.*

### **Three Steps Citizen Legislation**

*Step 1: Initiative by a moderate number of Citizens oder MEPs - Parliamentarian Treatment.*

*Step 2: Citizen (or MEP Group) produce a Law Draft, Parlament decides. If the Draft is refused, a Referendum can be initiated by the Citizens- or MEPs-Group.*

*Step 3: Referendum, if the Law Draft is in accordance with the "EU's Principles Catalogue"*

*(original expanded concept of mehr-demokratie)*

**Are you interested to participate in this conjointly renewal of Europe?**

Please mailto [service@eunew.eu](mailto:service@eunew.eu)  
and register at [www. europenewnited.eu](http://www.europenewnited.eu)

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# **Legalization of partnership as Supreme Principle of the EU Commentary**

## *Paragraph 2*

*Democracy today suffers inter alia by three circumstances. 1. A process based on democratic majorities leads - caused by short-sighted hypes and populist influence - often in the wrong direction. 2. Particular interests of individuals and groups gain priority against common interests. 3. The "market participant" nature is again and again on the track because of capital investment dynamics even despite existing Environmental Compatibility Examinations.*

*In partnership minded decision processes the participants follow the Consent Principle, focusing on those aspects, which speak against a proposed solution. They are eager to find solutions, which "allows all involved and affected actors - including nature - to live as well as possible with process and results." This helps not to overlook hazards and to avoid social conflicts as they occur in majority decisions over and over again.*

*If no consent can be achieved, the concerned group defines alternative solutions, pros and cons included. Afterwards a Partnership Section of the concerned Court - in case of the EU the European Supreme Court - decides to the best of knowledge and belief, considering the relevant facts and the "EU's Principle Catalogue ((EU-Values, EU-Goals, Principles of EU-Policy, EU-Basic Concepts, Precautionary-Principle, Human Rights and the - in some aspects to be improved - EU Charter of Fundamental Rights) - in doubt always going for the weaker / potentially disadvantaged. In some countries the Supreme Court has a similar function, in Austria i.e. it can be involved only after a parliamentary decision. The proposed procedure supports rational solutions, saves time and money and protects the process against narrow mindedness and populism.*

*The essence of the partnership concept is to develop overall corporate relevant solutions in an emancipatory process. The goal is to minimize the need for legal disputes in the long run. To support this process personal supporters should be installed and appropriate implementation rules must be developed.*

*In their work, all involved take into account existing legal settlements and relevant jurisdictions. If - such as in collective agreements on product quality, price trends, living area design - many people are concerned, it is to clarify who represents their interests: workers councils, trade unions, chambers of commerce, consumer protection associations, parents associations, citizens' initiatives, etc. It is important to ensure that projects and agreed results are consistent with the "EU's Principles Catalogue" (EU-Values, EU-Goals, Principles of EU-Policy, EU-Basic Concepts, Precautionary-Principle, Human Rights and the - in some aspects to be improved - EU Charter of Fundamental Rights)*

*While many of the existing supranational, national and sub-national legal regulations already take into account the principle of partnership, arrangements that have been made under the influence of massive financial and industrial lobbies, are written in the sense of the neo-liberal principle of profit maximization. This applies to be changed.*

*Today, the pursuit of personal advantage determines social practices. Needs and desires of "others" are a disturbing factor in profit maximization and realization of own concerns. The more the spirit of partnership is part of the public consciousness, the more people will experience the feeling of happiness that causes a satisfactory solution for all.*

*Ideally, this would require no guidelines. That this is not a utopia, shows a well known dictum: "We will not need any judge." But since this is far from the rule it must be assumed that - especially in the initial phase of a partnership-based policy, popular culture and jurisprudence - many people will (still) act according to the old principle of "How do I pick for me / us the best out? "*

*If affected persons or parties (representatives) have found a common solution that does not comply with existing legal settlements, the solution for this singular case can obtain nevertheless the force of law when it is in line with the overall interests of society and the "EU's Principles Catalogue". To prevent people are being ripped off, such decisions must be confirmed by jointly selected, personally disinterested experts*

*If affected persons or parties (representatives) do not agree with an emerging development, they will first look for persons who take up a mediation function. If also with this support no solution is found, acting in partnership can be sued.*

*In this case the defendants must prove before the concerned court, that they are willing to act in partnership anyway. In case of a lack of evidence it is to decide moderately to the best of knowledge and belief in favor of the weaker / potentially disadvantaged.*

*The proposed change in the burden of proof will cause in the course of time, that more and more powerful actors will voluntarily seek consensual solutions.*

*The legalization of the partnership principle will set a social development process in motion. Future trials will bind with high probability a much smaller part of our resources than it is the case currently.*

### *Paragraph 3*

*All decisions are taken as close as possible to the affected and involved people and on that level which ensures that all stakeholders are involved and integrated into the decision-making process best (principle of subsidiarity).*

*The right of initiative is designed so that the interests of citizens in the political process are given priority.*

*When a divergence between the interests of concerned persons and the public interest occurs, it is to find an appropriate balance.*

*When decisions were delegated to institutions and taken decisions are not accepted by affected and / or interested parties, people must have the possibility to appeal. No irreversible actions may be set until the completion of the appealing process.*