



Searching an alternative arrangement of the European continent

There is another way. Jiří Payne & Petr Mach



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# Let's start The New Velvet Revolution! in Prague 2018

The New Velvet  
*Declaration*  
in Prague 2018





Jiří Payne, Petr Mach

**There is  
another way.**

This preface was written in the 19th century by a French thinker Henri de Tocqueville as part of his study *Democracy in America*.

**W**hat forms of despotism should the democratic nations fear?

If a dictatorship should be established over today's democratic nations, I suppose it would have a different character, it would be more extensive but smoother. It would humiliate a person without torture.

I think that democratic nations are threatened by oppression, which does not resemble anything we know, we find no analogy in the past. I struggle to find an expression that would describe this term. Words like despotism or dictatorship are inappropriate, the whole thing is new, and because it has not yet been named, I will try to describe it.

As soon as the ultimate power gets a tight grip of every citizen, it will rebuild "a citizen" and extend its hand to the whole of society. It will limit the society with a network of tiny complicated rules, protocols, and normalizations that will prevent the most original personages and the most energetic characters to stand out from the crowd. It does not crush the human will, it only dents, bends and directs it. It does not force people to act, but it constantly restricts them.

This power is not destructive, but it prevents life. It does not eradicate, but it oppresses, exhausts, suffocates and dulls people until a nation turns into a herd of fearful utilitarian animals that are shepherded by the government.

*(Tocqueville 1840 in the second part of the Democracy in America study - Section IV Chapter VI)*

Philosopher Alexis-Charles-Henri Clérel de Tocqueville

\* July 29, 1805 in Paris † April 16, 1859 in Cannes



*Alexis de Tocqueville*

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# I. Castles in the Air Don't Last

## I.

# Castles in the Air Don't Last

**A** project built on the wrong foundations cannot be rebuilt into a functioning democratic system of cooperation.

### 1. It Is High Time We Acted

**F**or many years, at least since the Lisbon Treaty, there has been continuous discussion regarding the reform of the EU institutions. European politicians compete with each other before every election and promise to push reforms that will improve functioning and communication, increase efficiency, help the economy, or solve protracted problems; the more courageous ones even promise institutional reforms. And everyone has one thing in common: None of them know what the reform should look like. In the end, the promised reforms always shrink into minor modifications of competences or further unification and centralization. Something is wrong. It is high time we acted.

Are European politicians so incompetent or so foolish that they cannot deliver the much-needed changes? For many reasons it is not possible. Let's try to explain why.

According to constitutional law or the theory of federalism, the European Union was badly set up from the very beginning. Democratic development cannot be a normal development, because poor foundations cannot be used to build a good system. Even with the best intentions, any transition from the existing system to something which works properly can not even be imagined. This is why general distrust of the current integration

project is growing. Either there will be fundamental change (a significant turn away from the current course) and a new arrangement of European cooperation on different foundations, or there will be a period of painful decay and, ultimately, even more painful disintegration. The first option represents at least some recovery of European values, as there is a realistic trajectory towards real cooperation. The second option is essentially a breakdown of European civilization and the destruction of traditional European democracy. At the same time, the rapidly developing countries such as China, India, Brazil ... will eventually take over influence of world affairs. At best, they will turn Europe into a museum. At worse, they will leave Europe to its fate, lagging behind due to the over-regulated system and a dysfunctional system of political leadership. The European Union is a problem<sup>1</sup> and a source of problems, not a solution, as many politicians claim.

This study attempts to outline why it is necessary to change completely how cooperation of the states on the European continent works and what a new Europe might look like. Who would like to shift more power to Brussels after experiencing Jean Monnet's miserable integration? A significant number of Member States oppose the proposal to centralize power any further. It is clear that this would not have helped to improve the functioning of the Union in any way.

That is why we strive to preserve the positive benefits of European cooperation, but we are looking for better foundations for European cooperation with a different approach in the future.

We are looking for an alternative.

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1) „A situation where the legislation in force in a certain territory deviates in the long run from the will of the local people is the situation unstable, it involves a latent pressure to change the arrangement. Nowhere is it guaranteed that the European citizens will accept the EU legislation unconditionally forever. It is rather a matter of time when citizens face the system of European domination and try to re-establish independent sovereign democratic national states.” Petr Mach, EU is heading for Decay, 3.5.2004

The development of an alternative has one practical purpose: if, for example, the existing European integration breaks up under the pressure of increasing tensions in the Member States' societies, it is important that there is a *“What to do the day after”* proposal. Responsible politicians must have such a plan.

We pursue two objectives: firstly, a new variant of peaceful agreement for cooperation, and secondly, a variant to stop the sudden decomposition of the current project.

There are other possibilities to organize relations between states on the European continent, but we consider it necessary to have at least one real alternative. That is why we try to describe the principles on which the new arrangement is to be based in Part II. Only then can we derive a more specific form. As a metaphor, Europe needs a new algorithm or model to make it work properly.

## 2. Roots

**L**et's go back to the end of the Second World War.

The author of the European integration project Jean Monnet describes his intentions in his memoirs and letters<sup>2</sup>.

He attempted to resolve the relationship between France and Germany. In other words, he admitted that the European continent has two major problems - these two states and their relationship. Some politicians have interpreted his initiative so that the purpose of integration is to be a state in which there is no threat that either Germany or France or both will strive to dominate the European continent<sup>3</sup>.

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2) See <http://www.payne.cz/WP15/smes-orwella-s-kafkou/>

3) Large states soon saw an opportunity to control smaller ones without any violence in the EU.

European history based on the principle of equilibrium<sup>4</sup> shows that the power of the two states leads them inevitably to try conquer the entire continent. The purpose of cooperation was to create a counterbalance to the co-operation and animosity of these two states.

Gradually, however, it turned out that European integration did not work the way it was planned, the smaller states balancing Germany and France. The Lisbon Treaty strengthened the position of these two states in such a way that the balance has shifted, to the detriment of the smaller states, and the original idea can no longer be relied upon. In addition to the formal rules for decision-making and voting, which in practice supersede the silent consent of small states, bilateral unofficial consultations and agreements are being held between the two countries and other states are often only presented with a solution to which they must agree. It has to be said that especially the Czechs in particular are very sensitive to *“About us, Without us.”* situations. This unfortunate development was reinforced by the statement of French President Jacques Chirac in 2003, when he said to the Central European states: *„You have missed a good opportunity to remain silent.”*

It was not a random comment; we met countless times in various meetings and conferences with the same approach to Central Europe. Frequently, logical arguments were not listened to. An example of recent times may be the logical argument of the Visegrad 4 states that the redistribution of migrants will not work and that real border protection is necessary. But because Central Europeans cannot have a more perceptive view than the big states, their views are not taken into account. Fair competition between ideas would be a much better way to cooperate.

For many politicians in the European Union, Central Europe is still

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4) It is interesting to compare the tradition of European international relations with the principles of the balance of constitutional powers.

a 2nd class partner, which is not to be taken seriously, in fact, for them the Central and East Europeans are something like Ossi for Western Germans (or Wessis)<sup>5</sup>. The European Union is not based on equality, even though equality is demanded by the Lisbon Treaty<sup>6</sup>.

Some Czech politicians argue that we need to be in the Union to sit at the negotiating table and to have a chance to influence decision-making. While we once had the ambition to participate in joint decision-making according to the agreed rules, we are now only talking about sitting at a table where others decide. Sometimes we hear only from the media what Germany and France have agreed.

If the decision-making takes place in advance at another table, if we are only meant to agree and not actually vote, as we have recently been told, then we do not need to sit at such a table.

How, according to Monnet, should the united Europe work? The essence of the project, its purpose, was described by Monnet on various occasions. Simply put: *“Take power away from politicians and give it to officials”*. He proposed to create an administrative system that will operate on the principle of a non-political policy in which officials will have the power and citizens will have hardly any influence. Monnet had deep distrust of traditional liberal democracy and traditional philosophical politics. Based on his experience – he assumed that a dictator may win the election - voters can vote badly and be too much under the influence of current emotion. He was also partially inspired by the relatively new and still unknown Soviet system which was introduced by the Bolsheviks in Russia. He had come to the conclusion that enlightened officials

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5) [http://zpravy.idnes.cz/ossi-minus-puvod-z-byvale-ndr-je-v-nemecku-stale-handicapem-pau-/zahranicni.aspx?c=A100524\\_102503\\_zahranicni\\_aha](http://zpravy.idnes.cz/ossi-minus-puvod-z-byvale-ndr-je-v-nemecku-stale-handicapem-pau-/zahranicni.aspx?c=A100524_102503_zahranicni_aha)

6) *„The Union honours the equality of the Member States before the treaties and their national identity, which is based on their basic political and constitutional systems, including local and regional self-government.”* In practice, this decree clause is not enforced by anyone.



know what is good for citizens<sup>7</sup>. It was based on the idea that officials can regulate and plan production and consumption for the general welfare of all citizens. But he was aware that politicians would not pass it on voluntarily, he was therefore proposing to take power away from them with a „*Salami Slice or Gradualist Method*“. To begin with, he proposed removing power over coal and steel production, then removing internal market powers and then moving even further to take over power of all foreign trade. Lastly, he proposed to take over control of military defence. Monnet had a deep scepticism about the functioning of the democratic state organization, believing that officials were wiser than politicians and citizens, based on the fact that politicians alternate, while officials<sup>8</sup> could stay in place for life<sup>9</sup>. Part of his idea was that senior officials are immovable and have absolute immunity against any prosecution.

Jean Monnet often warned that he never thought of an alternative to the model of European integration as he proposed it. He was aware that, compared to any alternative idea of European states' cooperation, his deliberate democratic deficit would become obvious, and it would be the end of his project.

The European Union is often referred to as a „*sui generis*“ unit, which goes beyond current constitutional and political categories. It is in fact an unverified experiment<sup>10</sup>, although constitutional law and the theory

7) A realistic view of the relationship between officials and politicians, contrasting with Monnet's imagination, was written by Jonathan Lynn and Antony Jay in the series "Yes Minister" and "Yes, Prime Minister".

8) In fact, no one knows the officials they talk about. The executive machinery is in the form of directorates-general, headed by the appointed and virtually irrevocable CEO.

The Commissioner and his cabinet are largely isolated from this administration, they can work hard on what they want, but they do not really have any impact on what is happening in the European Union at all.

9) It would be interesting to evaluate more of personal ambitions, motivation and interests of Jean Monnet.

10) „We are doing a great experiment, fulfilling a recurring dream that has returned to the

of federalism clearly describe how the long-term stable system should look. Sometimes the Union is described as a „*supranational system with its own institutional autonomy*“<sup>11</sup>... Both the constitutional law and the theory of federalism are based on historical experience, according to which there really is no other stable alternative. The European Union can never turn into a democratically functioning institution.

It is worth mentioning that at the same time as Monnet, Winston Churchill proposed the creation of the United Nations on the basis of a transparent theory of federalism.

### 3. Division of Power – Checks and Balances

Let's look at Monnet's model of the organization of Europe.

All executive power is entrusted to the officials - the Commission. Initially, it was called the High Authority. It is not responsible to anyone<sup>12</sup>, it alone has the right of legislative initiative, and proposes European regulation. The legislative role is played primarily by the Council, which is the body in which each Member State is represented by the competent minister (sometimes the Head of State or the Prime Minister) - the European

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peoples of Europe for ten centuries: to create an organization that ends the war and guarantees eternal peace." R. Schuman 16th May 1949 Strasbourg (We are carrying out a great experiment, the fulfilment of the same recurrent dream that for ten centuries has revisited the peoples of Europe: creating between them an organization putting an end to war and guaranteeing an eternal peace.) It is a desperate admission that Germany and France can not control their own power tastes and that they will sooner or later try to conquer the whole continent together. As Emanuel Macron's claims: „The slow do not have the right to hold back the fast. Some states will be removed from the commission. I propose a new French-German partnership.“

11) It is hard to imagine a country and citizens that could identify with such a system.

12) The Lisbon Treaty specifies the responsibility of the Member States to carry out their duties in more than 30 cases. However, only in one case the Treaty indicates the Commission should be responsible to the European Parliament. Since the EP cannot assign the Commission a duty, the Commission's responsibility is only self-perpetuating.

Council. This fact itself indicates a power imbalance - while Commission officials deal with their issues every day, full-time, on a long-term and systematic basis, the ministers alternate. Continuity of decision-making is not ensured. The European Parliament is kind of second legislature.

The Council, as the legislative body defining the policy lines for the commission, consists of representatives of the executive power and they are not subject to any control within the European model. They are responsible within their constitutional system to their national parliament - but in quite other areas. It is not the balance of power, it is a crippled model.

The ordinary constitutional system cannot appeal against any minister a wrong decision made within the Council. The European Parliament does not and cannot have the power to appeal against governments of the Member States if they approve a decision in the Council that the citizens do not agree with. Moreover, the Council has the character of a legislative body in which collective responsibility applies.

This means that the Commission, as an executive power, is subject to almost no political scrutiny; the legislature has no power to dismiss the directors of the directorates if they misuse executive power. The Commission is accountable<sup>13</sup> to someone other than the one who can make political choices.

The Court of Justice of the European Union assesses compliance, in particular by ensuring that Member States fulfil all the tasks and regulations. The Court cannot ensure that the balance of power is kept, because no such thing actually takes place within the EU. In any case, the Court does not have any real power to do so.

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13) Approximately in 30 cases, The Lisbon Treaty states the Member States are responsible for implementation of EU decisions.

Let's compare the EU's political system with the normal constitutional balance of power. The strongest power status, derived from citizens of the state, has a parliament. It has the power to change laws and the constitutional system. It supervises the executive power. Executive power is accountable to Parliament, and if it makes a fundamental mistake, it can be revoked, and Parliament can put a different executive power in its place. In order to prevent Parliament from establishing a parliamentary dictatorship, the parliamentary decision-making process is deliberately prolonged. Consequently, the government carries out fast and effective decision-making within the framework of applicable laws in the area of executive power. Parliament may set unrestrained laws in the government, but it can also define political constraints. Since the Parliament's decision-making process is fundamentally longer than the government's decision-making, legislative and executive power is in balance.

Moreover, if Parliament exceeds the limits of the executive power of the government in its legislative zeal, the relevant constitutional court can intervene and maintain the balance of power. Similarly, if the government exceeds statutory limits, the Constitutional Court may intervene and force the government to respect the laws in force. Parliament, however, also creates laws on legislation itself, and the courts have a hierarchical structure, so even the courts are responsible. Other options could be considered to strengthen the accountability of the courts in case they misappropriate their mission to be a guarantor of justice for citizens.

Within the model proposed by Jean Monnet, the balance of power cannot be established<sup>14</sup>; the whole system is dominated by the Commission

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14) The United States invited dozens of the most educated thinkers and philosophers to jointly write the Constitution. To balance the scales, they created a system of checks and balances to be resilient both in crisis situations and against dictatorship or abuse of power. Let's compare the authorship of the contemporary European integration concept of Jean Monnet, whose pure intentions some doubt. His project of 7.5.1950 has not been voted on by anybody and has not appealed to anyone. Robert Schumann, the French Foreign Minister, presented the project to the public two days after delivery by Monnet to him on 9 May 1950. At best, it is

(formerly the High Authority). In order to improve the functioning of the European Union, there is a continuous shift of competences. The result is tens of thousands of legal norms and regulations, with the result that the EU exercises powers that do not need to be exercised at European level. In other federations, such competencies remain within the competence of parts of the federation or even the powers of the municipalities. The often declared principle of subsidiarity<sup>15</sup> does not apply at all.

Subsidies, for instance: every subsidy is always unfair. Awarding subsidies for projects that do not have pan-European significance is a clear violation of this principle of subsidiarity.

Shifting of all powers to the European level would not remove the existing contradiction. The system is deliberately designed to never create a balance of power. However, this is masked by institutions being given the same name as in traditional political systems based on the balance of power (parliament, court ...).

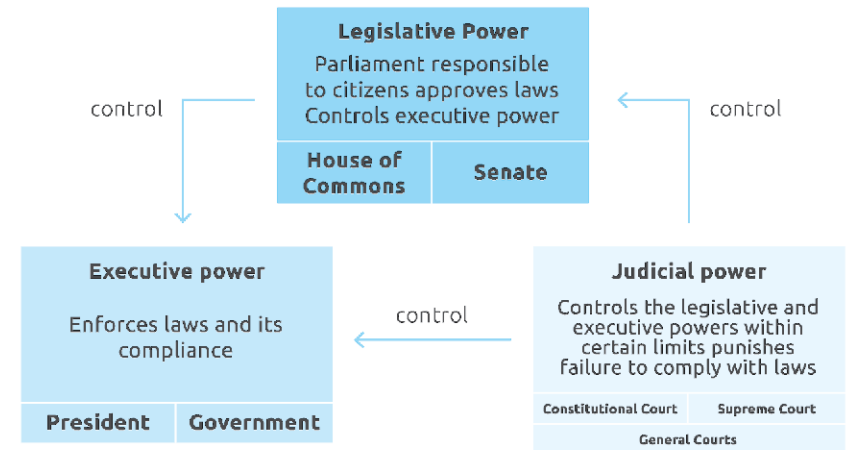
Why? In the European Union, shared sovereignty is mentioned quite often. Member States entrust part of their competencies to the European Commission. A gigantic experiment on the nations, which contradicts empirically confirmed theories, naturally has a serious problem with sovereignty. Since the very beginning of European integration, strong attacks have been taking place on the sovereignty of individual Member States. Jean Monnet believed that sovereignty is a source of trouble on the European continent. There are still attacks on sovereignty.

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not possible to seriously evaluate such a far-reaching project and discuss it within two days.

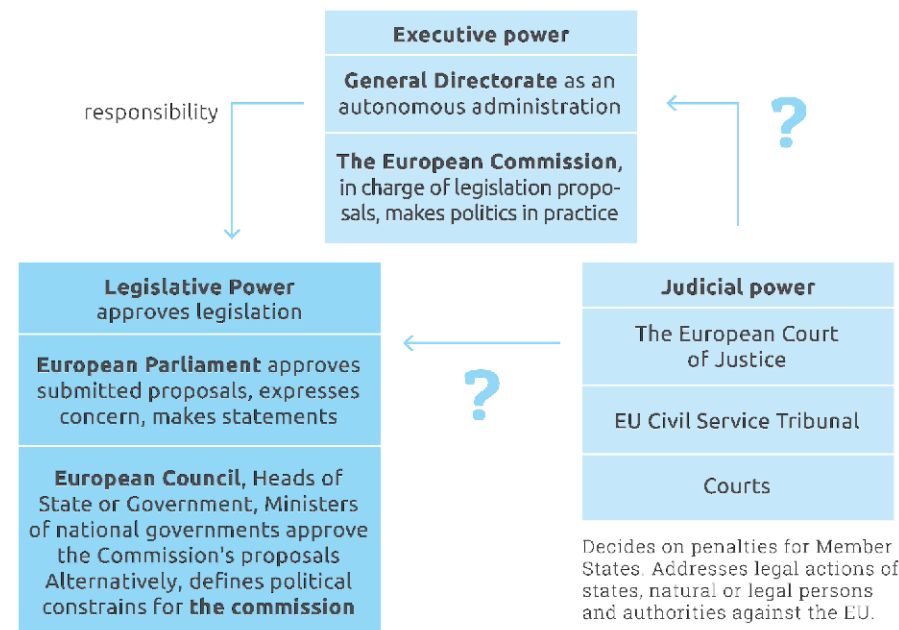
15) Lisbon Treaty 5, 3: Under the principle of subsidiarity, the Union acts in areas outside its exclusive competence only if and to the extent that the objectives of the proposed action can not be sufficiently achieved by the Member States at central, regional or local level. Because of its scale or effects.

### Democratic balance of power in the Czech Republic



Legislative power approves the Constitution and laws, Judicial power decides according to the Constitution and the laws, the Constitutional Court monitors the compliance of the laws with the Constitution and assesses the conduct of other constitutional bodies. Legislative, executive and judicial powers are divided into two entities.

### The European Union



Decides on penalties for Member States. Addresses legal actions of states, natural or legal persons and authorities against the EU.

Some argue that it does not exist anymore, because international obligations and co-operation have overtaken sovereignty long ago.

Also, Henry Kissinger has said that sovereignty is one of the best values that Europe has created and that it is extremely risky to question it or question its importance for the stability of the international community.<sup>16</sup>

#### 4. There is Another Way

It is undoubtedly possible to propose alternative models of European cooperation. It is clear that the cooperation of European states is desirable and useful. However, all alternatives can be divided into two groups according to the theory of federalism. The question is whether the sovereignty of the federation is partly entrusted to the members of the federation, figuratively speaking shared downwards, or whether the co-operating members of the confederation entrust part of their sovereignty to the higher authority, figuratively speaking upwards. Though this may appear to be insignificant detail at first glance, it is a crucial difference. There is no way to change one form to another inconspicuously. Sometimes it is called "Competent Competence". There is no third way; the division of Czechoslovakia could be used as a proof. Another convincing proof that this is not a minor issue is the American civil war of federalists and confederalists in the US in the early 1860s.

The European Union is at a dead end - it is not possible to move towards a federal arrangement, but its politicians do not want to admit that they have gone wrong, and they do not want to continue in the form of intergovernmental cooperation any further. From a purely technical point of view, everything that the EU is currently doing could be done in both the confederal and the federal models. Just staying in a dead end where the EU employs much more power than it is necessary, appropriate

16) <http://www.payne.cz/WP15/respekt-ke-svrchovanosti/>

or effective, must inevitably result in a state of unhealthy stagnation - into a political, economic and social sense of helplessness.

The intentional democratic deficit could be eliminated in two ways. Either to consistently transform the existing EU into an intergovernmental form, (i.e. to choose a confederal model) or to create a European super-state - a federation.

But after experiencing the tangled integration of the current EU, the situation is extremely unfavourable to any form of federal organization. Few politicians would be willing to entrust federal powers to unelected officials. Re-education of officials is impossible; the inertia of the authorities excludes it from experience. The visions of a European federation must move forward to the next century at least.

Because the federal arrangement is based on fair competition from various political philosophies, it is fairly easy for a federal model to not have a single Frenchman in the federal government. Or there will be no German. Or, it will happen that for several decades the government of a small state - Slovenia, or even the Czech Republic - does not get into the government. There can be no rule that would give states a place in government similar to what is now in operation, it would be a denial of fair competition, and in fact it would mean conserving the current dysfunctional state. Perhaps a prognosis could be made that within the next few decades, probably over five, the situation will not be psychologically mature enough to discuss any form of federalization in Europe.

Because the state is a much more complicated unit today than it was in 1860, it can be assumed that an attempt to inconspicuously impose or enforce federal co-operation would certainly result in an explosion of tension and possibly a terrible civil war, probably worse than the civil war in the US.

In addition, a few experiments were conducted on the European continent to create some integrated units after the First World War. The artificially created Czechoslovakia and Yugoslavia have disintegrated for their own internal reasons. It is partially analogous to the collapse of the Soviet Union. It is more than certain that an experiment, an attempt at European integration, based on far more plausible foundations than Czechoslovakia or Yugoslavia, cannot be the basis for a permanent stable arrangement.

*That is why, in essence, the only option is to replace the existing EU model with some other, new form of European cooperation that would preserve the positive features that citizens and their states want.*

The experience with the division of the Czechoslovak Federation shows that it is possible to transform federal cooperation into an intergovernmental one over just six months. Federal arrangements are much stronger and more complicated than the current European Union.

## 5. Democratic Deficit

**T**he European Union does not meet even the smallest criteria of a democratic political system. It was once remarked that if the EU wanted to join itself, its application would be immediately dismissed precisely because of the absence of a democratic balance of power. In Brussels, democracy is just a pretence.<sup>17</sup> What to do?

The notion that the democratic deficit will be removed in a gradual way, by shifting competencies, by refining formulations, by developing what we have at the moment is unrealistic. The problem is that the generation that is growing up right now has never experienced anything else. Young people consider the democratic deficit as something funny that does not have to be taken seriously, and is not a matter of serious discussion.

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<sup>17)</sup> Petr Mach interview 8.11.2014

Some even consider a democratic deficit to be desirable.

Democratic deficit is reflected in the world of this generation in the form of habit, clearly copied from centralizing power in the European Commission, a habit of conducting and regulating others. The democratic establishment teaches citizens to respect different opinions, politics, to debate with other citizens, to create politics that responds to their needs, answers their questions and so on. A policy that does not communicate with citizens will certainly be replaced by another policy that is closer to citizens at the next election. The possibility of peaceful exchange of the entire political party in a non-violent democratic way is one of the most basic requirements for a democratic establishment. The essence of democracy is that there is always an alternative. Democracy allows for collective choices that reduce tension.

On the other hand, the generation of a democratic deficit considers it right to interfere with the life of others. Their conviction is the principle: *We know what is good for you.* This principle was clearly demonstrated in repeated referendums, as was the case in Ireland in 2009. This principle also applies to the ban on Edison light bulbs, the prohibition of powerful vacuum cleaners and other euro-nonsense regulations. It makes out of citizens a crowd of silly human beings who cannot take care of themselves, so wise officials have to command what they have to do. If citizens have different opinions, they need to force them to accept what is good for them.

Let's compare how, in a matter of few years, the whole globe has decided to replace old televisions in which the picture depicts an electron beam on a screen, for so-called flat-panel televisions, whether LCD or plasma. Similarly, the whole world exchanged computer monitors. No regulation, no commands, no bans. Surely it would make sense to explain, argue, and discuss various incandescent lamps, discharge lamps, incandescent bulbs. The result would be similar; the overwhelming majority of citizens

would decide, in time, to buy more energy-efficient light bulbs. Perhaps in the transition period, the mercury lamps that have been forced upon us by the European Union, spreading into children's rooms, flats, offices, and in the wild every year a ton of poisonous mercury compounds, would not spread.

Let's not focus on the fact that the above mentioned regulation was probably enforced due to lobbying of a company that produces light bulbs. Maybe to avoid competition from companies located in the territory of new EU members. The significant difference between natural development and regulation would be that there are places and situations where Edison is more economical and sensible. There are spaces where, for some reason, light can be switched on at most once every two years. Is it worth investing in a light bulb in this case? Will it keep a light bulb, including aging capacitors, not flashing for ten years, and then start it for five minutes to stay functional for another ten years? In this case, isn't the Edison bulb for only about ten Czech Crowns a more storable solution - especially in terms of return of the investment and environmental impact in production?

Inappropriate regulation eventually caused the production of bulbs to move to China, and we complain that we have a negative trade balance with China.

It is an example of a Messiah's kind of belief that *"we know what's good for you"* or even *"we determine what's good for you, it's up to you to agree, not to think about it"*. It is the opposite of a democratic experience. The concept states that none of us knows what is good yet there is a plurality of concepts of goodness. Only in discussion, a humble search, and ultimately in a democratic decision-making process can we create a compromise that directly reflects the opinions and wishes of citizens. This is a real compromise that no one could think of in advance.<sup>18</sup>

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18) While European history is based on the gradual realization that the good is plural,

Note that in elections to the European Parliament, voters can vote as they wish, but the election results have no effect on the nature of the EU's functioning. There can be no talk of a functioning opposition that would change positions from time to time with governmental parties and return decision making to the sphere of influence of voters. The European Union is based on the fact that there must be no alternative. This was originally the intention of the author.

The democratic deficit and contempt for citizens can be demonstrated by a repeated vote in a referendum on the same thing if the vote did not produce the result some politicians wished. The Danes rejected the Maastricht Treaty in 1992 in a referendum, so to justify a repeated vote, some additions to the treaty were adopted, and in 1993 it was possible to vote again. And the vote went as politicians wished. The Irish in 2001, despite surveys that predicted approval and despite the support of all major political parties, businesses, trade unions, churches and the media, rejected the Nice treaty in a referendum. The following year Irish politicians held

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although both the Church and the monarchs have tried to monopolize good and truth, while the idea of pluralism has become the basis of a market economy, the European Union has been based on the idea that in some way it can identify the "good" and that some authority has the right to enforce this good. However, the question of what the right „good“ is if there is no optimization criterion remains unconfirmed. Purely mathematically, optimization based on multiple criteria in a more complex system is not feasible. There is no doubt that the European continent is a complex non-linear system in which each state and every citizen has its own interests and risks. However, the optimization criteria are, as a rule, infinite. The very beginning of integration, the Coal and Steel Community, was based on the idea that a high office can regulate production better than free and fair competition. The principle that we chose and enlightenment knows what is good for you serves to promote the interests of the great states towards the little ones. The result of this way of thinking is the decision about us without us in 1938 and finally the statement that the Czechs missed the opportunity to remain silent. It is not a random reverberation. It is a manifestation of deep conviction and political thinking, a manifestation of the interpretation of European political reality. Traditional European politics has come to the idea of pluralism, which corresponds to a pluralistic political system based on the fair and fair competition of various alternative political programs as a method of achieving relatively effective collective decision-making.

a massive campaign paid out of public funds, and repeated the popular vote in line with the „*We know what's good for you*“. The Irish, according to the wishes of the politicians, approved the Treaty of Nice. In 2005, France and the Netherlands rejected the European Constitution. In order not to repeat the referendum in both countries, the text was renamed the Treaty of Lisbon (with minor modifications), and France and the Netherlands accepted the text at the second attempt. In 2008, the Irish refused the Lisbon Treaty. The government again invested millions of euros in the propaganda campaign, and the Lisbon Treaty was approved in Ireland's repeated vote.

The undemocratic nature of the EU, euphemistically referred to as a democratic deficit, is not just a small cosmetic scramble or academic problem; it has been deliberately embedded in the present form of European integration from the outset and cannot be removed. The huge concentration of power in the hands of officials without democratic control and the balance of power is probably the greatest security risk in today's world.

## 6. Democratic deficit and Russia

Sometimes it is suggested that, it is necessary to maintain the current form of European integration, even though it does not work, because otherwise the separate European states would be threatened by Russia.

In fact, the opposite is the case. Firstly, Europe's democratic deficit helps the Russian regime defend democratic failures against its own citizens. Even with some comparisons under constitutional law, one might argue that the Russian political system is at least as democratic as the European Union, according to the Constitution. If there was no democratic deficit in the European Union, it would be much more difficult to keep Russian citizens in loyal obedience.

Second, Russian politics cannot wish for anything better than a non-functioning European Union in its present form. When a problem arises, such as Russia's occupation of the Crimea<sup>19</sup>, the EU summit will meet in a few months time to find that we have a problem. It will work out some measures and reactions to the situation, and in a few more months, with great luck, the next summit can approve the prepared measures. However, somewhat more likely is that some parts will need to be worked out or modified, and there will be an even deeper need for approval. That's enough time for Russia to do anything. In times of more democratic conditions in the Cold War, a strong response would come within a few hours.

Also, deploying a secret service agent to the office of the German Chancellor, as was the case with Günter Guillaume deployed by Willi Brandt in the 1970s, is an extremely complex, costly and risky operation. On the other hand, paying for lobbying in Brussels is free of risk, it is simple, it is fast, and it is efficient and incomparably cheaper.

If we really wanted to stand up against undemocratic practices in Russia, it would be best to get rid of the democratic deficit in the EU immediately. Under the current circumstances, the European Union is defying the democratic order of the world.

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19) The Communists say the annexation of the Crimea was based on a referendum. However, it is not possible to take a serious referendum under the patronage of green men from whom Russian soldiers of the Special Forces have been decapitated and who have even been publicly decorated. If Russia or anyone else is thinking about changing the borders or plebiscite about the independence of some territory, there are legal and legitimate ways to do it and how to do it. Although the Russian idea that Crimea is legitimate to belong to Russia historically and nationally, the way Russia has achieved it is an inexcusable territorial aggression and a violation of the sovereignty of Ukraine. The aggression has occurred is largely due to the European Union's impotence.

## 7. Superstate and Sovereignty

It is somewhat surprising that the creation of the European superstate is usually aimed at those who are among the loudest critics of the influence of the great powers in the world. Why should we have a few great powers for which it is difficult to voluntarily comply with the rules of good conduct in international politics, to add another new European power? On the top of it all a power without any superpower experience. What benefits would that bring? What is the reason for creating a new superstate? The only justification is the unconditional desire for power. And that is a bad sign.

And if this European superstate has genetically embedded democratic deficit in itself for decades, why should we assume that there will be some deep enlightenment, as a result of which the generation of the democratic deficit, when fully in power, will begin to behave democratically? It is actually very likely that uncontrolled power will lead to the uncontrollable behaviour of such a superstate.

## 8. Traditional Values

The European Union almost invariably overcomes and eliminates traditional European values. Europe has traditionally been built on pluralism and fair competition between individual states, not on unification. European security is built on one of the greatest achievements of international relations - strict respect for the sovereignty of each state. Sovereignty is one of the greatest inventions of European civilization. The wars did not start because of excessive respect for sovereignty, but on the contrary as a result of the questioning of sovereignty. Decades of questioning the principle of sovereignty in Europe ultimately leads to such a fundamental disrespect for sovereignty that part of the territory of Serbia or Ukraine can be removed by military force.

Nature and the whole universe strive for the most colourful individualization of each creature and every natural object. No two blades of grass are identical; no two mice are identical, let alone two people. It is fascinating to meet a person who is self-taught, who is atypical, having a different order of values and priorities. The very existence of such people asks us whether we should not consider an alternative to our own priorities, an alternative to our own way of thinking.

Why should citizens of European countries be unified? Why should they be the same? In critical situations it turns out that diversity can mean finding an unexpected starting point. Unification destroys natural flexibility and creativity, destroying the ability to survive in unfavourable circumstances. And still, those who are trying to force us to unify, are also demanding that we welcome immigrants who are so fundamentally different - i.e. un-unified.

Carl Gustav Jung, when exploring the depths of human psyche, described the national archetypes as prehistoric beasts, which are lying lazily in quiet times, but when awakened, they can smash everything around them. Jung explained how it is possible for a university-educated, peace-loving professor to set out on the streets to oppress the Jews, taking part in a persecution he would normally disagree with. Jung thus explained the rise of world war.

A state based on democratic consensus is probably one of the ways to keep Jung's beast in a state of hibernation. We do not have too much experience with them, caution is probably desirable. The notion of statehood and sovereignty has been shaped in relation to national identity for centuries and sometimes the process was quite difficult and painful. However, the constant questioning of statehood, sovereignty and patriotism on the European Union side can be a rather risky act from the point of view of prehistoric beasts that have the power to overthrow the entire continent. They can wake up.



## 9. Constitutional and Civilian Control of the Armed Forces

**F**or democratic states, some principles are in place to ensure long-term sustainable democratic conditions. And since the armed forces have often played their part in both political and military coups, democratic states have adopted a whole range of measures to prevent it.

For example, the Secretary of Defence, unlike some other ministers, may not represent his State when signing any foreign documents unless he has explicit written authority from the Prime Minister. The control of the armed forces is carried out by parliamentary committees, which have real and effective power to influence political decision-making. Parliament has real power, for example, to stop the sending of soldiers abroad. Academic environments can argue with policies or politicians. The media have journalists who specialize in defence, etc. A number of professional publications have been written about the democratic or civilian control of the armed forces.

The Czech Republic also had to meet the requirements for control of the armed forces while entering NATO.

With this in mind, let's look at the intention to start transferring competencies in the defence field to the European Union. Politicians justify their intention to set up the European armed forces through the migration crisis, the impetuosity of the Russian political leadership, terrorism and surely they could come up with dozens of other arguments. There is no debate on the civilian control of the armed forces in the EU, which shows that no civilian-political control in the European Union works. At the same time, it proves that politicians who talk about the enforcement of the elements of joint defence have no idea what is their duty in these contexts. An explanation is perhaps only an unconditional desire for power.

Violation of the principles of democratic control of the armed forces or creation of a system that is not provided with appropriate democratic safeguards, can and will always have fatal consequences. In that case, politicians who helped move security competences to undemocratic institutions should be personally responsible for their actions. They should be aware of the consequences of such an act.

The Lisbon Treaty states in Article 4 (2): „In particular, national security remains the exclusive responsibility of each Member State.“

If a politician wants to start debating the Member States' responsibility for defence, he should start with a debate on changing the Lisbon Treaty first.

Shifting competences to the European level is quite problematic, but conferring colossal power in the hands of politicians without democratic control and without effective democratic accountability is indeed dangerous. French President Emanuel Macron even proposes setting up intervention forces to fight abroad on behalf of the EU.

Until the democratic deficit, which has lasted for many decades, is removed, it is impossible to allow any EU armed component to emerge. Before we allow the debate on any armed force in Europe, every democrat must insist that the democratic deficit be eliminated.

## 10. The European Union and Peace in Europe

**A**s a fundamental justification for European integration, it is often argued that peace has prevailed for several decades after the wars in Europe. This is an indefinable assertion and false propaganda. The post-war period, in which the European Union (formerly the European Communities) had secured peace, is called the Cold War. Peace was in Europe only

because there was an iron curtain across Europe, and on its western side security was provided by the military presence of the United States. European integration was demonstrably lacking either a military or a political capacity comparable to that of the two superpowers, and therefore could no longer secure peace.

Only in the aftermath of the Cold War did European diplomacy and security policy for the first time speak to the continent's security: it helped significantly to unleash the conflict in Yugoslavia. In particular, the Vance-Owen plan for ethnic cantonisation in Bosnia, as well as the earlier Carrington-Cutleir plan, unleashed mass murder, and therefore the political responsibility for hundreds of thousands of dead is borne primarily by the EU or its predecessor – the European Community.

Another example of European foreign policy is the military intervention in Libya, which has disrupted the political system without any idea of any subsequent political arrangements. For accuracy, the United States was against such military intervention. Further examples could be given. That is why many regard the Nobel Peace Prize for the European Union as a bitter irony. What would world security look like if institutions with such a past and such an inability to solve security problems were to take care of it?

In any case, it is necessary to ask whether the current form of European integration is the only way to maintain stability and peace in Europe. Indeed, within NATO, it is clear that European countries are still not willing and able to bear at least an agreed share of investment that helps to ensure common defence. They should not be talking, even in the most fantastic scenarios, about taking full responsibility for their own defences.

Therefore, it is time to be honest with ourselves and admit that the European Union not only did not contribute significantly

to peace, but in a number of cases, it failed completely to find a political solution to the conflicts and escalated those conflicts.

## **11. The Four Pillars on which the EU's Single Market is Built**

**T**he European Union boasts four pillars or freedoms on which the single market is supposed to be founded. Let's see how, and whom these alleged freedoms serve.

The first of the so-called freedoms is the free movement of labour. It is possible that fifty years ago it was considered extraordinary to settle and work abroad. However, the numbers have changed considerably. Workers do move for work, but companies also move to cheaper labour. Freedom of movement therefore serves not only those who want to earn more money somewhere abroad but it mainly serves big companies that need to move their highly qualified managers from one place to another. Thus, the free movement of labour is to a large extent a system in which, in economically weaker countries, local qualified workers do not get a skilled job because the company will bring their people in to do these functions.

The free movement of capital across the European Union, also does not employ the ordinary citizen. First, because free investment capital does not belong to the common experience of an ordinary citizen in Europe, then if a citizen has capital to invest, every bank will gladly help him or her invest on his or her own terms, even outside the EU. Moving capital is a matter for big companies, and the vast majority of citizens are not involved at all. In any case, it must be remembered that the so-called free movement of capital is controlled in detail by the European Union; the transfer of all but the smallest amounts must be registered, justified, reported and monitored.

At first glance, it is clear that the free movement of goods and services also serves large companies first.

While a truck once had to present a brief customs declaration at the border, border control now does not exist. This does not mean that goods can move freely – they are subject to strict records.

The customs officers who once guarded the border disappeared, the trade, which was formerly foreign, changed into the interior. Instead of the customs declarations previously completed by the truck driver, the INTRASTAT statistical record is now subject to the free movement of goods. Business owners fill out detailed questionnaires of dozens of pages that no customs officer ever asked anyone to submit. The questionnaire had to be issued with a 90-page manual on how to fill it properly. And in the event of suspicion a truck can be stopped by submachine-gun-equipped officers anywhere on the highway when this was previously possible only on the border. Thorough customs searches of an ordinary passenger car on a deserted road at three o'clock in the morning really cannot be wished by anyone, especially when the car is completely empty. But it's happening in the Czech Republic today.

Thus, we can say that the four pillars of European integration:

- *do not mean that supervision ceases, bureaucracy has increased*
- *bring benefits mainly for large multinational companies*
- *create a common or a single European market, which is, on the outside, very closed*
- *must not in any case be confused with the concept of free trade*
- *do not bring any distinct benefits for ordinary citizens*

Something new is needed that has a significant impact on people's lives. Free trade rules are enormously beneficial, and free trade really brings benefits to the citizens of all the states that are involved in it.

Although the EU's single market may seem similar to free trade, it differs because it brings more and more bureaucracy. In any case, the European propaganda to present the four pillars, which serve only a certain number of companies, as a guarantee of civil liberties, must be rejected.

Efforts and struggle for real individual liberties and rights must begin.<sup>20</sup>

The European Union has created a huge single market, but the economic results do not match the effort. Economic growth is rather below average, although the common market provides some advantages, the disadvantages of over-regulation and export restrictions prevail. Protectionist policy restricts competition on world markets. Regulated energy prices and massive subsidies are increasingly perceived as a violation of fair competition principles. The single market has reduced traditional trade with most of the neighbouring countries, so it is probably no coincidence that the neighbouring EU countries are so destabilized.

## 12. Overregulation

**T**he European Union has become a regulation factory, creating a deadly over-regulated environment. Tens of thousands of laws, which often change frequently and which, in contradiction to the declared principle of subsidiarity, regulate the smallest detail, result in poorer performance than some others. Some of the standards need to be implemented by the Member States and as a result, there is need for extra legislation. The legal order of the European Union and the legal order of each Member

20) Documents on human rights and freedoms were made many decades ago and it would be necessary to start thinking about rights and freedoms that nobody could ever have imagined. While domestic freedom is subject to constitutional protection, the personal computer is not so protected. While postal secrets prohibit, in particular, the state from pursuing private correspondence on the part of citizens, the European Union, on the contrary, intercepts communication both by means of computers and via telephones. The biggest danger in terms of misuse of personal data is not private persons or companies, but the state and the European Union.

State have become incomprehensible, unclear and unstable. For a citizen, elementary minimum legal consciousness is lost in terms of what he or she may, must, have, or should not do.<sup>21</sup>

At the same time, moral principles and rules are devastated. The legal system that each person violates to some extent is becoming less and less respected. Even with goodwill, he or she cannot keep to the law. Because there are so many rules and laws they cannot be known, let alone obeyed. In practice, finding that a neighbour or a competing business does not observe the rules leads to a destruction of general morality. Why should I follow it myself? The citizen finally agrees that he does not observe all the regulations and that he cannot observe them. He is more or less a violator of the law - a kind of implicit criminal. But when he is a bit of a criminal, he loses the incentive to follow other laws and rules. But the most important thing is that trust is lost and, in the end, trust is the basic building block of any human community.

Because the rule of law loses authority, lawmakers try to restore order by tightening penalties, increasing sanctions, refining legislation, adding more laws and regulations, changing laws... but not improving them. On the contrary, this is what makes the situation worse.

The only way out would be massive deregulation. Maybe somebody asks whether the European Union could not save itself by a quick abolition of more regulation? It's not that easy. Deregulation is often more expensive, more lengthy and incomparably more demanding than the introduc-

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21) If the lack of knowledge of the law is not an excuse to disobey, it is quite justifiable for every citizen to receive a complete printed collection of all applicable laws for his 18th birthday free of charge. It is up to the legislature to realize that every change in the law has enormous costs. The exact status of the applicable legislation can not be ensured by regular internet surveys, nor is it provided by the government. Only very expensive legal computer systems provide lawyers with a relatively credible overview of what is actually true and valid at the moment.

tion of regulation<sup>22</sup> itself. It is possible to introduce new regulation from day to day, whilst removing them takes a long time.

For instance, there are countries where it is a matter of general decency for a driver to let the pedestrian pass when it is obvious he needs it. Gracefulness and thoughtfulness is stronger than regulation, it works even where there is no policeman. In our country, partial pedestrian preference has been enacted. As a result of the new regulation, approximately a thousand pedestrians who relied too much on their preference died in the following few years. The situation has worsened as a result of regulation for some pedestrians. The law requires pedestrians to use the crossing if they are less than 50 meters away. While young and fit pedestrians are able to cross the road in any place, the new regulation is useless for them, only forcing them to keep watch out for police officers in order to not be penalized for failure to observe the fifty-meter distance. For poor and slow walkers, however, regulation means that almost no one stops to let them safely cross the road. They have to walk longer distance to the crossing. But the crossings are pretty dangerous for these pedestrians, according to statistics. As a result, the risk of accidents increases for some pedestrians, and instead of courtesy, which in such cases creates a pleasant atmosphere and communication between people and that allows them to go where they need to, they have to walk further to get anywhere.

The consideration of drivers against pedestrians is not a matter of legal regulation, but of decency. And the law of no man can enforce it. On the contrary, where the driver of grace would leave the pedestrian beyond the crossing, the law now has priority over decency. The pedestrian must not pass near the pedestrian crossing.

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22) Therefore, the growth in the number of laws indicates an aging civilisation approaching extinction. Younger civilisations rely on natural law and its moral imperatives.

However, if someone decides to deregulate, it would take much more time. Time cannot be taken back. Removal of restrictions would have to be accompanied by an intensive explanatory educational campaign. It is likely that many pedestrians would still die at the crossings. There will be unscrupulous drivers, who do not care about decency. With certainty, deregulation would be much more expensive, more demanding, and lengthier than the introduction of regulation. Some regulations are even largely irreversible. In some, immediate deregulation would cause chaos and considerable damage.

One of the reasons why civilization could collapse is over-regulation. The cost of complying with regulations is greater than their benefits. Businesses stop paying back. There is a growing mood for regulatory enforcement. Especially in Europe, we have rich experience with the creation of large empires, so we know that civilization, which in the long run will not cover the cost of its maintenance collapses.

The basic problem is often the fact that the legislature is trying to insert morals into the law. But morality, like trust, derives from values other than legislation. If someone tried to derive morals from legal norms, he would have strange results. While all moral systems claim it is bad to steal, what would morality look like if it was created by laws? Morality derived from legal norms logically concludes that stealing, murdering, cheating, hurting others, etc. could take place, but you need to make sure you are not caught. Between morality and law, there is a clear line and politicians are the last ones to preach, influence or even to create morals. They should be humble to respect the best moral principles that naturally take place in society.

It is not the job of the state or the European Union to educate citizens morally. Conversely, state institutions have to respect the will of voters. That is why political institutions have often tried to connect with any religion that maintains or changes the moral system. They want to gain

influence in the area that is meant to be banned for politics. Therefore, some constitutional systems prohibit government campaigns that should affect citizens (including pre-referendum campaigns); because it is the duty of the state and its similar institutions to respect the free will of citizens and voters.

The essence of a functioning democratic constitution is a parliament that listens to voters, represents their interests and their will. It could be said that the parliament was created as an instrument of self-defence of citizens against the power of the executive. The functioning parliament should ensure that no regulation is approved if it is in clear contradiction with the wishes and ideas of citizens. Likewise, direct democracy in Switzerland works, it does not replace parliamentary decision-making, but it is another safeguard for citizens. If Parliament approves a law that most citizens disagree with, there should be the possibility of verifying that Parliament has decided correctly. This is the most common form of direct democracy in Switzerland - the popular veto, i.e. the right of citizens to reject the legislative measures of parliament (the representative body).

The laws should be generally valid, if possible unchanging, created regardless of the specific situation, specific event and particular person. The legislator should not change laws under the influence of current events. That is why the legislative process lasts about one year. Only authoritarian non-democratic regimes change laws as they need. If the legislator dares (the government can propose anything but the legitimate legislator does not approve of it) to amend the law according to the current political situation, it paves the way for an authoritarian undemocratic regime. It is a sin similar to corruption in a decent society. Only bad lawmakers legislate for just the current situation.

Re-regulation and constant changes in legislation are devastating respect for the law in all Member States.

### 13. Permanent Tendency Towards Deficit Budgets

Whilst the draft of any national legislation always considers impacts on the budget, regulations in Brussels are created no matter how much it will cost. Costs are paid by the Member States even though it is clear that every regulation costs a significant amount of money. Consequently, with increasing regulation, all member states have a permanent problem with maintaining a balanced budget. Sometimes it even seems to be the intention. It gives an impression of Member States weak and incapable of managing themselves.

The budget recklessness of the European Commission also illustrates the absence of democratic feedback - a democratic deficit. In a state with a balance of constitutional power, inconsiderate politics by a certain political representation would soon lead to their replacement by a rival political team.

The democratic deficit was fully reflected in the economic downturn, when all countries in Europe had to cut their budgets, reduce salaries and save while at the same time the European Union proposed to increase the budget and hence the payments of the Member States. Democratic politicians would never allow that.

From this perspective, the budget problems of Greece, Spain, Italy, and possibly other countries are not the result of a persistently unsustainable policy of their own national governments, but are largely the result of a European system that is steadily heading towards a deficit.

### 14. Euro

Currency is a pillar of political and economic power, and it is also a symbol of power. In the past, the currency monopoly has repeatedly been abused by governments - they printed money and made inflation worse at the expense of the population whenever they were unable to gather enough money from taxes. The currency was also a tool of governments when a financial collapse was threatening the economy. Central banks with the power to print an unlimited amount of money served as a lender of last resort when individual private banks became insolvent in the system of partial repayment by cash reserves.

Against the abuse of the government monopoly, various constitutional policies have been developed in many countries - the obligation to maintain price stability, the institutional independence of the central bank's board on the government etc.

Some small states voluntarily give up this power and let the people use a foreign currency - the Swiss franc in Liechtenstein, the Euro in Montenegro etc. However, these countries remain sovereign and can, whenever necessary, introduce their own currency.

By contrast, for the Member States that introduced the Euro, the European Union forbids using their own currency. Even in its founding treaties, the European Union had guarantees against the abuse of the central bank by political power. The original agreement that no state is responsible for the debts of the other states has been replaced by the establishment of various Euro area rescue funds.

Greece's over-indebtedness hit the Greek citizens hard, but the burden of bad management has spread to others. The European Central Bank has printed the money to buy worthless securities of the Greek government and therefore triggered inflation that has affected all the members

of the Eurozone. In addition, the governments of the Member States have been forced to contribute their taxpayers' money to various rescue funds. A permanent payment mechanism for one Member State has been created. For instance, Slovakia, where retirement support is about three hundred Euros a month, is forced to contribute to Greek pensions, which are double this amount.

The EU has created a systemic mismatch between fiscal and monetary policy. Member countries are responsible for their own national budgets, but monetary policy is centrally managed. Although new treaties have been adopted to guide the Eurozone countries to manage a balanced budget, these treaties are not complied with and cannot be effectively enforced.

The common currency means a common exchange rate. When Greece runs badly when investors withdraw from it, when exports fall - or when any natural disaster occurs - the euro rate does nothing, it is dominated by the strength of the German economy. When, due to these difficulties, the currency Greece uses does not weaken - Greece will never be able to escape its troubles. If it had its own currency, which would weaken as a result of economic problems, a weaker currency would attract new tourists, new investors, and encourage exports. The common currency has condemned states in the periphery to permanently lagging behind and dependence on financial injections from common funds.

The common currency has consolidated central power at the expense of the Member States. New central powers and new central funds have emerged, to the detriment of the Member States - to the detriment of the poor who are permanently condemned to second place by the common currency and at the expense of the rich who are condemned permanently to pay for the poor. The high-ranking officials of the European Central Bank, as well as presidents of new emergency funds with high salaries and diplomatic immunity will be satisfied. Politicians, who once again have more

power at their sumptuous summits, decide the fate of millions of people.

## 15. Solidarity

One of the most abused words in politics is the word 'solidarity'. The word comes from the Latin "solidus" which means solid. This word, for example, was used by Roman legionaries who, for the sake of the strength of the whole legion, urged weaker colleagues to be solid to train more and to try harder.

In the legal field, the word „in solidum“ is used to describe the responsibility of corporate legal entities if corporate members guarantee their liabilities with their assets.

But the false word solidarity is used in different, even contradictory meanings. Solidarity is the duty of the active and economically successful to pay high taxes. Solidarity is seen as an obligation to accept immigrants who may want something different somewhere else, because states that carry out border protection do not fulfil their obligations. For instance, Slovakia has invested heavily in the protection of the Union's external borders and today it is possible to regard the Slovak-Ukrainian border as a model for how border protection should look. But within the framework of solidarity, Slovakia should be responsible for the consequences if other states do not protect their borders. Such forced solidarity is not only unfair, but can be described as an injustice. Maritime states benefit from having sea borders, having better transport conditions, sea fishing, profit from tourism and not sharing solidarity benefits. On the other hand, when the protection of the external border in Slovakia prevented the East European Mafias from illegally crossing the border, everyone benefits, but the costs hits only Slovakian tax payers.

Since ancient times, European civilization has considered a desirable and respectable concept - charity. It also comes from Latin - „caritas“, which

means rarity, related to the fact that someone considers the other person to be rare. This word usually translates as the Greek word, *agape*, a merciful love of one's neighbour. Charity means that a particular person is affected by a person's misery or misconduct, preserves himself and helps his neighbour. The New Testament even adds that the right does not have to know what the left is doing<sup>23</sup>. Good deeds are not to be paid for from public money. A good deed has always been, and should remain, a private matter. A public good act - called a subsidy - is a denial of the principle of equality and is always discriminatory.

The word solidarity is often used in politics as if it was the same as charity. But the difference is essential: a good deed of every person, mercy and even neighbourly help, enhancing humanity, developing humanity, and contributing to universal salvation is a private matter. On the other hand, the impersonal redistribution of resources by the state or the Union, sometimes called solidarity, hardens the heart and robs citizens of these basic human values. Charity refines, solidarity stiffens, demoralizes and can provoke defiance.

One more difference must be mentioned. It's easy to set up a program, take money from everyone and give the collected money to selected individuals or groups. In fact, everyone can do it, and the differences will only be how efficiently one can do it.

There is even talk of compulsory solidarity or solidarity enforced through sanctions. In such a case, the concept of solidarity serves only as a camouflage for totalitarian tendencies.

Charity is the opposite of solidarity - where there is no common fund, where there is no enforced contribution, but where man is human and

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23) When you prove good, let your left do not know what the right hand does to keep your goodness hidden, and your Father who sees what is hidden will pay you back. Mt 6.3-4. By abusing the word solidarity, its asking for a charity blessing.

people share good and evil without having to organize or enforce it. Whilst solidarity always stands and we have to ask what kind of benefit we get from what investment and at what price. While in solidarity I always have to watch if someone does not abuse the system, charity carries the risk of wrong choice by the benefactor himself. The essence of charity is a personal sacrifice. No one can reproach the donor as he did it with his own means. It may well be possible to prove that even in terms of the state; it is preferable to leave as much space as possible to charity instead of solidarity because charity is incomparably more efficient and even more humane.

## 16. Grants

The notion of solidarity is closely related to the notion of subsidy or grants. The European Union has based its existence on redistribution in the form of grants. This is a principle well-known to politicians. Some irresponsible governments buy election support by generous benefits distribution before the election. The European Union is buying the aid largely by allocating grants. However, whenever free benefits are given, suspicion and temptation to abuse the system to enrich individuals, groups or particular legal entities arises. In the European Union, there has been a massive system in which the rules on the allocation of grants have become increasingly rigid, so the conditions for the layman are almost impossible to understand. There is a whole army of consultants who do nothing but process applications for subsidies and possibly lobby for a specific grant application to be approved. Without them, it is almost impossible to properly apply. Ministries are working in the Member States, whose main activities are to ensure that sufficient subsidy applications are made. The media then assesses the success of the minister according to how well he managed to draw the subsidy. However, because there is a huge risk of abuse, there must be another large army of officials who control and double-check individual subsidies. It creates a circle



of stimulating demand for subsidies, encouraging subsidies and it can also indirectly provoke abuse of subsidies. The circle raises the need to control the subsidy even more strictly. Europe is doing so with projects showing a spectacular sign stating that the project has been funded by European subsidies, because buying support is the main objective of the entire subsidy system. It is sad that a significant proportion of the subsidized projects do not meet the needs and priorities of the local community at all. The actual local priorities are not listed, so local authorities use the subsidies that are available to do something at least. It is also a not insignificant fact that the overwhelming majority of subsidies are incompatible with the principle of subsidiarity - projects do not usually have pan-European significance, so they do not fall under the EU's competence under the Treaty of Lisbon.

In addition to creating a corrupt environment, the subsidy system is also damaging by distorting the fair competition environment on the market. When you make a small contribution to everyone, and then subsidize one particular hospital (for instance in Mlada Boleslav<sup>24</sup>), you are worsening the conditions for all other hospitals. If you support construction of one hotel (for instance the Stork's nest project) you will also damage all other hoteliers throughout Europe. When building a viewing tower, you will damage the profitability of all other commercial towers and tourist buildings across Europe.

There are no righteous subsidies, there are no fair subsidies, and there is no fair grant allocation system. Every subsidy damages the environment of fair competition and damages decent and fair citizens or decent businesses. Every subsidy runs counter to good morals and the aim should be to minimize the extent of subsidies. Every subsidy creates space for corruption and is in itself a form of „legal“ corruption. Good deeds are to be done with your own money, they must not be made by a state or

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24) The Chief of Central Bohemia has been hunted down with seven million CZK of bribe from the hospital in Mlada Boleslav.

a state like organization such as the European Union with public money.

The subsidy policy is based on the assumption that the grantor knows what is good and what is bad. But the duty of every policy, even at the lowest level, and the imperative of every entrepreneur is to set their own priorities. The higher the subsidies are, the less effective, less controllable and less responsive to local priorities are the results.

## 17. Unification

**F**or the stability of any system, it is preferable to promote diversity. Nature does it: monocultural forests are very vulnerable. Every rational farmer is trying to do it, entrepreneurs are trying to do it, traders are seeking it.

By contrast, authoritarian states and totalitarian systems are trying to impose uniformity. It is easier for them to identify any deviation and to destroy it immediately. Security risks, from the outset, appear to authoritarian regimes as a deviation from the required blue print.

Unification is not a political program, unification is a manifestation of helplessness and despair. It attempts to create the sense of purposefulness by opposing natural laws.

Unification is a manifestation of a lack of respect for uniqueness and individuality, lack of respect for mankind. The obsession with unification is illustrated by Antoine de Saint Exupéry. He writes in the book *Citadel*, that all the letters in each book should be sorted in alphabetical order. This is of course absurd and exposes the ridiculousness of wanting uniformity.

Soviet scientists introduced a 'shaving machine' designed for hotels, airports and railway stations at a fair. Experts from other countries

admiringly asked: „You had to use very fine sensors to smooth the shaving of everyone. Everybody has a different chin shape.” The Soviet scientists responded: “Only the first time!”

The opposite of unification is respect for man, respect for local traditions, respect for local priorities and conditions. To an extent, it can even be said that the opposite of unification is love, the ability to see a person as he or she is, not as a number or a set of statistics designed to meet the average.

## 18. Free Competition

**F**ree competition is a fundamental principle in free society and in nature. If we look at tree branches or flower leaves, we find competition even between parts of one specimen.

A political system capable of directing individual and collective conflicts and clashes through laws and rules so that people do not harm each other has been called ‘civil society’ from Socrates, Plato and Aristotle to Hegel. It is important to note that the state and its institutions are a precondition for civil society and its number one characteristic. At the same time, it was believed that the clashes in society were to be resolved by public discussion and a rational dialogue which leads to the truth.

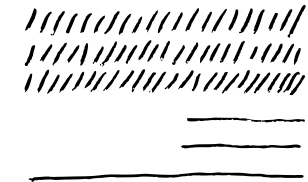
Fair competition involves traditional market competition, as it is usually perceived, but it also includes the competition of personalities, ideas, initiatives, and ultimately associations as well.

Fair competition means playing honestly, fair play. The same rules apply to all. Free competition seems to be the central principle of nature. It's not just about Darwinian rivalry, let's look at the blades of grass as they compete for light and water. In this case, it is a competition of individuals

of the same kind. However, if we look at tree branches or leaves of flowers, we find competition even between parts of one specimen. If the individual did not respect the rules of fair competition in his decision, he could not, of course, succeed in the competition of species.



VS



Byl pozdní večer – první máj –  
večerní máj – byl lásky čas.  
Hrdliččin zval ku lásce hlas,  
kde borový zaváněl háj.  
O lásce šeptal tichý mech;  
květoucí strom lhal lásky žel,  
svou lásku slavík růži pěl,  
růžinu jevil vonný vzdech.

„BHOaaaaaabccccccdddeeee-  
eeeeeeehhhhhh.iiiiijjj.kkkkkk-  
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*Natural competition and uniform order*

The European Union distorts free competition, closes the single market against global competition, and distorts prices through both direct regulation and subsidies.

## 19. Distorted Prices

**T**he European Union is trying to regulate some parts of the economy by influencing the price. The most obvious is the regulation of electricity prices. The kilowatt hour produced in a thermal power plant has a different price in the EU than the same energy produced in a water or wind power plant. Of course, this creates the potential for a variety of scams. For example, it has been found that some solar power plants produce expensively purchased electricity even at night when the sun is not

shining and, instead, they are consuming 'cheap' electricity from the grid. However, as electricity is used in industry, some consumers are beginning to protest against imports on the grounds that the prices of the goods do not correspond to actual production costs.

Planned and false prices are a symptom of the planned economy. The lagging economy of the Communist states has caused the planners to believe they can be wiser than the market.

The artificially high redemption prices of solar and wind power were legally passed on to consumers who pay dearly in their bill for electricity. Billions of Euros and Crowns have been invested in solar panels on the basis of high feed-in tariffs; thousands of hectares of land have been transformed into photovoltaic fields to the detriment of agricultural production.

Artificial prices also lead to problems in agriculture. The Central Planning Bureau is never able to accurately estimate demand and supply, and so the outcome of official decisions is always a problem. When the EU feared a drop in butter prices as a result of trade sanctions between Russia and the EU, it devised subsidies to curb milk production. However, a dramatic increase in butter prices across the EU was a result. As a result of central regulations, farmers have been culling their herds, and consumers have had to change their consumption habits.

Restrictions on sugar quota have led to the liquidation of sugar factories, which are now expensive to recreate. Quotas, subsidies and price controls lead to the wiping out of huge amounts of capital. Without these regulations, capital - fields, machines, money directed to solar panels, etc. - could serve better for more efficient production and contribute to economic growth.

## 20. Schengen

**T**he Schengen system was designed for the Cold War. The main security risk was represented by agents from the East who crossed the Iron Curtain. In such an environment, it was possible to simplify border control as the border was squeezed from the eastern side and a limited number of risky persons could be individually guarded.

The Schengen system moved the sum of all the risks and migratory pressures of all Member States to the EU external border. Some states, such as Slovakia or Poland, have strengthened and fortified the external border for illegal border crossing almost completely.

But the world has changed, many more people travel across the EU, the risk is not just those who cross the border, the risk is already inside.

To reduce all security risks at every point in the European Union, there is a radical restriction on the freedom of citizens. Of course, the question arises as to whether it is a workable idea.

Perhaps it would help if free movement zones were not based on ideological ideas but on a realistic assessment of national security risks. Perhaps it would make sense for Central Europe to cope with the risks coming from the East, and for example the Mediterranean countries would jointly address the risks coming from the South. With machine-readable passports there could be either random or very automated control between zones.

We must anticipate that migration will bring in, for example, as a result of demand for oil, the movement of peoples who are unused to modern concepts of work. We must all be ready for this.

## II. New Foundations for Cooperation

## II.

### New Foundations for Cooperation

**W**e have shown that the Monnet model of European integration concentrates power in a single body without democratic feedback, without the balance of power, without accountability to the citizen and with slow decision-making. Fair free competition, as one of the best European traditions, has been replaced by lobbying. Firms do not compete with price and quality, but how far they can influence pan-European regulation, because they can provide benefits for themselves, for specific people, for groups of people or other subjects without having to compete with competitors. In other words, the system allows you to win the best without competition. After years of disregard for citizens and voters („we know what is good for you“), nationalist tendencies are awakening. The inexorable democratic deficit eliminates the best democratic values of Europe’s heritage. The systematic violation of Member States’ integrity and sovereignty challenges the very foundations of democracy.

If we do not want to wait until the European Union spontaneously collapses, and such disintegration does not have to be velvety at all, it is necessary to think of another, alternative arrangement - and quickly.

A strong Europe must return to the good traditions that have worked for centuries. Strength is not in the concentration of power, but in the quality of the foundations on which it is based. Europe must be pluralistic, open, based on the voluntary cooperation of powerful sovereign states, on equality, on the security balance between states, on the democratic control of the armed forces, on cooperation in alliance with all other democratic countries and on the balance of power. Cooperation between states must be voluntary.

Because violent federalization could trigger a civil war between federalists and confederalists, we need a way to transform the way we cooperate. We must use the following principles.

## 1. Voluntariness

**N**ew European cooperation must be based on voluntarism. Resistance to enforcement is growing. Decision-making based on administration without political legitimacy produces an ever-increasing number of unsuccessful decisions, sometimes referred to as Euro-nonsense. By contrast, volunteering is a tool that is slow but will eventually lead to the filtering of Euro-nonsense. Citizens of Member States will demand the abolition of similar regulations within the relevant domestic constitutional system. Attempts to remove Euro-nonsense in a centralized system would only lead to further regulation and probably to ever more complications.

## 2. Political Policy

**I**f it is to recover, the political system of European states, must constantly question the importance of political philosophies in a pluralistic society. Plurality of thought and the discussion of political philosophy are a tool for compromise, which ultimately calms tension in society and is also one of the most important traditions in Europe. If policy is uniform, there is no alternative, represented by the an opposition that is ready to take responsibility and implement its alternative. We cannot then expect positive developments in the future. Citizens must have a realistic opportunity to use elections to change politics fundamentally and peacefully.

The real possibility of changing politics is based on the principle of the separation of political power, the balance of institutions and mutual control. Systems in equilibrium need only a relatively small impetus to achieve change. Systems based on centralisation of power and with a democratic deficit can show stability for a time but tensions accumulate eventually leading to violent revolution.

A system that does not leave enough space for a real alternative must evolve in the direction of authoritarianism, it's time for freedom.

Europe's new organization must support the democratic institutions of its states. It is not acceptable that transnational co-operation raises a generation that considers the democratic deficit to be normal or desirable.

## 3. Plurality

**P**luralism, diversity and versatility. These are fundamental values not only in thinking and political competition, pluralism is also important for informal competition between legal and administrative systems. The political system of the new Europe should be based on respect for diversity. It means respect for the plurality of opinions, the plurality of political philosophies, the plurality of political parties and the plurality of European states. In the past, all attempts to replace pluralism with a central system not only resulted in failure but often caused great misery. Uniformity is a sign of helplessness. Uniformity is not a political program.

## 4. Sovereignty

The systematic questioning of state sovereignty has unfortunate consequences not only for the internal affairs of the European Union but also for mutual respect among states outside Europe. State sovereignty is a positive heritage of European history and the basic principle of any system of collective security. In collective security systems, the community of states guarantees to each participating state not to question its sovereignty.

Furthermore, sovereignty protects small states against the stronger ones. Monnet's experiment aimed to solve the antagonisms of strong and weaker European states, but he relied on the wisdom and enlightenment of officials. However, overtime, we are back to the situation where, once again, strong states have formally and informally dominant positions, which is contrary to the original intention. Under such circumstances, the return to sovereignty is a necessity. Future cooperation must strengthen the sovereignty of states.

The notion that weakening national sovereignty will weaken nationalist tendencies has not been confirmed by experience. Recalling Jung's research, the importance of sovereignty lies in the fact that archetypal beasts remain in a state of malady and do not harm. The undermining of sovereignty can awaken these forces.

## 5. Free Market

The European Union presents the so-called Single Market as its greatest achievement. But the single market is not the same as the free market. In the 1990s, WTO Free Trade Agreements (FTAs) were concluded to create the framework for international co-operation. This is why, for example, automakers can use components manufactured in dozens

of countries to build cars. This is sufficient framework for the vast majority of countries around the world.

That is why we have to ask why European states need such gigantic regulation and uniformity, tens of thousands of laws? The EU Single Market is the largest market in the world. In many ways, however, the market is closed. For some European companies, it even means limitations on penetration into foreign markets. For others, too much regulation makes it impossible to succeed in global competition. For almost all EU neighbouring countries that have traditionally traded with EU members, the single market means trouble and sometimes the impossibility of exporting to the European market, which in turn leads to the destabilization of the political situation in these countries.

We have to ask ourselves whether relatively slow growth, sometimes bordering on stagnation, is not a rather small benefit for the world's largest market.

It is often said that without the benefits of the common market, individual states would have great problems as the single market is helping the economy. However, comparison needs to be made in terms of trade exchanges between European states without a single market, i.e. without European regulation. Perhaps it would appear that, in such a case, economic cooperation would only be intensified in the light of WTO rules. Why does trade between Australia and Canada not need tens of thousands of regulations and legal norms when trade between the Czech Republic and Austria does?

## 6. Platform for Agreement

The desire to centralize power without democratic control has created a strange body which refers to itself as a sui generis entity. Maybe we

should look at it in reverse. Concentration of power without democratic control is historically nothing new, we know countless attempts in history including the Habsburgs, Napoleon and both Tsarist and Soviet Russia. However, if European countries establish a platform for voluntary co-ordination and cooperation at the intergovernmental level, it would allow them to preserve all the positive aspects of the attempt to integrate so far, while maintaining democratic scrutiny within each Member State.

Voluntary cooperation means that a common platform cannot be imposed on any state when the democratic majority of its population disagrees. A new European order must enable cooperation, but it must retain free decision-making by each state. The new arrangement should provide the States with a platform for coordination and negotiation - but consistently at the intergovernmental level.

## 7. Agreement instead of Sanctions

**I**nstead of sanctions, there must be an effective opportunity for joint consultation. If the principle of volunteering is respected, it can always be decided on the basis of full consensus and respect for sovereignty and equality of states. Fining Greece so much under the Lisbon Treaty is an example of such an absurdity.

## 8. A Popular Veto

**I**n order to strengthen democracy and strengthen the dignity of the citizen, it would be advisable for a popular veto to be introduced - at least for the time needed to revive democracy. It is the main element of direct democracy, which is the opposite of a plebiscite. A plebiscite is based on the fact that the people decide instead of the parliament. The people's veto retains full parliamentary democracy, it only gives

citizens the right to stop regulation that they do not agree with. If Parliament approves any legislative change, citizens can petition, under the conditions set, for a referendum to verify whether parliament really represents the will of voters. If parliamentary democracy works, the popular vote will certainly confirm Parliament's decision. However, if for some reason the Parliament decides otherwise than most citizens want, it allows people to prevent the proposal from becoming a valid law.

This provides a form of convalescence after a failed European experiment, and a cure for the democratic deficit. The veto could help restore confidence, stability of law, and minimize tension. People's veto is the best remedy against so-called Euro-nonsense.



# III. What to do

### III.

## What to do

**W**ithout doubt, many authorities will argue that we are incorrect when we say that the EU is at a dead end. They will say that integration is on the right track. That it is not condemned to decay. There is only one way of proving such a claim: to put forward a solution to immediately remove the democratic deficit and to correct the underlying foundations.

Should the solution be even greater centralization? Should other competencies be transferred to the European level? Should there be even greater uniformity? Should more detailed regulation be approved? Should an even bigger bureaucracy be created? Should even more generous subsidies be provided? These are the proposals for reforming the institutions that we hear, but which do not address the democratic deficit.

We do not attempt to damage the cooperation of European countries so far, we point to clear mistakes made at the outset, unrecoverable errors. When you build a house on faulty foundations, it will eventually fall. And the fall of the house can be very catastrophic. We want to avoid a bad experiment on living people. Politicians do not have the right to experiment where theory clearly states that the experiment is doomed to failure.

Let's remember how two attempts have been made to create new states on the international scene. Czechoslovakia and Yugoslavia were created after WWI. In both cases, the foundations were much firmer, nicer, and more democratic. In spite of this, these two constructions have broken

apart. The Soviet Union also had a similar fate. It would be bold to assume that a European Union project based on failing to respect the theory of federalism and disregarding the principle of equilibrium and mutual control of power will be more successful.

The creators and supporters of the current experiment could and should know that they are building on wrong foundations. It is possible that they hoped that one day they would be able to change a strange experiment into the form of federalization of Europe. However, experience has shown that in many people the experiment is giving rise to distrust. There is a major reluctance to entrust any more powers to Brussels. Experience with entrusted power is the strongest argument - to discredit the idea of federalization for a long period of time. If some politicians secretly intended to federate Europe, but deliberately based their experiment on concealing their intentions, their actions must be considered a great deception.

The breakup of the European Union is inevitable, if we are not ready for it, it is certain that it will not be 'velvet'. We want to leave the path started by Jean Monnet's misinterpreted (or deliberately misleading) proposal that will lead to another pan-European and global disaster: they are in denial. Attempts to save the experiment by more regulations instead of deregulation can only lead to decay and destruction.

But if we start thinking about a solid alternative early enough, disintegration is not so painful or destructive. The destructive collapse of the European Union would have global consequences. Because there is no scenario on how to arrive at the democratic form of the current experiment, it is necessary to look for the least destructive scenario, to organize the positive elements and rebuild them on safe and proven foundations of intergovernmental cooperation. It is necessary to return to the roots of European democracy and the traditional values of the political system - sovereignty, equality, balance and mutual control

of political power, stability of the rule of law, free political decision-making, and the restoration of the dignity of the citizen - who has a realistic influence over political events.

There are more options. It would not be difficult to write the details for each alternative project. The advantage of this proposal is that it is a procedure guide, an algorithm that can be used both for a situation where political forces in the Member States are going to change the form of cooperation and for spontaneous decomposition of the current model of Jean Monnet. Preparation for the process can prevent chaotic and destructive consequences.

We do not yet propose concrete forms of future European cooperation. We do not claim that we know what is good for citizens. We propose a process, an algorithm that allows healthy forms of co-operation to be established, according to the wish of the majority of the citizens of any country.

However, one issue has to be addressed. EFTA is often considered as an alternative to EU membership. If a country leaves the EU, it is conceivable that it will join EFTA. If all EU Member States are concerned about it, this would destroy EFTA in its current form - which is certainly not the intention. It is likely that in the future it will be possible to merge the EFTA and post-EU cooperation but, in order to remedy the fatal failures of the EU, it is necessary to consider a transitional period in which the post-EU states will clarify the common denominator of new cooperation and carry out necessary deregulation. Since deregulation is much more demanding than the enactment of new legislation, it has to be assumed that the transition period may take time.

## 1. Multiple exit

It is possible of course to imagine that more countries will ask for withdrawal from Union. Each of them has two years to negotiate conditions according to the Lisbon treaty. Brexit however shows the Commission isn't willing or able to act pragmatically. The Commission is acting in a way which will never succeed. Just imagine the withdrawal of half the member states, it would take more than a decade. It would be unmanageable for the commission to discuss withdrawal of two or three states at the same time. As the situation is urgent, it is imperative not to delay a solution. In the meantime support for extremists will grow and may lead to violence. Therefore, it is necessary discuss faster options. We do not have much time. We need rapid action.

## 2. Five variants of Juncker's committee

In early March 2017 Juncker's committee published the White paper on the Future of Europe describing five scenarios for the future possible development of the European Union:

- a) We will continue as we are and nothing changes,
- b) We will limit ourselves to the single market,
- c) A multiple-speed Europe,
- d) We will do less, but do it better,
- e) We will do much more together.

None of these suggested scenarios solves the deliberate democratic deficit and that is why none of them can prevent the crisis to which the European Union is headed.

## 3. Revision of the Lisbon treaty

Generate ideas, discuss, propose and write a new contract, which would replace the Lisbon treaty. However, revision of the Lisbon treaty would take the several years and ratification more, so clearly this brings no solution to a critical situation.

In addition, it is not possible to create a document, which would remove the democratic deficit persistently enshrined in the fundamentals of European integration. Everything would need to change. But there is not enough political will to remove the EU and start for the second time from the beginning. Officials serving according to the current Lisbon treaty are not able to get out from the current shape of the EU. Any compromise between a confederative and federative type of cooperation will fail.

## 4. How to terminate Monnet's project

It is not possible to delay a solution as a critical situation is likely to occur, which will need an immediate reaction. It is necessary to have an alternative option for such situations. And of course it is also possible to start an alternative plan - with the agreement of member states.

Therefore, it is necessary to ask, are there other options, are there other ways? Fortunately, there is another option. Each member state has had to implement in its respective constitution a provision which makes European regulations superior to Member State law. In the case of the Czech Republic there are constitutional articles 10, 10a and 10b<sup>25</sup>.

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25) **Article 10**

Promulgated treaties, to the ratification of which Parliament has given its consent and by which the Czech Republic is bound, form a part of the legal order; if a treaty provides something other than that which a statute provides, the treaty shall apply.

Should the Parliament of the Czech Republic change the Constitution and reinstate the original form of article 10, (pre entry to the EU), a possibility for the revision of valid regulations would be open. And should more states do the same then Monnet's project will be terminated. And such a process will take just weeks, not years.

## 5. A plan based on new foundations for cooperation

Introducing constitutional changes in line with the previous subsection will change current cooperation to cooperation on a voluntary basis. It does not mean all current cooperation must cease. But the chance to have enough time, may be even some years, to negotiate among representatives of states which regulations they want to keep, and which have to be removed or modified, and which regulations might be replaced by new treaties. It is evident that the principle of sovereignty will be restored by this, without which no stable relations among states can exist. It can create an environment for the recovery of the political system in former member states. One possibility for the renewal of democratic conditions could be the so called people's veto: the right of citizens to stop legislative regulation

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### Article 10a

(1) Certain powers of Czech Republic authorities may be transferred by treaty to an international organization or institution.

(2) The ratification of a treaty under paragraph 1 requires the consent of Parliament, unless a constitutional act provides that such ratification requires the approval obtained in a referendum.

### Article 10b

1) The government shall inform the Parliament, regularly and in advance, on issues connected to obligations resulting from the Czech Republic's membership in an international organization or institution.

2) The chambers of Parliament shall give their views on the decisions of such international organizations or institutions in the manner laid down in their standing orders.

3) A statute governing the principles of dealings and relations between both chambers, as well as externally, may entrust the exercise of the chambers' competence pursuant to paragraph 2 to a body common to both chambers.

## What to do

- a. Terminate the Monnet project, which has led us to a dead end and decentralize power.
- b. Restore the supremacy of national legislation over European regulations in the Member States.
- c. Restore respect for the sovereignty of the Member States, thereby at the same time re-establishing equality.
- d. End defence experiments and concentrate on NATO co-operation.
- e. Maintain the positive elements of existing cooperation, but with an opt-out, then gradually transform them into multilateral intergovernmental agreements.
- f. Gradually deregulate the legal environment in post-Union states.
- g. The single European market will gradually change into an open market without subsidies.
- h. Increase competitiveness to restore fair competition in price, quality, availability, speed and reliability.
- i. Restore and strengthen the rule of law - the balance of power and its control, stabilization of the rule of law, abolition of the presumption of guilt, etc ...
- j. In the context of the renewal and strengthening of democracy, consider the possibility of a democratic expression of citizens in the form of the people's right of veto.

with which the majority of people disagree. Also it will be obvious in many areas that uniformity isn't necessary. The traditional natural plurality in thinking will be restored. The overregulated single market could be changed to fair and free trade. It will depend on the wisdom of representatives of states to pass from a uniform single market to real free trade. Is it likely that some regulations they will replace by intergovernmental contracts? It is definitely a possibility to attain democratic cooperation which will keep the positive aspects of the current cooperation with minimal losses and negative consequences - and a peaceful road will be open. *There are other ways.*

## 6. Velvet Declaration

### Road to a Free Future

**T**he European Union is not working. It is failing to deliver the wishes, needs and aspirations of its people.

All the time, the European Union concentrates power, removing it from the Member States. This is unnecessary and undemocratic.

The European Union builds an overregulated market which unnecessarily reduces European competitiveness in world markets. This threatens the standard of living of all EU citizens in the long-term.

The European Union promotes uniformity and 'one-size-fits all' where diversification and plurality should prevail.

The European Union is not meaningfully democratic: it is impossible for ordinary people to have any real influence on EU decision-making as all policies emerge from a centralised bureaucracy.

The European Union deliberately disregards the will, opinions and wishes of citizens, justifying this with the same argument as all authoritarian regimes: „We know what is good for you, and we will therefore order you to do it.“

Growing numbers of people believe this simply cannot go on. Continuing this model of European cooperation will inevitably lead to crisis after crisis and, finally, disintegration.

The Czechoslovak "velvet" division of the country was peaceful and successful. The European Union is simply not thinking this way. There are no EU plans which can deliver a peaceful constructive way forward.

We call therefore for genuine cooperation between all European states, based on free, democratic decision-making.

We have to find a ways to:

- eliminate damaging consequences,
- build a positive, cooperative approach,
- restore mutual respect, democracy, sovereignty and fair competition,
- deliver the rule of law with true equality before the law,
- strengthen common security,
- protect the freedom of every European state.

Our common goal is to find, for the European continent, a better way forward, one which offers the road to a free future.

Read & support *Sign.* The Declaration

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Alternative for Europe 

# There is another way.

Jiří Payne, Petr Mach – There is another way.  
Searching an alternative arrangement  
of the European continent

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