

Summer break: reflecting on the European conversation

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The crisis does nothing to improve the conversation among Europeans. Rather, it exacerbates differences among nations and between people. Regular harking back to dictatorial times and inappropriate comparisons do not foster a true conversation. It is time to discipline our use of language and return to a true conversation.

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[Lees de column in het Nederlands: Zomerpauze: reflecteren op het Europese gesprek](#)



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Having had the privilege of making presentations at legal conferences in Germany and Portugal within one week, as I recently did, one cannot fail to notice the sharp edges of the debate. In Germany, the conversation turns around the victimhood of being Europe's 'paymaster' and there is insistence on the legal limits of the possibilities to tackle the crisis at European level. The restrictions seen emanating from the German Constitution reign supreme in the debate.

In Portugal, the conversation focuses on Germany's insistence on budget-cutting measures and the tax avoidance schemes of large companies that benefit from the Netherlands as a 'tax haven'. The plight of the middle classes

whose very existence is being undercut by brutal austerity and the resulting dangers for democracy are emphasised.

One has to admit that pensioners who have saved all their lives for a 'certain' old age have seen their contributions taken away and their pensions severely cut whilst the bankers' remunerations are untouched. Banks continue to engage in financial transactions that appear to be against the public interest.

That governments have to pay high interest rates charged by the very banks that borrow at almost zero interest from the European Central Bank is not understood: the ECB has to explain the reasons for the 'prohibition of monetary financing' (central banks are not permitted to lend to governments) much better if it wishes to retain credibility amongst a public that sees it as part of the 'troika' imposing economic hardship.

The EU labour market is seen as not functioning properly when only the well-educated are drawn to Germany whilst the young unemployed who are poorly schooled have to stay at home.

At the same time, the narrative in Germany seems self-centered and legalistic. One does not have to be a political friend of Angela Merkel to see that the German chancellor is wrongly compared to Germany's horrible dictator: she herself has lived under tyranny and has sufficient democratic credentials.

She could have been more forceful in spreading a cohesive narrative about the European crisis and far more empathic when faced with hardship in 'the periphery'. And the political and legal élite in Germany should reflect on the wisdom of emphasising potential losses and following narrow legalistic thinking. Because of size and history, Europe's largest nation in Europe carries an important responsibility for the common good of Europe, which Germany should also be seen and heard to express.

Politicians across Europe should return to a political style that leaves marketing and populism behind and recall that politicians are supposed to engage in a dialogue with their electorate who can understand difficult dilemmas. Last week, the proposal by the European Commission for the second part of 'banking union', a Single Resolution Mechanism for banks, again drew unrestrained criticism in Germany. [A representative of the German banking industry used the term 'Ermächtigungsgesetz' \(the pale translation of 'enabling law' does not do justice to the original term, which connotes the use of power and evokes Nazi era memories\) for the draft regulation on bank resolution. The proposed legal act would, indeed, 'empower' the Commission to act as resolution authority for European banks.](#)

There are valid legal grounds and strong policy arguments for this option, if Europe wishes to proceed with banking union: the Commission is the only body under EU law that has authority to take up this role which, moreover, it has effectively exercised since the beginning of the crisis when applying state aid rules to the banking sector.

Waiting for a [Treaty change](#), which will open up divisive issues such as the joint issuing of bonds and which will trigger the British response of repatriation of powers from Brussels to London, is bad policy. Coming from a representative of German banks that traditionally oppose European supervision and resolution, it is a partisan and unworthy attack. As unworthy as cartoons linking Angela Merkel to Nazis.

We Europeans should return to an open discourse in which our differences of opinion are expressed without reservation but, also, with respect for each other's sensitivities. A more heartfelt communication is needed that goes beyond politics and technicalities and sets forth valid reasons for common actions.

Even though former Greek prime minister George Papandreou may not be the best qualified to offer solutions, [his recent contribution at a TED conference in Glasgow](#) gives food for thought on a European democracy.

The English-spoken movie "[Night Train to Lisbon](#)", a German-Portuguese cooperative project for filming a German-written novel about Portugal's history and life questions, may also prove inspirational. Markets permitting, today's holiday (France's *quatorze juillet*) and the summer brake should be used by Europe's political, business, social and academic leaders to reflect on our common conversation.

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