

Reversing Brexit with a Treaty of ‘Home’

By Colin Hines

1. Summary

March 25th is the 60th Anniversary of Treaty of Rome - a chance for the EU to reverse Brexit and save Europe through a transition to a Treaty of ‘Home’

This report ***Reversing Brexit with a Treaty of ‘Home’*** by Colin Hines author of [Progressive Protectionism](#) calls for a radical rethink of the future direction of Europe by the leaders of the EU27, when they meet next Saturday March 25th in Rome for the 60th anniversary celebrations of the Treaty of Rome. calls for a radical rethink of the future direction of Europe when the leaders of the EU27 meet this Saturday March 25th in Rome for the 60th anniversary celebrations of the Treaty of Rome.

To see off the rise of the extreme right and reverse Brexit will require a rewrite of the Treaty of Rome to convert it to a ‘Treaty of Home Europe-wide’. (The changes required are detailed in the report’s Annex) This will involve the reintroduction of border controls to people, goods, capital and services to allow local economies to be protected and nurtured continent wide. Cross border issues like responding to non European migration, climate change, pollution, crime and military security would still require intra European cooperation. These measures could build a sense of hope and support for this more cohesive European future and so halt the EU’s present descent into potentially terminal unpopularity.

The fundamental changes proposed can be summarised as:

EC Treaty of Rome Article 3 (ex Article 3) (c) an internal market characterised by the abolition, as between Member States, of obstacles to the free movement of goods, persons, services and capital;

Proposed ‘Treaty of Home’ Article 3 (ex Article 3) (c) a market characterised by the maintenance, as between Member States, of appropriate controls to the free movement of goods, persons, services and capital in order to allow regional, national and local economies to prosper.

Brexit, Trump and Europe’s extreme right all owe their success to addressing citizen’s concerns not just for stricter immigration controls, but also for protection of domestic jobs. Most other political groupings are still pandering to the demands of big business and finance and sticking to outdated calls for the retention of open borders to goods capital, services and most politically contentious –people. Compare

this cloth eared, slow footed stumbling by left and centre parties with the victories of Nigel Farage, Donald Trump and the rise of Marine Le Pen. They shrewdly offer voters their first opportunity to reject inadequately controlled immigration as well as addressing protection for local employment

The Treaty of Rome by contrast has resulted in the rapid migration of workers, relocation of businesses and has increased economic insecurity Europe wide through open internal borders. This is seen most dramatically following the enlargement to Eastern Europe countries starting in 2004. Following the accession of these states to the EU, migrant labour has been moving west in their millions whilst capital and manufacturing jobs have moved east. The numbers involved and the rapidity of migration has helped fuel the rise of extreme right parties across Europe. Migration was also the major cause of the UK's Brexit vote.

For the Free Movement of People -The Political Times They Are A Changing

The report outlines how the free movement of people is beginning to be reconsidered by leaders across Europe and could therefore be a crucial first step to changing the Treaty of Rome to a Treaty of 'Home'. This is such a huge shift that a decade long transition mechanism is likely to be necessary to fully achieve it. One aspect could start immediately however. That would be the application of a 10 year brake on uncontrolled immigration of citizens between European countries to allow countries to manage migration to suit their domestic priorities. There is a precedent of a kind here with the transitional provisions of the EU enlargement process which allowed for restrictions on the free movement of workers from the new EU member countries for a period of up to 7 years.

The point to keep in mind is that other than the Treaty of Rome no other free trade agreement in the world insists on the free movement of people, neither do the rules of the World Trade Organisation. It is impossible to imagine for example that the North American Free Trade Agreement between the US, Canada and Mexico would ever have come into force had it insisted on the free movement of people.

So Bye Bye Brexit

This pan European trend for demanding more controls on the free movement of people will become evermore evident as the Brexit negotiations proceed. Since uncontrolled migration was the key cause of the vote to leave Europe, then this, plus the increasing awareness of the adverse economic and social implications of crashing out of the EU, could lead to resurgent calls for the UK to reverse Brexit in the light of these changing realities.

Gradual Replacement of the Single Market with the 'Protected Market'

For virtually all activists and commentators opposed to Brexit there has been a stampede to a defensive position of glorifying the continued membership of the Single Market, with its economic advantages for some of open borders and possible

increases in exports. Discussions about the future shape of Brexit have therefore centred on the conflict between controlling the free movement of people versus the perceived advantages of continued access to the Single Market.

However as the Brexit negotiations carry on and the rise in opposition to the free movement of people and job relocations grow, then a move towards a more protectionist Europe will itself require changes in the Single Market. As EU calls and policies to increase border controls mount, two advantages become apparent. Firstly, this will bring European policies more in line with the will of the majority in the UK. Secondly, controls on the present unfettered movement of goods, capital and people will also lessen the present adverse social and environmental effects of open borders. These include the relocation of jobs, offices and factories and the absurdly splintered industrial production processes found for example in the car industry.

The Car Industry as an Example of the Downsides of the Single Market

Jobs Goes East

In terms of job losses or new jobs relocated away from Western Europe, the automobile industry in Eastern Europe now produces approximately one fifth of Europe's cars i.e. 3 million cars. The companies involved include VW, and its subsidiary Audi, General Motors' subsidiary Opel, Daimler, Mercedes, Peugeot-Citroen, Ford Europe and the Asian firms Hyundai-Kia, Toyota, and Suzuki. The reason is simple, the search for higher company profits by taking advantage of more limited labour rights and lower wages. According to Audi CEO Rupert Stadler "An hour of labour in Hungary costs €13, in Germany, depending on the activity, between €40 and €52." In Bulgaria and Romania, they are estimated at less than €5, and in Ukraine they are just as low".

The Environmental Lunacy of 'Car Part Miles'

The car industry has probably exploited the open border single market more than any other sector. The result is the environmental lunacy for example of the production process for a crankshaft used in the BMW Mini. This involves a zig zag journey crossing the Channel three times in a journey of over 2000miles. It is cast in France, milled in the UK, inserted into the engine in Germany and put into the Mini in the UK. If the finished car is to be sold on the continent then the crankshaft, inside the finished motor, will cross the Channel for a fourth time.

<https://www.theguardian.com/business/2017/mar/03/brexit-uk-car-industry-mini-britain-eu>

However under the protectionist direction set for all EU countries by the Treaty of 'Home', Member States will be able to control their own borders to protect and rebuild each national economy. This would enable the replacement of the Single Market over a ten year transition period with a 'Protected Market'.

A Big Shake Up for Big Business, But More Economic Certainly for Europe's Citizens

A transition of this scale will of course require a massive rethink and change of direction on the part of politicians, big business and finance away from prioritising exports and foreign investment towards the 'site here to sell here' and the 'invest here to prosper here' approaches inherent in the Treaty of 'Home'.

Over the last few decades workers and communities were expected to accept the adverse changes that neoliberalism has brought to whole regions, in the name of worshipping at the altar of international competitiveness. Now its time for the interests of the majority to be paramount, rather than those who have got richer on the back of evermore open borders.

The final point to remember is that other than the Treaty of Rome no other free trade agreement in the world insists on the free movement of people, neither do the rules of the World Trade Organisation. It is impossible to imagine for example that the North American Free Trade Agreement between the US, Canada and Mexico would ever have come into force had it insisted on the free movement of people.

Why The Treaty of 'Home' Can And Must Be Achieved

Activists and European parties of the left, greens, centre as well as those supported by localist, small 'c' conservatives will gain support by campaigning for such a radical change in direction of the EU, since this would put them more in line with public opinion and allow them to play catch up and then counter Europe's extreme right. The latter have so far had the political monopoly on policies for curbing high migration and protecting local jobs from imports.

Given the key elections looming this year in France and Germany, dealing with immigration and insecurity is something that all political groupings will have no choice but to address. If they don't then the extreme right could triumph and the rest will still be left babbling that open borders and uncontrolled immigration between EU countries are irreversible. This will leave them as quaintly passé and irrelevant as those who once asserted that the sun would never set on the empire.

2. Reversing Brexit And Rescuing Europe's Economies By Changing The Treaty Of Rome To The 'Treaty Of Home'

When the EU leaders, minus Theresa May meet next Saturday March 25th in Rome for 60th anniversary celebrations of the Treaty of Rome, one issue should dominate their discussions about the future direction of Europe. This is how to respond to the extreme right's growing support across Europe based on their addressing citizen's concerns not just for stricter immigration controls but also for protection of domestic jobs. Most other parties are still pandering to the demands of big business and finance to maintain evermore open borders to goods capital, services and most politically contentious –people. Brexit, the election of Trump, and the underestimated rise of Le Pen are all due to their shrewdly offering voters their first opportunity to reject inadequately controlled immigration and demand protection for local employment.

Yet there is a way to see off the extreme right, to cause a rethink of Brexit and increase economic security in all nations and that is to start discussion on replacing the Treaty of Rome with a Treaty of 'Home' Europe wide. The former is an outdated agreement has resulted in the rapid migration of workers, relocation of businesses and has increased economic insecurity Europe wide through open borders. To reverse this and instead build a sense of hope and support for a cohesive European future will require border controls on people, goods and capital to allow local economies to be protected and nurtured continent wide. In short a rewrite of the Treaty of Rome to convert it to a 'Treaty of Home Europe-wide'.

The EU plans to use its 60th anniversary celebrations in Rome to issue a Rome declaration which according to a draft will assert that: "We are determined to make the EU stronger and more resilient; we need to show even greater unity and solidarity among EU member states. Unity is a necessity, not an option... Taken individually, we would be sidelined by global dynamics. Standing together is our best chance to influence them, and to defend our common interests and values." [1\)](#)

All of these noble desires will be more likely to be achieved by changing the Treaty of Rome to a Treaty of 'Home' Europe wide. But first it is useful to look at how the idea of a united Europe went from being one of optimism and hope to one beset with the problems that surround it today.

Europe's 60 Year Path from Hope to Disillusionment

European Commission President Jean-Claude Juncker has said he hopes that the UK will rejoin the European Union at some point in future. He said he did not like Brexit because he wanted "to be in the same boat as the British...The day will come when the British will re-enter the boat, I hope,"

Former UKIP leader Nigel Farage said: "The ship will have sunk by then." [2\)](#)

Those who like me are in their 90s, who grew up in the shadow of the Great War and then experienced the '39-'45 one as adults, remember or were taught that Europe was a jigsaw of nations constantly at war with each other for economic or religious reasons. Surely we cannot wish to vote against our hard-won union after all those centuries of conflict. Certainly it is an imperfect union, but it is possible to reform it if the will is there. I believe that it is too valuable to be destroyed in a fit of resentment, pique or disillusion. I sincerely hope that my fellow oldies and others will consider the cruelties and disasters of past centuries and vote to stay in a reformed organisation.

Ruth Karnac Ruislip, Middlesex [3](#))

This latter poignant, eloquent plea, which appeared in the Letters page of the Guardian newspaper eight months before the Brexit vote of June 23rd 2016, probably encapsulates what most of us would like from Europe. Compare that with first two quotes above. Some too late in the day handwringing about Brexit by European Commission President Jean-Claude Juncker and the tart, bad tempered response from Nigel Farage. These show how far today's Europe has fallen from grace, compared with its founding fathers original intentions.

It is therefore crucial to consider not just the original reasons for the emergence of this 'hard won' European cooperation, but also to understand how it came to be undermined by a series of political and economic changes. These have resulted in large swathes of the European population today turning against the European Union.

Key Events In Post War European Cooperation

An Optimistic Start

The European Economic Community was originally conceived as an exercise in economic interdependence to ensure that old enmities, particularly between Germany and France that had devastated Europe twice in the first half of the 20th century, never happened again. The EEC came into existence with the signing of the Treaty of Rome in 1957. The original six members Belgium, France, Germany, Italy, Luxembourg and the Netherlands had economies at pretty much the same level. Through the late fifties to the early 80s, (Denmark, Ireland and the UK joined in 1973) the region prospered and memories of extreme right governments and serious tensions between the member states fell away. The joining of poorer former dictatorships such as Greece in 1981 and Portugal and Spain in 1986, although requiring substantial regional aid from the richer countries, resulted in improved national economies and did not cause the levels of migration feared by some.

Things Started To Turn Sour

The called golden age between 1945 and the seventies was the result of a mixed economy where government's actively managed their economies to produce unusually high and sustained growth, together with full employment. This came to an end in the 70s when two massive oil price rises and a resulting dramatic slowdown in economic activity resulted in stock markets falls and recession. This enabled free market proponents to set about replacing Keynesianism. By the end of

the seventies this economic policy shift was reinforced globally by the election of Margaret Thatcher in 1979 and Ronald Reagan in the US in 1980.

The focus on full employment and stimulating demand was gradually dismantled. It was replaced with an alternative that prioritised price stability over jobs and focused on wage moderation and labour market 'reform' i.e. less labour rights and trades union bargaining power. This was the main route to achieve the new deification of competitiveness with its increasing emphasis on privatisation and the liberalisation of financial markets. These trends were strengthened at a European level by the signing in 1986 of the Single European Act (SEA). This resulted in the launch of the Single Market on the 1st January 1993, with its increasing emphasis on the four 'fundamental freedoms', the free movement of goods, people, services and capital.⁴⁾ As a way to bypass national opposition to free movement provisions, the Act replaced the rule of unanimity with qualified majority voting in the Council of Ministers.

The Single European Act was seen as a fundamental part of the process of slowly and irreversibly centralising power in Brussels. The free market screw was further tightened by the Maastricht Treaty, which formally proposed the introduction of the single currency. This was followed in 1996 by the Stability and Growth Pact, which established strict convergence criteria for joining the euro. This was similar to the Structural Adjustment Programmes that the World Bank and IMF had imposed on developing countries in the 1980s, with disastrous consequences for their economies and for the poor in particular.⁵⁾

In 2002 the euro was introduced, and the eurozone now consists of 19 of the 28 member states of the European Union: Austria, Belgium, Cyprus, Estonia, Finland, France, Germany, Greece, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, The Netherlands, Portugal, Slovakia, Slovenia and Spain.

Membership has resulted in a loss of sovereignty particularly in terms of setting the level of a state's currency, since that is now controlled by the European Central Bank. As the economy of Europe floundered during the noughties, especially after the 2008 banking crises, the recovery programme has been dominated by austerity. This has decreased economic activity across most of Europe and increased unrest particularly in Southern Europe where its effects have been most severe.

The final nail in the coffin of the European Union, in terms of taking it ever further away from the economic security and prosperity for the majority of its first two decades, was the enlargement to Eastern Europe countries starting in 2004.

Following the accession of these states to the EU, migrant labour has been moving west in their millions ⁶⁾ whilst capital and manufacturing jobs have moved east. The numbers involved and the rapidity of migration has helped fuel the rise of extreme right parties across Europe. This situation was further exacerbated by the refugee crisis in Europe. Migration was also the major cause of the UK's Brexit vote.

The Car Industry Goes East

In terms of job losses or new jobs relocated away from Western Europe, the automobile industry in Eastern Europe now produces approximately one fifth of Europe's cars i.e. 3 million cars. The companies involved include VW, and its

subsidiary Audi, General Motors' subsidiary Opel, Daimler, Mercedes, Peugeot-Citroen, Ford Europe and the Asian firms Hyundai-Kia, Toyota, and Suzuki. The reason is simple, the search for higher company profits by taking advantage of more limited labour rights and lower wages. According to Audi CEO Rupert Stadler "An hour of labour in Hungary costs €13, in Germany, depending on the activity, between €40 and €52." In Bulgaria and Romania, they are estimated at less than €5, and in Ukraine they are just as low". 7)

The Treaty Of Rome: The Only Trade Agreement Demanding Uncontrolled Migration

The Treaty of Paris established the European Coal and Steel Community in 1951, which included a right to free movement for workers in these two industries. In 1957 the Treaty of Rome provided a right for the free movement of people within the European Economic Community.8)

In reality the necessary measures for progressively implementing free movement of workers, as provided in Article 48 of the EC Treaty, did not start to take shape until the end of the 1960s. Before that, like any other foreign workers, Europeans who intended to work in a different member state were submitted to the national immigration laws and had to request a work and residence permit, to which states could discretionarily decide not to give their consent. This practice was valid until 1968.

Since 1968, the European Court of Justice has strongly promoted this free movement continuously through its judgments, especially by extending and reinforcing the rights of workers in host countries and fighting discriminations based on nationality.9)

No other free trade agreement in the world insists on the free movement of people, neither do the rules of the World Trade Organisation. It is impossible to imagine for example that the North American Free Trade Agreement between the US, Canada and Mexico would ever have come into force had it insisted on the free movement of people.

Europe At A Dangerous Crossroad

We are running out of time. Tackling the increasingly obvious downsides of open borders has to be done fast. Europe is quite simply at an economic and political crossroad of the kind last seen in the insecure Thirties. The key question is what new narrative will win over the majority of the public and with what end goal and policy programme.

From a progressive's perspective it has to be one that can see off the rise of extreme right wing nationalism, which is increasingly dominating political ideas and winning evermore votes. It must take our continent into a new more hopeful future by offering the majority a sense of economic security and controlled immigration, similar to that enjoyed in Western Europe during the fifties, sixties and early seventies. To achieve this will require a localist programme that the left, green and small 'c' conservatives could unite around.

This is exactly the purpose of replacing the Treaty of Rome with a 'Treaty of Home' Europe-wide. It will enable the EU to provide a policy framework that will prioritise

protection of domestic markets in order to revitalise local, national and regional economies in a way that improves social conditions and environmental protection. This could then act as a spur for other regional blocs to consider adopting a similar radical alternative to globalisation.

3. Changing The Treaty of Rome To The ‘Treaty of Home’

The Difference Between The Treaty of Rome And The ‘Treaty of Home’

The Treaty of Rome insists that there be no controls on the free movement of people, goods, money and services within Europe. What seems to have been overlooked by those who insist that these four freedoms can never be amended is the fact that they were not hewn out of stone by Moses. Rather they are the product of an outdated political agreement that is now increasing economic insecurity through austerity, relocation of businesses and the rapid migration of workers. As a result there is rising public and political opposition to these adverse effects and people instead are demanding a better and more secure future for themselves, their country and Europe as a whole.

The Essence of the ‘Treaty of Home’ [10](#)

At its heart is this fundamental shift:

EC Treaty of Rome

Article 3 (ex Article 3)

(c) an internal market characterised by the abolition, as between Member States, of obstacles to the free movement of goods, persons, services and capital;

Proposed ‘Treaty of Home’

Article 3 (ex Article 3)

(c) a market characterised by the maintenance, as between Member States, of appropriate controls to the free movement of goods, persons, services and capital in order to allow regional, national and local economies to prosper;

Transforming the Treaty of Rome into a ‘Treaty of Home’ Europe-wide

In order to start a debate on how to achieve this radical change I have taken some of the key parts of the EC Treaty¹¹ which underpin the present damaging free market direction of the EU and replaced those aspects of the Treaty of Rome with an alternative wording for a ‘Treaty of Home’ (For the detailed Treaty changes see the Appendix at the end of this chapter).

4. Campaign to Turn the Treaty of Rome into a ‘Treaty of Home’

Ask Europeans If They Want Border Controls

To really turn the EU from its relatively recent job-destroying, socially divisive and sometimes environmentally damaging trajectory will require a continent-wide debate. This could be backed up by a referendum, about whether European member states should be allowed to protect and rediversify their national economies. To start this process and to judge the strength of public support, a series of Europe-wide polls could be taken. This would involve gauging support for the return to the nation state of the power to control the flow of goods, money, services and people at their borders. On supranational issues such a grouping of countries would of course need to work co-operatively to tackle cross-border matters such as climate change, pollution, crime and external migration.

Europe is a powerful enough bloc to implement such a radical programme. It is likely to find increasing support from a populous fast falling out of love with open borders, particularly if the politically active start to campaign for it. This approach, with its potential to improve economic, social and environmental conditions for the majority, could then act as a spur for other regional blocs to consider adopting a similar radical and progressive alternative to globalisation.

A Big Shake Up for Big Business, But More Economic Certainly for Europe’s Citizens

A transition of this scale will of course require a massive rethink and change of direction on the part of politicians, big business and finance away from prioritising exports and foreign investment towards the ‘site here to sell here’ and the ‘invest here to prosper here’ approach of Progressive Protectionism.

The obvious advantage of a Nation State taking back control of its economic destiny is that it can prioritise and maximise local economic activity and employment. The environmental advantage of such an approach is less transportation of materials between countries. Also since the emphasis will be on domestic production and ever less imports, then there will be a push for maximum efficiency of energy and materials use, recycling of waste materials and longevity of products. Circular Economy advocates also emphasise the need for the recover and regeneration of products and materials at the end of their ‘service life’.¹²⁾

An example of this in practise will be a shift away from the present integrated market of the car industry, where components are made in a variety of countries and shipped abroad for assembly in another country. Instead, all component production and assembly needed to meet the automobile demand of a country will take place domestically. In the case of very small countries, they could make use of an intergovernmental cooperation programme such as exists with the three neighbouring Benelux countries of Belgium, the Netherlands, and Luxembourg.¹³⁾ Technological changes such as 3D printing and small batch production processes will make such a national emphasis more economically viable.

Of course those big business sectors which have thrived from open borders have done so by increasingly playing countries off against each other and they will fight such developments. Their history is one of threatening relocation if governments don't bow the knee to their calls for the reversing of previous improvements in European workers' rights, environmental standards and adequate levels of taxation. Any reduction in these powers, such as a process to introduce the 'Treaty of Home', will result in vociferous protests and a huge campaign against such changes by the powerful, echoed by their media and political supporters. They are however going against the flow of history, which is beginning to move away from globalisation and towards the protection of national economic interests with its potential to benefit the majority.

Over the last few decades workers and communities were expected to accept the adverse changes that neoliberalism has brought to whole regions, in the name of worshipping at the altar of international competitiveness. Now its time for the interests of the majority to be paramount, rather than the minority who have got richer on the back of evermore open borders.

A Ten Year Transition For Implementing the 'Treaty of Home'

The first step in this transition could involve the process of Brexit. Now that the intended timetable for the UK to leave the EU by around April 2019 has been announced, it is crucial that those who don't want to see Brexit actually occur, and those who don't want their own countries to follow the UK's lead, to start calling for changes in the Treaty of Rome. This must initially focus on the issue where public opinion across Western Europe is strongest i.e. halting the free movement of people. It will then be crucial that there is also a rapid call to include changes in the Treaty to allow each country to control the movement of goods, capital and services to regain overall control of their national economies.

This is a huge change and a decade long transition mechanism is likely to be necessary to fully achieve it. This would start with a 10 year brake on uncontrolled immigration. There is a precedent of a kind here with the transitional provisions of the EU enlargement process which allowed for restrictions on the free movement of workers from the new EU member countries for a period of up to 7 years.¹⁴⁾

Once that is on the table the extreme right parties across Europe might well insist that this be introduced, perhaps in some countries calling for referendums on the issue. Given the key elections looming in 2017 in France and Germany this could be a demand that will have to be considered by an increasing number of governments. Eastern Europe would be initially against this, but could be offered financial aid plus it would have the advantage that their permanent domestic brain drain could end.

This ten year transition concept and the pro local regulations likely to be prompted by the 'Treaty of Home' could then result in a gradual shift of business and investment decisions and regulations towards increased production and investment domestically. For this to occur, as has been pointed out, a shift of public attention away from its present concentration on the free movement of people, towards also opposing the free flow of goods, capital and services will be required.

This will necessitate a large scale, coordinated campaign by those who will eventually benefit from such changes. This will involve the constant reiteration of how the 'Treaty of Home' will benefit domestic economic activity and services. Alongside that approach frequent comparisons with today's adverse realities must be brought to the public's attention. These could include examples of industries relocating and how key strategic industries such as steel are being threatened by imports from countries outside Europe such as China, helped by the EU's misnamed State Aid rules. It must also make clear how the flow of capital is hastening ownership of property for investment by foreigners at the expense of local housing availability and affordability and finally how national businesses are being taken over by foreign big business and as a result their future as a local employer is far less secure.

As Well As Achieving The 'Treaty Of Home', The Single Market Has To Be Replaced By The 'Protected Market'

The end result of the Europe-wide shift from Keynesianism to an increasing emphasis on the free market noted earlier has been the glorification of the Single Market, with its open borders and potential for evermore export led growth. This is particularly the case in the UK's post Brexit discussions which have centred on the conflict between controlling the free movement of people versus the perceived advantages of continued access to the Single Market.

The next step is therefore to use the overarching protectionist direction set by the 'Treaty of Home' in order to replace the Single Market by a 'Protected Market'. This will make use of the prioritisation of the Nation State's ability to control its borders in a way that protects and rebuilds each national economy. Added to this will be an emphasis on the need of every country to cooperate with its European neighbours on cross border issues like pollution control, crime, terrorism, refugees etc.

The Environmental Idiocy of 'Car Part Miles'

The car industry has probably exploited the open border single market more than any other sector. The result is that the production process for a crankshaft used in the BMW Mini for example involves a zig zag journey crosses the Channel three times in a journey of over 2000miles. It is cast in France, milled in the UK, inserted into the engine in Germany and put into the Mini in the UK. If the finished car is to be sold on the continent then the crankshaft, inside the finished motor, will cross the Channel for a fourth time. The carbon footprint of this bizarre and wasteful multi country production process is one that is environmentally unsustainable.¹⁵⁾

Why Should Such An Overarching Shift Away From Open Borders Occur

In 2016, the 'globalisation is like gravity' brigade saw their fixed certainties turned upside down by the election of Donald Trump and the further rise of Marine Le Pen. What they and other extreme right wing parties in Europe had in common was not just an opposition to inadequately controlled immigration, but also an increasingly politically effective anti globalisation stance.

However it is not just these parties who are turning their backs on globalisation, there has also been an increase in the introduction of protectionist measures by governments, much to the consternation of the free market cheerleaders of Davos, the IMF and the WTO.¹⁶⁾

A week before the 60th Anniversary of the Treaty of Rome the finance ministers from the G20, the world's biggest economies, dropped the previous year's pledge to "resist all forms of protectionism". The watered-down commitments on free trade reflected the anti-globalisation mood that Donald Trump has brought to Washington.¹⁷⁾

At the risk of sounding overblown we are therefore now at a moment where the 'open borders uber alles' narrative that took centre stage with the elections of Margaret Thatcher and Ronald Reagan is coming to an end. Under pressure from disadvantaged citizens and extreme right parties, elected governments are increasingly being forced to increase border controls and those that don't are having their political future threatened.

As has been pointed out to take advantage of this trend and to steer it towards a more pro environment, progressive agenda will need a dramatic new narrative, one which people feel addresses their need for economic security and concerns about immigration. This is exactly what the 'Treaty of Home' attempts to provide.

For the Free Movement of People -The Political Times They Are A Changing

Free movement is a founding principle of the EU, enshrined in the treaties in 1957. But it is not an unconditional right. To be lawfully resident in another member-state, EU citizens need to be working, studying, or able to prove that they are self-sufficient.....With the rise of populism and the EU's sagging popularity, the era of extending free movement rights has come to an end – just as the UK is leaving the EU.

What Free Movement Means To Europe And Why It Matters To Britain, Centre for European Reform, 19 January 2017¹⁸⁾

It may be too late for the British government to use this widespread climate of concern about migration in order to lead a debate that change is needed in the common EU rules implementing free movement principles. On the other hand, pressure from populist parties to change the status quo has never been higher and is likely to have an impact on national policies after elections in the Netherlands, France, and Germany.

Reform or Reject? Policy Network And Open Britain, March 2017¹⁹⁾

The free movement of people is being reconsidered across Europe and could therefore be a crucial first step to changing the Treaty of Rome to a Treaty of 'Home'. This would be a huge shift and a decade long transition mechanism is likely

to be necessary to fully achieve it. This could start with a 10 year brake on uncontrolled immigration. There is a precedent of a kind here with the transitional provisions of the EU enlargement process which allowed for restrictions on the free movement of workers from the new EU member countries for a period of up to 7 years.

It is not just the extending of free movement rights that is coming to an end, the discussion across Europe is increasingly one of putting more constraints on internal migration. There has been much detailed analysis of the changing views of European Governments towards the question of the free movement of people since Brexit and Trump and the rise of Marine Le Pen and other far right parties.[20\)](#)

A reformed, Europe-wide approach to free movement could include some of the policies agreed by the EU27 a year ago during David Cameron's renegotiation, such as an emergency brake on benefits paid to migrants. They also agreed it is legitimate to take measures where an exceptional inflow of workers from elsewhere in the EU is causing serious problems to a Member State's welfare system, labour market or public services. The potential of these were seen as significant on the Continent, since this demonstrated that national discretion in the application of EU rules can be permitted.

The German parliament is just passing a five-year ban on all benefits for non-German EU citizens [21\)](#) and other examples of support for such an approach were listed in a recent Policy Network report. [22\)](#) The previous Dutch Deputy Prime Minister Lodewijk Asscher stating that "support for free movement is crumbling when people see that it turns out to be so unfair" and Britain leaving the EU "gives a unique opportunity to do this in a very different way". Former Danish Prime Minister Helle Thorning-Schmidt and former Finnish Prime Minister Alexander Stubb, have called for debates on the application of the free movement principle.

The European Commission has recently tightened up its rules on access to social security, saying that Member States may decide not to grant social benefits to mobile citizens who are economically inactive, meaning those who are not working nor actively looking for a job, and do not have the legal right of residence on their territory. The EU Commission's Vice-President Jyrki Katainen has talked of understanding the "unwanted consequences" of freedom of movement.

The Social Democrat Austrian Chancellor, Christian Kern, has called for the EU to reconsider freedom of movement rules and in particular consider discrimination in favour indigenous job-seekers. He has proposed a system whereby "only if there is no suitable unemployed person in the country can [a job] be given to new arrivals without restriction".

Given this it is small wonder that the former UK Deputy Prime Minister Nick Clegg stated 'There's plenty of politicians across the European Union who are now volubly saying that they think there needs to be a change to freedom of movement. So there

is scope for a Europe-wide approach to this which I think would satisfy some of the government's needs.' 23)

Indeed Sir Vince Cable who was business secretary under the previous UK coalition government went further in stating that "There is no great argument of liberal principle for free EU movement; the economics is debatable; and the politics is conclusively hostile....I have serious doubts that EU free movement is tenable or even desirable," Indeed Cable didn't just advocate controls on migration, he also argued that it should be matched by controls on capital to halt the takeovers that he described as suffocating the innovative companies on which the country's future depends. 24) One final and significant straw in the wind concerning changing attitudes to the free movement of people came when Jean-Claude Juncker the president of the European Commission presented five options on the EU's future in a White Paper to the European parliament in Brussels. This occurred a few weeks before the summit in Rome at the end of March, when as has been noted 27 heads of state and government will debate the EU's future and celebrate its 60th anniversary of the bloc's founding treaty.

Juncker hopes EU leaders, who are deeply divided on migration and the eurozone, can sign up to a plan before European elections in 2019. Interestingly in terms of the free movement of people was that one of the options included focusing the EU on the single market and allowing common foreign and migration policy to wither. It included: 'There is no shared resolve to work more together in areas such as migration, security or defence.... the free movement of workers and services is not fully guaranteed... There are more systematic checks of people at national borders due to insufficient cooperation on security and migration matters...Migration and some foreign policy issues are increasingly left to bilateral cooperation'. 25)

So Bye Bye Brexit

This pan European trend for demanding more controls on the free movement of people will become evermore evident as the Brexit negotiations proceed. Since uncontrolled migration was the key cause of the vote to leave Europe, then this, plus the increasing awareness of the adverse economic and social implications of crashing out of the EU, could lead to resurgent calls for the UK to reverse Brexit in the light of these changing realities.

Thus while the Brexit process is in train it is possible that the major reason for the UK voting Brexit- uncontrolled immigration could be put on hold whilst there is a rewrite of the Treaty of Rome to accommodate this. By that time the man behind the only poll to get the result of the 2015 UK general election right Professor John Curtice 26) has said voters may indeed change their minds if the bad consequences of leaving become apparent in a drip-drip of closing factories, a flight of jobs 27) and emptying City glass towers, as London's financial institutions lose access to the single market. 28)

Why The Treaty of 'Home' Can And Must Be Achieved

For this huge transition towards the protection of local economies to be achieved would need a large scale, coordinated campaign by those who will eventually benefit from such changes. This will involve the constant reiteration of how the “Treaty of Home” will benefit domestic economic activity and services as compared with the present adverse effects of the four so called freedoms. These have included foreign steel and other imports hurting manufacturing, overseas companies snapping up domestic ones and inadequately controlled immigration growing alarmingly.

Activists and European parties of the left, greens, centre as well as those supported by localist, small ‘c’ conservatives will gain support by campaigning for such a radical change in direction of the EU, since this would put them more in line with public opinion and allow them to play catch up and then counter Europe’s extreme right. The latter have so far had the political monopoly on policies for curbing high migration and protecting local jobs from imports.

Given the key elections looming this year in France and Germany, dealing with immigration and insecurity is something that all political groupings will have no choice but to address. If they don’t then the extreme right could triumph and the rest will still be left babbling that open borders and uncontrolled immigration between EU countries are irreversible. This will leave them as quaintly passé and irrelevant as those who once asserted that the sun would never set on the empire.

APPENDIX

THE DETAILED TREATY CHANGES

Transforming the Treaty of Rome into a 'Treaty of Home' Europe-wide

TREATY OF ROME ²⁹⁾

ARTICLE 2

The Community shall have as its task, by establishing a common market and progressively approximating the economic policies of Member States, to promote throughout the Community a harmonious development of economic activities, a continuous and balanced expansion, an increase in stability, an accelerated raising of the standard of living and closer relations between the States belonging to it.

'TREATY OF HOME'

ARTICLE 2

The Community shall have as its task, by establishing a common environmentally sustainable, socially enhancing and locally diversified market which maximises the provision of goods and services nationally to promote throughout the Community a harmonious development of economic activities, a high level of employment and of social protection, equality between men and women, sustainable environmentally benign and socially positive economic activity, a high level of protection and improvement of the quality of the environment, the raising of the standard of living and quality of life, and economic and social cohesion and solidarity among Member States.

TREATY OF ROME

ARTICLE 3

For the purposes set out in Article 2, the activities of the Community shall include, as provided in this Treaty and in accordance with the timetable set out therein

- the elimination, as between Member States, of customs duties and of quantitative controls on the import and export of goods, and of all other measures having equivalent effect;
- the establishment of a common customs tariff and of a common commercial policy towards third countries;
- the adoption of a common policy in the sphere of agriculture;
- the adoption of a common policy in the sphere of transport;
- the institution of a system ensuring that competition in the common market is not distorted;
- the application of procedures by which the economic policies of Member States can be co-ordinated and disequilibria in their balances of payments remedied;

the approximation of the laws of Member States to the extent required for the proper functioning of the common market;
the creation of a European Social Fund in order to improve employment opportunities for workers and to contribute to the raising of their standard of living;
the establishment of a European Investment Bank to facilitate the economic expansion of the Community by opening up fresh resources;
the association of the overseas countries and territories in order to increase trade and to promote jointly economic and social development.

‘TREATY OF HOME’

ARTICLE 3

For the purposes set out in Article 2, the activities of the Community shall include, as provided in this Treaty and in accordance with the timetable set out therein

the elimination, as between Member States, of customs duties and of quantitative controls on the import and export of goods, and of all other measures having equivalent effect;
the establishment of a common customs tariff and of a common commercial policy towards third countries;
the abolition, as between Member States, of obstacles to freedom of movement for persons, services and capital;
the adoption of a common policy in the sphere of agriculture;
the adoption of a common policy in the sphere of transport;
the institution of a system ensuring that competition in the common market is not distorted;
the application of procedures by which the economic policies of Member States can be co-ordinated and disequilibria in their balances of payments remedied;
the approximation of the laws of Member States to the extent required for the proper functioning of the common market;
the creation of a European Social Fund in order to improve employment opportunities for workers and to contribute to the raising of their standard of living;
the establishment of a European Investment Bank to facilitate the economic expansion of the Community by opening up fresh resources;
the association of the overseas countries and territories in order to increase trade and to promote jointly economic and social development.

TREATY OF ROME

ARTICLE 30

Quantitative controls on imports and all measures having equivalent effect shall, without prejudice to the following provisions, be prohibited between Member States.

‘TREATY OF HOME’

ARTICLE 30

Quantitative controls on imports, and all measures having equivalent effect shall be permitted between Member States in order to further the protection and rebuilding of regional, national and local economies;

TREATY OF ROME

ARTICLE 34

1. Quantitative controls on exports, and all measures having equivalent effect, shall be prohibited between Member States.

'TREATY OF HOME'

ARTICLE 34

1. Quantitative controls on exports, and all measures having equivalent effect, shall be permitted between Member States in order to further the protection and rebuilding of regional, national and local economies.

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