Europe in Solidum

The formation and limitations of Solidarity

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Introduction:

A popular means of measuring public support for the EU the Eurobarometer, amongst other questions, ask whether the questioned individuals trust the EU. Out of the 1000 persons asked per nation, the resulting EU average in 2017 indicates that 48% do not; while 41% do trust in the EU (11% did not know). (European Commission, 2017) It must be noted that the views of those 1000 people per nation may not be wholly representative of the sentiments of the total populations, in part due to the sample size. However, if we were to consider trust as an indicator of Solidarity, it would seem that the EU is split in half over whether it trusts its MS or not. To some that might be worrisome. One might present the argument that those that don't trust the EU is because they don't know about it well enough. But it does show that by not trusting they also aren't really close to the EU.

The purpose of this thesis is to discuss with as much nuance as we can, **a structural concept of the formation and structure of Solidarity.**

To that end we ask ourselves two questions. How is Solidarity formed? And what are some the limitations of Solidarity within the EU?

In order to answer those two questions we split this thesis into two Chapters. In the first chapter we will be drawing on an interdisciplinary approach. We will build our understanding of Solidarity from the meaning of the word, to the psychology of group formation. From that we will discuss how individuals engage with their societies both in their immediate and abstract surroundings. Finally we will discuss the notion of networks and the networks society and how groups unify in bigger structures and including larger populations. In the second chapter we will critically analyse several elements within the governing Treaties of the EU, as well as performing a structural analysis of the EU institutions. We will apply our understanding of Solidarity in order to identify how Solidarity might manifest on the transnational level as well as issues that arise from that scope.

We understand that as a conceptual thesis, more of the stated is hypothetical, and as such would require empirical research in order to back up the extent to which the claims hold. To do that it would be prudent to conduct qualitative research in the European cities and country sides, in order to gain a more in depth understanding of the sentiments between the individuals of nations. And quantitative research in order to establish a better overview over the associations with the different levels of at which Solidarities are formed.

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Chapter 1: The individual and Solidarity in Society

Section 1: Basic linguistic understanding of Solidarity

Solidarity is a loaded term. The interpretations range from various political ideologies on the left and right, to its use in insurance systems and its use amongst the members of trade unions. We thus must first consider the meaning of the word Solidarity. We consider the literal meaning of the word first as we will require a basic understanding, from which we may attempt to explore our conceptual understanding of Solidarity.

The dictionary provides an elementary access point when approaching a new word and concept. Therefore, we argue, that due to the accessibility of dictionaries, the word Solidarity presented in it serves as a collectively agreed base understanding of it within a particular language[1]. We will begin by examining the dictionary translations of the word Solidarity in English, Dutch and German. Our consideration of the language as our first point of access to this concept lies in the understanding that language is the primary tool that the individual has to engage with their wider community[2]. We thus consider that the language one speaks contributes to ones understanding of the concept. We limit ourselves at first to the three mentioned languages, as the author is most proficient in those three.

According to the online Oxford dictionary Solidarity denotes "unity or agreement of feeling or action, especially among individuals with a common interest; mutual support within a group." (oxforddictionaries.com) We note the role that the group plays in Solidarity in the Oxford dictionary definition. The definition provided by the Oxford dictionary, while presenting Solidarity as an in-group phenomenon, states the notion that groups with similar interests are more likely to cooperate with each other. Furthermore, the English definition is somewhat unclear due to the distinction of unity and agreement. However, as agreements between individuals may lead to increased cooperation amongst each other, we argue that over time if agreements outweigh disagreements the individuals become more united.

Solidarity in Dutch (Solidariteit) is defined by the Van Dale dictionary (2017) as "gevoel van een zijn met anderen". That translates as a feeling of oneness with others. From the Dutch translation we note that Solidarity exists as a sentiment, not per se an action. It is not implied how it

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[1] These might divulge as we will discuss later on, however, within a language if one is uncertain of the meaning of a word we make the assumption that one looks into a dictionary, instead of a Priest or Immam, for example.

[2] Not to say that someone who cannot speak, can't communicate with others. Still, if communication is to be made laguage must be utilized in its spoken, written or sign-language forms.

is achieved but does indicate that according to this interpretation Solidarity is something that permeates through a group with an unspecified size. If we consider the element of feeling more we may assume from that, that Solidarity is not something static, as feelings can change based on the experience of the individual. We presume it is not permanent and thus it would have to be rekindled on a regular basis. However, the feeling of oneness with others rather calls to mind a notion of unity within a community.

In the German Duden (2017) dictionary, Solidarity (Solidarität) is defined as "(1) unbedingtes Zusammenhalten mit jemandem aufgrund gleicher Anschauungen und Ziele" and "(2) (besonders in der Arbeiterbewegung) auf das Zusammengehörigkeitsgefühl und das Eintreten füreinander sich gründende Unterstützung". This can be translated as (1) a necessary sticking together with another based on similar views and goals and (2) refers (especially in workers movements) to the unity and standing up for each other as a basis for supporting each other. Similarly, to the other translations the German dictionary presents Solidarity as a form of mutual support between the individual and a wider group that shares his/her beliefs. Furthermore, the German translation also stresses the common ground that a common occupation can provide. However, the German "unbedingt", which translates as necessary or unconditional, may imply a sacrifice of "(free-) will". This lies in the notion that an unconditional support from a group would prevent the individual from criticizing what they are supporting, as the sum of the group prevents the individual from pointing out flaws in the goals of that group, for example. However, as our own translation of it as "a necessary support" implies, it is seen for being mutually beneficial for its participants.

The translations provided above imply a level of homogeneity in the groups where Solidarity exists. It is not implied along what lines they are divided, besides the mention that a common occupation often also implies similar interests and a common ground that binds those individuals to one another.

We can see that Solidarity is implied as a state of being (implying action and feeling in combination) in the German understanding, as a feeling in Dutch and a contract (agreement) in English. We could contend that notion, considering it is not a state of being, but rather the result of some previous action. While it is implied that those that are affected[3] by Solidarity are closer together, it does not inform us if this is created in opposition to another. However, the three translations share the aspect of unity as a condition for Solidarity to be expressed. The nuances

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[3]   We should note that Solidarity can have both an effect and affect on individuals, depending on how they are connected. Though that would require a tangent not suited for this thesis.

within the different definitions may change the approach that individuals have towards Solidarity. None the less we may state that in the case of the three languages presented above, **unity** is a necessary objective for Solidarity to form. As mentioned earlier the lines along which this unity is formed is not defined (besides the occupational unity mentioned in the German translation). As the group is placed above the individual, we can assume that for Solidarity to exist there must be a **compromise** on the individuals' part for the sake of the interests of a group. Next, the English and German translations, to different degrees, consider homogeneous groups, based on similar interests and/or objectives are more likely to cooperate. Finally, all three translations include the consideration that Solidarity may result out of a feeling (communal spirit). The English considers it either that, or an action, and the German sees both action and feeling forming Solidarity together.

We thus state that the basic meaning of Solidarity lies in the unity and support of a group. Furthermore, it requires the participation of the individual for Solidarity to be present. Thus, we consider the individual as the basic ingredient for Solidarity.

Section II: Individuals establishing Solidarity

As we will discuss in this section, a twofold distinction as to how the individual interacts with Solidarity (and by extension, their wider society) will aid us when considering issues with the formulation of a transnational society. Furthermore, we will consider the location of the individual to be related to the groups and ideas they develop Solidarity for.

We will consider here a twofold distinction of how the individual engages in the process of Solidarity. This consideration is important to make, as it may provide an insight into the contributions of the individual to the stability of the EU. By making the distinction we will be able to examine both the immediate surroundings the individual engages with and the broader society, and further off, world they inhabit. The distinction we will be making is based on Durkheim's consideration of a mechanical and organic Solidarity in his book the Division of Labour (1893). Durkheim was considering the differences between the pre-industrial and industrializing world he lived in and what the function of the division of labour in society was (and still is though in a different form to the late 19th century). Out of those considerations, (1) Solidarity emerges as a central factor in the cohesion of a society (as a result of the division of labour) and (2) he distinguishes between mechanical and organic Solidarity. The difference between the two Solidarities he describes, lies in the consideration that individuals within societies that function under mechanical Solidarity share more in common with each other due to a smaller difference in the division of labour. In a society, functioning under organic Solidarity the individuals may hold many different beliefs from each other, yet still function under a cohesive society, due to the interdependence the individual specialists have in a society with an increased division of labour. Durkheim made a historical distinction between the Solidarities resulting out of different modes of labour division. Instead, we will consider, and rename, mechanical as direct Solidarity and organic as indirect Solidarity. Furthermore, we will consider them to exist at the same time. This, we argue, is primarily due to the levels at which the individual participates in society. From the micro-level, where the individual directly connects to other individuals in the direct proximity (in person), to the macro-level, where the individual connects with people by sharing, for example, an ideology[4].

With direct Solidarity, we take into consideration from group psychology that individuals that share more in common with each other are more likely to directly associate with one another

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[4] We note that the historical distinction does not fully work, as technological progress made other jobs obsolete drawing them to the cities. It is in the cities of the Middle Ages were there were guilds and merchants which had a high division of labour relative to his interpretation.

and form a social group. (Hogg, 2000; Tuckman, 1977) However, the type of similarity that attracts people to one another can vary largely between groups. So for example one group may have joined a group because of their "look", another by an ideology, or by working together and again another because they grew up together. The most common groups to which the individual directly connects are found in the family unit and the friend groups they are a part of. (Maimon, et. al., 2008) The colleagues at their workspace also may form a part of their experience of direct Solidarity. (Elsesser, et. al. 2006) Direct Solidarity then is the basic unity that links the individual to their family, their friends and to their workplace. Though we argue that groups form along lines of shared similarities amongst the members of the group, we must also state that personality differences within groups would persist. Differences in personality exist between every individual (Goldberg, 1990), however, the individual joins groups where they are accepted, where they share more in common with their peers. Thus even in a group where the individuals are highly diverse, the direct connection that the individual has with that group, leads to a direct form of Solidarity, binding the group together. The distinction between diversity of personality traits and the similarities that maintain the group must be noted as it may infer a contradiction. However, we consider that the similarities that bring a group together form irrespective of their individual differences. There may be innumerable differences between the individuals of a group but where they overlap they link to each other.

By linking Durkheims direct (mechanical) Solidarity to psychology's group theory; we intend to indicate the psychological basis at which we consider Solidarity to first form. We consider that a correlation can be found in the link between the individual and their own functioning, to the emergence and development of societies.

With indirect Solidarity, we consider that the individual connects to a wider group of people, which do not have the same personal connection as one would with direct Solidarity. According to the notion of organic Solidarity (Durkheim, 1893, p.p. 121), it is through interdependence that the individuals living in a society are incentivised to cooperate with strangers (or rather, act within the rules and norms of a society), as individuals fulfil specialized functions within a society. Through those specialized roles, the individuals within a given society become dependent on the services of others. Durkheim considered that the process of industrialization was are large contributor to the increased specialization of functions, which accompanied the increase of individuals moving from the land to the cities. Through the increased division of labour, the interests of the individuals living within societies, with higher levels of specialization differ greatly from one person to the other based on multiple factors (i.e. Regional accent/language spoken, educational background, religious

beliefs, political stance and occupation).

Here we consider that the individual and his/her identity is linked to their geographical origins and thus determining with whom they show Solidarity based on the shared ties to a location. They may be more invested in their locality (village, town, and city), their region (province, county), nation or transnational region (i.e. EU, ASEAN)[5]. (Saunders, et. al., 2009) We consider the differences in regional identities in individuals as an element of indirect Solidarity, as they bind together individuals, who may never meet, within a particular and recognized territory on the basis of their region. Abrams (et. al., 2002) argues that identities form along the modes in which the individuals communicate with their surroundings. We thus consider that regional deviations of accents within a given language might contribute to varying regional identities. The proximity of a region (with its linguistic and cultural differences within the superstructure of the nation) to the individual leads to an increased identification with that region. The further away the structure is from the individual the less salient it becomes for the individual to identify with it. Thus, it would stand to reason that a transnational structure such as the EU might experience issues in creating a transnational European identity, not per se because it is wrong, but rather because it is further away from the rooted individual. However, it is noteworthy to state that individuals who are not bound to a region (having lived in more than one location) may be inclined to identify themselves along wider lines (i.e. national, transnational, global,). It is noteworthy that the distance from the individual may affect the individuals' perception and support of institutional structures negatively, simply because it is obscure to them.

If we consider voter turnouts in elections in France in the previous European (2014), Parliamentary (2017) and Presidential (2017) elections, we see a participation rate of 42.4% for the European, 42.6% for the Parliamentary and 74.6% for the French Presidential elections, according to the Institute for Democracy and Electoral Assistance (IDEA.int, 2018). While we cannot assume that it is a certainty, the participation rates in France, shown above, may indicate a difference in saliency for the individuals living in France and of French nationality. In this case, it would stand to reason that both the French Parliamentary and European elections are less salient to the French citizens. However, the Presidential election received far higher turnout. As the both French and European Parliamentary elections had low turnouts, one can not argue that the physical distance plays a major role, though one may consider the election of the President as being closer to the electorate.

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5   We consider that those different levels are possible, if, for example the individual did not grow up in a single place, then they might choose to identify with a representative structure above the most immediate location.

Though we considered in the previous paragraphs how the locality and linguistic differences may contribute to the formulation of indirect Solidarities on regional levels, this excludes institutions, private and public, that contribute to the cohesiveness of a society. However, as those factors are less about the individual connecting with society, but rather about the institutions trying to maintain and/or increase the overall Solidarity within a society, we will not include them in this section. Rather, we will discuss them in the next chapter, when we consider structures created to solidify Solidarity.

Section III: The Solidarity network

In the previous section, the individual's role in the forming of Solidarities was explored along the lines of them either directly or indirectly engaging with their environments. This section will introduce the notion of the network society, as well as networks of Solidarity being formed across and amongst different groups. We thus move on from the sole role of the individual in Solidarity to a level whereby groups have already formed and may indicate Solidarity with other groups, as a group themselves.

Durkheim also discusses the notion of individuals forming networks of Solidarity, though he terms them as clusters of groups, which associate with each other as clans. These associations of groups or clans form the basic political units, whereby the clan-chiefs could be identified in party leaders today. (Durkheim, 1893, p.p. 127) The political identity of individuals and of groups may as well be the sole focus of this section, however, by doing so we would be excluding large segments of the population that do not derive the same level of group identity from political parties today.

As France was used in the last segment, we shall utilize it again. Looking at France, and according to statistics portal Statista (2018), the political parties Les Republicains (Liberal Conservative) and Parti Socialiste (Social Democratic) saw a decrease in membership numbers from 370,250 and 256,750 members respectively in 2007, to 179,000 and 160,130 members in 2014. Considering that, Les Republicains are the second largest party in the French Parliament, their active members only count for roughly 0.26% of the population. The numbers may lack a direct correlation with the "clannish" notion of politics argued by Durkheim. However, when the politics of a country becomes increasingly decoupled from the reality of what concerns the citizens, clan-like associations may be created outside of the established politics. Thus if Solidarity in society, within the network of that society, were measured by its political participation, or membership of a party, then one may or might be concerned by the lack thereof.

By introducing the notion of the network society, we may further develop the notion of how groups, which do not share direct interpersonal connections to each other, may still form Solidarities with complete strangers within the broader society they inhabit. However, before we delve into the notion of the network society, it would be useful to define what a network is. According to dictionary.com (2018), a network is "any netlike combination of filaments, lines, veins, passages, or the like: *a network of arteries; a network of sewers under the city.*" Within this netlike structure, one may understand the connecting strands to be pathways. Along these pathways,

depending on what function that network aims to fulfil, different things are moved from intersection to intersection. Relatively simple examples of this, apart from those mentioned in the dictionary definition, include transportation networks, whereby the bus/tram/train run along pathways. Where they then stop, one may see that as a node in that network. In that network too, many pathways may directly cross, however, many would not. Intermediary nodes would indirectly connect those that do not directly cross and pathways linking separate pathways together that initially do not. Thus a network is established.

Another example of a network is the Internet. Previous advances in communications technologies in the 20th century have enabled more direct connections with people across the globe. Though these technologies enabled a quicker communication amongst people separated by large distances, and avoiding intermediaries, the internet has opened a completely new level of communication. This level of communication can mainly be identified for the large-scale transfer of information and knowledge across the globe at an almost instant rate. While it is uncertain what the long-term consequences of this change will entail, it makes sense that the internet provides its users greater room to explore ideas as well as debate them across the globe. Where centuries ago it may have taken weeks, if not months for information to travel outside of the bounds of a particular territory, today ideas can be spread in a heartbeat. Similar to the process of individuation provided by the access to so much knowledge and information, the world is also more connected and interdependent than ever. (Mulgan, 1997) Thus the internet should also be considered as a factor allowing Solidarity to connect more people.

The example of todays' production chain shows how this interdependence is being built into the global system of trade. Take the smartphones that are in widespread use today. The metals are mined in the Central African Republic, which are then transported to China, where US technology is assembled into the phone and then sold in Europe. While this example is a bit crude, it should illustrate that many of the modern systems of production are diffused over the globe. And though there are many products which might not have a global production system, rather being locally sourced and created, through the internet they may still access a network across the globe to sell their products to customers on the other side of the world.

Van Dijk (2012) distinguishes between three types of modern societies. The information society, mass society and the network society. The information society is one whereby most sectors of that society are geared towards the processing and production of information. (Van Dijk, 2012, p. 19) The network society is to be understood as a "social formation with an infrastructure of social

and media networks enabling its prime mode of organization at all levels (individual, group/organizational and societal)". Furthermore, in this system the individual forms the base unit, which links them to groups and organizations. He considers this present in western societies, which is distinguished from eastern ones where groups of people and organizations link to networks, instead of the individuals. (ibid., p. 20) The differences he notes between eastern and western societies (which are post-industrial) does not effect our understanding of how Solidarity would act in a network. That is due to the fact that in both eastern and western post-industrial societies, the individual who connects to a group does not have to be individualistic. In fact, if in an eastern society, e.g. South Korea, where the needs of the group/organization is placed above that of the individual, then we might consider the saliency of the Solidarity with their direct groups (i.e. Family, office, community) to be higher. Finally, the mass society is what Van Dijk considers the network-information society to have developed out of, whereby individuals are slotted into groups by "relatively large collectivities". (ibid., p. 20)

The two concepts, Solidarity and the Network society both overlap on the notion that to an extent they have existed for a very long time, though their reach was limited. The notion of networks linking individuals and groups, however, does not imply unity amongst those that are linked.

Van Dijk furthermore suggests that networks similarly to Solidarity exist from the layer/level of the individual to the global. By this, he illustrates how on the one hand one has individuals connecting to groups and organizations, which fit into a social system (compromised of an economic, political and cultural system). On the other hand, the individual lives in networks of other individuals to which they are connected only to a few directly.

That individual then connects to an organization/group, which has its own connections with other groups, and organizations, i.e. Lobbying groups are an excellent example of this occurring[6]. Where these three (individual, group and organization) come together they shape society and become linked to each other through social, economic and media networks. Above the social level lies the global, whereby the societies interact with each other through international relations (Multilateral and bilateral agreements for example). (ibid., pp. 25) It must be noted that just as on the base level, where there is no certainty the unity or willingness to aide each other to happen. The trans-societal level does not imply cooperation or Solidarity amongst those that are connected. None the less, the notion presented above does provide us with a structural understanding of how

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[6] By this we mean the lobbying organization functions as an intermediary for, i.e. Small to medium sized manufacturing organizations. The individual connects to the company, which in turn connects with the lobby group that represents their interests at the legislative bodies.

Solidarity could form amongst societies/nations through the networks they are involved with.

Iannone (et. al., 2016) points out that Van Dijk fails to place economic networks more centrally. We have done this to an extent through the consideration of the global production line, though Iannone rightly points towards the fact that the economic network connects commercial and productive elements of the economic system. However, as it has already been touched upon the Internet has provided most sectors of society (in post-industrial societies) with access to networks far greater than they previously could have connected to. It takes time to research networks, as well as Solidarity, when they are functioning smoothly, so as an example it is useful to look at the times when their connectivity has resulted in negative consequences. This is not to say that the networks they operate in are negative, but rather to point to the fact of their interconnectivity and thus the potential it has if the human circumstances allow for it.

The 2008 financial crisis will serve as an example for a variety of reasons. One of them included the increased risk taking by the financial institutions in the years leading up to the crisis. That in turn was promoted by governmental measures of deregulation and an increase in debt securitization. (Erken, et. al., 2012) The arguably larger factor that led to the crisis was the lending of sub-prime mortgages, and then international trading of those debts. (Blundell-Wignall, et. al., 2008) As there was a policy of debt securitization banks could callously trade those debts with the insurance of being bailed out by governments, if their schemes failed, which they did. The financial crisis does illustrate how intertwined the global financial system was and probably is even more so today. This can be seen partially in the fact that investment banks in the US and Europe that shared similar practices were similarly effected by the collapse of the US sub-prime mortgage loaning scheme. (Lin, et. al., 2012) This could be attributed to the aforementioned fact that they shared similar practices. However, as the economies (inextricably linked to financing) slowed down, so too were the Asian economies, particularly China's (and "greater China's") economic region, adversely effected by the US initiated crisis. (ibid., p. 7) However, considering the 2008 crisis as a highlight of the network in which different segments of different societies link to each other as they stand to profit more from being a part of a global network of, in this case, financial institutions, rather than operating in isolation.

Moving on from the notion of the network society, how might Solidarity operate in a network? We touched upon this with indirect Solidarity as that would involve individuals linking indirectly with others and through their shared links form a bond of unity and cooperation amongst each other. Reminding ourselves of the structure presented by Van Dijk, the individual after

connecting to other individuals (directly and indirectly), then connects to an organization and community (both are possibilities and can both be exclusive). Through that, they can gain access to the network of that community/organization. Solidarity may be developed through such a network of independent groups, for example, while being in different parts of the world, yet being a part of the same production line. To further illustrate this example, Featherstone (2012) discusses the Solidarity forming on a political issue in the workers of cotton factories in the UK, for the Unionist cause during the American civil war in the 1860s. The support that was developed for the termination of the practice of slavery, in part, ensured that the then British Prime Minister Lord Parlmerston did not intervene in the civil war on the side of the Confederates. (Featherstone, 2012, pp. 2) If the cotton workers would have acted in their own selfish self-interest, they may not have indicated support for the slaves in the South of the US as their work depended on the supply of cotton from the plantations there. While the reasoning provided by Featherstone, as to why this occurred is rooted in notions of humanist universalism. Solidarity was formed and subsequently effected British politics, the line of production, which they were a part of, enabled Solidarity to become rooted in the actions of those workers. While the argument could be made that they were a part of the same line of production, it must also be noted that on the one hand the plantations and the cotton factories were **interdependent**. On the other hand the production of cotton and the processing thereof were done separately and in different parts of the world. However, because the slaves and workers were part of two organizational structures, which were connected in a network (plantation and factory being nodes in the network and the shipping companies the intermediary nodes connecting them), they were able to form Solidarity across the Atlantic Ocean. This does promote the notion that effective indications of Solidarity could be formed when the ones developing Solidarity are connected to each other (directly or indirectly).

Featherstone does focus more on the political aspect of Solidarity, and the aforementioned example has political roots and consequences. In addition to that, we can consider the Solidarity they formed successful as far as showing unity with strangers go, due to the fact that it prevented British intervention. Though we must beg the question as to why support was not shown sooner. A lack of understanding as to the details of the suffering of the slaves may have contributed to a delayed development of Solidarity (as Frederick Douglas in part developed their awareness of the situation in the US during a tour of the UK, ibid.). We must conclude that merely being a part of a network does not guarantee Solidarity to be there; rather the individuals and groups that constitute the elements of that network must cultivate it.

To draw on an example, which highlights the network-like nature of the modern supply chain, yet with a different result to that of the example provided above, we have the modern textile industry. Many clothes that are bought in Western countries often originate from other countries such as Bangladesh. To provide a bit of background the following. In response to fires in a Bangladeshi factory in 2013, where more than 1000 people died, the Dutch authorities in cooperation with NGOs signed a **covenant**, which sought to address several issues in textile producing countries (i.e. Bangladesh, India, Pakistan, and Turkey). (Made-By.org, 2016) One year on, in 2017, there was little change to situation of the workers most adversely affected by the lack of transparency and bad working conditions. The Centre for Research on Multinationals (SOMO.nl) states that roughly 80% of multinationals in the textile industry were not aware of the risks present in their supply chains. (SOMO.nl, 2018) Thus, the covenant may show the willingness to change, however, lacks solid measures that are then taken to tackle issues of child labour, modern slavery and other illegal practices. This example indicates the separation between companies rooted, in this case, the Netherlands, while they outsource the production of the clothes to third parties in the aforementioned countries. Thus showing that a network of producers can also diffuse responsibility. Though the responsibility is diffused, it is the responsibility towards the public, which is addressed. It can be argued that there is in fact Solidarity amongst the factory owners and multinationals as they seek to maintain profit margins at the expense of their labour force. The employees of Primark and H&M, to name a few, did not respond to becoming more aware of the problems that the people on the other end of the production line are/were facing, as the factory workers in the UK did over a 150 years ago.

To reiterate, being a part of a network, i.e. by being in an organization, does provide one with access to more people, yet does not predict the formation of Solidarity amongst them. What the network does allow for is a wider spread reach of Solidarity when it does develop based on the access to others also connected to that network. Thus the network does provide a means through which Solidarities form. And though empirical research would be necessary in order to establish to what extent Solidarity can go, institutions like the EU and the UN, far from being perfect, still indicate a willingness to find a solution together. Sadly this does not always occur.

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Chapter II: Solidarity in the Transnational

In the previous chapter we adopted two concepts from Durkheims' The Division of Labour in Society (1893), mechanical (direct) and organic (indirect) Solidarity. Where the last chapter discussed the structure and emergence of Solidarity this one will delve into the existing structure of the EU. As such we will consider the legal and institutional structures of the EU as the current restraints and possibilities in terms of European Solidarity evolving.

Though there are also tensions pulling at that the EU. Just to name a couple of examples briefly, the sentiment of Greeks towards the Germans and vice versa has been strained to say the least, since the 2008 financial bust. Furthermore the situations with Hungary and Poland, whereby they are leaning in a different direction to what the EU is trying to do. Next to that are Brexit and the migration situation. Each in its own right a strain on the ways in which the European neighbours perceive each other. It would seem that every new challenge the EU faces just keeps on rising and so too the legal system to which everyone has subscribed to gets challenged. Nonetheless it has managed to stay (mostly) together, maintaining the peace in Europe, which one should not forget was and is one of the fundamental notions in the development of the EU. Now there might be many different factors to include in the reasoning as to why it has remained peaceful. For example one could argue that as a part of NATO, Western and eventually also Eastern Europe have exported their conflicts from the European continent to other parts of the world. It could also be argued that after the horrors of the two subsequent World Wars the following generations did not have the taste for conflict anymore. It could also be argued that the Solidarity between the nations has held it together. Or more likely a mix of the lot. However, the direct mentions of Solidarity that bind the member states to a common rule of law on top of their own as well as the structure of the institutions will be the focus of this chapter.

We have adapted Durkheims initial theory in order to account for the complexity of individuals on a number of factors and ignoring the historical development with which he differentiated mechanical and organic Solidarity. (Durkheim, 1893, p. 76, 117) While we have done so, we do note that Durkheim identified the law of a nation to be an adequate determinant of Solidarity. He argued that Solidarity much like the laws in a nation are not static. They change over time as the values of that system do the same. As the law can be seen as a codification of a societies' values and those change over time due to the ebb and flow of interests within a country (i.e. triangle between the interests of the government, corporations and consumers). It is because we consider the

law as it exists to be a representation of the amalgamation of Solidarities that have influenced the overall governing structure of a territory, that we will be considering it here.

Next to considering the law, we will also briefly examine the economic of the EU as it may influence the scope to which Solidarities may develop (though due to a lack of expertise, we will aim to stay within the bounds of our own understanding). We base this notion on the importance that the economy seems to play in the development of more complex systems of Solidarity (the laarger society). Where two nomadic groups of hunter-gatherers met they might have fought or traded (alternatively they might have also merged and become a greater unit). Though a bit of an assumption we still will consider that the production and trade of goods and services provides the fertile ground for Solidarities. Consider for example two pairs of groups trading. The first pair trade and compensate for what the other has not by trading what they miss in their own territory. The second pair has an imbalance whereby one (A) has what the other (B) wants, but does not need what their counterpart has to offer. For the first pair Solidarity may form as their relationship is reciprocal and the might see the benefit in cooperation for the sake of their trade. For the second pair on the other hand it might be the case that the one that can't trade, in frustration attempts to take what the other has by guile or force. As this is a hypothetical situation it does not hold much validity in argument, but it does indicate the logic we are using which presents the necessity for including the economic consideration to our own, considering trade a positive driver of Solidarity.

We also briefly note from the example above that the mutual benefit which results from mutual economic cooperation whereby both stand to profit from their cooperation, also forms the basis for the argument whereby self-interest drives human action above altruism. (Raspotnik, 2012) However, we argue that while there is a benefit which one gains from economic Solidarity this is both altruistic and egoistic. Egoistic from the benefit one gains for oneself, and altruistic from the commitment to another. To provide another example take marriage. There too, two parties come together, they gain the security of not being a single individual braving the world, rather a collection, a unity in the family. In that sense they egoistically choose to be with someone because of their benefits (naturally also because they wish so, in countries where they are allowed to). Yet because they sacrifice certain freedoms that come with being an independent individual there is an altruistic link between them. Furthermore, in order to ensure that the one does not overwhelm the other there are legal provisions to protect their rights.

Having presented our reasoning for the inclusion of a legal and economic consideration within the larger understanding of Solidarity, we will now briefly present what aspects we will

focus on and why.

For the legal aspect we will focus mainly on the transnational/intergovernmental level of the European Union. As such we are assuming that the development of the nation has included a process, whereby conflicting parties within the nation have come to compromises with each other. While the process of different interest groups attempting to influence the codification of the law is a continuous process, for the sake of brevity we will consider that the nation and its official representatives constitute the active representation of Solidarity in the population on the national stage. Why we consider an "active representation of Solidarity" lies in the fact that due to low voter turnouts, as mentioned earlier, in France, for example. From that low turnout we make the distinction between **active** and **passive**. As the active element in the representation of the various interests within a nation, it is more interesting to us, as they are also the ones affecting the law. The picture is more complex with lobby groups influencing the legislators themselves and other interest groups advocating for any number of positions. However, they too would fit under the umbrella of active participants of the nation state. Moving on, the transnational sphere is what we will focus on due to the notion that the Solidarity between the individuals of different nations of the EU, has been and will continue to be an issue that the EU has to contend with. The focus on the transnational, beyond the EU, is furthermore necessary as technological advances in communication technologies and the interconnectivity has created across the world, necessitate an understanding of how different populations might engage with each other.

In order to analyse the transnational it isn't sufficient to solely focus on what the Treaties include on Solidarity itself, though it is mentioned 15 times in the consolidated version of the TEU and 8 times in the TFEU. We might be tempted to assert our definition and understanding of the complexity of Solidarity on the legal texts of the EU, however, as was explored at the beginning of chapter 1, linguistic differences might place different expectations on the speakers of different languages and members of different cultures. However, we will none-the-less discuss a few notable areas where the word Solidarity has been used. So it becomes more important for us to examine the structure of the EU, next to the examination of where Solidarity is mentioned. In addition to that we must note, by structure we do not solely consider the literal form the EU takes (i.e. the institutions and their functioning) but also the factors discussed in the earlier on Solidarity (i.e. language and geography). We include the notions of Solidarity as a factor of human interaction in our analysis of the legal and economic structure of the EU in order to better understand challenges that arise out of the diversity of people and languages present.

<u>Section I: Solidarity in Law</u>

If Solidarity emerges and the goals of the individuals and groups were intended with more in mind than the achievement of a single objective (i.e. the example of the factory workers and Frederick Douglas), then the result of their efforts might be incorporated into the body of law that governs their interactions or lead to a change in policy. For example if enough people in a country oppose some kind of behaviour that previously had been acceptable, the behaviour itself might change due to the pressure to conform to the behaviour of others. However, if that does not change the actions of the individuals it might be deemed necessary to punish the behaviour by making it illegal. Though Solidarities may affect the formation of the law and influence the actions of groups, it is not certain that the movement of Solidarities will lead to the changing of the law. However, when it does it is usually after a particular group has relentlessly pursued their objective.

In the Division of Labour (1893) Durkheims' distinction between mechanical and organic Solidarity, which we are using as direct and indirect formations of Solidarity, correspond to penal and restitutive laws respectively. The consideration of both penal and restitutive law should be made, for the role they play. Penal law, or rather criminal law, is in comparison with restitutive law linked with harsher sentences for crimes. In fact the establishment of something to be considered a crime, because is of such an offensive nature to the values and beliefs of a society, indicates a push from the group for conformity. Restitutive law corresponds to a more compensatory approach, whereby conflicting parties, often bound by a contract, resolve their conflict with a payment or form of compensation being the solution/punishment.

It is a point we may further consider, especially when considering the EU. First of all we may note Webers notion, presented in a lecture in 1918 entitled "Politics as a Vocation" (Politik als Beruf), that the state has a monopoly on violence within a given territory. (Weber, 1965) This idea is presented in contrast to the feudal period, where Weber considered that the feudal lords and kings did not hold said monopoly. This is in part evidenced by numerous peasant uprisings in Germany from the 14th to 16th centuries. (Blickle, 1988) We say that it is only partly evidenced by those uprisings, as the uprisings weren't an exclusively peasant phenomenon, instead, the fact that they did rise up on more than 60 occasions in today's German territory is evidence for the lack of control, and by extension force, the lords held over them. We make this consideration both types of law depend on the monopoly of violence held by the state. Why does this matter for the EU? Because there are 28 MS that each have that monopoly over their territories, while the EU does not have that

for any real measure. Though there are military alliances such as NATO or the Permanent Structured Cooperation (PESCO) neither confers military or policing forces onto the EU.

In the modern nation state, the state does not need to coerce its citizens into obedience. However, there do still exist states that enforce repressive laws on their citizens. Nonetheless the nation state that has that control, can regulate its citizens by providing courts that arbitrate conflicts instead of harshly punishing misdemeanours. We will add to that the understanding that the individuals, and the rights and obligations the state has towards them forms the basis for a system that is more reliant on conflict resolution through compensation. There are numerous arguments for protecting the rights of individuals over the rights of a group. For example by placing the group over the individual within the legal system, may lead to harsher punishments on individuals for deviating from the norm. This in turn would automatically hamper progress (i.e. scientific, cultural and political) as the individual might reconsider speaking and thinking out of turn in fear of retribution. Furthermore, if an individual holds a specific belief and can not speak them out loud, possibly benign ideas might fester into exactly what the oppressor feared in the first place. However, if the individual, be they Nazis or Communists, Royalists or Republicans/Democrats, are protected in speaking their minds, then through open discussion bad ideas can be weeded out. While the counter-argument to this is that one should not listen to bad ideas in the first place as listening to them gives credence to them. This, however, might lead to Solidarities forming in opposition of the ruling system, as it did in the 1960s with the anti-war and civil liberties movements and the 1930s with the Nazi and Communist parties. And in the present day and age going against perceived overreaches of the notion of Political Correctness fall within that same sentiment. Regardless of the ideas behind which individuals gather, the individual must be protected in saying and holding those thoughts.

We note that the formulation of a legal system is not determined by group size, though it would affect the form it takes (implicit and unspoken, verbal and/or written law) whereby smaller confederations of individuals may form rules more by custom. We also note that the first legal systems developed were not written down, rather held in an oral tradition in tribal communities. (Friedman, 1975, p. 26) It would therefore be possible to equate non-written rules governing smaller tribal societies. However, today, the rules that are established between the individuals of a group might develop into traditions of interaction for the members of that group, but would not exert the same influence over the larger society of which they are a part of, as the written legal system does. This is not to diminish the importance of the individuals and the Solidarity they form

with each other (within and outside of the legal system). Rather it should highlight the notion that on the one hand Solidarity and the legal system can exist in separation of each other. On the other hand the legal system is a codification of different Solidarities within a society bound by a legal order. This is said with the understanding that legal systems and social order can and does break down. With the invasion of Iraq in 2003 and the eventual ousting of Saddam Hussein, the security of the country began to falter. It would in part assist the rise of groups such as ISIS. (Inglehart, et. al., 2006) While the situation in Iraq is more extreme, this is the case because power was highly centralized and thus once the central node for stability was toppled, it opened up the gates for factions to fight for control over the whole. As such democracies have the advantage that no politician is irreplaceable.

With that in mind, we also understand that not every group that gathers in Solidarity aims to achieve more than a public display of support, thus not leading to the adoption or amending of laws or the creation of institutions to carry on the initial push that brought people together in the first place. Here for example the women's day marches that were held in Washington and around the world in 2016 and 2017 show massive turnouts for a single day protest, without substantial apparent influence on policy. Though that may change over time, it still would seem to be more of a single-day-gathering in a loose formation of Solidarity, rather than a focussed protest that lasts longer. While the lack of change could be attributed to the Trump presidency it may also lie in the fact that there were too many issues present, or a lack of sustained Solidarity.

The legal system of the EU is rooted in the Treaty on European Union and the Treaty on the Functioning of European Union. They are the primary source of authority for the EU. After that is the Charter of Fundamental Rights of the EU, International agreements, General principles of Union law (i.e. subsidiarity), after which comes secondary legislation. (European Parliament, 2018)

In the Lisbon Treaty (2007) under article 3 (TFEU) the EU's exclusive competences are outlined. These are the rules governing Competition in the internal market and the customs union, the common commercial policy, the common fishing policy, monetary policy for the Eurozone and the conclusion of international agreements (IA). It is in these areas where the EU has the sole right to write the laws. Shared competences, means that both EU and the national governments can draft legislation in those fields. Included are the areas of the internal market, social policy, economic and social cohesion, the common agricultural policy (CAP), environment, consumer protection, transport, trans-European networks, energy, the area of freedom security and just as well as common safety concerns in public health matters. (Art. 4, TFEU) Where the EU and the national

governments come into conflict, EU legislation takes priority, yet will defer to the national governments where they share competences.

Since the signing of the Lisbon Treaty in 2009 the core value of human rights was set out in the European Charter of Fundamental Rights (EUCFR). (europa.eu) The core values of the EU are human dignity, freedom, democracy, equality, the rule of law and respect for human rights. The charter is split into VI titles, including a seventh laying out general provisions for its interpretation, which cover dignity, freedoms, equality, Solidarity, citizens rights and justice. Under the title of Solidarity there are 12 articles. Articles 27 to 33 (EUCFR) cover the rights of workers as well as prohibiting child labour and protecting the worker from being fired without due reasons. Articles 34 to 38 (EUCFR) provide security for the consumer, require a certain level of environmental policy, provide access to services of general economic interest, healthcare and social security in accordance with "the rules laid down by the Union and national laws and practices". (Art, 34 EUCFR) While the charter does cover many areas, title IV mainly covers the rights that individuals of third country member states can use so as to better make use of the freedom of movement. Solidarity in conjunction with the charter is thus a form of insurance for the individual guaranteeing them their rights and protecting them if were to come into conflict with a law to be passed by the EU and the member states (MS).

In the preamble of the Treaty on European Union (TEU) the signatories of the treaty desire to "deepen the Solidarity between their peoples while respecting their history, their culture and their traditions." (TEU, Preamble) The preamble of the Treaty on the Functioning of the European Union (TFEU) intends to "confirm the Solidarity which binds Europe and the overseas countries and desiring to ensure the development of their prosperity, in accordance with the principles of the Charter of the United Nations." (TFEU, Preamble) The preamble, as a tool used in the two Treaties, functions as a justification as to why the treaty was made while also roughly presenting the goals and aims of the Treaties (or any decree for that matter). The information that is conveyed in the preambles does not provide any specific measures, instead they present more abstract intentions. The abstract intentions can be identified in the capitalized predicatives at the beginning of the paragraphs. Words such as "determined to, resolved to, anxious to, intending to and confirming" (TEU, TFEU, Preamble) present the intentions with which the EU proclaims itself to operate. As the intentions that are there provide the necessary justification for the laws that are agreed upon in the rest of the Treaties, the fact that Solidarity receives a paragraph in both of them signals its importance to the EU.

The TEU (art. 6) states that "(1)the Union recognises the rights, freedoms and principles set out in the Charter of Fundamental Rights of the European Union,[...], which shall have the same legal value as the Treaties. The provisions of the Charter shall not extend in any way the competences of the Union as defined in the Treaties. The rights, freedoms and principles in the Charter shall be interpreted in accordance with the general provisions in Title VII of the Charter governing its interpretation and application and with due regard to the explanations referred to in the Charter, that set out the sources of those provisions." From that we can see that while the Treaties governing EU law will respect the principles, rights and freedoms in the Charter, it should not lead to the enlargement of the EU's competences. Furthermore, in the two paragraphs pursuant to the aforementioned article in the TEU, set two other sources of rights. These are the European Convention for the Protection of Human Rights and Fundamental Freedoms (ECHR) (art. 6(2) TEU) and the general principles of Union law, resulting from the ECHR in combination with the constitutional traditions of the MS (art. 6(3) TEU). (Chalmers et. al., 2010, pp. 247) Under title VII (art. 51, EUCFR) the Charter applies with regard to the principle of subsidiarity and only in the cases where the MS apply EU law. The Charter thus protects the rights of individuals in regard to the implementation of EU law, whereas the Treaties function as international agreements between the participating nations.

The Solidarity Clause can be found in the Treaty on the Functioning of the EU (TFEU), in part 5, which consists of "the Unions External Action". Considering the angle of approach taken in this thesis, whereby we have been considering Solidarity mainly in its societal purpose, the notion that Solidarity is a competence which should fall to the external actions of the EU is intriguing.

Article 222 is mainly concerned with exceptional events within the territory of the EU's MS.

From the article under paragraphs (1) and (2) (TFEU, Art. 222) the focus is layed heavily on terrorist attacks, natural and man-made disasters. It is interesting that these topical areas would have an article dedicated to it under the banner of Solidarity. This source of interest arises from the notion that those three types of disasters are not easily predictable. However, it does not subtract from the fact that article 222 can be more easily utilized by the EU. It is a tool which has clearly defined parameters, which are interpretable enough so that they may be utilized at a short notice. For example in June of 2017 Portugal has experienced heavy forest fires. In response the European Commission, upon the request of the Portuguese government (stipulated as a necessity to engage in

solidaric action, TFEU art. 222 (2)), activated the EU's civil protection mechanism on the 18th of June 2017. (European Commission, Press Release, 2017)

Konstadinides, T. (2011) points out that article 222 TFEU is a form of "soft commitment" (P. 16) due to declaration 37 pertaining to the aforementioned article. Declaration 37 stipulates that the individual MS is free to decide the appropriate amount they wish to contribute in aid for a particular situation. Furthermore, Konstadinides argues that the purpose of the Solidarity Clause may be for the EU to extend influence from the Common Security and Defence Policy (CSDP) to non military matters as well. According to him articles 42 TEU (mutual defence clause) and 222 TFEU overlap, whereby article 222 extends the range on influence that the CSDP may exert. The big difference he identified lay in the fact that article 42 (7) TEU does not confer powers to the EU but rather requires the response to third-actor aggression to come from the national governments. Whereas article 222 (3 & 4) TFEU require the European Council (the national governments by extension, yet through the EU) to formulate a response.

While the practicality of a central body from which to coordinate disaster relief can be argued for, one must consider that this clause is a mere crisis response tool. Furthermore according to Mitsilegas it mirrors the EU's asylum law, in terms of its political construction. (Mitsilegas, 2014, P. 187) This would lead us to conclude that while art. 222 TFEU in times of crisis may be utilised appropriately to aid the MS of the EU, it does not foster greater societal cohesion amongst the societies of the EU. It does represent the most "on the nose" part of Solidarity in Security and Defence matters in the EU. (Ferreira-Pereira, 2010)

If the cooperation between the MS stems from a common objective, or even cooperation through specialized nations, then one may argue that art. 222 TFEU (if considered the cause for cooperation when used with other legal principles of the TFEU and TEU) fosters social Solidarity in the EU. If, however, cooperation between the MS is incidental (in the case of a terrorist attack, or natural/man-made disasters) then the Solidarity that is formed must necessarily also be incidental and limited to the willingness of the particular MS to help.

We are aware of the fact that there are a variety of procedures, such as the Ordinary legislative procedure (OLP; outlined under art. 294, TFEU and the main procedure), Consultation procedure and Consent procedure. Focussing on the OLP, the following is how it functions: The Commission submits a legislative proposal. The Council and Parliament adopt said proposal either

at the first or second reading. If an agreement is not reached a conciliation committee is convened and if the resulting text is accepted by both institutions it will be adopted. (Concilium.europa.eu, 2018)

Section II: EU's institution

Having discussed some of the areas of the Treaties including Solidarity, as well as benefits and pitfalls that might arise out of them, we will now discuss the institutions. There are 3 main institutions to consider for our purposes. These are the European Council, the European Parliament (EP) and the European Commission. It is important to consider that the Commission has the sole right to draft legislative proposals, though national governments, the EP and European Council can intervene and either amend, accept or reject a proposal. The other two are important to consider both for the decision making power, accountability and because they are representatives of the people.

There is the Council, where the heads of state are represented. From this there is the immediate link between the legislation adopted and decisions made in the EU, and the mandate that each national leader has received from their respective electoral systems (whether the individual leader, or the party is elected is a minor differentiation). Though we have largely skipped over the justification of Solidarity in national economic and legal systems, we have discussed the individual connecting to groups, organizations and communities as well as justifying the inclusion of the legal and economic understanding. We argue that the amalgamation of interests (culminating in groups rallying in Solidarity) and compromises (a peaceful solution when Solidarities collide) that are made, can be seen, though in a simplified manner, as the root of the state (this is said with the understanding that this does not need to happen, as one group can also dominate the other through the use of force[7]). Thus we proceed by accepting that the head of state (HS), if not a representation of the nation as a whole, at least represents its active voters[8]. As the representatives of the electorate, which have chosen the general direction they would like their nations to move in, the Council is an institution where they consult the direction the EU should develop towards.

This might be seen as manner in which Solidarity manifests between nations. We notice that there are 28 (27) different MS which do not share interests with each and every other member.

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[7]   That, however, leads to an instable system, whereby those in power necessarily must continuously exert force in terms of terror, arbitrary and exessive punishments for minor crimes, etc. One must thus also state that an invading force that has taken control over a territory can, after the initial use of force, establish order. For example, during the Mongol expansions in the 13th century, the Jenghiz Khan's hordes committed ruthless autrocities whenever they were resisted. However, under the mongol rule, for example, merchants were given more freedom and security under their protection. (Prawdin, 2017) The point of mentioning the Mongols in such a context lies exactly in the brutality of their expansion. By any conventional understanding their rules should have be wrought by instability, and even though the horde split after the great khans' death, it seems that the freedoms they gave to the conquered helped successor khanates flourish.

[8]   Or maybe it is the part of the population which still considers that they are being represented by their politicians

However, where they do overlap, the MS of Europe form varying alliances within the Council. This is important to note when considering the voting systems used. The types that are used are a simple majority (15 MS in favour), qualified majority (QMV, 55% of MS and 65% of population) and unanimous votes. (Consilium.europa.eu, 2018) For brevities sake, we will consider the latter two. The QMV requires the cooperation of the MS and here one would also most likely encounter the aforementioned alliances in or to get a vote past or in order to reach the blocking minority of 35 % of the EU population. The unanimous votes are more concerned with areas such as the harmonization of national legislation in social security and social protection or the common foreign and security policy. One may argue that due to the low threshold for blocking a proposal in the QMV and necessity of unanimity for the other votes, provide a fair ground for transnational cooperation under the restrictions and limitations of the Treaties. The biggest contention to fairness would be the distribution of votes according to the population size. Though the reasoning is sound, which is that if one has a larger population, one also has a larger stake in the direction the EU moves in. However, this also reflects the crux of the EU. Which is that Germany holds the largest share of the votes which is 15.93% (Europarl.europa.eu, 2018). Though Germany's votes hold more weight it is balanced out by the fact, that a coalition of smaller nations can block major moves that go against the smaller nations of the EU.

Just from the brief examination of the Council we may gather that the construction of the EU is linked to each nation, with the heads of state having considerable influence over the final legislation that is adopted. Thus, also placing each national government at the heart of the decisions made in the EU. Furthermore the national political ideologies are, for the most part, represented in the European Parliament. We make the distinction that not all are represented, as, for example, the Dutch parties VVD and D66 are both members of the European party ALDE. Holding seats for 751 Members of the European Parliament (MEP), they are directly elected by the eligible European populus. Furthermore the smaller states gain more MEPs per X amount of people than the larger ones. (Goldirova, 2007) That means that Germany (population of 82.67 million) will have 96 seats as a result of the 2019 EP elections. While Ireland (population of 4.773 million, .91% of total EU pop.) will have 13 seats. If seats were distributed solely based on population size the Germans would have 120 seats while the Irish would have 6. Though the Germans retain a large proportion of votes (as do the other large nations), the distribution through degressive proportionality helps provide the weaker nations with some outlet[9]. It is understandable that the EP must, to a degree,

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[9] To that we might add the small notion that the more people that represent a smaller nation in the EU the more they can forge ties and connections with other politicians from other countries. Out of that, cooperation can form, which

utilize the population size as a measure for representation and that they must compensate for those differences too, where they are most stark.

Next there is the Commission, saved for last, as its president is chosen by the Council and tied to the result of the EP elections (since the introduction of the "Spitzenkanditaten" procedure). The idea behind it seems to have been to give the President of the Commission democratic legitimacy, but as a result it seems to have politicized the day to day running of the EU. Furthermore, there is one Commissioner per member state. Each Commissioner is chosen by the member state, and is appointed a portfolio. So for example the Irish Commissioner Phil Hogan works on Agriculture and Rural development, or the Italian Frederica Mogherini works on Foreign Affairs and Security policy[10]. Furthermore the Commission is made up out of Directorates General (DGs), whereby the Commissioners provide the political direction, while the DGs are responsible for the development, implementation and management of EU law, and its funding programs. (Ec.europa.eu, 2018)

We did not include the Presidents of the Council and Parliament. This is because we consider that the Council President (Donald Tusk) acts more as a mediator between the other heads of state, and the Parliaments President (Antonio Tajani) oversees more of the following of procedures. This is while the President of the Commission can provide political guidance to his/her institution. This is an important consideration, as it makes the heads of state in the Council and MEPs in the EP more important than their respective presidents, at least from the consideration of influence that national leaders have.

From this we might extract that the Council and the EP both represent the European electorate. Furthermore, acting as representatives they also can be identified as the node in the heart of the EU to which individuals with their Solidarities, organizations and communities connect to (under the condition of active participation). Those politicians and HS, as the outcomes of democratic processes (which is inherently a compromise between the parties voting) thus also represent by virtue of their profession the Solidarity between transnational (MEPs), the national (HS) and the local (the electorate). However, if the HS use the EU as a scapegoat it does undermine the system of Solidarity that the EU represents.

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might in the end be beneficial for the smaller states.

[10]   Though it should be noted that the Vice-president/Commissioner of Foreign Affairs and Security policy also fulfills the role of High representative of the European External Action Service (EEAS) and participates in Council meetings and is head of the European Defence Agency. (Ec.europa.eu, 2018)

So after exploring a brief overview over the structure of the EU, regarding its main institutions, we will discuss some of the consideration made in Chapter 1. As such the idea of European Union, the institutions and representation in the EU form necessary governing structures for Solidarity to form within the Union. It provides a space for the national representatives separate from the EU (as in they are not primarily responsible for Europe, rather their nation) to directly influence the EU at the highest level. It also provides a secondary representation for the population on the European stage, through the Parliament. And indirect representation in the Commission based on the EP elections. Thus we could state that the EU provides structure for European Solidarity to emerge with a more unified populus, yet there are some difficulties that must be overcome.

For example, we discussed earlier how different languages and regional accents might affect the formation of Solidarities. So too do we consider this at the European level. Though many politicians can speak one (or more) of the three official languages (English, German and French) this division is one which makes communication more prone to misinterpretation or misunderstanding. Though all adopted legal texts are translated, it can not be helped during plenaries and committee meetings, that meaning gets lost in translation.

Taking a step back we consider the split that divided Europe during the Cold War, as well as several fascist regimes in Southern Europe, means that there are at the least 3 distinct identities. They developed through borders that geographically and socially separated them. This is an important consideration to make. First of all, because of the different experiences under capitalist and communist regimes have led to different expectations from the Union. Where one can argue that after the collapse of the USSR, the Eastern European nations were eager to join in on the better living standards of the West. However just because one generation has grown up since the collapse of the Berlin Wall, does not mean that the memory of that past has also faded. In fact it could also be argued that the Western European nations are forgetting the motivations of WWII, while many of the Eastern European nations have only just begun processing that past. One must contend the politicization of the legal system, as has occurred in Poland (Financial times, 2018). None-the-less the expectation of Poland, as an example, to develop into whatever the EU deems fit may seem oddly reminiscent to the Soviet rule not so long ago. The point, however, remains that the developments of the past century, can not simply be walked over[11]. By overlooking that one might

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[11] This might be a bit of a tangent, but it seems that a concept of respecting the different paths one might take to achieve a better society would be beneficial to the EU's cohesion. On top of that respecting the pasts they have gone through would be of use.

risk a rupturing of the Solidarity that was there – solidified in the institutions and the participation of the MS.

Section III: Solidarity in the Economy

Finally we will discuss some economic considerations to make. First of all this is necessary to do when discussing the EU, as the predecessor organization built upon the notion of securing peace on the Continent, through the control of Coal and Steel production. (ECSC Treaty; Treaty of Paris, 1951) The notion was, if Germany and France (and the neighbours between them) would pool the resources necessary for the building of armaments, so too would their perceived need to war with each other.

We will skip to the development of the Single Market in 1993, with which the four freedoms are also presented (though they have been enshrined since 1986). These are the free movement of Goods, Labour, Persons and Capital. Thus we may see that ideally European market would allow for greater movement of individuals throughout the continent, both for their studies as well as in search of better opportunities. In that sense one may even argue that it is modelled after the US where internal migration has been a staple of their internal Economy. (Molloy, 2011) However, the US has English as a singular language which every new immigrant as well as internal migrant adopts to a degree, also allows for this migration to function more easily as there are no difficulties communicating[12]. Looking at Europe it is a different issue. There are 24 official languages, and as mentioned with the East – West split. Though it should be noted that in Europe over half of the population speaks English to some degree of proficiency. (World Economic Forum, 2018) So we can also argue that a level of unity is slowly being formed as the populations have a common tongue to speak with each other in.

From the basic idea behind the EU internal market, we argue that the possibility to freely pursue better opportunities in the EU is a major structure, which has the potential for forming Solidarity. However, when the perception arises that migration is occurring at the expense of the host nation, then also Solidarity would wane. This lies in the notion, that the perception of having ones own opportunities taken away by a semi-foreign labour force, forms the basis for group distinctions based in where one is from[13].

There are also other factors one may consider, regarding the economy of the EU, such as the European Central Bank, the Monetary Union and the notion of agglomeration and dispersion forces

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[12] Though we understand that there is a growing spanish speaking minority, however, the fact that there is a common language makes it possible for communicating grievances, etc.

[13] We note, that the distiction between where people are from is a normal one, however, the issue lies in the fear of ones jobs being taken away.

(Tabuchi, 1998). However, while we understand the importance the economy plays, we will end our consideration of it here. This lies in the fact that the author does not fully understand the functioning and interplay of the Economies in Europe.

Conclusion

The goal of this thesis was the establishment of a conceptual understanding of the structures Solidarities form. In order to do that we asked two questions. How is Solidarity formed? And secondly, what are the limitations of Solidarity in the EU?

First of all we have developed an understanding that Solidarity, as we developed out of the dictionary meanings, necessitates the individuals participation. Secondly it we developed an understanding that Solidarities form when individuals with similarities overlap and link to each other. We also understand that those similarities can lie along any number of lines. Finally we also considered the network as a model for understanding how societies are a web of the Solidarities that occupy the area of influence of that society.

Furthermore we identified that the economy plays a role in the developments of

We asked the second question in order to address the issue of EU cohesion as it faces crisis upon crisis. Having examined some notable mentions of Solidarity in the Treaties, we conclude that their use has potential and indicates a legal will for unity, however compared to the EUCFR, its use could be described as rhetorical in the preamble and as a last resort in the case of the Solidarity Clause.

In terms of the Institutions we examined the voting systems of the Council and the rough structure of the three main institutions. While we have some reservations about the position of the Commission, we note that the Council and the EP represent the extent to which sovereign nations come together in Solidarity. We also noted that the structure of the EU makes it vulnerable to being taken out, misrepresented, etc. by the HS in the Council as well as the MEPs.

We also discussed the role that language plays and the information and meaning that is lost in translation. However we also noted that there over 50% of the European population speaks some measure of English, which in itself is already something that we consider to promote Solidarity in the long run.

To conclude, this thesis provides an understanding from which empirical research can build upon, in terms of understanding how Solidarities must compromise in order to fit each others differences together. We also believe that the notion of Solidarity developed here might help in the development of European Solidarities amongst the populations of Europe.

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