

The politicisation and suppression of social rights in Belgium

Thatcher defined the miners' strike as a 'political' strike so as to attack the whole range of social and democratic rights in the UK

On 6 November 2014 in Brussels, the biggest anti-government demonstration took place since 1986. More than 120,000 people took to the street to protest against the refusal of the government to engage in social dialogue with the three national trade union centres and a range of anti-social measures that were announced as part of the new government's programme. This demonstration was the first of a series of national and regional action days that had been announced by the national centres, and thus somewhat of a test for the united trade union front.

In the margins of the demonstration a confrontation by several tens of people took place with the police, which ended up grabbing the headlines of national and international media, notwithstanding the obvious difference in ratio between the number of protesters and those participating in the havoc caused. This should have encouraged some perspective.

The political parties used the confrontation in fact as an opportunity to bring a number of measures, as foreseen in the government programme, into rapid implementation. Strengthening law enforcement in theory and practice is one of the objectives of the ruling coalition and during subsequent trade union actions, a massive police force was put together. Until then, much attention had been paid to the (anti) social programme of the government, but much less to its (anti) democratic tendencies.

The reality, however, will quickly make this necessary. The government's current position is in our opinion, no less than a threat to democratic rights. Using the level of public concern about the import of the so-called jihad to Europe, the government has an overall plan against any 'radicalisation'. That plan includes both the creation of a National Security Council, the possible involvement of the army for policing tasks, strengthening law enforcement tasks of the police, and restrictions of monitoring of the police by other public bodies.

In this planned National Security Council an unprecedented centralisation of power and especially of information comes together. Snowden revealed the derailment of the US National Security Agency ('NSA') who spied on its citizens on a massive scale. One would think this experience would cause concern and fear for duplication. The fact that radicalisation is a very vague concept, is also a dangerous evolution. Actually it is not excluded that it is likely to be applied to anyone who decides to resist the authorities.

Moreover, it appears that the government intends to base its legitimacy solely on the basis of the ballot results of 25 May 2014, and not on the basis of a constant democratic process of con-

sultation and negotiation with the various actors in society. In that logic opposing government action is immediately written off as resistance 'against democracy'. Would that be labelled as 'radical'? To date, there is a right to demonstrate, but how much longer?

Unseen power is granted to the Minister of Interior, who incidentally is renamed Minister of Interior and Security. It is no coincidence that the right-wing coalition party N-VA has claimed this ministerial post from the beginning. It was awarded to Jan Jambon, known to be on the right side of the N-VA.

Jan Jambon immediately put words into action. At the next demonstrations, he pledges to take part from the command centre. However, law enforcement belongs pre-eminently to municipal autonomy. Only when the relationship between the local and federal police are at stake, Jambon can intervene, and even then only under certain conditions.

The voluntarism with which he now takes action, is unacceptable. The same diligence applies to the way in which the Brussels mayor Mayeur was publicly ridiculed and even accused, before a serious investigation was conducted and without any serious discussions. The Mayor of Antwerp, Mr Bart de Wever, who can be considered as the shadow prime minister for the right-wing NVA, gladly took part in verbally bashing his Brussels' colleague.

Subsequently measures were taken to strengthen law enforcement in view of the strikes scheduled in four provinces, including in the province of Antwerp on 24 November. Immediately after the clashes on 6 November, there were rumours about a possible repeat of violence on 24 November. A true fear psychosis was created, it was even suggested that people might get killed. In some media it was deliberately concealed that these are actions of an entirely different order, in particular a strike. Mr De Wever announced that "an impressive order power is ready" and "other measures are planned but I won't let anybody look into cards"...

Minister Jambon and Mayor de Wever attempted to deter people from taking part in social action and frighten them. Both men can still solemnly declare that they respect the right to strike and the right to free speech, but the fear psychosis that they created completely undermines that. The European Court of Human Rights has repeatedly confirmed that one can not apply a 'chilling effect' on fundamental rights and freedoms. Their campaign is accompanied by an ideological offensive. De Wever considers the strike is "a political strike". He suggests that it is a party political strike, which has nothing to do with the pension measures, the index jump, the increase



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in enrolment fees or other measures that will impact many individuals and families. In such a way he wants to break the broad resistance movement.

The strike is indeed organised against the coalition. Such a strike is perfectly legal in Belgium. People can make their voices heard. De Wever also announced that he does not accept to be called “a friend of big business and enemy of the workers”. He adds delicately: “such a discourse is practically criminal”. To describe a political discourse as “almost criminal” is a very serious decision, which is problematic in light of the fundamental right to free speech. That way not only social action, but also political debate are potentially endangered.

To Thatcher or not to Thatcher?

The criticism that is frequently associated with the reign of Margaret Thatcher is dismissed summarily by the NVA. However, she was the first to define the miners’ strike as ‘a political strike’ so as to afterwards attack the whole range of social and democratic rights in the UK. Mrs Thatcher eroded the right to strike, but also imposed dras-

tic restrictions on the right to demonstrate.

The fact that the Antwerp mayor was now ranting so hard against ‘the planned rally’ on 24 November in Antwerp, while no demonstration is planned at all, should perhaps be understood in that context. This could also be interpreted as a preventive signal by the mayor not to organise demonstrations in the coming months. One of the other habits of Thatcher was the use of the army for ‘homeland security’. That track is also not excluded and as stated above, the coalition agreement makes it possible.

Ironically, all this is happening just when Belgium holds the six-month presidency of the Council of Europe. This Council was established in the aftermath of the Second World War to ensure the respect of human rights and in its midst the European Court was established on Human Rights. It would not benefit the international reputation of Belgium if some policy-makers make a mockery of human rights. Unless of course it is the ambition to get Belgium under the jurisdiction of the European Court of Human Rights, as Mr Cameron suggested with regard to the UK. It remains appropriate for all democratic actors to keep a close eye on the evolution.

In Belgium today not only social action but also political debate are both potentially endangered

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