European Realities in the 21st Century

Comments on a ‘European Review’

A handbook entitled European Review is a recent publication of more than 800 pages published (in Hungarian) by the Ludovika University Publishing House in Budapest, edited by László Trócsányi and László Gábor Lovászy. With this book, the authors and editors have aimed for a gap-filling publication: to examine the Member States (MS) of the European Union in terms of their integration processes, according to a set of predefined criteria described below.

The editors’ point of departure was that the EU MSs are facing new social, political, economic and environmental challenges in the process of globalization. Each MS responds differently to these in many cases and in others there are some discernible patterns to compare. These responses can be looked at in light of the values of the European Union, but in many cases these values have been interpreted differently in the different MS. The book European Review guides the reader through the 26 current MS of the EU (excluding the editors’ home state, Hungary and the United Kingdom) in terms of how they interpret and apply European values in response to the challenges of globalization. This guide is based on 26 country reports; each structured around four thematic areas. These are also examined in detail below. The aim of the authors was to provide an overview of the EU Member States on the issues discussed, based on publicly available, relevant survey and statistical data and analyses (including scientific literature in the different fields as well) prepared by international and EU organisations, institutions and non-governmental organisations. Throughout the book, the different authors refer to the data studied in different languages through more than 4,000 references.

The European Review does not seek to treat the same data and trends in the same depth for all countries. Given the amount of information processed, synthesis of the data from the sources studied, identification with their outcomes, or drawing conclusions from them were also not among the intended objectives. The project can be considered as

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2 The authors refer to many surveys only once per chapter, so we could actually talk about more than 4,000 citations.
a kind of summary, which aims to provide a factual overview of the main issues concerning the organisation of the state, national identity and certain social problems in each EU Member States in light of available data. The genre of the book can best be defined as a handbook, as it cannot be considered neither a monograph nor a comparative work anchored in international law. However, the term ‘handbook’ is not precise either, as it is in fact an interdisciplinary, country-by-country, objective summary covering vast resources in legal, political and economic sciences, as well as social policies. The European Review, although not in terms of its genre, can mostly be characterised as a mirror portraying fair images of the MSs.

In the introduction, as a direct antecedent to the birth of the project, the editors point to the realization that in Hungary the average readers find themselves short-handed when in the field of modern, complex, easily transparent and quickly accessible databases based on data, not older than five years and suitable to illustrate and explain broader international processes, different human rights issues and interdependent areas of EU law and policies encompassing MSs’ practices. In gathering the underlying information, the authors relied on databases such as studies by the European Union Agency for Fundamental Rights, country-specific conclusions and other documents issued by the Council of Europe since 2017 or resolutions of UN human rights committees. This is all carefully explained in the introduction of the book.

The effort channelled into the collection of data reinforcing the Review’s validity and objectivity is therefore remarkable. However, the authors’ greater reliance on human rights reports issued by the Ministry of Foreign Affairs of the United States in 2018, 2019 and 2020 might seem odd in mapping the EU MSs’ responses to the challenges described. While acknowledging, of course, the added value of an ‘outside perspective’, these documents and data might bear the risk of distorting – in the context of a European Review – some of the internal (that is, European) perspectives and perceptions regarding the MS analysed. In drawing up an ‘overview’ of European Member States, more attention could have been paid to EU equivalents of these documents and data, or to more Council of Europe documents. All this, of course, does not take away from the undoubtedly unique nature of the project; it merely indicates that the authors may have been guided by pragmatic rather than theoretical considerations.

The fields of research – that is, the aforementioned analytical scheme through which the data were processed – were defined by the authors on the basis of the terminology of the Treaty on the EU and the EU Charter of Fundamental Rights. Each country report contains four subchapters and begins with a brief overview of a country’s geopolitical determination.

Subchapter 1 is entitled Respect for Identity, Culture and Traditions, followed by the Practice of the right to liberty and security (Subchapter 2), and Subchapter 3 On certain aspects of the fight against discrimination is followed by The promotion of well-being (Subchapter 4).

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3 One such example could be the consistent use of materials (country reports) produced for and by the treaty bodies of the Framework Convention for the Protection of Minorities and the European Charter for Regional and Minority Languages (both structures within the Council of Europe) where issues of minorities and language have been discussed in the first subchapters, as presented below.

4 Since the authors of the Review begin their country reports with brief geopolitical descriptions in each case, we will omit further references to these parts below.
Based on this structure, in our initial assessment, the *European Review* is an ideal research tool not only for university students and lecturers in law, international and European studies, economics, public administration, political science, history and social sciences, but also for public administration and professionals. It also can be a useful source for the representatives of the press and is suitable for a wider professional audience interested in the context of the European Union and global challenges. In our view, the two greatest added values of the *European Review* are 1. the wide range of information collected on 26 Member States and 2. the predefined thematic criteria, based on which the authors synthesise the information. Keeping in mind all of these considerations, the structure developed and the topics examined must be presented on detail to understand the function of the project. Therefore, in the following, we provide a summary of the work along these lines.

**1. Respect for identity, culture and traditions**

This first aspect was developed in the light of Paragraph 3 in the Preamble of the Charter of Fundamental Rights, which states that: ‘The Union contributes to the preservation and to the development of these common values while respecting the diversity of the cultures and traditions of the peoples of Europe as well as the national identities of the Member States and the organisation of their public authorities at national, regional and local levels...’

In the spirit of the Charter, the authors examine certain aspects and determinants of national identity, including the specificities of the majority national consciousness, the situation of indigenous and autochthonous minorities, and the new buzzword: constitutional identity.\(^5\) It is noteworthy that the authors distinguish between certain elements of national and constitutional identity and take into account that individual identity features, both national and constitutional, have historical roots. Thus, the argument is made, in order to understand and define them; one must first get to know the composition and historical peculiarities of society and the nation.

The first subchapter examines elements that can be considered as ‘other’ identity-forming factors in relation to the MSs, in addition to the national and constitutional identity, such as the interpretation of religious freedom.\(^6\) These highlight the major challenges facing the European Union: an issue of values cannot be judged with the same (presumed) content in each Member State, while constitutional convergence is undeniable in many areas, constitutional divergence is also apparent on this level, even regarding choices of value. For example, one of the cornerstones of France’s constitutional and

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\(^5\) While the *Review* also presents a wide range of literature on the issue, there are some scientific sources shedding further light on key aspects of this phenomenon: Monika Polzin, ‘Constitutional Identity as a Constructed Reality and a Restless Soul’, *German Law Journal* 18, no 7 (2017), 1595–1616; Jon Erik Fossum, ‘Identity-politics in the European Union’, ARENA Working Papers no 1, 2017; Pietro Faraguna, ‘Constitutional Identity in the EU – A Shield or a Sword?’, *German Law Journal* 18, no 7 (2017), 1618–1640.

\(^6\) For example, between 2008 and 2019, the annual number of anti-Christian acts of violence quadrupled in France. See Trócsányi and Lovászy, *Európai Körkép*, 209.
national identity is the rigid separation of State and Church, the laity (or laïcité), while in case of Ireland or Malta, the Christian faith and its corresponding conservative values can be seen as elements of identity. Taking advantage of the possibilities offered by the project to compare the EU MSs, the question arises in the reader as to whether the same system of criteria can be established for judging a Member State on ‘fundamental-value-based’ issues, whose content might vary from one Member State to another, as they are determined by nationality according to historical characteristics and social and cultural structure.

The other two pillars of the first subchapter (for each MS) are family policy, its main measures and philosophy, and the stance on migration. Examining the philosophies and attitudes of the MSs on these issues, the problems that can be understood and is often characterised as European ‘identity crisis’ and ‘conflict of values’ become real and tangible in the eyes of the reader. Reading the European Review highlights current trends and approaches that Member States adopt regarding a given issue, which in most cases only reach the public through the media and its representation of relevant political conflicts. It is worth noting that, in addition to getting to know the family and migration policies of each Member State, the reader will also find answers to the geopolitical and identity questions as to why such reactions have occurred in each Member State in the face of the challenges presented.

All this leads to the last topic of the first subchapter: the positions on the so-called ‘European way of life’ – another new buzzword within the EU in the context of the conference of the future of Europe – and the ‘European vision’ in the Member States. This research aspect of the European Review introduces the reader to Member States’ positions and social perspectives on current European topics, such as Islamization, respect for Christian culture and values or trust in the European integration process, support for a federal European system, and so on.

2. Implementing of the right to liberty and security

The topics of the second subchapter have been defined in the light of Article 6 of the Charter of Fundamental Rights. This segment examines issues such as the specificities of the political system and the rule of law in each country; the status quo of the administration of justice; the security of citizens (public security, security policy); and freedom of expression and conscience.

The European Review does not explicitly aim at a comparative analysis in the strict sense (comparing the examined factors according to the same principles and methodology); however, during the examination of the same topics, the reader gets a basic idea of the constitutional system of the analysed Member States, their constitutional and political

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From the vast body of literature available on the topic, we only provide one example here: Hendra Manurung, The European Identity Crisis on European Integration, 05 November 2015.


See https://ec.europa.eu/commission/presscorner/detail/cs/qanda_20_88
3. About certain aspects of the fight against discrimination

The third angle from which the European Review examines each of the 26 nations in question is how they fight discrimination. This is an extremely momentous issue in today’s political climate both in the EU and in third countries, whole bodies of thematic scientific literature are designated to certain aspects of it. Thus, integrating this field into this volume which aims to delve into topics related to the EU and global challenges is vital.

After a short introduction mentioning whether a country’s constitution contains regulations concerning gender equality, the rights of minorities or other norms promoting equal rights, there are five subsections. Each subsection contains different facets of the broader topic, which are inspected in detail.

The first subsection is about the application of the principle of equal treatment between persons regardless of their racial or ethnic background. This principle becomes extremely important like in the case of Cyprus, where there is a palpable tension between the Turkish and the Cypriot people because of the country’s division. To battle racism in schools, the government of Cyprus has also issued specific guidance to teachers relating to how Romani children should be treated. The issue of Romani people also arises as a persistent challenge in a number of other EU Member States, including Croatia where many of them are stateless and their nationality and citizenship still needs to be ‘sorted out’. According to a survey done in 2011, 28 per cent of Romani children in Ireland drop out before the age of 13, 8 per cent graduates from grammar school and only 1 per

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10 See www.equalitylaw.eu/publications/law-reviews
11 Trócsányi and Lovászy, Európai Körkép, 320.
cent of them participates in higher education.\textsuperscript{12} As mentioned in the book, for instance, in Slovakia, there was an Action Plan put into place to advance the societal integration of Roma, which was successful from a social aspect, but did not manage to yield great results when it came to stopping segregation and advancing acceptance.\textsuperscript{13}

The second subsection breaches the topic of the fight against antisemitism, showing how prevalent it is in certain areas and mentioning instances where the rights of Jewish people were infringed. Positive increments processed by the Review include France, where there was an Action Plan in force combating antisemitism and racism on the Internet, which also attempted to encourage inter-ethnic dialogue and diversity both in culture and in the media. Furthermore, Greek diplomacy has employed a special envoy since April of 2019 to fight antisemitism and cultivate Holocaust remembrance, which was successful.

Thirdly, the protection of the rights of children, women and persons with disabilities is discussed. Of course, this is a very broad topic in itself as well, therefore only certain matters can be selected and acknowledged as part of this review.

Disabled persons usually get less payment and have a harder time obtaining employment. This is the case for example in Austria and Spain. The latter has a policy stating that workplaces with over 50 staff members must keep two jobs open for persons with disabilities; however, 86 per cent of employers fail to respect this regulation.

The topics in relation to children’s rights include homelessness, child poverty, euthanasia and corporal punishment. Each country is evaluated based on their attitude towards these issues, as they greatly affect the well-being and living standards of citizens. For example, it is stated that Belgium has one of the highest proportion of children with disabilities placed in institutions of all developed countries. In Bulgaria’s school system about 60 per cent of Romani children are segregated from their peers.\textsuperscript{14} In Slovenia, the mental health of children was not up to standard, with quite a few cases of physical abuse in institutions, and suicide being the second largest cause of death in the age group of 10–14 years. Improvements must be made in this field not only by Slovenia, but by many other countries as well. Mental health is extremely important for children, as they are the future of each nation and the state of their mind influences their actions. It is vital that we breach this topic in a scientific manner as well as through examples of different countries so that we may see the problems arising and work to solve them. This is a good point to acknowledge that the world does not stand still since the European Review was published. The issue of the rights of children has recently become the subject of wide-ranging political debate in Germany, where the currently ruling governing coalition announced plans to amend the German Grundgesetz and its Article 6, with a detailed set of the rights of children. Opinions on the necessity of this constitutional

\textsuperscript{12} Trócsányi and Lovászy, Európai Körkép, 347.
\textsuperscript{13} Trócsányi and Lovászy, Európai Körkép, 755–756.
\textsuperscript{14} Trócsányi and Lovászy, Európai Körkép, 61.
reform vary even in Germany, in a debate that has been going on since the adoption of the 1989 New York UN Convention on the Rights of the Child.\footnote{On 14 January 2021, the reigning German governing coalition published the Kinderrechte ins Grundgesetz on the website of the Federal Ministry for Family Affairs, Senior Citizens, Women and Youth (BMFSFJ). However, the adoption of a constitutional reform based on it will require the support of a two-thirds majority of the Bundestag, which is difficult to achieve as there are pros and cons of it. It is positive that the reform provides a direct opportunity to invoke children’s rights before a court or a public body, but many think it superfluous as for example Article 1 of the GG already includes children’s rights in human rights. The proposed amendment would seek to supplement the provisions on marriage and the family currently laid down in Article 6 of the GG (Grundgesetz, German Basic Law), which make only very limited reference to children’s rights, such as their physical and mental development. Under the proposed legislation, the German constitutional rules would be more in line with the ‘overriding interests’ set out in Articles 3 and 2 of the Convention and the views of the child, and the published material praises the merits achieved so far in implementing the Convention. For more details, see Philipp Donath, ‘Warum Kinderrechte ins Grundgesetz gehören’, VerfBlog, 2020/1/01, https://verfassungsblog.de/warum-kinderrechte-ins-grundgesetz-gehoeren/}

As to the attitude towards women, domestic abuse, disadvantages arising because of pregnancy and motherhood, and the gender pay gap are discussed. It is stated that the referendum of 2009 which allowed female heirs to inherit the throne is considered a huge symbolic step towards gender equality in Denmark. In Italy, the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) called for the ending of the portrayal of women as sexual objects in media. While forced marriages are illegal in Sweden since 2014, repression of honour still poses a threat to the independent choices of people when it comes to choosing their own spouse.

The fourth subsection is about equality in terms of employment and occupation. This topic consists not only of the disadvantages women and people of colour so often face in the labour market, but also of exclusion based on someone’s religion. Among other things, a comparison of the data in these chapters reveals that women in Eastern European MSs have a much higher number of senior positions than in the Western MSs.\footnote{In France, for example, the proportion of women in managerial positions is 35 per cent. In Hungary, the same proportion is 39 per cent, while the EU average is 33 per cent. See Trócsányi and Lovász, Europái Körkép, 448.}

In Poland, measures were taken to ensure equal opportunities for people of different age groups as well. In relation to Luxemburg, forced labour in the field of construction and hospitality were also the topic of discussion. Women’s job opportunities are at their best in Lithuania, where the gap between working people based on gender was only 1 per cent in 2017.\footnote{Trócsányi and Lovász, Europái Körkép, 448.} The European Review also directs our attention to the fact that when it comes to women’s rights there are shortcomings. For instance, in Malta, sexual harassment in the workplace poses a serious problem. The country also faces criticism from this book because despite the rising tendency, the percentage of educated women falls behind the EU’s average based on available data. Furthermore, women in Malta face significant disadvantages compared to men. In Romania the situation can be dire, as in addition to sexual assault, child marriages are problems that need a solution. The government creates policies which aim to reduce the number of child marriages; however, in
many places families insist upon keeping this tradition despite it endangering children’s development.

The fifth facet of the topic of fight against discrimination is the abuse of personal freedom. The prison system of EU Member States being overcrowded is a huge problem, but physical abuse, diminishing services and opportunities in prisons across Europe, as well as homelessness are all noteworthy topics. Regarding prisons it is worth mentioning, that while the conditions are often not up to standard, there were improvements made in countries like Malta, where the situation of inmates has seen improvement in recent years.\textsuperscript{18} However, in Portugal, the number of inmates who commit suicide is very high. Another challenge is that 34.1 per cent of those charged are in pre-trial detention and police brutality is present in the system, as well.

All of these issues continue to plague nations, creating a system where disenfranchised persons have no opportunity to right their wrongs or to better themselves, which is detrimental to the standard of living of the entire country in question. This is why this handbook fills a specific niche, a ‘market gap’ if you will, providing easily accessible information intended to trigger a much needed dialogue about European problems in need of solution. The subsections of Subchapter 3 shed light on both the positive and negative sides of all 26 EU MS. The individual subsections are quite short, containing interesting and important information about each topic without ever becoming too long or boring. This is an admirable feat both because of the length of the book and because it is scholarly by nature. In our view, this subsection definitely succeeded in raising awareness to subjects of great importance when it comes to the fight against discrimination.

\section*{4. The promotion of well-being}

The fourth aspect from which all 26 countries examined are described is ‘promotion of well-being’, that is, the betterment of living standards, economic growth and other ingredients making up the general wellbeing of a country’s citizens. This subsection is divided into four subsections which all contain key elements of what makes or can make society prosperous.

The first one dives into the topic of unemployment and poverty. Data is given about the situation in the beginning of 2020, so the reader may get a general idea of how each country was handling problems associated with these questions. For instance, it is stated that unemployment is the lowest in the Czech Republic, in Germany and in the Netherlands. In Germany, the particular solution to tackle unemployment was government interference, which proved to be successful. However, despite the high employment rates, the number of people living in poverty has increased by 2.5 million from 2002 to 2017.\textsuperscript{19} The Netherlands, while similarly successful at creating job opportunities for its people,\textsuperscript{18} Based on the Maltese example, it can be seen that credit was given where it was due, although criticism was also voiced if available data so required. This internal balance is characteristic to most of the country reports as a guiding principle, but ensuring its consistent presence in the different country reports might have been a difficult task, especially if one considers that relevant data on certain fields might not always be accessible from all countries, not even within the EU.

\textsuperscript{19} Trócsányi and Lovászy, \textit{Európai Körkép}, 532.
has 7.9 per cent of its population living below the poverty line with freelance workers, people over the age of 50 and those who have newly acquired their residence permits being the poorest. In 2019, 22.6 per cent of Bulgaria’s population also lived below the poverty line.\textsuperscript{20} In order to improve these statistics, the National Strategy for Poverty Reduction and Social Inclusion was adopted. In the case of Slovenia, unemployment affected construction workers the most, with no aid from the government as 90 per cent of them arrived from Baltic countries.

However, since the date of origin of this information, Covid-19 has taken a significant toll on the entire world’s economy, rendering some of the statistics processed and presented only orientative in nature; we do not know all of the new numbers yet. This quick change in the status quo shows exactly why discussion is a key component of bettering the lives of every European. Handbooks such as this one may reach students, teachers, experts of law or economics and make an impact, helping them shift or shape their way of thinking, thus hopefully creating more action in order to help in the recovery of the economy.

Unemployment benefits are discussed under this heading as well, providing exact percentages and tendencies in individual places. It is worth mentioning that those who are indebted are also in an unfortunate economic situation. It is especially prevalent in Finland, with each household having an average of 16-month’s income worth of debt. The government is working on a regulation which would lower the amount of loan that can be taken, the book argues.

The second subsection is about economic policy, containing the topic of the role of the state in supporting the economy and the question of corruption, with an emphasis on its relation to immunity. Economic competitiveness is also a significant part of this subject. According to the World Economic Forum, Belgium is the 22\textsuperscript{nd} in this regard. There are currently programs aiming to raise the competitiveness of the country, for example the Marshall Plan from 2013 to 2022 in Wallonia. It is mentioned in the chapter that Denmark is the eighth most economically free country in the world. Economic freedom shows how easy it is to start up a business in certain nations. Other noteworthy pieces of information found in the book include that countries take the threat of the black market seriously and fight against it with various tools. As part of this aim, an electronic revenue registration system has been introduced in the Czech Republic. Business conducted on the black market affects Latvia greatly, as in 2018 it gave 24.2 per cent of the GDP.\textsuperscript{21} It consists of the shadow economy and undeclared workers.

The third facet of this discussion is the environmental policy of each country. To properly evaluate this issue, the section takes a look at all 26 MS and the spread of electric cars and greenhouse gases. An interesting finding of this handbook is that more economically prosperous Western countries are generally much less economically friendly. This means that their level of total well-being might be lowered if we take into account the environmental side of things, as is the case in subsection four (On promotion of well-being). The reason this subject is brought up under the issue of well-being is because in order for us to raise our living standard, we must be mindful of the world

\textsuperscript{20} Ibid. 64.
\textsuperscript{21} Ibid. 421.
that surrounds us and benefits our health. The issue of environmental friendliness and the just usage of natural resources are raised in this section, showing the difference between countries and even parts of certain countries, in order to direct the readers’ attention to the underlying problems in need of fixing.

Currently, oil shale mining has made Estonia the eight least eco-friendly country in the European Union. It has been recommended that the country reduce its dependence on shale oil by connecting to European electricity networks, and the situation has improved since. Sweden is devoted to battling climate change. Their goal is being the first developed country to reach zero net emissions, reducing it by 75 per cent by the year of 2040. To put this plan into action, they will reduce emission on Swedish territory by 85 per cent and use offsets abroad to give up the remaining 15 per cent.

The last part of this section is about education and science. The existence of scientific councils and their independence, governmental bodies dealing with education and other related facts are mentioned. In Poland, all scientific institutions that requested state id had to obtain a qualification based on their results and they received funding accordingly.

The public expenditure on education is also examined in the case of all countries, as well as compulsory education and the dropout rates. In Germany, illiteracy is a big issue, with about 6 million German-speaking adults having problems with reading and writing.

This portion of each country profile in the Review might have changed the most since the manuscript was closed because of the recent pandemic. However, it is one of the most impactful ones, as well-being is a culmination of the three subchapters presented before it. Ultimately, the preservation of our culture, identity and traditions, the right to freedom and safety and the chance to live our lives as equals all contribute to a status quo which gives us the opportunity to unapologetically be ourselves as a group of individuals. To reach this level of self-actualisation is to be prosperous. It is also essential that we understand that in order to obtain this standard of general well-being, we must strive to be better. This handbook provides many examples of shortcomings in preserving these rights in all of the countries examined, calling attention to positive aspects as well, creating a balanced, fact-based overview which is both scientific and thought provoking.

5. Summary

The European Review is a handbook that possesses characteristics of monographs and source studies, but transcends characterisation as part of a certain genre. The authors used different information and tendencies in analysing all 26 EU MS, but followed the

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22 See the former Sustainable Use of Natural Resources strategy of the EU: https://ec.europa.eu/environment/archives/natres/studies.htm
23 Trócsányi and Lovászy, Európai Körkép, 773.
24 Ibid.
25 For comparison: In Bulgaria, according to a 2018 PISA survey, the near-illiterates rate is 47 per cent in the 15-years of age.
same four focal points (in short: identity and traditions, security and liberty, antidiscrimination and well-being) in the forms of subchapters, which were all made up of shorter subsections. They did not intend to synthesise and evaluate or draw conclusions from the data of the statistics used. The methodology behind the book was about using the analytical scheme built on the four above-mentioned aspects to provide a balanced evaluation of the current state of affairs in EU Member States. The volume undoubtedly accomplishes its goal on both fronts.

The work put into creating this volume is gigantic, which can be seen through the amount of statistics, surveys and other resources used and through the sheer scientific value it managed to produce. The European Review provides country-specific knowledge and shows what can be known about the geopolitical situation of an MS today, especially about the national identity and state system of the given country. At the same time, the book does not reflect the personal position of the authors: they collected and organised the statements and surveys of international and non-governmental organisations and institutions. More than 4,000 resources were used, which are all indicated at the end of each country’s evaluation.

The language and style of the handbook reflects the expertise of the authors. It manages to find a delicate balance where the text is factual and objective, whilst reading well.

Personally, we think that the European Review fills a niche in the market and is an exceedingly unique body of work. It is a standalone publication in the world of reviews, one that can compile huge amounts of data in an intriguing and thought provoking manner. One of the biggest added values of the project is that it covers 26 EU MS in different but comparable depths, bringing both problems and success stories to the readers’ attention. This is useful not only for experts of law, but also for students, teachers, economists and anyone who is willing to broaden their worldview through the lens of a fact-based, balanced and truly singular work. Overall, we have been convinced, both as reviewers and readers that the European Review will be suitable for the purpose originally conceived by the editors. Hopefully, it will spark a conversation about the findings in relation to the MS involved, as the subjects processed are of extreme importance.