

Interview with Jürgen Borchert

## "If Attac did not exist, big business would have to invent it"

Stefan Steinberg  
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*As well as being a member of Attac, Jürgen Borchert is a judge specialising in social law, and a founding member of the "New Union of Judges". He shared the platform on the first day of the conference with Attac founder Bernard Cassen. Borchert is an expert on family and social legal issues and has teaching contracts with organisations ranging from the German Green Party to the union of small businessmen attached to the Christian Democrats.*

**WSWS:** At the start of your contribution to the plenum you emphasised and quoted passages from the post-war constitutions of West Germany and the state of Bavaria. In your positive evaluation of these constitutions you also said that the market economy was based on the principle of equality. Could you explain these remarks more precisely?

**JB:** I stressed that the Bavarian and other constitutions, such as that of post-war West Germany, have a very strong egalitarian content. Market economy developed on the basis of freedom and equality. Prior to the free market economy there were feudalistic forms of society based on the distribution of privileges. The turn towards the market economy, however, was made possible by the development of private property and the overcoming of such privileges. Constitutions such as that of West Germany and Bavaria after the war are examples of democratic instruments aimed at preventing the development of new privileges.

**WSWS:** But is not the case that capitalism and the market economy is the cause of inequality today for the broad masses, with privileges only for a minority?

**JB:** In my opinion, the problem is what we refer to as neo-liberal politics, or what I call the irresponsibility of capitalism. When we speak about neo-liberalism, then

we have to recognise that it has nothing to do with the original form of liberalism expressed in the work of Adam Smith or the policies of someone like the post-war German economics minister Ludwig Erhard. It was the liberal capitalist policy of Ludwig Erhard, for example, which made possible the German economic miracle of the 1950s and 60s. At that time, there was a ninety percent tax rate for top incomes and this itself played a major role in making the German economic recovery possible.

**WSWS:** Do you think it is possible to simply turn back the clock?

**JB:** Yes, one must and can do this. It is necessary to return to such conceptions in order to shape the future.

**WSWS:** In your plenum contribution you spoke about the consequences of neo-liberal policies for the middle class and small businesses.

**JB:** That's correct. Amongst the first victims of current policies are small businessmen. A good example is the experience with pension funds. Taken together such funds constitute gigantic sums, which have been invested primarily to benefit the big concerns and shareholders. At the same time small businesses have been denied investment and must pay taxes under conditions where big business increasingly avoids paying any taxes at all.

**WSWS:** You also referred in your contribution to the dangerous social consequences arising from neo-liberal policies. What did you mean with this comment?

**JB:** I concluded my contribution with the remark that social discontent hits first and foremost cash value. One could even say that if Attac did not exist, it would be necessary, from the standpoint of big business, to invent it. In that sense our organisation is similar to the

trade unions, which also played an important role historically in diffusing social discontent. I see Attac playing a similar role.



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