



Written by [Steve Byas](#) on June 17, 2022

European Court Still Dictating to Great Britain

When the people of the United Kingdom voted to leave the European Union (EU) in 2016, many Americans who understood the importance of national self-government cheered right along with those in the U.K. who likewise valued national sovereignty. But this week, in a move that should provide a warning to Americans about protecting our own sovereignty, a European court — the European Court of Human Rights (ECHR) — stepped in to prevent the British government from deporting an illegal Iraqi migrant to Rwanda. The U.K. government recently reached an arrangement with the Rwandan government that allows would-be migrants to the U.K. to be sent to Rwanda while they await the processing of their asylum claims, a move designed to deter illegal immigration.



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While the British did exit the EU in 2020, in accordance with the 2016 national referendum, the Conservative Party government led by Prime Minister Boris Johnson failed to remove the country from the jurisdiction of the ECHR. While the ECHR is technically not part of the EU, it is part of the Council of Europe — to which all EU members belong — and the EU uses the same anthem and flag as the Council of Europe. Furthermore, membership in the ECHR is required of all EU member states.

The Iraqi man sought asylum in the U.K., and the U.K. government had to overcome multiple legal challenges to his deportation inside the U.K. itself, including at the U.K. Supreme Court, before the ECHR stepped in to tell the U.K. government they could not deport the man.

The judges at the ECHR argued that more judicial review was needed to determine if the migrant would be treated unfairly in Rwanda (which obviously does not recognize the authority of the ECHR).

When the British decided to enter into the EU, British Prime Minister Margaret Thatcher warned that the country was surrendering its national independence, and that it would be extremely difficult to ever extricate itself from the tentacles of such a government. Over the years, more regulations affecting the daily life of British citizens were coming from the EU government than from their own, which finally led to the exit of the British from the EU, in what was dubbed “Brexit.”

Nigel Farage, one of the most important figures in the Brexit movement, had long warned that the ECHR would block the government’s plan to deport illegal migrants to Rwanda. “Left-wing lawyers now dictate our immigration policy,” Farage said after the ECHR decision was announced. “Time to leave the ECHR and finally complete Brexit.”

Farage blamed Prime Minister Johnson for not doing Brexit properly. “We don’t need lessons from people in Strasbourg about justice and liberty. I think over the centuries we’ve done it rather better.” Farage added that the ECHR is really just a tool of EU dominance and is full of “political activists.”



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Sir Iain Duncan Smith, a former leader of Britain's Conservative Party, agreed with Farage. "If we have our own Bill of Rights then we shouldn't have to refer constantly back to the court in Strasbourg because we should rely on our courts to be able to uphold human rights and the rule of law which they were doing the other day," Smith said in reference to the decision of the U.K. Supreme Court.

Smith makes a good point. The British Bill of Rights was adopted in 1689, when most of Europe was under the heel of absolute monarchies that had little respect for the concepts of limited government and individual liberty. In fact, the U.S. Bill of Rights was modeled after the British version, and in some cases, used the same wording. It was the failure of the British government to respect these rights of their colonists in British America that led directly to the American Revolution and the secession of the 13 colonies from the British Empire in 1776.

The EU also has a bill of rights, of sorts. But in addition to supposed restrictions upon the government, the EU version includes giving powers to government to interfere in many private affairs. For example, while the EU recognizes "equality between men and women," the EU can give advantages to the under-represented gender in the workplace. It includes a "right" to annual leave, and environmental protection through "sustainable" policies. In other words, while it supposedly protects individual rights, it really gives much power to the government to interfere in what should be private matters.

This is what former President Barack Obama meant when he decried the failure of the U.S. Constitution to include what he termed "positive" rights, or the giving of power to the government to conduct what is often known as "social engineering." Social engineering is when government uses its powers to attempt to *force* individuals and groups in society to follow the government's views.

Relevant to this particular case of the Iraqi illegal migrant, the EU asserts a "right to asylum," and that is no doubt the supposed justification used by the ECHR.

Apparently, Prime Minister Johnson has had enough, condemning what he called activist lawyers who were "very good at picking up ways of trying to stop the Government from upholding what we think is a sensible law." He now appears to support withdrawing from ECHR, as Farage and others have long urged.

Of course, not all in Britain agree with the deportation of illegal immigrants. Prince Charles called the effort to deport the Iraqi "appalling." The Church of England condemned the plan, as did the left-wing mayor of London, Sadiq Khan, calling the effort "cruel and callous." Former leftist Labour Party leader Jeremy Corbyn predictably praised the decision of the ECHR, contending the effort to deport the man was "inhumane."

All of this should be a warning for Americans. The EU began in the 1950s as a supposedly benign trade deal on coal and iron, evolving into the super-state it is today. Government-managed trade deals, such as those the United States has entered into over the past several years, could very well entrap us in a similar super-government dictating policy to us, and gutting our own national sovereignty.



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