

## COMBATING MYTHOLOGY AND CHANGING REALITY: THE DEBATE ON THE FUTURE OF EUROPE

**Richard Corbett**

**ABSTRACT.** *As the enlargement of the EU fuels intense debate on the future of Europe, as a unified, single voiced and hopefully more efficient actor on a global scene, a clear cut assessment of the implications of such processes at national level is needed. As it enlarges its membership, the Union will become a macrocosm of progressively more diverse national interests, which need to dissolve into a unitary and articulated international presence. Against this background, the article looks at the implications of this process, within the framework of the powerful dichotomy federalism-centralism. Indeed, the EU is composed of strong member states with different cultures, which will retain large areas of their own competence; however, the author concludes, they will at the same time play a major role in the EU's own decision taking, make it an unusually decentralized federation, and not a centralized superstate. In exploring the case of the UK, one of the most prominent actors within the Union which has difficulties coming to terms with its role within a wider Europe, the author attempts to demystify the euro-sceptic legends on Bruxelles taking over power from London and offer an objective overview of the institutions and processes that take place within this decentralized federation. The discussion on the future of Europe, the article concludes, should be translated from diplomatic channels to the citizens' level, so that "they are at ease" with their union; and this will not be achieved through creating complex new institutions and multi tiered structures, but by objectively assessing, consolidating and improving what was achieved so far.*

### Overview

A general reform of the EU is scheduled for 2004. EU governments agreed that this should be prepared by a widespread public debate on the future of Europe. It is time for the debate on Europe to be taken from diplomats and given to the people!

What do we want the EU to do? How should it do it? Can we make it more understandable to its citizens? Can we improve its democratic functioning? These and other questions will be explored over the next two years as we prepare for a new-look EU to coincide with its enlargement to nearly thirty countries.

In Britain, this will not be easy. Our debate on Europe is still clouded by misplaced fears and apprehensions, often stoked up by the overwhelmingly Euro sceptic press and now the Conservative party too. Mythology, be it silly stories like straight bananas, or more serious but equally misplaced nonsense about threats to our democracy, dominates our discussions on Europe.

This pamphlet is an attempt to look objectively at the state we have reached in Europe and at the reforms that could come about in the coming years.

### 1. Why Europe?

Half a century of building the European Union has been vital for peace and prosperity in Europe. In bringing together former enemies into a common co-operative structure, it has brought an end to bloody conflict. In eliminating obstacles to trade and commerce it has brought unprecedented economic development to our continent.

An integrated economy needs common management. A market that is a simple free-for-all is neither fair nor efficient. To work well, it needs to be given fair rules and high standards. It must be shaped and directed. Some types of activity must be encouraged while others limited or prohibited.

With a common market we need common rules and standards in areas such as:

- Social standards, so as to avoid "social dumping" whereby companies shift to the country with the lowest social protection and weakest workplace rights
- The environment, where we all have a common interest in high standards
- Consumer protection, with goods and services flowing freely across frontiers, a common approach is essential
- Assistance to less prosperous regions and groups so that all can benefit from the prosperity generated, and where a common approach will be more effective than competing subsidies
- Public services, which are vital to the cohesion of our societies as well as to participative citizenship, and which need support and sometimes protection.
- Competition policy to ensure that our common market is not dominated by monopolies or a few multinational companies
- Trade, where negotiating as a single unit to gives us a strong voice in the WTO and in building partnership

\* Richard CORBETT, MEP for Yorkshire & Humber, is the spokesman both of the Labour MEPs and of the whole of the Socialist Group in the European Parliament on EU constitutional reform. He is also Chair of the MEP group of the Labour Movement for Europe, Vice President of the European Movement, Hon. President of Links Europa and on the steering group of Yorkshire in Europe. Richard Corbett is also on the Parliament's Economic and Monetary Affairs Committee.

with developing countries

- Citizens' rights, as the freedom of movement within Europe must not be seen only in economic terms: people are not commodities
- A commitment to democracy and fundamental rights, to guarantee that member states participating in our Union respect these fundamental criteria.

Common legislation in these areas is sometimes portrayed as being a burden on business, and our newspapers are not short of stories - real or imaginary - of red tape being imposed upon us by Brussels. However, good European legislation can be an exercise in simplification, cutting red tape and creating an environment in which businesses in general and exporters in particular can thrive. In the words of Tony Blair, "replacing 15 sets of disparate and often conflicting national rules with one common European-wide approach has been a huge exercise, not in complication but in simplification".

The EU is also a means for us to contribute to a more stable and peaceful world. Be it through economic aid, trade or contributing militarily to peacekeeping operations, or fighting terrorism and trans-national crime, it is by acting jointly that our countries can be more effective.

And we should never lose sight of what it means in overall terms in creating an area of peace and stability in Europe. Almost every generation from the fall of the Roman Empire until 1945 fought each other on the battlefields of Europe. Replacing that with arguments around the negotiating table is no mean achievement. We take it for granted at our peril.

## **2. Federal?**

Discussion on the nature of the EU sometimes gives rise to discussions on federalism.

But federalism is a term that has different definitions and meanings. In much of the British press and even in political discussions, it is equated with the centralism and the creation of a "super state". This is why, when our continental colleagues refer to federalism, our press has hysterics and our ministers say they want a different form of Europe. But, for most of our continental colleagues, federalism does not mean centralism. It simply means different levels of governance, each with its own responsibilities and democratically accountability, as decentralised as possible, but centralised where necessary.

Under this definition, the EU has always been a federal type system. Within a limited area of responsibility, the European Community has always had a legal system in which European law prevails over national law; an institutional system in which States may be bound by majority decisions; an executive that, once appointed, is independent of national governments and is accountable to a commonly elected Parliament; and its own (albeit limited) budgetary resources. Each and every IGC (treaty revision) has strengthened those "federal" characteristics.

This is true even of recent IGCs, which some argue developed the intergovernmental dimension (in two "pillars", legally separate from the first "Community" pillar, dealing respectively with foreign policy and justice) at the expense of the more federal, communautaire system: rather, the new intergovernmental field has been developed on issues that were previously not within the remit of the EU at all. Such intergovernmental co-operation can even be a stepping stone towards the more integrated system, as we have seen with the parts of the third pillar that were transferred by the Amsterdam treaty to the community legal system.

Overall, the EU now has a range of procedures, tailored to individual policies. Claims that the "Community method" is dead and claims that "intergovernmentalism" has reached the end of the road are equally wrong. There is currently no realistic prospect of environmental policy being shifted to intergovernmentalism, nor of defence policy being shifted to the community pillar.

All in all, it is far from absurd to argue that what we have in the EU already is a sort of decentralised federal system. But the fact that it is composed of strong Member States with different cultures, and which will both retain large areas of their own competence as well as play a major role in the EU's own decision-taking, make it an unusually decentralised "federation", and one which many people will prefer not to think of as such. They will find other names to characterise it.

Rather than divide on the vocabulary of European integration, we should unite on the substantial changes needed to make our Union function better and ensure that it is efficient, democratic, transparent and accountable.

## **3. But not a centralised super state!**

Whether one defines it as federal or not, it is certainly not centralised. Those who argue that we are losing our freedom and our identity by working with our neighbouring countries in the EU must think that Britain is pretty fragile. Either that or they have a dramatically overstated view of the powers of the European Union institutions.

The European Union is far from being a "superstate". Its structure has an in-built bias against over-centralisation:

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- The EU can only act in those limited areas specified in the Treaties, which can only be expanded with the approval of each and every national parliament, including our own
- Even within these areas, no significant legislation can be adopted without the approval of the Council, composed of national ministers, who are members of national governments accountable to national Parliaments: hardly the people most likely to press for European level action unless they are convinced that it is necessary (and to convince them you need at least a qualified majority of more than two thirds of the weighted votes)
- As an extra safeguard, the European Parliament provides extra scrutiny and is now able to block EU legislation in most areas
- As a final safeguard, the principle of subsidiarity has been written into the Treaties allowing an appeal to the Court should the EU overstep the mark.

### Consequently, the EU is decentralised:

- Only 3% of public expenditure is through the European budget: 97% is national or sub-national
- The European Commission, far from being the great bureaucracy of popular mythology, has a smaller staff than most average-sized cities (e.g. Leeds)
- Most key political issues: health care, education, the social security system, housing, income tax, crime and punishment, the organisation of local government, etc. will remain essentially national issues, settled in national elections and subject to legislation by national parliaments.

We are not creating a centralised super state, and we should stop giving credibility to that particular Eurosceptic myth.

### 4. Undemocratic? The changing EU system.

The EU institutions are:

- The European Council, bringing together the heads of our elected national governments and the President of the Commission, to give strategic vision and direction to the Union
- The Commission, to initiate proposals, administer agreed policies, and represent the Union externally,
- The Council, composed of representatives of the member states' governments, and the Parliament, directly elected by the peoples to jointly exercise legislative and budgetary powers within the field of Union responsibilities. The Parliament also has oversight of the Commission whose appointment it must approve and which it can dismiss
- The Court of Justice to rule speedily and equitably on disputes
- Advisory bodies, notably the Committee of the Regions, bringing together representatives of local and regional government, and the Economic and Social Committee, which includes employers and trade union representatives.

Citizens inevitably, see these EU institutions as remote and complex. Serving nearly a whole continent, they are unavoidably more distant than national or local institutions. In needing to reconcile a plurality of national and political views, they will rarely be an instrument for swift and decisive action. Their procedures, even if simplified, are different from more familiar national procedures and there are complications of language and culture. That is why we have the principle of subsidiarity: don't do anything at EU level if national action is adequate.

But it is also often claimed that there is a democratic deficit in the EU. There was. Until the Maastricht treaty, we had a situation where ministers alone, meeting in secret, could adopt a binding legislation (within the field of EU competence) without parliamentary approval. The Maastricht and, later, the Amsterdam treaties brought in significant changes. The democratic deficit is being plugged. There is still room for improvement, as at all levels of governance, but the EU can no longer be accused of being especially or uniquely undemocratic.

Straight after the 1997 election, the new Labour government negotiated and signed the Amsterdam Treaty. This made significant improvements to the EU system:

- First, legislation, in most cases, must now also be approved by the European Parliament. This gives the EU a bicameral legislature, with draft legislation having to pass two tests: acceptability to a (large) majority of the elected governments of the member states meeting in the Council and acceptability to a majority of the directly elected MEPs in the Parliament. There are up to three readings in each body and they must consider each other's amendments and reach agreement on the same text for it to become law. The existence of the Parliament, as a public forum with representatives of both governing and opposition parties, gives EU decision taking a far wider degree of openness and pluralism than is the case in any classical international organisation
- Greater scrutiny by national parliaments too, by guaranteeing them a six week period to examine proposals and discuss them with their minister before decisions are taken
- Greater openness and transparency with a right of public access to EU documents and an obligation to

publish the results of legislative votes in the Council. The fundamental democratic principle that you should be able to see how your representative voted is now in place than the Council (and, of course, always was in the Parliament)

- Providing for the suspension of any member state that ceases to be democratic or to respect human rights
- Beginning the job of codifying the Treaties into a single and more understandable document
- Providing for Europe-wide rules to be adopted against discrimination on grounds of sex, racial or ethnic origin, religion or belief, disability, age or sexual orientation
- Spelling out the principle of subsidiarity and the procedures to apply it in a protocol annexed to the Treaty

The Treaty of Nice provides for further improvements:

- Institutional changes required for enlargement: cutting the size of the Commission, reviewing the weighting of the votes in the Council to better reflect the size of states, extending qualified majority voting (the latter an advantage to Britain in appropriate areas as we are likely to suffer more from other state's vetoes than gain from the possibility of using our own, especially in a Union of twenty-odd states where unanimity will equate with paralysis), and reforming the Court to speed up judicial review
- Allowing for "enhanced co-operation" where some but not all states wish to proceed in a new field
- Providing for the possibility of joint humanitarian and peacekeeping action when NATO is not involved.

And now there is to be a third round of reform. Another opportunity to improve the EU and ensure that it operates to the highest standards of efficiency, transparency and democracy. A new IGC in 2004, preceded by a great debate on the future of Europe. We shall return to this below. But we already have a system that is now far more democratic than it has ever been and is far more democratic than any other international structure, none of which have an elected Parliament.

A Parliament to be proud of!

Granted, the European Parliament is not a "sexy" Parliament. Compared to many national parliaments, it lacks the cut and thrust of debate between government and opposition. Like the US Congress, its real work is done in committee. The plurality of languages used makes the debates far from spectacular. For these reasons among others, it gets far less media coverage.

But when it comes to the detail of legislative or budgetary work, MEPs shape legislation in a way that MPs in many national Parliaments do not. In some national parliaments, when a government publishes a bill, it is headline news if the parliament amends it against the will of the government. Such is not the case in the European Parliament. MEPs go through it paragraph by paragraph amending it and rewriting it. So do the ministers from the national governments in the Council, and ultimately the positions of the two must be reconciled in what (since the Amsterdam Treaty) amounts to a bi-cameral legislature at EU level - but the net effect is that MEPs play a significant role in shaping legislation - a classical parliamentary function almost forgotten by some national parliaments.

One measure of a good MP in a national context is someone who is a good debater, able to score points over his or her opponents. An effective MEP is someone who is good at explaining, persuading and negotiating with colleagues from 15 different countries. This is done at three levels. First, within political Groups, such as the Socialist Group, as MEPs from different national parties work towards developing a common position as a Group. Second, with other Groups in the Parliament, as no Group has an overall majority and coalitions must be built. Indeed, the type of majority can vary from one issue to another, as there is no predetermined coalition, but a general willingness to work by means of achieving substantial majorities on most issues. Third, once Parliament has a position, there is a need to negotiate with Council for the final outcome. Such a style of Parliament leaves ample scope for an active MEP, providing that he/she is good at building the necessary majorities.

The European Parliament is part of what makes the EU radically different from a traditional intergovernmental organisation. Without the Parliament, the EU would be a system totally dominated by bureaucrats and diplomats, loosely supervised by ministers flying periodically into Brussels. With it, a body of full-time representatives in the heart of decision-taking in Brussels, asking questions, knocking on doors, bringing the spotlight to shine in dark corners, in touch with their constituents back home, the EU system is more open, transparent and democratic than would otherwise be the case. MEPs are drawn from governing parties and opposition parties and represent not just capital cities but the regions in their full diversity. In short, the Parliament brings pluralism into play and brings added value to the scrutiny of EU legislation.

It also takes the edge off national conflict. Council can all too often give the appearance of decision taking by gladiatorial combat between those representing "national interests". Reality is more complex and the fact that the Parliament organises itself not in national delegations but in political groups shows that the dividing line on most concrete subjects is not between nations but between political viewpoints or between sectoral interests.

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Despite the significant and growing role of the European Parliament, turnout in European elections has remained low, and even declined to 50% of the electorate in the 1999 election. Although this is higher than, for example, US Congressional elections (48% in 1998) it remains below that commonly experienced in EU member states for national Parliamentary elections (although these too have been declining in most countries). This is likely to remain the case; European elections will remain less significant for day-to-day issues of immediate concern to voters than national elections. There is no government directly at stake in European elections and voters are used to thinking in national elections about whether to keep or throw out a government. EU institutions are inevitably more distant than national or local institutions and, the consensus-style decision-making at EU level, which often prevents partisan alternatives from being highlighted to the electorate.

It is therefore normal that turnout is lower for European elections. But what about the decline in that level? This fell by 13 percentage points between 1979 and 1999. Yet, turnout in national elections also fell by more than 13 percentage points over the same period in France, Germany and the Netherlands. Britain was the worst of all with an 18.6% decline between 1992 and 2001. Declining turnout is not just a matter for the European Parliament, but is a challenge for democracy at all levels.

The European Parliament has only had real co-legislative powers since 1999. It is still a young parliament, developing its role and its procedures. Already, it is the guarantee that EU policies are scrutinised in detail and in public by elected representatives of diverse political viewpoints in a way that exists in no other international organisation. Perhaps it is time for a bit less defensive about a Parliament that in certain crucial respects compares well to national parliaments as a pluralistic forum in which legislation is shaped through discussion and compromise. As we look around the world - or, indeed at our own European history - we can be proud of what we have achieved with our unique multicultural, multilingual parliament.

### 5. A new round of EU reforms in 2004.

The heads of government identified four subjects to kick-start the debate on the future of Europe:

- Whether to have a catalogue of competences, listing what the EU should do and what it shouldn't
- How to simplify the treaties to make them more easy to understand
- Whether to incorporate into the treaties the recently agreed charter of rights
- How to improve involvement by national parliaments.

These issues are not exclusive, and many others will find their way onto the agenda.

#### a) A catalogue of competences?

Do we need a better delimitation of the European Union's field of competence?

In practice, the EU touches a wide range of policy areas, but to a limited degree. Even a subject such as education, which is predominantly a national or regional responsibility, is dealt with by the EU to a limited degree (mutual recognition or diplomas, educational exchanges, student mobility). Conversely, a subject to such as agriculture, which is largely a European responsibility, still leaves ample scope for national action within the European framework. Trying to regulate this in the Treaty has produced long and complex treaty articles, and the exact degree of European involvement is determined day to day through the political processes of the European Union. To try to settle it all in a catalogue is, in legal terms, a nightmare.

If, however, the catalogue is not a legal document, but a political declaration to illustrate the broad lines of EU competences in order to facilitate understanding, and show that the EU is not going to take over responsibility for everything, then this would be a good thing, if it were done well.

#### b) A simplification of the treaties?

The objectives and the responsibilities of the Union, the composition and powers of its institutions and the details of its legislative and budgetary procedures are laid down in the treaties, which therefore constitute, de facto, a constitution of the Union. Such an essential basic law, currently spreading over several treaties and thousands of articles, should be reorganized, simplified and codified so that citizens can have access to a clear, concise description of the Union and its procedures.

A start was made on this process, indeed, in the Amsterdam Treaty. The European University Institute in Florence has now produced a draft which shows that it is possible to go much further in taking the current disparate set of treaties and protocols and turning them into a single codified text. This would make them more comprehensible for those having to deal with them and more accessible to a wider public. The public has a right to see clearly who is responsible, and according to what procedures, for adopting the laws and policies by which they are governed.

Of course, such simplification and codification would also make the treaties more recognisably a constitution - and it is for this very reason that some are opposed to it.

One of the problems in discussing a European constitution is that the word "constitution" evokes different

responses and emotions from one country to another. In some, the constitution is an almost sacred document, adopted at a key moment in a country's history following independence or a revolution, probably drawn up by a constituent assembly, the annals of which feature prominently in history books. In others, the constitution is a more pragmatic notion. Take the UK, where the constitution is not even codified in a single text, and has evolved without there being a one single agreed starting point.

In this pragmatic, British, sense, the EU already has a constitution: the treaties. In that they lay down the field of competence of the EU, the composition and the powers of its institutions and the details of the legislative and budgetary procedures, they do fulfil the role of a constitution.

If, then, we can accept that the treaties form the constitution of the Union, then the debate on the constitution can focus on the issue of codification and simplification (and later on its content) without being clouded by arguments over the theology of what is a constitution.

### c) The Charter of Rights.

The EU Charter of Rights, drawn up in 2000 by a convention composed of members of the national parliaments of the Member States, of the European Parliament and of representatives of the 15 governments, was approved by all the governments and EU institutions in December 2000. However, it was not integrated into the EU treaties, which would make it legally enforceable. That question will now be examined now.

The European Parliament, the European Commission, the Committee of Regions, and a majority of the national governments all take the view that the Charter should be incorporated into the treaties. That is a powerful body of opinion.

Rights are meaningless unless there is a legal mechanism to enforce them. The fear is that this will lead to the European Court of Justice intervening in a wide range of issues best left to the national context. However, the Charter is designed to apply only in the field of EU law, and should not therefore directly interfere with national rights. It will be binding on the EU institutions but not on national authorities except insofar as they are applying EU law.

The Charter is a powerful symbol of the common democratic values of European countries. It should also be a guarantee that the EU, like its member states, is obliged to respect human rights and fundamental freedoms.

### d) What role for national parliaments?

It has periodically been suggested that a "second chamber" for the European Parliament be set up composed of representatives of national parliaments. At first sight, such an idea is attractive. It again emphasises that Europe is not just an "intergovernmental" matter for ministers and diplomats. It could lead to a more informed debate in national parliaments about EU affairs. The recent interest shown in the idea by Britain is a welcome change from European negativism of bygone governments, showing a willingness to make constructive proposals on the future of Europe. None the less, this particular idea is one that raises as many questions as it solves.

This proposal was considered during the negotiation of the Amsterdam Treaty when it was strongly pushed by the then (Gaullist) French Government. However, it obtained little support for reasons, which remain valid:

Creating yet another EU institution risks making the EU system more complex and less comprehensible to the wider public. If it were given any power, it would make the decision making system of the Union slower and cumbersome. If it were not given any powers, it would soon be portrayed in the press as an expensive talking shop.

In any case, the EU's most powerful institution is the Council, whose members are drawn from governments enjoying the confidence of their national parliaments: in what sense would direct and separate parliamentary representation bring added value? Would it not just provide a European level repetition of national political conflicts: the Tories using this body as an extra platform to question virtually every decision that the UK Government has approved in the Council, while Labour members feel obliged to support what their minister has decided?

There are also practical problems. Experience with the pre 1979 European Parliament (which was then composed of representatives from the national parliaments) showed that it was very difficult, even then, for MPs to spare enough time to do the job effectively. Furthermore, majorities depended on which national delegation was absent in its entirety due to key events in their own national parliament. One day, there would be no Germans, the next day no Brits, and so on.

Experience in parliamentary bodies drawn from national parliaments does not lend support to claims that extra scrutiny by known and trusted national politicians would fill the gap in public confidence in Europe. What proportion of the electorate has heard of who represents Britain in the WEU Assembly or in the Parliamentary Assembly of the Council of Europe, even when a UK MP has been elected to the presidency of

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such bodies?

Such bodies are useful for networking, but little more. And for such purposes, there already exists the Conference of European Affairs Committees ("COSAC"). Created a few years ago, it is developing a useful role as a forum and an opportunity for those MPs most involved in EU issues in their national parliaments to meet and network. It would be more practical to use this light framework rather than amend the treaties to create a new institution.

Faced with these arguments, most supporters of the idea have backtracked somewhat, and now suggest that a new chamber should only have a limited role. Two options appear to be taking shape.

The first is that it should be a "chamber of subsidiarity" policing the borders of EU competence. But here too there are difficulties. If it were to examine Commission proposals to check that they were within the EU's field of competence, leaving them then to the Council and Parliament to deal with according to normal procedures, this would be too soon in the procedure. Council and the European Parliament substantially amend commission proposals, so pronouncing on the "first draft" is premature. If, on the other hand, it is to intervene at the end of the procedure, then you are effectively asking this chamber to second guess the position adopted by the ministers in the Council, with the problems alluded to above.

The second idea is that it should be charged with scrutiny, not of EU legislation, but of foreign policy (taking over from the WEU assembly regarding security matters). But Parliaments do not take most decisions regarding foreign policy and security: they question, debate and scrutinise the decisions of executives. A body restricted to that would be open to the charge of being an expensive talking shop. All the more so, as these matters will in any case continue to be debated in the national Parliaments and in the European Parliament (the latter already has treaty based rights to question the Council on Foreign policy, can adopt resolutions, conducts inter-parliamentary relations with third countries and adopts the budget). Do we really need a third level of parliamentary debate of these matters?

The idea that a second or third chamber would be a good way of involving national parliaments in European debates is thus fraught with difficulty. Instead, there is ample scope to discuss how national parliamentary scrutiny back home over their own ministers in the Council can be improved.

National parliaments are now guaranteed a six-week period for deliberation and discussion with their ministers of any Commission proposal before Council adopts a position. How this is done is, of course, up to each country. Some, such as the Nordic countries, have set up far-reaching procedures. Their ministers virtually go before the national parliament's specialist committee on their way to Brussels and on their way back.

There is, of course, nothing to stop other national parliaments following this example. But it does not require a change in the treaty.

e) Other issues: let a thousand flowers bloom.

The above list of subjects proposed is not exhaustive. Other issues are likely to arise, especially if the broad public debate takes off. This is to be welcomed. Issues that have already been evoked include the following:

- The role of regions in the governance of Europe, with devolution in many countries leading to devolved authorities being responsible for policy areas that the EU coordinates: should those regions which have legislative powers in areas also subject to EU policy have a right to accompany national representatives to Council and a right to go to the Court of Justice for certain types of case? Should the role of the Committee of Regions be enhanced?
- Extension of the co-decision procedure to the remaining legislative areas that it does not yet cover, such as agricultural policy. This would mean that ministers alone could not adopt agricultural legislation without parliamentary approval – a re-balancing that could prove crucial to reforming the CAP
- The role of the High Representative for foreign policy. Many are arguing that this post (currently occupied by Javier Solana) should be placed in the Commission, eliminating the duplication that exists with the post of External Relations Commissioner (currently occupied by Chris Patten)
- Other possible extensions to QMV. We should not fear the extension of QMV in appropriate areas: we are likely to suffer more from other state's vetoes than gain from the possibility of using our own, especially in a Union of twenty-odd states where unanimity will equate with paralysis
- Streamlining the Council: much public frustration with the EU is its seeming inability to decide without lengthy wrangles. The internal workings of the Council must be addressed. There is a need for an effective General Affairs Council to co-ordinate the sectoral Councils and better to prepare European Councils so that the valuable time of Heads of Government is not taken up with settling issues that should have been solved at other levels. It should be borne in mind that an enlarged union, a "tour de table" of twenty-five Prime Ministers speaking for five minutes only would take most of a morning. A splitting of the Foreign Affairs Council from the General Affairs Council could help (whether or not governments choose to send the same or a different

minister)

- Eliminating of the ring fencing of the agricultural part of the budget, which currently escapes full parliamentary scrutiny
- Going a step further on openness and transparency by setting out and publicising a full internet system of access to European documents, including the placing of draft legislation at all stages of the procedure on the internet allowing for members of the public to comment
- Simplifying and improving the procedure for adopting implementing measures (where the Commission works in conjunction with committees of national civil servants - sometimes called the "comitology" system) by providing for the agendas of all such meetings, and draft legislation submitted to them, to be made available to the European and national Parliaments and by giving both the Council and the European Parliament the right to "blow the whistle" on Commission implementing measures and have them referred back to Council and Parliament
- Adopting a code of conduct for Council members (similar to the one that the European Parliament has adopted for MEPs) to preclude gifts (all Council members were recently given bottles of whiskey by the Duty Free lobby)
- Examining the proposal that European Parliament should elect the President of the Commission. This would lead to political parties putting forward candidates for President during the European Parliamentary election campaign (e.g. the Party of European Socialists proposing, maybe, Robin Cook and the European Peoples' Party proposing for instance, Aznar). National Parliamentary elections are really about keeping or changing national governments. European elections have up to now been about electing a Parliament in isolation with no visible impact on any executive. This idea would change this, with at least a visible impact on the choice of the President of the Commission. However, its practicality (there are not many politicians who are well enough known in all member states) and its wider consequences on the EU's political system (would national governments accept to work closely with a President they may have opposed? Would the EP feel obliged to support "its" president and cease to be as independent as it is now?) would need to be evaluated carefully.

#### **6. Britain's role.**

Some people still say that Britain can never be truly in the heart of Europe.

Some claim that we belong to the "Anglo-Saxon" world and cannot therefore be real Europeans. Yes, we are English-speaking and share many cultural ties with the USA and the Commonwealth - just as Spain shares similar ties with South and Central America, France with the countries of the Francophone Community, Portugal with Brazil and so on. Nothing unusual. Such ties are typical of European countries. They do not detract from other ties. Economically, we are part of the European single market, which absorbs nearly 60% of our exports - we sell more to Holland alone than to the whole of the Commonwealth. Our social model, is far closer to that of our European partners than to the USA - just look at health care, for example, with a quarter of the US population not covered or even insured. And, our history has always intertwined with that of the continent from the Celtic heritage of the ancient Britons through the successive settlements of Romans, Saxons, Danes and Normans and our monarchs from Holland, Germany and elsewhere.

Other critics say that we will never really be in the heart of Europe unless we break or join the Franco - German partnership.

The Franco - German relationship is of a value to the whole of the EU, not just because it has been so successful in overcoming the enmity between two countries that fought wars generation after generation, but because it represents the maturity of two countries willing to sit down and systematically talk through their differences in order to reach a mutually beneficial compromise. Their views have in fact been very different on issues such as free trade, the Atlantic alliance and the institutional structure of the Union. Indeed, on many of these issues they have been at opposite ends of the spectrum of opinion in the EU - which is why a Franco-German compromise, once achieved, has so often been something acceptable to and welcomed by the other countries. Far from France and Germany being in some way ahead of everyone else and dragging them along, which is the image frequently presented in Britain, the true significance of the Franco-German partnership has been in its commitment to overcome their differences. They have seen differences of view as being an additional reason to talk.

Contrast this with the attitude of certain past British Governments, all too liable to retreat to the sidelines as soon as there was the slightest disagreement. Instead of engaging in debate, Britain all too often opted out and thereby simply left the decisions to others.

Those times are now gone. Britain is a now full partner, at the forefront of debates on the way Europe is going and on the policies it needs for the future. The role played by Britain in the last four years has been outstanding:

- On the economy with the measures agreed at the Lisbon Summit, where the EU endorsed a ten year

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## COMBATING MYTHOLOGY AND CHANGING REALITY: THE DEBATE ON THE FUTURE OF EUROPE

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programme of economic reform, largely inspired by British ideas, with the aim that the EU become the most competitive and dynamic knowledge-based economy in the world, capable of sustainable economic growth with more and better jobs and greater social cohesion

- On defence where the proposals, developed from the Anglo-French St Malo summit, have led to the agreement on creating a European rapid reaction force
- On enlargement where Britain is at the vanguard of those pressing for speedy enlargement
- On the "Agenda 2000" package on EU spending, which was not only a remarkably successful deal for Britain, but also represented a better overall balance in EU spending.

On these and other issues Britain has led the debate and played a key part in shaping the decisions made. By engaging in debate, Britain is finding that it is able to shape attitudes, policies and programmes to a far greater extent than ever before.

Of course, there will be issues where we have a particular viewpoint or require special treatment, but these will be no more than is the case for other Member States. And with Britain now playing a full part, the debate on the so-called hard-core or "avant-garde" is misplaced. There is no single group of Member States wanting to go much further in many areas and another defined group that doesn't. Instead, we have a situation where all Member States participate fully in almost all the common policies of the Union and sit on all its institutions. Only in a handful of policy areas are there a few Member States that do not, or not yet, fully participate, and the identity of these states varies according to the issue. There is no case for a single "hard-core", but for a degree of flexibility, in those few and limited cases where it is necessary. This, indeed, is what was agreed at Nice.

Britain now has an opportunity to contribute to the debate on the Future of Europe and to shape the reforms of 2004. As with the Amsterdam and Nice treaties, it will do so from a position of strength, as a leading member of the EU. It must have the courage to make bold proposals to enhance the efficiency, transparency and democratic accountability of the EU.

Discussions on the future of Europe will no doubt continue for many years. They will range from the pragmatic to the theoretical. Some describe our Union as being of a federal type, whereas others are uncomfortable with using a word that has so many different definitions and connotations. What is certain is that we are building up a Union with important but limited responsibilities. Member states will continue both to be responsible for most areas of public policy making, and will continue to play a central role in the policy making of the Union as such and in the implementation of its policies. What we are creating in Europe is a decentralized Union, in which all can keep their identities. Unity in diversity is the Union's motto, and will remain so.

Much has been achieved in half a century of European integration. The time has come to ensure that the citizens of Europe are at ease with their Union. This will be achieved not through far-fetched ideas about creating complex new institutions and multi-tiered structures, but by resolutely consolidating and improving what we have achieved so far.