

## Britain and Europe

by Vernon Bogdanor

No one familiar with British history should be surprised at the verdict of the referendum. For Britain's relationship with the Continent has always been uneasy. When asked whether Britain is really part of Europe, the British have preferred, like *Pontius Pilate* when asked „What is truth?”, not to stay for an answer.

Geographically of course there can be no doubt that Britain is part of Europe, but is it politically part of Europe? For much of British history, Britain appeared to be politically separate from the Continent. Indeed, in 1900, almost everyone would have said that Britain was not politically part of Europe. Britain lived in splendid isolation as an imperial power. The British Empire at that time covered nearly a quarter of the world. It was the largest land empire the world has ever seen.

Although there were of course no opinion polls at the beginning of the 20<sup>th</sup> century, it is reasonable to assume that most people in Britain did not feel that they had much in common with Continental countries. Because of her island situation, Britain's trading pattern was quite different from that of the Continental powers. As the first industrial nation, she had a much smaller agricultural sector than her Continental competitors. She was a maritime power, relying on cheap food from the colonies, and her commercial system was based on free trade, unlike the high tariff countries of the Continent, with their large agricultural sectors. As a maritime power and an island, Britain could rely on the navy to defend her. Unlike Continental countries, she did not need a large army. Britain had no conscription in peace time until early 1939, just five months before the outbreak of the Second World War.

In 1900, there was no British military commitment to the Continent. Indeed, Britain did not agree to maintain troops on the Continent in time of peace until 1954. And Britain had no Continental alliances. Perhaps that period of isolation, though it has long gone, still remains some of its impact upon the British psyche.

That at least was what France's President *Charles de Gaulle* thought when, in 1963, he vetoed Britain's first application to join the European Community, precursor of the EU. In the press conference at which he announced his veto,

*de Gaulle* said that the Treaty of Rome, which established the European Community, had been signed in 1957 by six *continental states* „which were of the same nature”. Britain, by contrast, was „insular, she is maritime, she is linked through her exchanges, her markets, her supply lines, to the most diverse and often the most distant countries; she pursues essentially industrial and commercial activities, and only slight agricultural ones”. That was why she was so opposed to the Common Agricultural Policy, which the French regarded as an essential element of the Community. *De Gaulle* concluded that „the nature, the structure, the very situation (*conjuncture*) that are England’s differ profoundly from those of the continentals”, although he did accept that Britain might evolve „little by little towards the Continent”.

Many British leaders would have agreed with *de Gaulle*. Foreign Secretary *Anthony Eden*, speaking at Columbia University in January 1952, told the Americans who were eager that Britain should be part of a European political unit, that

*„If you drive a nation to adopt procedures which run counter to its instincts, you weaken and may destroy the motive force of its action... You will realize that I am speaking of the frequent suggestions that the United Kingdom should join a federation on the continent of Europe. This is something which we know, in our bones, we cannot do... Britain’s story and her interests lie far beyond the continent of Europe. Our thoughts move across the seas to the many communities in which our people play their part, in every corner of the world. These are our family ties. That is our life: without it we should be no more than some millions of people living on an island off the coast of Europe, in which nobody wants to take any particular interest.”*

In the early 1950s, *Anthony Eden* told his private secretary, „What you’ve got to remember is that if you looked at the postbag of any English village and examined the letters coming in from abroad to the whole population, ninety per cent of them would come from way beyond Europe”. They came from relatives in Australia, Canada, New Zealand and South Africa. Europe, *Eden* said, was where their relatives, who had died in two world wars, were buried.

*Eden*’s view was echoed by the leader of the Labour Party, *Hugh Gaitskell*, in 1962, when the Prime Minister, *Harold Macmillan*, was seeking to enter the European Community. *Gaitskell* declared that for Britain to join a federal Europe would mean the „end of a thousand years of history”.

Pro-Europeans argue that this mind-set was formed during the era of empire, an era which pulled Britain away from Europe by the coattails. They argue that the

era of empire, even though it had so coloured Britain's sense of national identity, was an aberrant period in her long history, during most of which Britain's fate and that of the Continent have been intertwined. Britain, after all, fought two world wars because of conflicts that arose in Europe not in the Empire – the first because of the assassination of an Austrian archduke in Bosnia, and the German invasion of neutral Belgium, the second because of the German invasion of Poland. So the question arose of whether Britain's separation from the Continent was a fundamental axiom of her existence, or whether it resulted primarily from our imperial experience which was a deviation. Could Britain become European?

President *de Gaulle*'s successor as head of state in France, *Georges Pompidou*, thought that the answer was Yes. In 1971, after the successful negotiations preceding Britain's entry into the Community, he declared that he had asked Prime Minister *Edward Heath*, „what he thought of Europe, in other words whether Britain was really determined to become European, whether Britain, which is an island, was determined to tie herself to the Continent, and whether she was prepared, consequently, to loosen her ties with the open sea, towards which she has always looked.” And then *Pompidou* gave *Heath*'s response, saying „And I can say that the explanations and views expressed to me by Mr. Heath are in keeping with France's concept of the future of Europe”. He perhaps left the question open of whether *Edward Heath*'s answer corresponded with the British concept of the future of Europe.

For, while many on the Continent defined themselves as European, many British people defined themselves by contrast with Europe. The main events which have stamped British consciousness were those in which Britain had been alone confronting a continent which was hostile – *Napoleon* in the early 19<sup>th</sup> century and *Hitler* in 1940. 1940 indeed is a powerful folk memory in Britain. For it seemed to show that Britain did not stand or fall as a nation with the other nations of the Continent. Unlike them, Britain could survive a military defeat because of the Channel. Britain could withdraw her troops from the Continent, as she did at Dunkirk, and, unlike the other opponents of the Nazis on the Continent, could remain in the war. Because Britain was an island she was free to carry on the fight. Britain was similar not to the Continental states but to Russia. For Russia also, as the wars against *Napoleon* and *Hitler* showed, could survive military defeat, not because she was an island but because of her huge immensity of size. The Second World War instilled into the British consciousness the idea that her commitment to the Continent was bound to be limited. It could never be a total commitment. From this point of view, perhaps *de Gaulle* was right – and *Pompidou* wrong – to

believe that *Edward Heath* had converted Britain to view herself as a Continental power. The whole experience of the Second World War and the immediate post-war years seemed to reinforce the differences between Britain and the Continent. Most Continental countries had either succumbed to Fascism or Nazism or been occupied. Britain had not. She alone did not have to be ashamed of her wartime experience. The countries of the Continent by contrast had to begin again. They had to rethink the preconditions of constitutional and political order.

For many on the Continent, the war against *Hitler* had taken on the aspect of a supranational struggle. It appeared not merely as a conventional war between nation-states, but as a common European struggle – a struggle for European civilisation. The war seemed to take on the character of a war of faiths in which the nations themselves were divided. From the shock of defeat and occupation, many European leaders drew the lesson that the nation-state had failed and that they could become influential only if they combined together. Two key elements of the resistance were the socialists and elements of the Catholic church. The resistance, therefore, seemed to hold open the possibility of a revived international socialism and a new political force, a democratic Catholic party, Christian Democracy. These two political ideologies could come together in the common cause of European unity. They are still the two most popular forces on the Continent and the two most powerful forces in the European Parliament.

The idea behind European unity was fundamentally political – its first aim was to integrate the new Germany into Europe, then to integrate countries emerging from dictatorship – Greece, Portugal and Spain – and finally to integrate the ex-Communist states of Central Europe. Britain did not share this political aim. She alone of all the larger states in the European Union did not feel the need to overcome the past.

When Britain did finally join the European Community in 1973, fifteen years after it began, she found that she was required to make far greater adjustments than any of the other member states. For her economic and social arrangements were very different. Her system of indirect taxation was different, and so also was her system for subsidizing agriculture. Even more fundamental was the fact that Britain's constitutional arrangements, and her party and electoral system, were so very different from those of her Continental neighbours.

Britain alone in Europe elected her Parliament by the first past the post system, a system which normally produces single-party majority governments, the hung parliament of 2010 being an aberration in this respect. On the Continent, by contrast,

every country except France elects its legislature by some system of proportional representation, which normally produces coalition government. Therefore Continental countries find it easier to operate European institutions which are coalitional in nature, and based, unlike *Westminster*, on the principle of the separation of powers.

In Britain, the prime role of Parliament is to sustain the executive. The European Parliament, however, is a fundamentally different animal. Its basic role is to sustain a dialogue with other Community institutions – the Commission and the Council of Ministers. The *House of Commons* is fundamentally a debating chamber, dominated by the binary dialogue between government and opposition. It debates a series of measures to which the government is committed and which it must defend. The procedures of *Westminster* are geared to informing the electorate of issues in dispute between government and opposition, and they imply the existence of two disciplined armies in the *House of Commons* articulating two quite different philosophies. The activities of the *House of Commons* are in the nature of a continuous election campaign.

But the European Union works quite differently. For European legislation is not being proposed by a government, nor attacked by an opposition. European Union legislation does not conform to the binary pattern of politics which is dominant at *Westminster*, and there is no party-supported government in Strasbourg seeking to promote its legislation or secure support for its policies. The European Parliament is a multi-party parliament, operating through carefully-constructed coalitions, most frequently a coalition between the two dominant political groups, the *European Peoples Party* (the Christian Democrat group) and the *Socialists* – a party group of the moderate right and a party group of the moderate left. Coalition in Britain, by contrast, is still seen as an essentially temporary arrangement.

These differences are reflected in the architecture of the two parliaments. *Westminster* is rectangular with the government facing the opposition. The European Parliament by contrast is horseshoe-shaped not rectangular. It is a working legislature rather than a debating one, geared primarily to legislative scrutiny. It is a legislature of a quite different kind from *Westminster* which was geared to consider legislation only when it reaches a final form, with the prestige of the government behind it. A legislative proposal put forward by the Commission, on the other hand, and a subsequent decision taken in principle by the Council of Ministers, is expected to be subjected to considerable amendment as it goes through the legislative process. British parliamentary processes, therefore, are of a quite different kind from those of the European Parliament, and so it is not surprising that, even

after Britain entered the European Community in 1973, she found it difficult to accommodate herself to its institutional practices.

It was also difficult for those brought up within the British constitutional tradition to understand the role of the European Commission, which seemed to them a curious hybrid. In Britain, there is a sharp separation between politicians and officials. Those who enjoy the right to make political decisions are empowered to do so in virtue of the mandate which they receive from the electorate. Civil servants, by contrast, are unelected, appointed on a career basis, and required to observe strict political neutrality. British constitutional experience has little role for the elected official or the non-elected political leader, such as, for example, *Jacques Delors*, or *José Manuel Barroso*. These constitutional and political differences resulted in large part from the fact that Britain's constitutional evolution has been so very different from that of the countries of the Continent. It has been stable and marked by extraordinary durability.

Of the original six countries which formed the European Community – France, Germany, Italy and the Benelux countries – only France had existed as a unified country before the 19<sup>th</sup> century. It is no doubt for this reason that the French have been the strongest defenders after Britain of the idea of national sovereignty. Germany and Italy were not unified until the second half of the 19<sup>th</sup> century, and the most recent German borders date from 1990, following the collapse of Communism in East Germany and the disappearance of the East German state. Belgium and Holland assumed their present boundaries in 1830. Many of the more recent member states, such as Poland, which entered the European Union after the fall of Communism, were not created until after the First World War; and some of them – Slovakia, Croatia and Slovenia – not until the 1990s.

On the Continent, the fundamental dates of modern political history are 1789, the year of the *French Revolution*, 1848, the year of the failed liberal revolutions, and 1917, the year of the *Bolshevik Revolution*. These revolutions moulded the party systems of most Continental countries, so that the characteristic Continental structure of party cleavages is quite different from that in Britain. Britain escaped the revolutions of 1789, 1848 and 1917, which left little more than echoes. Britain's past has been evolutionary and reflected in her uncodified or unwritten constitution.

The political regime in Britain has remained basically unchanged since 1689, the year of the *Glorious Revolution* which established a parliamentary monarchy, and emphasized the undivided sovereignty of Parliament. The European Community,

however, would in practice, if not in theory, undermine the sovereignty of Parliament. For it enacted laws which would have a direct effect upon all citizens, and which Parliament could not amend or alter. Further, in any conflict between *Westminster* legislation and the legislation of the European Community, the legislation of the European Community would take precedence. In other words, *Westminster* would become in practice over certain areas of policy a subordinate legislature. Indeed, the very notion of European unity, of a European Community, implied that Parliament could not remain sovereign, because Britain might be outvoted by the other member states. It was inherent in the idea of European unity that the European Union should be a superior legal order to that of *Westminster*.

The fundamental feature of British constitutional development, then, is the long tradition of continuous and undivided parliamentary sovereignty, which has no parallel on the Continent. It is Britain's long tradition of thinking in terms of undivided sovereignty which made it so difficult for her to accommodate ourselves to Europe and it is because of this principle that Britain does not have a written constitution.

Britain's main political institutions – the *House of Commons* and the *House of Lords* – go back to mediaeval times. The monarchy goes back to the 8<sup>th</sup> century. On the Continent by contrast, political systems have been consciously constructed – often quite recently. The French constitution dates from 1958, the German from 1949, the Italian from 1948. For the Germans, and later for Spain, Portugal and Greece, emerging from dictatorship, and later still for the ex-Communist countries, the EU was a symbol of democratic respectability, a sign that they had been once more been accepted into the world of civilised nations. Britain did not need such a symbol. Therefore, she did not share the basic political aim of Europe's founding fathers. She entered for entirely pragmatic, primarily economic reasons. British voters have now reached the conclusions that for practical reasons, she would leave.

It was because of Britain's long tradition of parliamentary and national sovereignty that she was more aware than other members of the European Union of what the sacrifice of sovereignty would mean in practice. Other member states, particularly those emerging from dictatorship, were prepared to accept this sacrifice, but perhaps more in terms of rhetorical than reality. As the European Union developed, they too came to understand what the sacrifice of sovereignty would mean in practice. Ireland and Poland objected to sacrificing sovereignty on the issue of abortion. Greece objected to sacrificing sovereignty over her budget and

her monetary policy; while Germany, the dominant power in Europe, is also coming to object to sacrificing her sovereignty by sharing debts and, above all, by surrendering powers to a European Union which her constitutional court believes is a less democratic entity than the Federal Republic. Perhaps Britain, far from being out of date in her attitudes to the European Union was, instead, in the forefront of understanding the problems that would arise.

It is sometimes suggested that if Britain had signed the *Treaty of Rome* in 1957, or had joined the *European Coal and Steel Community* in 1950, the need for adjustment would have been much less, and Britain could have helped shape the rules to suit her own interests rather than those of the Continental powers. There may be some truth in this suggestion, but it is important not to exaggerate it, since the difficulties that Britain faced largely reflected the fact that the constitutional attitudes and political practices of the founding members of the European Community were so very different from those to which the British were accustomed. These differences were not merely technical. They arose out of deep-seated factors, rooted ultimately in history. They flowed in the last resort from the fact that Britain's historical experience has been so profoundly different from that of her Continental neighbours.

Perhaps then, Britain's euroscepticism and *Brexit* were predetermined. A European commitment did not follow from Britain's traditional understanding of her international position. It would have involved a radical discontinuity of approach, an imaginative leap, a leap of faith perhaps.

There is, however, a paradox in *Brexit*. Britain has decided to leave the European Union at the very time when the Union itself is becoming more „British”. It is coming slowly to accept that it is an association of states. The supranational institutions are moving into the background. From this point of view, the *Five Presidents Report* calling for the completion of economic and monetary union is a relic of the past, not a signpost to the future. In her 2010 Bruges lecture, German Chancellor *Angela Merkel* emphasised the *Union*-method of co-ordinated action by national governments as opposed to the *Community*-method of automatic supranationalism. The Eurozone crisis and the migration crisis have been confronted primarily by the governments of the member states in the European Council, with the Commission and the Parliament playing a distinctly subordinate role. The EU is moving towards what *de Gaulle* called a „Europe des états”, in place of the supranational conception championed by *Jean Monnet* and *Jacques Delors*. The EU is moving in a British direction. That is a distinctly British conception.

Even before the British referendum, the President of the European Council, *Donald Tusk*, declared that what Europeans wanted was not more Europe, but better Europe. That could mean the British agenda of extending free market rules into the energy and digital areas, a review of the role of the European Commission and a modification of the principle of free movement, first adumbrated in quite different conditions than those that exist today.

The British contribution to Europe was always to insist that rhetoric is subordinated to reality. It would be the final irony if, at the very time Britain has decided to leave the European Union, it comes to be rescued through the application of British ideas.