

Engaging with British European Policy

Being Nice to a Sceptic?

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Whether the Conservatives replace the current Labour government at the next general election or not, their European policy will affect the United Kingdom's readiness for constructive action in the European Union. The very public nature of Conservative wrangling over the Union is exacerbating the problem at the heart of British European policy, namely the unresolved tension between the UK's highly effective, low-key euro-pragmatism and the constant bouts of public euroscepticism that are likely to induce an ever-growing emphasis on narrow national interests. With high public expectations about the EU's capacity to act under the new Lisbon Treaty, and with the new President of the Council and the High Representative yet to establish their reputations, member states must invest politically in the UK.

It is a mantra long recited by supporters of the Lisbon Treaty: with ratification of the Treaty complete, political leaders will finally be able to "return to the serious business of governing". We can presumably look forward to a regional exit strategy from the economic crisis, a self-assured response to the multi-polar global environment and a boosted capacity for partnership with an Obama Administration otherwise focussed on the Asian Pacific.

At this critical juncture for the popular legitimacy of the Union, when EU members are called upon to provide leadership alongside the EU institutions, the Union would do well to foster active European engagement from the UK. Relative US passivity on global issues like finance and the environment leaves a vacuum for the EU to fill, and

here the role of the UK—second biggest economy in the EU, host of the world's financial hub and one of the Union's major global players—is vital.

Of course, when weighing up the benefits of investing politically in a country with a preference for intergovernmental cooperation and a marked distaste for EU integration as a political project, European governments have been right to wonder: Why help a partner that is already out for what it can get?

Why still passive?

Mainland European governments have unsurprisingly focussed their energies elsewhere than on domestic politics in the UK, leaving Britain and its troublesome Con-

servative Party to self-medicate. The tone of that demonstrative “private” letter to Vaclav Klaus was simply too far removed from the spirit of constructive European cooperation to make engagement with the Conservatives thinkable. Seeking to neutralise the Conservatives’ commitment to a referendum on the Lisbon Treaty, governments concentrated instead on the countries that had not ratified the Treaty.

With Europe-wide ratification of the Lisbon Treaty complete, however, new opportunities have arisen for mainland governments to invest politically in the UK. The Conservatives’ recent move to rule out a retrospective referendum on the ratified Treaty—and David Cameron’s explicit renouncement of a “euro bust-up”—mark a slight softening in the Party’s European policy. A lasting settlement of the European issue within the Conservative Party could in turn have an emollient effect upon popular British euroscepticism.

On 4 November, Cameron set out a European policy plan. The plan foresees a “referendum lock”—an obligation to consult the public should further powers be ceded to the EU via treaty reform or in the eventuality of British adoption of the euro. Similarly, the use of the Lisbon Treaty’s so-called Passerelle Clause would require the passing of an Act of Parliament. A bill to be presented in the next legislative period would, meanwhile, reassert the sovereignty of Parliament vis-à-vis the European Court of Justice. Here, Cameron has drawn a parallel with the recent ruling of the German Constitutional Court. If possible, social and economic policy would be subject to various British opt-outs and clarifications (Social Chapter, “on call” rules in the Working Time Directive, Charter of Fundamental Rights). Finally, the practicalities of a protocol to ensure that only British authorities may initiate criminal investigations in Britain are to be investigated.

This policy plan, although in character eurosceptic and—as regards its ruminations on opt-outs—downright unrealistic, nevertheless marks a bid for constructive prag-

matism by the Conservative leader. It would release a Conservative government from the obligation of holding a retrospective referendum on the Lisbon Treaty, the result of which it could scarcely respect without giving rise to pressure for British withdrawal. By stating that the policies outlined in the plan will be defined only after the next election and honed throughout the course of the next Parliament, this move would also leave a Conservative government room for manoeuvre vis-à-vis ideologues in the party.

Against this background, the continued reluctance of mainland governments to invest politically in the UK is surprising. This prolonged passivity can be explained by the two contradictory strands of thinking that underpin it. A fatalistic pessimism that believes *nothing* can be done to avert the UK’s eurosceptic course is complemented by a world-weary optimism that believes that eurosceptic parties are *inevitably* more pragmatic in government. The optimists in particular see some confirmation of their thinking in Cameron’s latest moves.

Breathing space or time to act?

Their passive optimism is misplaced. Even if Cameron won with a sizeable majority at the next general election, his policy plan could only postpone the inevitable showdown between euroscepticism and euro-pragmatism, as played out in the tension between the Conservative leadership and the many eurosceptics in the Party’s ranks—all too clear at October’s party congress in Manchester. For Cameron, this showdown is a daunting prospect. The coming generation of Conservative MPs will be more uniformly eurosceptic than the current cohort. Of 144 Tory candidates recently polled, only 10 per cent were happy to leave intact the current state of EU competencies.

Sooner or later mainland governments will feel the effects of this unresolved tension. Sooner because, even having claimed a timeline of one legislative period

for the realisation of his plan, Cameron's European policy clash would probably come earlier than expected. A Conservative government would be committed to European policies that require the approval of all member states. The few points of leverage over its European counterparts—such as the upcoming negotiations on the financial perspective for the EU's budget after 2013—would fall early in the next Parliament. The resulting pressure for a speedy clarification of the UK-EU relationship would be intensified by non-European partners. For the United States at least, the UK's value is increasingly defined by Britain's weight within the EU itself.

The chances of a Conservative government weakened by withdrawal from the European People's Party achieving a convincing outcome to its demands for further opt-outs, repatriations of competencies and restrictive protocols are slim. "Victories" of a more symbolic character—the inclusion in the financial perspective of high-profile but non-binding wording regarding the evaluation of agricultural policy, for example, or "a root and branch review" of fisheries policy—might be achieved. But they would likely prove ineffective, even as a temporary concession to the eurosceptics in the party. The resulting disgruntlement would spill over into euro-antagonism.

As for the prospect of continued Labour rule, recent pro-European expressions from the current government should not be taken as grounds for comfort. These expressions—made in reaction to the altered domestic debate on Europe—are a welcome diversion for most European leaders, since they at least contain pro-European sentiments. Yet, they do not inevitably herald constructive British euro-pragmatism. The picture of EU cooperation conjured up by Foreign Secretary David Miliband in his 26 October speech is one in which the UK interest is amplified unadulterated. This picture obscures the benefits of European cooperation that lie in the search for compromise in pursuit of higher common goals. Even under a Labour government, the

UK's partners could therefore expect a greater emphasis on narrow national interests and the prospect of an intolerant British public if Whitehall submits to high-profile compromise—all the more so against the backdrop of a eurosceptic media landscape.

Grounds for activism

The fragile shoots of a burgeoning Conservative euro-pragmatism should therefore be nurtured. They will grow from the top down. In comparison with the rank and file, with William Hague and Mark Francois, shadow foreign secretary and minister of state for Europe respectively, Cameron and his shadow treasury minister, George Osborne, harbour altogether more dispassionate views on the EU. Indeed, if Cameron has in the past shown himself to be hostile to the EU, it is because this has until now constituted the most pragmatic course of action.

For the Cameron of 2005, overt euroscepticism was a means to woo the grassroots of the party when he was vying for the leadership. More recently, it presented a means of ensuring that parties to the Right (UKIP) and Left (British National Party) did not steal a march in the European elections. Should the Conservatives be successful at the next general election, by contrast, the pragmatic rationale will look very different. Cameron's concern will be the retention and effective exercise of national power, particularly in dealing with the UK's economic problems. Euroscepticism would be an unhelpful diversion.

His closet pragmatism on Europe might soon speak its name. Already today, Cameron is in a position to end the phoney war with the ideologues. Thrown as a sop to those who otherwise objected to Cameron's agenda as being too liberal, European policy was previously exempt from the broader liberalising and modernising effort, indeed was viewed as a counterweight to it. Now that his political agenda is beginning to crystallise, however,

Cameron has sought to stress its traditional conservative makeup alongside its liberal traits. European policy—until now pushed artificially to the Right by the leadership in order to justify the liberalisation of policy—can now be reintegrated into its mainstream agenda.

If this reintegration were successful, ideological euroscepticism in the Conservative Party would be shifted from fundamental opposition to British membership to a series of principled pro/contra positions on Europe that are in line with broader Conservative policy. This would, for example, see Conservative opposition to the EU's role in social policy balanced by active support for the EU's role in furthering free trade or enhancing environmental protection.

Investment opportunities

Cameron's secret appetite for constructive pragmatism on Europe shows even the pessimists that there is scope for action. At the same time, his failure to settle the score with the ideologues in his party must alert even world-weary optimists to the fact that much is still to be done.

If European governments reacted flat-footedly to a pragmatic turn in Conservative policy for which there were ample warning signs (see SWP Comments 8/2009), they have no excuse to be unprepared for the upcoming ideological clash.

To engage with the eurosceptics, governments must ensure the post-Lisbon EU really is "ready for business". This requires the formulation of realistic politico-strategic agendas concomitant with the Union's new institutional potential. To this end, open discussion is indispensable on how to overcome the present recessions in the UK, Ireland and mainland Europe; so too is the presentation of fresh ideas on those points where the British public has frequently shown itself recalcitrant—the European social model, aspects of justice and home affairs—as well as on those where the UK has traditionally made a more constructive contribution—climate and sustain-

ability policy, the internal market, foreign and security policy.

It is not simply about improving the EU's capacity for action. If EU cooperation really is about inter-national compromise in search of higher common aims, the member state governments need at least to be able to articulate their shared politico-strategic goals. Only against a background of open discussion on different preferences and perspectives can eurosceptics appreciate the concessions made by governments other than their own; only so can they see the gains arising from the European compromise and the price of staying aloof.

As such, eurosceptics will likely discover that the need for British compromise on European affairs has much diminished since the last Conservative government. With no prospect of further treaty change, let alone British adoption of the euro or the Schengen area, British eurosceptics have wrung considerable concessions from the country's European partners. Besides, following successive waves of EU-enlargement, the traditional Franco-German motor today runs on something other than political idealism. And with Nicolas Sarkozy and Angela Merkel at the wheel, this axis is pointed in a distinctly transatlantic direction.

Of course, constructive engagement demands more than merely putting up with compromise. And the Conservative leadership has identified the EU's global role as one area where it foresees a positive British commitment. Sadly, with her party affiliation, and a career which until now has largely eschewed the House of Commons, Baroness Catherine Ashton is unlikely to be welcomed by Conservative MPs. Yet, her nomination may also be the first sign of EU leaders' willingness to invest politically in the UK and to engage Britain in the EU's new global policies. With this backing, her relative lack of public and even parliamentary reputation could actually give Ashton the necessary flexibility to coax a future Conservative government into constructive pragmatism.

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