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On Dealing with Euroscepticism

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Abstract

The article examines if and, if so, why and how political parties opposing the European Union have thrived. It looks at the role of national parliaments and national media in failing to engage convincingly with the European dimension of politics, and asks why the forces of European federalism have been so relatively ineffective. By analyzing the tensions between national and European political parties especially in the conduct of elections to the European Parliament, the article traces the rise of the nationalist forces within the EP and assesses their impact on the legislative and other work of the institution. It concludes by proposing measures to tackle the nationalist challenge to European unification, including more differentiated forms of integration, more direct democracy, the development of federal political parties and the constitutional settlement of a federal union.

Academic discussion of Euroscepticism needs to define the term with care. Can a serving Member of the European Parliament (MEP), who confronts the phenomenon on a daily basis, help with its definition? This article looks at how residual forces of nationalism still shape European Union (EU) politics. While Britain is a special case, it is not the only case. As the European Parliament (EP) approaches its eighth direct election in 2014, we ask what it should do to clarify the terms of the engagement with Euroscepticism, especially in circumstances where one or more Member States of the EU are likely to refuse to progress to federal union.

I. The Legacy of Nationalism

Euroscepticism is something of a misnomer. A truly sceptical sceptic would suspend judgement about the fate of the troubled EU and avoid the dogmatic hostility of those many self-styled Eurosceptics who burn with iconoclastic zeal against the Union and all its works. Euroscepticism comes in different shapes and sizes, of course, and not every Eurosceptic is a zealot. From a federalist perspective, it can be diverting to listen to variations on the theme of Euroscepticism at close quarters in the EP. Yet what clearly unites the Eurosceptic ranks is a strong desire for a Europe which is more national and less federal. Within Parliament, therefore, there is a deep rift between those, on the one hand, for whom European integration is counter-intuitive and those, on the other, for whom (like this author) it is an article of faith.

Political opposition to the EU is neither immoral nor illegal. Nationalism is not prohibited. At many moments in European history nationalist movements have been critical in challenging autocracy, in liberating peoples and even, though rarely, in installing democratic constitutions. One need go back no further than 1848 to marvel at how nationalism was hitched to the liberal cause or, later, to learn how nationalism fed off the feast of European imperialism. The strong identification of nation with state is a strikingly

European thing – and it continues even today in the aftermath of Europe's terrible nationalist wars of the 20th century and attendant ideologies which caused the loss of one hundred million European lives.

The founding fathers of the EU, among whom Winston Churchill, would surely be disconcerted to know that the nationalist beast yet stalks Europe, even in the mutated form of Euroscepticism. They would certainly be disappointed that their brainchild the European Community has not grown into the fully fledged federal union of states and citizens which they planned as the post-war reaction to nationalism. They would regret the false starts and the backsliding and the bad luck which have characterized the history of the EU in recent decades. Good democrats all, the founding fathers would be impatient that the EU has not yet reached the levels of political legitimacy to which the democratic imperative makes it aspire. They would hanker after better and stronger government at the European level, and for a much more credible European voice in world affairs.

There is, after all, an explanation for the lingering survival of nationalism in Europe and for the current vitality of its Eurosceptical offspring. That is the undeniable fact that the EU, for all its durability, is not working as well as it might. In terms of governance, the EU is still deficient in terms of efficacy and democracy: there is no sense yet of constitutional settlement. In terms of public goods, the EU is no longer the benign force which it could once lay claim to be: prosperity, stability and security are still tantalizing objectives for very large numbers of Europeans. EU citizenship remains a largely unknown quantity, and its benefits uncertain.

Few now evince optimism about the future of the EU, at least in the short term. Instead, in the light of the financial crisis and the United Kingdom's veto of political union, European integration seems suddenly rather fragile. The euro experiment could certainly fail. Britain seems likely to opt for second-class membership, and others may follow. Eurosceptics wish they would do so, and they catch the mood of public opinion not only in Britain but also elsewhere. Eurosceptics campaign effectively in the role of nonconformists, dissenting from the general proposition held by the political establishment that 'Europe' is good for you.

'Pro-Europeans' are in difficulty. Although there is certainly a rational case for continuing with the experiment of European integration, the emotional appeal is less compelling. European states left to their own devices are not strong enough to tackle effectively the scale and volume of the challenges they face. The case for 'more Europe' is made persistently, if a little ploddingly, by the European Commission, the EP and even the European Council. Whether the question concerns financial stability, economic recovery, climate change, energy supply or global security, Eurosceptics find it difficult to challenge the pro-European thesis that narrow, national responses are no longer valid. Even if Eurosceptics prefer to cling to their national identity, they can hardly deny that European states are deeply interdependent with one another. The regional integration of Europe is a phenomenon difficult to ignore: what matters is how Europeans adapt to that phenomenon and learn to cope with it well.

II. Alternative Prospectus

A legitimate question however arises about whether it is the EU which is best equipped to manage this interdependence or whether some alternative prospectus exists. Nigel Farage

MEP, of the United Kingdom Independence Party (UKIP), has an alternative. Challenged in mid-tirade during an EP debate (10 October 2011), Mr Farage said:

> Mr President, this point is often made, namely that a country like Britain is only 62 million people and are we not better off being part of a big European club so that we can have more of a voice on the world stage? Funny that, is it not? Here is Britain, the world's fifth largest trading nation, which is now prohibited from going into World Trade Organisation talks because all of that is done, on our behalf, by an unelected European Commissioner.
>
> Mr Duff, the answer actually is that an independent Britain that trades and cooperates with her European neighbours in an age of globalisation would be able to forge her own trade relationships across the world. It would make sense for a country like ours to start off with the English-speaking world, which shares common law – our own kith and kin in the Commonwealth who we turned our backs on so shamefully. *(Applause)*

Here is an authentic voice of British Euroscepticism by the leader of a party which won more votes in the last elections to the EP than either the Labour or Liberal Democrat parties. Mr Farage makes various claims. First, he says that the United Kingdom has an economy large enough to go it alone. Size matters, indeed, but a large part of Britain's economy – in fact the world's *seventh* largest – comprises the global financial markets which rent space and services in the City of London. Even with the global money men, Britain has the largest current account deficit in the EU after bankrupt Greece, and its balance of payments situation is dire.

Second, Mr Farage claims that Karel De Gucht and his colleagues are as members of the European Commission 'unelected'. This allegation appears especially scandalous to a British audience which is not used to having government ministers who are not also elected Members of Parliament (their Lordships notwithstanding). The accusation against the EU that it is somehow undemocratic is, however, a major feature of Eurosceptic discourse across Europe. It suits Eurosceptics to minimize or ridicule the democratic advances wrought not least by the Treaty of Lisbon whose ratification and entry into force they had struggled to frustrate. The Treaty lays down that the President of the Commission is elected by an absolute majority of MEPs on a proposal of the European Council, and he and his college are subject as a body to a vote of consent by the Parliament (Article 17.7 TEU). No member of the Commission since 2004, having faced and survived the rigours of the parliamentary hearings which preceded their appointment, could suffer from the same delusion as Mr Farage that they are or were fundamentally 'unelected'.[1]

Third, Mr Farage has a whimsical fancy for 'common law' as if that were a uniquely English phenomenon, which it is not. Indeed, the EU itself, lacking a proper constitution, is a common law system.

Finally, Mr Farage hankers after the Commonwealth of Nations which was established in 1947 as an afterthought to the British Empire. The Commonwealth is a network of 54 countries with no contractual obligations, run by biennial meetings of heads of government under the patronage of Queen Elizabeth II. It features cultural policy, aid and development, but not trade. The United Kingdom exports more to Ireland (which is not in the Commonwealth) than it does to India – the Commonwealth's most populous country.

[1] For the rules governing the process of auditions of Commissioners-designate, see Rule 106 of the Parliament's Rules of Procedure and Annex XVII on Guidelines for the Approval of the Commission.

One must doubt whether Mr Farage has ever asked the Indians whether they would care to ditch their forthcoming trade agreement with the EU for commerce based on post-colonial ties.

The policies and performance of UKIP, quixotic and monoglot, are those shared by a very significant proportion of British public opinion. The large crossover between UKIP voters and those of the Conservative right is self-evident. Although there is no love lost between Tory and UKIP MEPs, it can be difficult for the casual observer to distinguish between them. Indeed, in 2011 one UKIP MEP defected to the Tory ranks, and was welcomed by David Cameron and William Hague, without having to modify his view one jot that the United Kingdom should withdraw from the EU. In the opposite direction, arch Tory Eurosceptic Roger Helmer MEP defected to UKIP. Both Eurosceptic delegations from Britain sit within party political groups in the EP which, whatever their assets and however vociferous, do not carry much political weight. Eurosceptic MEPs risk being sidelined in a Parliament which must build strong cross-party alliances in order to carry an ambitious legislative programme designed around an integration agenda.

III. Where Next for Britain?

The relative marginalization of Eurosceptic Britain has been advanced acutely by David Cameron who was responsible for the decision in 2009 to withdraw his MEPs from the mainstream centre-right grouping of the European People's Party (EPP). As prime minister, his next decisive step was to entrench in Britain's weak constitution the practice of holding a referendum whenever there is to be an important revision of the EU treaties. The British EU Act of July 2011 has effectively blocked Europe's future constitutional evolution by pitching a popular vote of the British people against the conferral of more competences on the EU or the transfer of more powers to its institutions. These repercussions became evident on 9 December, when Mr Cameron rejected the efforts of the European Council to revise the Lisbon Treaty for the purpose of instilling greater fiscal discipline, thereby forcing his partners to make a new fiscal compact treaty outside the EU framework. Thus, Mr Cameron became the first European leader to leave the negotiating table since General De Gaulle in 1965, and the first British Tory leader to reject European integration since Anthony Eden. Even Margaret Thatcher's hectoring brand of Euroscepticism, which became more intemperate as she withered in office, did not provoke her into sacrificing Britain's seat at the EU negotiating table.

Article 16 of the intergovernmental Treaty on Stability, Co-ordination and Governance in the Economic and Monetary Union lays down that the substance of its provisions will be incorporated within the EU treaties within five years – requiring unanimous approbation by all Member States. Unless there is to be a somewhat startling revolution in British domestic politics, such a provision must be regarded as being aspirational only. Yet another bout of major treaty change is unavoidable if the EU is to move decisively from fiscal discipline towards fiscal solidarity, with a more federal type of government (Duff, 2011). This next general revision of the EU treaties can be expected to begin in 2015–16. The first item on the agenda of the Convention which will be set up to draft the constitutional amendments will have to be the creation of a new form of associate membership of the EU for the United Kingdom. This will allow the inescapable referendum in Britain to deal with two basic questions: first, do the British agree on the federal package deal for

the Union as a whole?; and second, do they want Britain to take part as a full member of the federal union or, rather, to sit out this phase of European integration and settle for associate membership? Even in the convoluted terms forced on the hapless voter by the coalition government's EU Act, such a vote could just be won. British Eurosceptics can look forward to their field day.

Meanwhile the Tory right and their UKIP fellow travellers will continue their assault on the current agenda of the EU, and in particular seek to opt out of justice policies and home affairs, to roll back regulation in financial services, to reduce employment law, and to promote national parliaments over the EP. The Conservative Party is today deeply infected by Euroscepticism (Rennie, 2012). The Conservative-led coalition government believes it has no choice but to fight like blazes to save Lady Thatcher's budgetary rebate which has achieved sacred status, and to reduce the size of the EU budget particularly in structural funds, farming and fisheries. And they will continue to attack the EU's Charter of Fundamental Rights and the European Convention on Human Rights, with their respective European courts in Luxembourg and Strasbourg. A particularly juicy target is the accession of the EU in its own right to the European Court of Human Rights – a move ordained in the Lisbon Treaty as the quid pro quo for making the Charter binding (Article 6.2 TEU).

As an *amuse-bouche* to the referendum campaign which is now inevitable, the British government has embarked on a unilateral review of EU competences which Eurosceptic foreign minister William Hague believes will lead to a repatriation of powers. His White Paper perfectly captures, without any intentional irony, the deeply Eurosceptic – and essentially contradictory – nature of contemporary British European policy: 'The Government is committed to playing a leading role in the EU and protecting the UK's sovereignty' (Foreign and Commonwealth Office, 2012, p. 7).

IV. Central Europe

Elsewhere, the triumph of neo-nationalism in Britain is watched with gory interest. Other countries have also had their share of politicians who departed from mainstream politics on the back of Eurosceptic movements. Charles Pasqua defected from the French Gaullists in 1999 and Oscar Lafontaine left the German Social Democrats in 2005 – both in protest at the drift of European policy. Laurent Fabius, one of Francois Mitterrand's former prime ministers, campaigned against the Lisbon Treaty in 2005: he is now resurrected as Mr Hague's counterpart at the Quai d'Orsay. Even the European Commission has not been immune from Euroscepticism: Ralf Dahrendorf, 1970–74, and Frits Bolkestein, 1999–2004, both became acerbic critics of what they took to be a lazy mainstream pro-European consensus ill-prepared to take the tough economic and political decisions required by the times.

The emergence of Eurosceptic leaders at a national level has been more marked in central Europe than in the more laconic west. Lech Kaczynski, president of Poland 2005–10, and Vaclav Klaus, president of the Czech Republic from 2003, borrowed from their revulsion at past control by Soviet Moscow a comparable reaction to future control by EU Brussels. Both men did their level best as heads of state to stymie the ratification of the Treaty of Lisbon. The Kaczynski *frères*, Lech and Jaroslaw, headed a deeply conservative, Roman Catholic counter-reformation against imported EU liberalism.

Roland Reagan and George W. Bush were more the kindred spirits, and Nato the safer bet than those European institutions, at once complex and imperious. In 2004, the EP was astonished by the arrival from Poland of as many as 25 right-wing nationalist MEPs out of a total 54.[2]

President Klaus excelled himself in his formal speech to MEPs during the Czech Presidency of the Council on 19 February 2009. In a direct rebuttal of political correctness, Mr Klaus gave Euroscepticism its loudest voice in the directly elected EP. He questioned whether the EU was the 'only one possible and correct future of European integration'. To roars of disapproval from MEPs (and of support from Mr Farage), he went on:

> The present decision-making system of the European Union is different from a classic parliamentary democracy, tested and proven by history. In a normal parliamentary system, part of the MPs support the government and part support the opposition. In the European Parliament, this arrangement has been missing. Here, only one single alternative is being promoted, and those who dare think about a different option are labelled as enemies of European integration. Not so long ago, in our part of Europe we lived in a political system that permitted no alternatives and therefore also no parliamentary opposition. It was through this experience that we learned the bitter lesson that with no opposition, there is no freedom. That is why political alternatives must exist.
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> And not only that. The relationship between a citizen of one or another member state and a representative of the Union is not a standard relationship between a voter and a politician representing him or her. [. . .] Since there is no European *demos* – and no European nation – this defect cannot be solved by strengthening the role of the European Parliament, either. This would, on the contrary, make the problem worse and lead to an even greater alienation between the citizens of the European countries and Union institutions. The solution will be neither to add fuel to the 'melting pot' of the present type of European integration, nor to suppress the role of member states in the name of a new multicultural and multinational European civil society.

It must be recalled that Mr Klaus' neo-liberal ideology is not the exclusive reserve of his own party, the Civic Democrats (ODS), but is shared widely across Czech political and intellectual circles. Indeed his predecessor, Vaclav Havel, central Europe's dissident hero, was also very critical of, and somewhat distant from, the Brussels consensus. Mr Havel was a strong Atlanticist, and made no secret of his fears that the EU was a less reliable partner against Russian expansionism than Nato. Here he spoke for all central European and Baltic leaders. Only the Poles, as typified by the speech by foreign minister Radek Sikorski in Berlin November 2011 (shown the way by that enlightened federalist Bronislaw Geremek), adopted a progressive pro-European stance once the Kaczynski star had waned. Euroscepticism would seem to be more prevalent in smaller central European countries which live in fear of being swallowed whole than in large self-confident Poland.

So it is that Euroscepticism thrives still in Hungary, reduced in size even after World War I, where Prime Minister Viktor Orban challenges the cosy nostrums of mainstream EU politics. His brand of right-wing liberal Euroscepticism seems as popular at home as it is provocative abroad. Mr Orban delights in pointing out that western Europe

[2] The Poles were also noted for their mobility, reflecting the pre-maturity of Polish party politics at the time: over half the Polish Members changed group during their first mandate, two of them twice. The number of Polish right-wingers was reduced to 15 (out of 51 MEPs) in 2009, now split between the ECR and EFD groups.

has known the pity and sorrow of neither communism nor post-communism – both of which, in his view, were morally corrupt and politically bankrupt (Schopflin, 2012). In a speech to a huge rally in Budapest on 16 March 2012, the anniversary of the 1848 revolution against the Habsburgs, Mr Orban said that the Hungarian nation 'will not live according to the commands of foreign powers. [. . .] We will not be a colony!' Antagonized by EU action against his government on constitutional and economic matters, the Hungarian leader said: 'As a European nation, we demand equal treatment. We will not be second-class European citizens'.

In the EP, Viktor Orban's deputies from the Fidesz Party sit, a bit incongruously, in the Christian Democrat EPP. Mr Klaus' followers sit, more appropriately, with the British Tories in the European Conservative and Reformist group (ECR). MEPs from Mr Kaczynski's stable are split between the ECR and UKIP's group of European Freedom and Democracy (EFD). The effect of Mr Orban's publicly aggressive reaction to the scrutiny under which his constitutional reforms are put by the EU institutions serves only to increase the seriousness with which that scrutiny is being undertaken.

Romania has also come under the strict political surveillance of the European Commission and Parliament as a result of its own domestic constitutional convulsions. Acting President Crin Antonescu expostulated that he would not take orders from Brussels (before, in fact, doing just that).

V. The Radical Right

Farther to the right, and with even less influence, are 30 or so independent MEPs, who are unable in the present Parliament to reach the modest requirements of size and political affinity to form a neo-fascist parliamentary group – that is, 25 MEPs coming from a quarter of EU states.[3] In 2007 a far right group called Identity, Tradition and Sovereignty (ITS) was formed under the leadership of the French Front National deputy Bruno Gollnisch, but it collapsed shortly afterwards when Benito Mussolini's granddaughter, Alessandra Mussolini, insulted her colleagues from Romania over illegal immigration to Italy.

Today, the non-attached MEPs include three from UKIP who have deserted Mr Farage and two from the British National Party; three from the French Front National; three from the Hungarian Jobbik Party; five Dutch elected on the list of Geert Wilders (PVV); a Romanian ejected by the Socialists; and as many as six diverting Austrians, most from the stable of the late Jörg Haider (FPÖ). If anything binds these MEPs of the radical right, it is opposition to immigration, notably from Muslim countries, and contempt for the Roma. They and their followers continue to exploit for partisan purposes the consequences of unemployment, social deprivation and political dislocation, all aggravated by economic recession (Goodwin, 2011). And they inveigh against the prospect of Turkish EU membership.

VI. A Rising Tide

That extreme populist parties capture only a minority of votes in a minority of EU states is not a reason for complacency. For it is inescapable that there is in Europe a generally

[3] For the formation of party groups in the Parliament, see Rule 30 of the Rules of Procedure.

high level of dissatisfaction at the way democracy works today even at the national level. Eurobarometer polls show a broad symmetry between the rise and fall of popular mistrust of both national and EU institutions, although with interesting variations. In the United Kingdom, as is well known, public opinion is very distrustful of the EU but so it is also of the Westminster parliament. The pattern for the newer Member States shows much higher degrees of trust in the EU than in national institutions. In Germany, however, and to a lesser degree in France, there has been a marked increase in distrust of the EP over the last decade. Overall, the impact of the economic crisis, coincident with the entry into force of the Lisbon Treaty, has reduced trust in the EP. This gives food for thought for MEPs and political parties as we head towards the next election in 2014. If turnout continues to decline, as it has done at each election since direct elections were first introduced, Eurosceptics will be able to claim another victory against the dark forces of Euro-federalism. Overall, turnout fell from 62 per cent in 1979 to 43 per cent in 2009.

The EP is often portrayed in the media as a great, lumbering federalist factory, but this image is far from the truth. The old certainty of finding a broad majority for 'more Europe' has gone. Nationalism is not and has never been the prerogative of the right wing, and various strands of marked Euroscepticism are to be found across the present House, elected in 2009. Gaullist UMP deputies in the EPP along with a growing number of their German colleagues from the CDU and CSU adopt conservative national positions which are not in tune with the classical Christian Democrat line. The commitment of Italian MEPs to the federal cause tends to be more rhetorical than actual. While liberal in economics, many Scandinavian and Baltic MEPs in the EPP and the Alliance of Liberals and Democrats for Europe (ALDE) take Eurosceptic positions on constitutional questions. Most British Labour and Liberal Democrat MEPs feel they have to trim their European enthusiasms, such as they may be, in order to operate in the hostile Eurosceptic environment at home: David Rennie's (2012) description of the ostensibly pro-European Liberal Democrats as a 'very British political party' is cutting but apt. Many German and Dutch Liberals and Social Democrats have also lost their once solid federalist vocation. Moreover, MEPs from the newer Member States tend to be beholden as a priority to the distant discipline of their very national party political leaderships. While on the far left there is always a small but vociferous anti-capitalist and therefore anti-European faction. Pierre Mélenchon, having lost his anti-European crusade against François Hollande in the French presidential elections, has returned to his job as an MEP.

The fact is that it has been difficult in the current Parliament to assemble convincing majorities for the legislative work on stronger economic governance, single market legislation, especially in services and employment policy, remains highly controversial. Commitment to a radical reform of the multiannual financial framework, including new own resources, involving an increase in the size of the EU budget, has waned. The present Parliament would not vote for Turkey's accession to the EU, and is cautious also in respect of enlargement to the Western Balkans. There will be no progress on constitutional matters at least until after the next elections in 2014. Proposals to reform the electoral procedure to institute a pan-European constituency for the election of a certain number of MEPs from transnational lists have got stuck.[4]

[4] See Duff Report on electoral reform A7-0176/2011, 28-04-2011and the Second Duff Report A7-0027/2012, 01-02-2012.

In order to combat better the rise of Eurosceptic forces a number of MEPs, led by Liberal leader Guy Verhofstadt and Green leader Daniel Cohn-Bendit, have tried to refurbish the federalist forces within the House and to raise the profile of federalist MEPs in the wider public arena. The Spinelli Group is unequivocal in its aims: 'Nationalism is an ideology of the past. Our goal is a federal and post-national Europe'. Dissatisfied at the present state of the Union, it urges a radical deepening of integration, particularly in the fiscal field. Its immediate goal is to have a new constitutional Convention as soon after 2014 as possible. That said, for all its ambition, Parliament's cross-party Spinelli Federalist Intergroup has its work cut out to recruit many more than 110 of the 754 deputies.

VII. Retreat to National Parliaments

Faced with a rising tide of Euroscepticism, it is tempting for national politicians to turn to simplistic solutions – the most typical of which is that national parliaments should somehow be brought in to rescue democracy from the feebleness of the EP. The Lisbon Treaty enjoins the European and national parliaments to improve their collaboration, especially in the field of common foreign and security policy and in those sensitive areas of justice and interior affairs where national prerogatives remain crucial.[5] National parliaments also acquire the right to alert the EU institutions at an early stage of law-making should the principle of subsidiarity be breached.[6] Many national parliaments, though by no means all, apply themselves diligently to the scrutiny of EU affairs, either through sifting piles of documents or by directly holding to account their national ministers and officials for their performance in the Council of Ministers and, more rarely, the European Council. Cosac, a conference of scrutiny committees (curiously also involving representatives of the EP) meets twice a year. Several interparliamentary committee meetings are hosted by the EP to tackle particular sectoral issues – notably problematical dossiers like the reform of the EU financial system. The Commission co-operates in these joint parliamentary events as best it can. Such formal relations are significant, and they serve to complement the informal contacts which most parliamentarians have with each other through common membership of the same political parties.

Nevertheless, this interparliamentary co-operation does not stem the tide of criticism levelled at the EP from national circles. Proposals are made regularly either to scrap the directly elected Parliament and return to the pre-1979 appointed assembly of national MPs, or to supplement the EP with a third legislative chamber made up of national MPs. Such proposals are perpetrated by both federalists, such as Joschka Fischer, and Eurosceptics, such as Jack Straw – both of whom should know better.[7] Whatever their source, ideas for the resurrection of national parliaments to deal with the EU polity are objectionable and unworkable. National parliamentarians are elected at different times according to very different mandates to do a job as national legislator and constituency representative. National parliaments struggle as it is to get engaged with EU affairs and to hold their own governments to account for their actions at the EU level. They have

[5] See Protocol No. 1 on the role of national parliaments in the European Union. See also Article 12 TEU, which spells out the specific functions of national parliaments.
[6] See Protocol No. 2 on the application of the principles of subsidiarity and proportionality.
[7] See speeches by Joschka Fischer to Humboldt University, Berlin, 12 May 2000, and Jack Straw to the Institute for Public Policy Research, London, 21 February 2012.

difficulty in fielding decent delegations to the EP's exercises in interparliamentary co-operation, let alone to the Parliamentary Assembly of the Council of Europe and other international bodies.

National parliaments are to a greater or lesser extent under the firm control of national governments and political parties – most of which, with very few exceptions, are poorly informed about the scale and depth of European integration, and tend to jealousy over the transfer of powers to the EU institutions. Elections to the EP are monopolized by those same national political parties: it is they who select (and ditch) the candidates, finance the campaign and draft the electoral programmes. That is why the European dimension in the election of the EP is negligible. The electorate is given no real reason to vote on EU issues; the lively party politics of the EP itself do not resonate out to the wider public arena; and the critical issues facing newly elected MEPs – such as the choice of the new Commission, the pace of integration or the size and shape of EU spending – go almost wholly unaddressed in the campaign itself.

If national parties have long since ceased to sustain Europe's integration process in an efficient or democratic way, the creation of a new legislative chamber appointed by them would only exacerbate the EU's democratic deficit. And how should such a new chamber work in relation to the second chamber of the EU legislature, which is the Council of Ministers? How could a part-time assembly of MPs elected to do another job in another place cope with the vast volume of EU law-making – which includes over 200 regulations or directives per year passed by the ordinary legislative procedure ('co-decision')?[8] What would those national MPs on day-trips to Brussels be able to contribute towards the other vital parliamentary functions of scrutiny of the executive, budgetary control and international diplomacy, let alone lay claim to any kind of representative capability? If the indirectly elected EP did not work for the European Community in the 1970s, how could it do so now?

VIII. Post-national Solutions

Avoiding futile gestures, what can therefore be done to deepen parliamentary democracy at the European level? The greatest deficiency in the present system lies not in the EP, which, as the first international parliament directly elected by universal suffrage in history, works astonishingly well. After Lisbon, the EP does not lack much statutory authority. Its legislative efficiency is high and its internal organization, in terms of parliamentary committees and party groupings, impressive. It scores well in terms of the calibre and commitment of most of its Members.

Europe's democratic problem lies, rather, at the national level and, above all, with national political parties. This dilemma is readily identifiable by a discerning public which when faced in an EP election with lacklustre campaigns by national political parties intimidated by 'Europe', chooses not to vote. The citizen sees rather more clearly than the political class that the problems Europe faces have far outgrown the capacity of the individual 'nation-state'. Electorates have pricked the pretentiousness of national political parties which claim to be able to solve common European problems by home-grown

[8] In 2011 the total number of EU legal acts was 4,709, most of which required votes in the EP. These included 2,184 regulations, 396 directives, 1,411 decisions, plus recommendations, guidelines and international agreements («http://www.votewatch.eu»).

domestic solutions. That same disaffection depresses turnout in national elections too, but is more marked at EP elections which are used habitually by national parties as preparation for, or recovery from, more important national parliamentary elections.

That (growing) portion of the public which is self-consciously or not 'post-national' in its aspirations and anxieties needs electoral democracy to work better at the EU level. This does not necessitate a demotic quest for some spurious notion of a European *volk*. Indeed, there is something unnerving and arcane about the idea that nothing can happen until the discovery of a European demos – like hidden treasure in an archaeological dig. What we need instead are good practical arrangements to better connect Europe's citizen electors and taxpayers with each other: electoral reform, fiscal solidarity, transnational media and proper political parties. Above all, the missing sinew of EU politics is the political party.

European political parties – essentially federations of national political parties – do exist, and in the case of the major families have done so since the 1970s. Each political group in the Parliament is now attached in some way to an official European political party. A European political party will be recognized as such when it commands parliamentary representation in a quarter of EU states at European, national or regional level, or when it has garnered at least 3 per cent of the vote in a quarter of states at an EP election.[9] Despite, or perhaps because of, the low entry threshold, none of these bodies have really achieved lift-off, not excluding the EPP which is the largest and most professional. Few have been able or willing to recruit directly many European citizens as individual party members disconnected from the theoretical mass membership of the national affiliates.

The European parties receive subsidies from the EU budget, the terms and conditions of which, absurdly, effectively prohibit them from campaigning openly in EP elections.[10] They organize congresses and seminars and publications (many of them good): they even have their own party political foundations acting as their ideological think tanks.[11] But their election-time manifestos are consigned to the archive as quickly as they are (laboriously) produced, and the European party organizations have little routine contact with or subsequent influence on the parliamentary groups to which they are nominally attached.

So a key issue at stake today is how to galvanize these immature European political parties so that they can challenge and compete with the national political parties which have failed so dismally to embrace the European dimension. The introduction of a pan-European constituency and transnational lists is still debated in the EP but does not command a majority: these are proposals which will have to find their place on the agenda of the next Convention in 2015. If carried into the new treaty, it is likely that future Presidents of the Commission will be found from among those MEPs elected on

[9] The statute of European political parties is Regulation (EC) No 2004/2003, to which party political foundations were added in Regulation (EC) No. 1524/2007.

[10] In 2012, 13 European political parties will receive funding totalling €18.9 million from the EP. In order of size they are: European People's Party, Party of European Socialists, European Liberal Democrat and Reform Party, European Green Party, Alliance of European Conservatives and Reformists, Party of the European Left, European Democratic Party, European Free Alliance, EUDemocrats, European Christian Political Movement, European Alliance for Freedom, European Alliance of National Movements, Movement for Europe of Liberties and Democracy. Take your pick.

[11] In 2012, 12 party foundations will receive funding totalling €11.9 million, as follows: Centre for European Studies, Foundation for European Progressive Studies, European Liberal Forum, Green European Foundation, New Direction – Foundation for European Reform, Transform Europe, Institute of European Democrats, Centre Maurits Coppieters, Organisation for European Interstate Co-operation, European Christian Political Foundation, European Foundation for Freedom, Foundation for Europe of Liberties and Democracy.

transnational lists. In the meantime, however, other ways must be found to tie more closely the elections to the EP with the election of the new Commission.

Some believe that each European political party must be obliged to field a champion as figurehead of their campaign: a Commission President-designate. (One presumes there will be a job vacancy this time, unlike in 2009 when José Manuel Barroso was in the post.) But the problem of finding and persuading credible party grandees to put themselves up as candidates for the elusive job of Commission President, and then of making them campaign convincingly across the Union, is not without its own difficulties. However, no matter how he or she emerges in 2014, the European Council will have to take seriously the risk that the newly elected Parliament will be minded to use its treaty powers to reject their first nominee as Mr Barroso's successor.

A more realistic proposal is for the party groups in the EP to insist that half of the next college of Commissioners must be drawn from MEPs elected in 2014. That would avoid the dangers of an exaggerated presidentialization of the Commission by focusing efforts on the development of a more parliamentary Commission. Without needing treaty change at this stage, such an approach would symbolize the rise of the more powerful post-Lisbon Parliament, co-equal with the Council, and would enhance the democratic accountability of the Commission. There is precedent for this: Michel Barnier, for example, was elected an MEP in 2009 before his elevation a few weeks later into the ranks of the Commission.

The nomination of MEPs as Commissioners-designate will enervate further the already charged and sophisticated process of auditions by which the newly elected Parliament goes on to approve the new Commission. Candidates for the college need to be able to convince the EP of their competence, probity, independence and, controversially to Eurosceptics, European vocation (Article 17.3 TEU).[12] Not all make it.

Rendering the election of the Commission President and the approval of whole college more political and more connected to the EP elections will certainly serve to sharpen the dividing lines between federalists and Eurosceptics. The building of cross-party alliances in the House between federalist and nationalist forces is already very difficult on routine matters, such as the vote on the budget or the Commission's annual work programme. There is growing competition between the two camps within the House for the filling of internal posts, including the President. If this combative spirit continues to rise – and there is no reason to think it will not – one may anticipate in a number of years the emergence inside Parliament of a much clearer definition of forces astraddle the federal/national fault-line. As in the early days of the United States Congress when, against George Washington's wishes, the Republicans and Federalists formed two camps, so it will be within the first chamber of Europe's federal parliament. Such a dynamic would be comprehensible to the electorate and media: it would make a healthy contribution, therefore, towards growing the political legitimacy of the EP.

The Europeanization of the electoral campaigns to the EP would be manna for the news media which, at present, struggle to find a European angle to their coverage of the elections. Speculation as to which leading MEPs will be selected by his or her own government for nomination as Commissioner would add bite to the story. A more dramatic campaign would oblige candidates of all hues to set out their stall for the future of the European polity and, in particular, for the agenda of the imminent Convention. Federalists

[12] See Rule 106 of Parliament's Rules of Procedure and Annex XVII.

would need to hone their argument about why more Europe matters. Eurosceptics could not escape criticism of their central proposition that less Europe is best. It would be useful, as well as fun, for the argument between 'more' and 'less' Europe to become more direct, better informed and more systematic. Europe's citizens are done a disservice if the divide between nationalists and federalists is to be perpetually disguised. Stronger direct engagement between the two sides might also reveal a surprising truth: that federalists and nationalists agree more than they expected on the diagnosis of Europe's problems and that they share a common enemy in the mainstream national parties which swap roles in national government and opposition while weakly dissembling and dealing in euphemism on matters European. At least Eurosceptics bring to European politics a gift of plain speaking which others would do well to emulate.

Eurosceptics and federalists can unite in seeking to stimulate more serious debate around the central question of how Europe might best be governed. Both agree that the electoral politics of the EP should be sharper. Both might agree on how to manage the future membership of an EU state which chooses democratically not to join with its partners in taking the next federal step forward. If there is to be a parting of the ways between Britain and Europe, the parting should be done in a way which meets Britain's own democratic needs but does not damage the EU's rapid development as a strong, democratic post-national polity in its own sovereign right.

One hopes academics will make more of the opportunities which exist to study at first-hand what goes on in and around the EP. The discipline of European studies needs and deserves to be refreshed by a return by scholars to the use of primary source material. Jejune theories of integration are of little help to practitioners of integration. All those of us – students and workers – who care for the good government of Europe should debate together about how the EU deals with scepticism, about how the great game between nationalists and federalists will play out.

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