

It was good news that the new Europe Minister, Glenys Kinnock, is one of the foremost campaigners with her husband, former Vice- President of the Commission, Neil Kinnock. Let's take that news and join the Kinnocks, Ken Clarke, the Lib Dem leaders to build a successful platform from which to fight very forcefully to ensure Britain plays its full part in Europe.

Maureen Tomison

Reflections on elections

Any reading of the runes suggested that the three main British parties were unlikely to fare well in the European election. Voters were seen to be in no mood to be forgiving, or even to bother to vote. The turn-out declined yet further from its historically low level. The near-certainty was that the toothless UKIP and the unspeakable BNP would gain from the discomfiture of the main parties.

It is some consolation that the "Times" poll of 30 May saw UKIP winning three additional seats nationwide rather than the single one realized. UKIP and BNP gains were minute but highly significant. Responsibility for the degradation of British politics demonstrated in the European elections rests squarely on those MPs who thought that the rule which stipulates that recoverable expenses must be "wholly, exclusively and necessarily" incurred for the performance of parliamentary duties was an open licence to spend.

What have we learned from the campaigns? Little about Europe. More about domestic issues. Labour Party canvassing was at best half-hearted. We are to expect that the Government, with the support of its MEPs, will continue to "play its full part" in the work of the EU (as it always does) and will continue to be zealous in the protection of national interests (it always is). We did not learn much more about the Liberal Democrat approach to European matters, aside from its strong support of EU membership. From the Greens the message was that their modest representation "punches above its weight" and apart from their special concern with the environment they are strong on human rights and global peace-making.

We learned something about Conservatism. At the *level of high policy*, its programme includes:

- a referendum on the Lisbon Treaty (and advocacy of rejection);
- a new law requiring a referendum on any further transfer of power to the EU
- the return of powers to the national government
- more detailed parliamentary scrutiny of EU legislation, regulation and spending
- a new British Bill of Rights.

All verbatim from the Leader's manifesto speech on 26 May. On the question of what the Party will do if the Lisbon treaty has already entered into force before a Conservative government is elected the answer was: "we will not let it rest there". Well worthy of King Lear: "I will do such things - what they are yet I know not"

At operational level:

- vote against a bigger EU budget (it is usually on the increase)
- keep the opt-out from the Working Time Directive (which was under threat)
- vote against a "European Armed Force"
- vote against greater EU control over British Courts and the British legal system .
- vote against the EU accounts until they have been approved by the Auditors, which has not happened for years.(As is also true of the accounts of at least one British Government Department)

From the canvassing leaflet.

The comments on the Budget and the Working Time Directive are common form. A European Armed Force, meaning a single entity, does not exist and attempts at it over the years, since 1955, have failed. EU Law as applied by the Court of Justice, takes precedence over national law. It is not easy to see how national courts could be empowered to interpret and apply EU law independently. It would mark the end of the Single Market.

But the overarching issues are the intended annulment of British ratification of the Lisbon Treaty (see Issue 2/08) and the repatriation of a number of powers at present within the exclusive competence of the Union. One power is already on the way home – fisheries control, which is apparently to be "decentralized". In a TV interview on 3 June the Shadow Foreign Secretary declined to be drawn. It will all be, he said, in the manifesto for the General Election. Your Editor hazards a guess at the possible candidates: monetary policy, financial regulation, taxation including VAT, employment law, immigration policy in all its aspects, defence procurement, anything touching health and safety...

Economic with the Truth

Both UKIP and the BNP outrageously recruited Sir Winston Churchill to their camps. The BNP was characteristically OTT. UKIP was not much better. It had two specific messages. Europe costs us £40 m a day; 70+ % of our Laws are made in Brussels.

To illustrate the shallowness of UKIP thinking, witness the following written exchanges between your Editor and a UKIP aide.

Begins

ED You mislead by recruiting Sir WSC to your cause...

UKIP: “Along with many others you have misunderstood.” Quotes the Zurich speech, 1946: “no mention here of Britain being part of [new Europe]”...
“Having studied politics for my degree and read extensively about the formation of the EEC/EC/EU I think I am well placed to comment!!”

ED. “I am afraid there must have been some gaps in your degree course and in your extensive reading” Sends an extensive analysis of WSC speeches about Europe (see Newsletter Issue 1/08,pp5-6)

UKIP “Further to your unnecessarily rude reply, and like many people who do not research their subject thoroughly, you are mistaken” Quotes WSC: “If Britain has to choose between Europe and the open sea, she must always choose the open sea. “... “Anyone who refuses to face the facts is beyond redemption and I think you are the one who needs to do more research!”
Correspondence closed.

ED. Sends copy the letter which WSC in retirement sent to his Constituency Association in 1961, endorsing PM Macmillan’s application to join the EEC.

Ends

Daily Cost

On the issue of the daily cost of UK membership your Editor invited his UKIP correspondent to consult the “Pink Book” in which the Office of National Statistics publishes details of the UK balance of payments. On the EU this publication reveals (2008, figures rounded):

| | |
|--------|-------|
| Debit | -£40m |
| Credit | +£25m |
| Net | -£15m |

UKIP declined “to do more research”(see above) The £40m had been calculated by the TaxPayers’ Alliance (not by UKIP) and “I prefer the more accurate figures of the TaxPayers Alliance.”

More accurate than the work of the autonomous professional agency! This is the quality of UKIP assertion: never mind the facts if they do not fit the prejudice.

Brussels rules

The other issue raised by UKIP is the old wives' tale about "75% of our laws are made in Brussels". UKIP lovingly quotes a speech by the President of the European Parliament, in which he said that it was "the legislator of 75% of all laws in Europe". But UKIP did not trouble to research the speech. The President was talking about the *EP role in EU lawmaking*. It co-decides in 75% of all the laws *made by the EU* – not in all the laws made by EU governments. Forget 75%

Various other estimates are bandied about. One which achieved notice was a House of Commons Library study of the transposition into UK law of EU law via Statutory Instruments (SI) – 9.1% of the total. This – to us attractive – conclusion is shaky. Many EU regulations are directly applicable and do not pass through the SI procedure. The "made in Brussels" figure must be more than 9.1%. How much more?

Earlier this year the British Chambers of Commerce published an updated study on the British and EU Regulatory Systems. It concluded that the "made in Brussels" proportion is 20%, a reduction from the previous year. David Cameron has talked about "almost half of all regulations affecting business" coming from the EU. This probably came from the old Department of Business, Enterprise and Regulatory Reform (BERR – now DBIS) and is impressionistic rather than statistical.

So what? 75% and the higher percentages which are propounded are way out. To make a measure you first have to define what you are measuring, and this is not easy. Your measurement, when made, is quantitative. It gives equal value to a regulation about the curvature of cucumbers and to a directive about Working Time. To that extent it is largely meaningless. But if for dialectic reasons some figure is needed it probably lies somewhere in the area of 30%, with 10% swing either way. This is scarcely surprising in a Single Market for business.

Financial Regulation – the Commission acts.

At the end of May the Commission produced a series of proposals for the revision and reinforcement of financial regulation. They were based on a Report by an expert already closely involved in the subject (M. de Larosière). This sheet is not the place for too much technicality, but some general observations may be in place.

The thrust of the Report and the ensuing proposals is that regulation and supervision should be EU-wide. The regulators of different parts of the financial services industries should have powers of enforcement. Assessment of risk (potentially triggering regulatory intervention) should be with the European Central Bank (ECB). If the Bank assesses a risk in a Member State the latter must act to avert the predicted damaging consequences.

No surprise that Her Majesty's Government is already on the defensive. It points out that Europe-wide regulation is inappropriate insofar as the crisis has itself shown that

structures and conditions differ from country to country (the UK being especially distinctive). The Risk Assessment proposal is another problem, since the UK does not belong to the ECB and is not represented on its bodies.

Proposals are only proposals and few are adopted in the form in which they first appear. But it looks as if another split is ahead. The pro-Commission message will be that the “light regulatory touch” of the “Anglo-Saxons” (London and New York) was responsible for the global crisis and that it is up to the UK to move towards an EU consensus.

Lisbon Treaty

Amid the gloomy reports from the European elections comes one ray of light. Mr Ganley, who spearheaded the Irish rejection of the Lisbon Treaty, failed to win a seat in the European Parliament and, true to his word, retired from Irish politics and from the propaganda war being waged in the run-up to the second Irish referendum. An honourable man.

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