



OPEN LETTER TO BRITISH FRIENDS FROM A BEMUSED EUROPEAN



By Jim Cloos (<https://www.egmontinstitute.be/expert-author/jim-cloos/>) (18 March 2021)

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The Brexit debate and its attendant propaganda started almost from the day the British joined the EU. Remember the referendum in 1975, two years after joining, the funny articles from Boris Johnson and many others and the daily drip drip of derision, scorn and even hatred descending upon Brussels. Remember the key role played by Rupert Murdoch in all of this (so much for sovereignty!). The media are probably the main reason why the dissatisfaction of so many people in western democracies took on this particular form in Britain. People are as dissatisfied in France and elsewhere as they are in Britain, if not more so, but they do not see the EU as the sole or even the major cause of their problems. I am curious to see what will happen in a few years in Britain when the EU has disappeared as the ideal culprit for everything going wrong. If it ever stops being used as one, that is.

This open letter arises from an exchange with British and Canadian friends following an article published by Jeremy Kinsman, former Canadian Ambassador to the EU. It takes up and responds to points made in the course of this exchange.

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OPEN LETTER TO BRITISH FRIENDS FROM A BEMUSED EUROPEAN

The sovereignty argument is obviously important. Two or three questions to British friends come to mind: do you believe that the power of someone like Murdoch is compatible with democracy and sovereignty? I say this because I remember a meeting in 10 Downing Street with the British Prime Minister of the time when I was chef de cabinet of the Commission President. John Major said to Jacques Santer: "Jacques, I agree with 90% of what you say. It is very reasonable and measured and convincing". And then he pointed to a gaggle of press waiting outside and added: "but these bastards make it impossible to have a serious and honest debate about the EU in this country." The PM of Britain!!! I was flabbergasted. I was also shocked when Tony Blair, a few days before winning his first national, crossed the globe to travel to an obscure little island off the coast of Australia to pledge allegiance to a media tsar who, as far as I know, has never been elected by anybody. A second question: would you not agree that the sovereignty of the British Parliament is quite peculiar. The majority has enormous powers (all the more so without a written constitution) and its composition is not the most democratic imaginable; I always found it strange that a party with more than twenty percent of the votes could have very few Members of Parliament. A "landslide" triumph can be secured with 30%. It again is not really for me to go too much into this. But I feel entitled to comment because so many Brits continue, now that the UK is out of the EU, to criticize our institutional system and to deny its legitimacy. When Lord Frost meets Maroš Šef?ovi? to

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discuss UK-EU relations, who is the more democratically legitimate, the newly appointed Lord or the Commissioner designated by his Government, endorsed by the Council, and approved by the European Parliament?

I have the feeling that for a long time many Brits have set up a dummy which they then shoot down with glee. The dummy is the “United States of Europe” and a “superstate”. I am a committed European, but I am neither in favor of the USE, nor do I think it is feasible. And I think I am part of a large majority in the EU. Please stop caricaturing us just because it suits your bias against the EU :not everybody thinks like Guy Verhofstadt. A point I feel strongly about because it is a very personal one: I am a native of Luxembourg and I feel very much a Luxemburger. Why do you insinuate that people who support the EU are first “Europeans” whatever that means, and then nationals? To me that is insulting, and I think it is to many people across the EU. I do not know many French people who feel European before they feel French. They feel European BECAUSE they are French in the first place. The history of the EU is that its peoples and states and the have decided that the best way to enhance sovereignty is to share it in the areas that make sense. Not such a stupid idea really. Provided there are checks and balances and rules that protect you, which is the case in the EU, it has worked pretty well. It is a bit funny: as a small Luxembourger, unlike the British who ruled the world, I have never been afraid that the EU would kill my identity. In my experience it has vastly enhanced it.

I will tell you another secret which should not be one: the key drivers in the EU are the Member States, particularly through the European Council which adopts its conclusions by consensus. Those conclusions set the overall direction of the EU and adopt guidelines which are sometimes quite detailed: issues like climate change and the EU’s budget are almost entirely sorted out at that level. I arrived in Brussels in 1985: I can tell you that not one key development of the Union in all those years has taken place without being asked for, accepted, endorsed or supervised by the European Council. Treaty changes are always agreed at that level and then the result is ratified (or not as the case may be) in all Member States. Successive Governments in Britain endorsed treaty amendments. As for “ever closer union”, by the way, that was part of the original Treaty of Rome. British politicians lied to their people when they pretended that the EU was just a common market: a cursory look at the debates in the UK in the 1960s and 70s shows that the nature of the EU as a sovereignty-pooling integration project was well understood from the beginning.

Like any other Government in the EU they were very much part of what people call “Brussels”. A word on the legislative process: the sole right of initiative sits with the Commission , but the decision is a joint one between the Council and the directly elected EP (this of course applies only to areas where the MS have transferred elements of competence to the EU). I can assure you that the Council holds its own very much here, and within the Council the British were rather good at defending their interests.

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What about the unelected officials of the Commission, another of the complaints about unaccountable Brussels. First of all, to be clear, the Commission is not the European government, far from it. It has a considerable role and influence for sure, but it is not a government. And that is the reason I personally have always been strongly opposed to any moves that give the impression of transforming it into a government, like the Spitzenkandidaten concept. The latter is predicated on the false assumption that the only source of democratic legitimacy in the EU is the EP and hence they should decide about the “government”. But that is grafting on our system of checks and balances a different system used in our national majority parliamentary systems. But to come back to the designation of the Commission: the President is proposed by the European Council and has to be approved by the EP. What is undemocratic about that? Members of the Commission are put forward by their respective governments (on the basis of the political majorities in that country), have to be endorsed in toto by the Council and are voted on by the EP. Is the US Secretary of State less legitimate than the British Foreign Secretary? Of course not.

Immigration was clearly a potent factor indeed, instrumentalized massively and skillfully by the Brexit camp. First by deliberately confusing free movement of workers, which is provided for in the EU treaties, with “immigration”. Free movement was never contested by any British Government in the past. On the contrary, when the Eastern Europeans arrived in the EU, every country could choose a seven year transition period before opening up free movement for them. The UK declined to take up that possibility and berated the ungenerous others for not seeing the immediate advantage of free movement of workers for our economies. So it was rather galling a few years later to hear that the EU had imposed all those “foreign workers” on poor helpless Britain. Incidentally, Turkey was also mentioned in that context during the referendum campaign, along the tune of this terrible Brussels trying to impose on helpless Britain hordes of Turks coming to seek jobs in the UK. The reality is a bit different: Britain has always been the staunchest defender of taking in Turkey, something I for one have never believed in. And it seems this has not changed even now; it is said that Boris Johnson saw fit to explain to them how to join the EU!!

On immigration proper, like many others in the world, the EU has not managed to find the right balance and the right distribution of responsibilities . This will continue to be one of our big challenges. The policy of migrant quotas pushed for by the Juncker Commission was a non-starter and a political error. It has never been put into practice because it is not enforceable. It did a lot of damage in the EU and also in Britain, for sure. It is not however the EU which decides on how many people each country takes in. There are vast differences between member states. Hungary talks a lot about migration, but how many immigrants live there? I would say the problem is more the influx of young and civilized Hungarians to other countries.

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The ordering and distribution of Covid-19 vaccines have not been a great success. However,

just as one should not call into question the whole British political system because the Government makes mistakes, the same applies to the EU. Yes, and not for the first time, the EU has over-promised and under-delivered. I am delighted for you that the UK has achieved better results so far. Most of what it did could have been done even the country was a member of the EU.

Brexit is part of a wider phenomenon. The fact is that all our societies are deeply divided and elites have lost touch to some extent. This is a major challenge for all of us and not specific to the EU. I am always struck by the fact that many people in Britain judge issues differently depending on whether they occur on the continent or in Britain.

Do big countries bully small ones? Is Germany dominant? The weight of Germany within the EU is nowhere near the US's weight in NAFTA or in NATO. There are lots of ways in the EU which protects and the small and medium member states; in foreign policy the unanimity requirement gives considerable, some would say exorbitant powers to the small countries.

EU officials are often accused of all kinds of sins. But the origin of the crisis does not lie with EU nor indeed British officials, it clearly lies with the politicians. In fact for me one of the explanations of Brexit is the growing gap between the civil service and the political world, and this has been particularly pronounced in the UK. It seems to have gone from "Yes Minister" where civil servants very much held their own to a situation where politicians feel less and less bound by expertise and civil service advice. When the EU negotiated the February 2016 deal to help Cameron keep the UK in the EU, cooperation between the senior officials in London and in Brussels was exemplary. I had the feeling that we were working very hard together to make sure that the UK could continue to work constructively in the EU.

And if I may add another point even it is a *pro domo* one. The EU owes a lot to the European public service, which is highly competent and politically neutral. The recruitment procedures via open *concours* across Europe are very competitive and demanding. Many senior officials are also recruited from the top of national administrations. It is true that people who have spent their whole career in Brussels can become a bit inward-looking. There should be more exchange and cross fertilization. We should also insist on requiring each EU official who was directly recruited to spend two or three years in a national administration. It would help them better understand the realities on the ground.

There are certainly many factors that led to the "No" vote on 23 June 2016. There is one I want to recall here. It didn't help that the Prime Minister who was responsible for calling the referendum in the first place invented a conflict with the EU each time he came to Brussels for a summit. This allowed him to report home that he had slain yet another Brussels dragon (among us we placed bets on what they would invent next). I remember many instances. One of the most ridiculous was about the VAT rates of sanitary tampons. Or the one when he launched into a *tirade* when the SG of the Council distributed a brochure on the new Europa

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Building, calling it a scandalous waste of public money. The decision had been taken many years before by the Council and the project had by then been fully financed, but it was too good an opportunity to paint the EU as an irresponsible and wasteful organization. So when this gentleman turned round after the February deal and praised the beauty of the EU, people, rather unsurprisingly, did not believe him.

The use of a referendum is left to each Member State. I have always believed that a referendum on a treaty change is too crude an instrument. It leads to the addition of the negatives and makes a serious debate very difficult. On the question of IN or OUT, however, it makes more sense, because you ask a very fundamental question where the choice is binary. But the least you would expect is that the case is put with a minimum of honesty and that there is a long and serious public debate before the vote. I did not have the impression that the leading Brexiteers had any clear idea of what it would entail. That is maybe because many of them did not believe that the vote would go in their favour, to start with, from what I was told by people who knew him, the present Prime Minister himself.

But the past is the past and we should stop recriminating and accept that a page has been turned. The EU wants the best possible relations with the UK. This is not simply a political slogan: at the European Council meetings following the Brexit vote none of the leaders ever said anything else. I heard lots of regrets, lots of talk about a lose/lose situation (which it is), about damage limitation etc. Of course, also firmness on basic principles: the British were in with opt outs, now they are out but at least initially wanted many opt ins without bearing the constraints of a member. The EU would be mad to allow this to happen, it would jeopardize the future of the EU. But there are many things we can do. The Brits have opted for a Canada style deal but there are other possibilities for the future. One of the areas I thought in which we would find an immediate agreement was foreign policy and security because there we really are close and Britain will remain a key player. The EU was ready for this but London declined. It is so clearly in the UK interest as well. I have no explanation for London to decide to walk out of the Erasmus program, which does allow for third country participation. I hope that these were tactical positions only. There are also tactical considerations on the EU side, to be sure. I personally believe that on a level playing field and anything related to it the EU have to be hard as nails in the initial period to stop once and for all some people in Britain dreaming of having their cake and eating it. It must be clear that when you are out, you are out and have to reconstruct from there. Once that is clearly established, it makes eminent sense for both sides to have very close links in very many fields. Britain, as May and Johnson said, does not leave Europe. And with all respect for the Commonwealth, it is in Europe where most of British trade and business will continue to be done. Fundamentally the UK is a European

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