

The European governance and the future of the European Union

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We have an interesting title in front of us today, bringing together some theoretical considerations and some practical ones. It should form the good basis for a debate, to which I hope I can contribute.

First of all, I am going to put forward some theoretical considerations. But before that, I should say what I mean by a theory.

As some of you may know, I studied not political science but physics at university. And one of the first things we covered in physics was thermodynamics. Now thermodynamics is the science of heat, and of heat flow. You study a theory in which you expand and compress gases and watch how their temperature changes as you do so. You put hot bodies next to each other and measure the flow of heat from one to the other. All this science assumes that the surroundings have no effect on the bodies or gases you are studying. That's what makes the theory work.

In the real world, of course, the surroundings do make a difference. Energy leaks out into the rest of the world and the perfect insulation does not in fact exist. Real world results start to diverge from those predicted by the theory. But that does not make the theory redundant. You can start to understand what is going on in the real world by comparing it with the theory. The theory is a useful guide to understanding the world. It does not have to be correct: the test is whether or not it is useful.

And as with thermodynamics, so with federalism. To me, federalism is a useful theory. It does not explain everything, and it does not explain things perfectly, but it is a useful aid to understanding the world. And, as a political movement, we have to understand the world before we can start to change it.

So, I hope that what I am about to say helps explain things a little. I am going to reflect on three aspects of the debate about the EU and the way it works.

First, I think it is important to be clear that the system of governance of Europe is not that of a state in the traditional sense. It lacks what Weber described as the monopoly on the legitimate use of force. Charles Murray uses the phrase "police power", which I think I prefer. Whatever we call it, the EU does not have it. The EU lacks the fundamental ability to impose its decisions.

But we can go further and say that, in the traditional sense, the EU does not have the system of governance of a non-state, either. It holds elections, and makes laws, and levies taxes.

These are among the features of a state. It is even putting uniforms on soldiers and police officers and border guards.

How to reconcile this contradiction, that the EU is not a state but has the features of a state? My conclusion is that the traditional sense of statehood is no longer a useful way of looking at Europe. State or non-state is not the interesting question.

There are some other examples of this I could give. Take the Downing Street Declaration of 1994, when the British government declared that it had no selfish interest in Northern Ireland. It would not seek to maintain the union if the majority of people in Northern Ireland wanted to leave. In other words, it would no longer use force to impose its own laws. This isn't the behaviour of a state. So, not only is the EU not a state in the traditional sense, neither is the United Kingdom.

And if you think about your own countries, ask whether force would be used to put down non-violent civil disobedience in a region where a majority had voted for secession. It is increasingly hard to imagine. The traditional conception of the state is no longer the basis of politics in Europe.

Now, that is not to say that the state is not an interesting and important concept in federalist theory. Indeed, I have given talks on precisely this point at previous seminars in Ventotene. But, it is to say that the conception of the state is not central to the current debate about the future of Europe. There are other things to talk about.

Next, let us consider the fact that the EU is adopting a constitution. What does that mean? The British Conservatives argue that it means the creation of a country called Europe.

But, and this will not surprise you, I think that the British Conservatives are wrong. And I'm not going to resort to the rather pathetic comparison with the constitution of a golf club that the British minister Peter Hain once used, either.

The point is that the term "constitution" indicates a political community, not necessarily a state or a country. Berlin has a constitution. So does Lower Saxony. By no stretch of the imagination is Lower Saxony a state or a country. So the European Union can have a constitution without acquiring statehood. It is a political community, after all.

This view also disposes of the argument that the text is not a constitution because it does not signify a new quality of relationship between the union and the member states, or between the union and the citizens, or between the member states themselves. It is true that the text does none of these things very much, but to me that does not prevent it from being a constitution.

And thirdly there is the word government. Can we use that to describe the European Union? The title of the session, interestingly, uses the word "governance", which is a less precise term with a broader meaning.

But the word “government” is one of those words that slightly different meanings in different languages, so it is hard to be sure how the word can be used. The problem is made worse when you realise that many people on our own side run away from using the word “government” when speaking of the European Union. I suppose this is because they fear being misunderstood.

For example, I remember once reading a criticism of JEF because it was in favour of a “single world government”. Well, it would hardly make sense to be in favour of two world governments, would it? But that is what this residual fear of the word “government” means. People believe that government can only belong in one place. That if there is a European government, then there can no longer be national governments. Now, the whole point of federalism is to ensure that a European government would co-exist alongside national governments and not replace them. We all know that. But our opponents do not, or at least they do not appear to.

In Britain, of course, fear of a European government is particularly strong. But this sits oddly with the way the word “government” is used quite freely to describe regional government or local government. The Scottish Executive declares itself to be “the devolved government for Scotland”. In Wales, there is an institution called the Welsh Assembly Government. No-one worries about this use of the word any more.

So, if Wales has a government, there is no reason why the European Union cannot be said to have one, too.

So, the call that Europe needs a “government”, or a “real government”, or a “federal government”, means nothing to me. It’s already got one. To the extent that words “federal” and “government” might apply in Europe, broadly speaking they apply now.

Similarly, the calls for a constitution will be met soon. Demanding a “real” constitution doesn’t help me. The words we use should make things more clear and not less. The test is whether our theoretical propositions are useful.

Having looked at some of the theoretical considerations behind the current debate about European governance, I want to move on to the practical considerations. I do not have long left to speak, so I will restrict myself to talking about only two.

The first is that European governance should be responsive. Citizens or interest groups who want something from Europe have to get an answer. It may be that they can get help: it may be that they have to be told that what they want they cannot have. But they must be told something. We need to put an end to the current situation where Brussels never seems to listen. It will always be hard for a multilingual, multinational political system to be responsive – what might at first appear to be issues of principle may well turn out on closer inspection to be issues of practical misunderstanding. International cooperation can be difficult, but that only makes it more important to get right.

Examples of this responsiveness within the European system include opening up Council meetings to public scrutiny. To me the, really interesting consequence of this openness is the change in working methods that it will require. At present, the Council often acts like a committee rather than an assembly. To reach a conclusion, the chair takes the sense of the meeting rather than putting an issue to a vote. It can sometimes take days after the meeting to know what was decided while the civil servants decipher their notes. A group whose members are each accountable separately for their actions cannot possibly work like this. Openness will further cement democracy in place of diplomacy within the EU system.

My second practical consideration is that the EU must show leadership. The changing nature of the news media – there is more of it, all the time – means that the role of the individual in power is taking on increasing importance compared with the role of the collective. This is true in politics, it is true in business, it is true even in sport. The need for fast reactions rewards those who can react quickly.

European governance therefore must become more personalised. It needs a face. It must be led by people who are able to take decisions, communicate those decisions, and be accountable for those decisions. The new post of chair of the European Council has been created in an attempt to provide this leadership. Of course, it will fail, because the chair of the European Council has no power. A powerless voice can have no more than a symbolic role. The power remains with the European Commission. It must be clearer at speaking to the public.

And the European Parliament has a role here, too. It too has power within the European system of governance and it too can speak directly to the people.

The importance of leadership is particularly pronounced in the field of foreign policy. It is no accident that the weak areas of European policy are those where leadership counts for most. The European constitution itself doesn't propose very much when it comes to improving the systems for making and implementing foreign policy – this is one of the big failings that needs to be improved in the future. But in the meantime it will still be possible for Europe to make progress if there is the political pressure for this to happen. Faced with the various ongoing crises around the world, I think that arguing for this will be an important task for federalists in the near future.

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