

April 2003

THE END OF BRITISH DEMOCRACY* ? - WITHIN A YEAR?

** (i.e. the hard-won right of the British people to elect and dismiss those who make their laws and levy their taxes)*

Memo on the draft new EU Constitution, proposed by M. Giscard d'Estaing's "Convention on the Future of Europe":

The draft EU Constitutional Treaty quite simply gives the EU almost complete power over the Member States.¹

It does this by turning the EU into an independent mega-state, like the United States of America, with full law-making powers over its citizens. National Parliaments will only be able to make laws when the EU can't be bothered.²

Technically, laws covering most areas of our national life will be passed by Qualified Majority Vote in the EU's Council of Ministers, where the UK has only 14% of the votes. Once our Ministers have agreed or been outvoted on a new law, Parliament must put it into British law,³ on pain of unlimited fines in the Luxembourg 'court'.⁴

Few people realize that this mechanism already governs our commerce and industry; social and labour policy; agriculture, fishing and environment. Hence all the ruinous regulation we have suffered from Brussels for many years, for which Parliament has become a rubber stamp.⁵

The main area which we may now keep for a while is control of our armed forces, thanks to French and German behaviour over Iraq.

We may also keep the pound, although there's not much point if everything else is controlled by Brussels. There are clauses hidden in the existing Treaties which could force us to give it up anyway.⁶ There are also clauses which could force us to cede control of taxation to Brussels.⁷

What happens next?

The Giscard Convention should finalise its proposed Constitutional Treaty by the end of June 2003. There will then be another Inter-Governmental Conference (IGC) of the heads of all the Member States, who have to agree the new Treaty unanimously. It is not yet clear what will happen if they don't, but the Prime Minister has already agreed its worst aspects.⁸ Whatever Treaty emerges from the IGC will be rubber-stamped by the House of Commons. The Lords might vote for a referendum this time, but the Government says it will not grant one.⁹

So we may be about to sacrifice our democracy for the 9% of our economy which trades with the EU.¹⁰ This would not be lost if we left the EU altogether,¹¹ which is the liberating, modern, enriching and obvious thing to do anyway.

What is to be done?

People feel helpless. But they can insist on seeing their MP and pressing for a referendum on the new Constitution. They can besiege the BBC until it fulfills its charter obligation to start a national debate. I fear this does not mean someone else; it means **YOU!**

Malcolm Pearson

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References:

1. Document CONV 528/03: "*Draft of Articles 1 to 16 of the Constitutional Treaty.*" (<http://european-convention.eu.int>).
2. Article 10 of above Draft.
3. Sections 2 & 3, and Schedule 2 of the *European Communities Act 1972*. For a filleted version see Col. 679 of Lords Hansard for 18/12/02 (on www.parliament.the-stationery-office.co.uk).
4. Articles 226-229 of the *Treaty Establishing the European Communities* (TEC). (see www.eurotreaties.com).
5. Cols. 679-681, Lords Hansard 18/12/02 (on www.parliament.the-stationery-office.co.uk)
This speech also exposes the fraud of "subsidiarity".
6. Articles 2 & 3 of the *Treaty on European Union* (TEU or "Maastricht"). Articles 2, 4, 98 and 99.1 of the TEC. (see www.eurotreaties.com).
7. Parts of Articles 43-48 (anti-discrimination) of the TEC. These could over-ride Article 93, which says that taxation should remain with Member States. (www.eurotreaties.com)
8. See the Prime Minister's speech in Cardiff on 28th Nov 2002; and his Communiqué from Madrid, 28/2/03 on ukinspain.com
9. Cols. 1389-1390 of Lords Hansard 2/4/03. (on www.parliament.the-stationery-office.co.uk.)
10. *UK Import-Output Analyses*: Office of National Statistics, November 2001: ISSN 1475-7354; summarized in *Global Britain Briefing Note No 22*, (www.globalbritain.org)
11. The National Institute of Economic and Social Research (NIESR): *Continent Cut Off? The Macroeconomic Impact of British Withdrawal from the EU, Feb 2000.*

See also "**Better Off Out**", on www.globalbritain.org.