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## Alarming Drum

# Introduction

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The beat of *The Alarming Drum* is an alert. In Byron's *Childe Harold* 'the beat of the alarming drum roused up the soldier ere the morning star'. The battle was at Quatre Bras, two days before Waterloo. Britain has centuries of experience confounding the threat to its liberties posed by France but the threat to its ancient freedoms posed by the European Union is a new challenge.

Parliamentary democracy is Britain's heritage; and its legacy to the world. In *The Reveille*, Bret Harte's 'quick alarming drum' calls freemen to protect their heritage. This book is an alert. It calls British freemen and women to protect their heritage, but without abandoning Europe. How to square that circle is Britain's European dilemma.

The British love Europe. They enjoy the continental lifestyle; they have friends, houses and holidays there; they shop for cars, clothes, cosmetics and consumer goods made on the continent; they have learned to use garlic and olive oil and to prefer wine to beer. Socially (if not politically) they are Europhile.

But the British are not Eurocentric. They have families and friends all over the Anglo-Sphere and the Commonwealth. They enjoy Indian curries, Chinese take-aways and New World wines. Their vacation destinations are world-wide. Their entertainment comes from all over the Anglo-Sphere. Their horizons, their vocation and their reach are global.

While their life-style experience leaves the British people uncommitted to Europe, that does not rule out constructive links with Europe to help confront the challenges of the new world order in the 21<sup>st</sup> century. Globalisation is a potential threat to employment and prosperity, global terrorism is a threat to national security, while the fall of the Soviet Union and the rise of Asia is leading to an era of uncertain international security.

The peace and prosperity of the countries of Europe need to be secured by an inter-state treaty; and in that context Britain is part of Europe. It is difficult to imagine how very small states such as the

newly independent Baltic republics could survive without membership of NATO for mutual defence and membership of the EU for security and prosperity. The smaller a country, the more it needs inter-state treaty organisations to give it the scale and scope it does not itself possess. Membership by larger states alongside the smaller helps to underpin the general security and the general prosperity of all Member States. If the European Union did not exist it would have to be invented. But if it were to be re-invented it would certainly be very different from what we have now. Its evident disbenefits make the British people irredeemably sceptical about the EU.

Perhaps it was this dichotomy between the Europhile and Eurosceptic aspects of the British character which prompted Prime Minister Blair to say, during an interview with journalists when *en route* to Iraq in the spring of 2003: 'I think it is high time that we had this debate about Europe. We should decide as a country whether we want to go forward in the European Union or not.'<sup>a</sup> Mr Blair's statement was made a few days before the European Council of Heads of Government and Heads of State met in Thessaloniki in Greece in June 2003 to consider the draft of the new EU Constitution.

The Prime Minister's position was contradictory in that he called for a debate but was not initially prepared to conduct a vote on the outcome. Only when his position had become untenable did he tell Parliament on 20 April 2004 that the electorate would be asked for their opinion. It is probable that the Referendum will take place in the spring of 2006. It should take place within two years from June 2004. The Prime Minister has said that by this Referendum the country would decide *once and for all* whether it was to be at the heart of Europe or *on the margins* of the newly enlarged Europe. He seemed to imply that a decision in respect of the Constitution was also a decision about the EU.

The Prime Minister presents this 'all or nothing' approach in a way which suggests that he does not actually want a debate about the alternatives. The idea that we take the EU as it is or leave it – *go forward in the EU or not* – is overly simplistic. The new Constitution enshrines a very particular view of the purpose and function of the EU. While we need an EU in the political life of Europe, it is the thesis of Part I of this book that the specific EU enshrined in the Constitution is misconceived. Rejecting the Constitution means rejecting *a certain concept* of the EU, it does not mean rejecting Europe. This book seeks to explain

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[a] *The Financial Times*, 29 May 2003

the challenges, options, and opportunities with which we are confronted.

Let there be no mistake. The current EU is designed to be a supranational organisation progressively transferring powers from Member States to the Union. Chapter 2 explores the phases by which this transformation has been achieved. It is when the veto goes and majority voting becomes the rule that Member States become subject to the will of others and so lose control of their own laws. This process is now very well advanced. The removal of the vetoes and the rapid expansion of supranational activity began with the Single European Act in 1986 which led to the 1992 Single Market programme. Once the veto had been suppressed for Single Market issues, its continued existence in other policy domains came under pressure. Having had no new Treaty for thirty years since Rome in 1957, treaties now came thick and fast: Maastricht in 1992, Amsterdam in 1997 and Nice in 2000. With each Treaty the powers of the EU have been dramatically expanded while the vetoes have been correspondingly removed. Chapter 3 shows how the supranational institutions created by the EU erode parliamentary democracy while exhibiting a staggering lack of accountability.

In principle, the peoples of Europe want to govern themselves in their own parliaments according to their own preoccupations and policy preferences. In an effective democracy, while there are policy divisions along party lines, there is a fundamental agreement as to the national agenda. For Member States to enjoy the freedom of parliamentary government their relationships with each other need to be defined by interstate treaties. The problem is that the EU is not an interstate treaty organisation; it is now an almost complete supranational federation.

With its Constitution, its currency, its flag, its anthem, its president, its foreign minister, its Europol, Eurojust, public prosecutor, gendarmerie, defence force and diplomatic service the EU is, to all intents and purposes, a federal state. Member States within the original EU inter-state structure are now becoming provinces of the EU supranational federal structure. Sixty percent or more of national laws are dictated by Brussels, whether or not a given Member State votes for them. This means that Member State governments may not be able to enact the laws which they were elected to enact and, worse, may have to enact laws which they had opposed at election time. Furthermore, since no EU laws can be repealed by a single Member State, electorates are left in a position whereby they can change the government but

cannot change the law, however misconceived and inappropriate that law may prove to be. This erosion of democracy and freedom is the subject of Chapter 4.

Chapter 5 (together with Appendix II) concentrates on the scale and diversity in the various dimensions of European life. It highlights the absence of any genuine European 'demos' to provide a matrix for public opinion and democratic action. This diversity is ungovernable in a federal superstate unless the state has powers to coerce its 'provinces' to acquiesce in its policies. The EU is acquiring all the powers of a coercive state although many will not be fully realised until the Constitution is put into effect.

The achievements claimed for the EU in the course of the last half century are often taken as a justification for its supranational construction. In fact the Atlantic Alliance has contributed as much, if not more, to the development of security, prosperity and political freedom in Europe since 1945. These relative contributions are compared in Chapter 6, while Appendix I offers a chronology in parallel of the evolution of the European Union and the Atlantic Alliance from 1944 to 2004. As the EU continues to develop its supranational character it has been losing its grip on European public opinion. Chapter 7 examines the EU plan to turn itself into a superpower in its own right and in opposition to the USA in order to reinforce its popular mandate.

With Chapters 8, 9 and 10, the book turns to the details of the new Constitution. Chapter 8 describes how the Constitution emerged from the Convention on the Future of Europe. This Convention had the brief to consider the role of the EU and its relationship with Member States. Proceedings were hijacked by the President and a small elite inner circle.

As a result the brief was abandoned and the opportunity to introduce democracy into the EU was lost. Chapter 9 explains the proposed Constitution, and Chapter 10 analyses its *alter ego*, the Charter of Fundamental Rights

The elites at the Convention chose to propose a Constitution to finally confirm the supranational character of the EU. The Constitution is established as superior to the parliament, courts and laws of each Member State. Moreover, it contains clauses that mean that its powers can be indefinitely extended without any reference to the peoples of Europe. This means that this will be the last EU Treaty, but not because it sets limits to the further extension of EU powers. On the contrary, it is written to allow further extension without any practical limits and without even the pretence of consultation. This is how the

heritage of British freemen is being stolen from them. This is why the British people must take heed of the beat of the Alarming Drum.

Part II deals with the UK in relation to the EU. It shows that the idea that the EU is the inevitable destiny of the UK may also be misconceived. On both economic and political grounds there is a strong case for an independent Britain, linked to the EU by international rather than supranational treaties. That is why the UK would be in a strong position if it did not ratify the Constitution and instead developed a different vision for the Future of Europe. While the UK could leave the EU without much loss – indeed there could be some gain – that is not the thesis of this book. The UK should use its best efforts to try to bring the EU back on track. The beat of the Alarming Drum must be heard all around the Union.

The Referendum will give the British people a once in a lifetime opportunity to assert their sovereignty over the elected representatives in Parliament and the unelected elites in Brussels. It is far and away the best moment to reassert their right to live in a parliamentary democracy. *Carpe diem*, as the Romans would say. Let us seize the day!

## **Treaty Establishing a Constitution for Europe**

### **Article I-8: The Symbols of the Union**

The Flag of the Union shall be a circle of twelve golden stars on a blue background.

The anthem of the Union shall be based on the 'Ode to Joy' from the Ninth Symphony by Ludwig van Beethoven.

The motto of the Union shall be: 'United in diversity'.

The currency of the Union shall be the euro.

Europe day shall be celebrated on 9 May throughout the Union.