

+44 (0)20 7287 4414

info@brugesgroup.com

The Bruges Group spearheaded the intellectual battle to win a vote to leave the European Union and, above all, against the emergence of a centralised EU state.



## Circle of Barbed Wire

**Bernard Connolly**



### Contents

Introduction

State of the Nation

A Most Peculiar Ethos

Out of Order

An Appetite for Power

A Queen's Dilemma

What is Europe For?

Vichy: creating the technostructure of "Europe"

Origin of the Species

All According to Plan

True Colours

Washington's Vocation

Not "European" Enough

By Means of Deception

Pointing the Way

A Looming Threat

No Sell-Out

Blissfully Unaware

Bridge to Nowhere

A Bureaucratic Coup

Grand Delusion

Along Came a Spider

Pretender to the Throne

Opening America's Eyes

Down to Earth

Endnotes

## **Introduction**

What is the meaning of the "constitution" of something resembling a new Soviet Union in Europe that was presented to EU bosses at the end of June? How do its antecedents shape predictions about how it will operate? Why is Tony Blair so keen on promoting it? What will be its impact on Britain and on the "new Europe" drawn from the debris of the original Soviet Union and its satellites? And how will it affect the operation of international capital markets and of the world economic system?

A good deal of insight into several of these questions can be gained from three quotations, two from like thinkers, the third from a very different source. The first is from the inspiring work of Michael Novak, the preeminent American Catholic neo-conservative political philosopher. In his 1991 book, *The Spirit Of Democratic Capitalism*, published just after the fall of Communism, he wrote that,

"One of the most outstanding characteristics of our age is that ideas, even false and unworkable ideas, even ideas which are no longer believed in by their official guardians, rule the affairs of men and ride roughshod over stubborn facts. Ideas of enormous destructiveness, cruelty, and impracticality retain the allegiance of elites that benefit from them. The empirical record seems not to jut through into consciousness to break their spell. The class of persons who earn their livelihood

from the making of ideas and symbols seems both unusually bewitched by falsehoods and absurdities and uniquely empowered to impose them on hapless individuals."

To someone who in 1991, at a time when monetary union was being negotiated, was working in the European Commission, the official guardian of the EC treaty. Novak's words

\* The views expressed in this article are the responsibility of the author alone; they do not necessarily reflect the views of any employer, past or present, of the author. hit their target with far greater precision than the Gulf War I bombs then providing nightly entertainment on TV. The Rotten Heart of Europe, the true story of the ERM and its transmogrification into a coming monetary union that was always going to be, and was always intended to be, disastrous, was aimed at demonstrating the relevance of thinking such as Novak's to the idea of "Europe." And the book's unhappily necessary emphasis on the conspiratorial nature of "Europe" reflects the words of another neo-con political philosopher, the late Aaron Wildavsky, writing scathingly in Commentary in 1973 on Nixon and on the Watergate scandal then raging:

"Watergate is a curious scandal by American standards, in that it is not about money; nor is it, like a British scandal, about sex.<sup>1</sup> By contrast, it resembles a French scandal, one in which small groups of conspirators make and execute their clandestine plans in the service of ideologies held by no more than one or two percent of the population. Watergate may thus represent another step in the 'Frenchification' of American political life begun in the mid-1960s, a mode of politics in which apparently inexplicable behavior is found to derive from attachment to ideologies of which the vast bulk of the citizenry knows little and cares less."

Wildavsky went on to say of Nixon that,

"From this perspective [a model of Nixon's view of the constitution as being similar to that of de Gaulle and Pompidou], the position of Nixon's Attorney General on executive privilege, with its suggestion that the Presidency exists wholly apart from other institutions, becomes more explicable. ... [Nixon's] victory at the polls in 1972 seems to have inspired in him the conviction that as the embodiment of the national will he should brook no opposition from Congress. If he said 'no' on spending and the legislature said 'yes', so much the worse for it. ...It was his plebiscitary view of the Presidency that led Nixon to attempt to run a foreign and defense policy without the Senate, a budget policy without the House, and a domestic security

without the Senate, a budget policy without the House, and a domestic-security policy without the courts."

Wildavsky's comments on "the leader" as the embodiment of the General Will suggest fascinating and disturbing parallels not just between Nixon and the proponents of "Europe" in general but between Nixon and Blair in particular. For the third of the key quotations that we find enlightening in trying to answer the questions with which we began is much pithier than either Novak's or Wildavsky's. It was quoted in the British press a couple of years ago as issuing from the mouth of a senior figure at the Court of King Tony: "We are calling the bluff of the constitution." The constitution he was talking about was the British constitution, which Blair and his courtiers are dismembering at break-neck speed. But it is just possible that the proposed EU "constitution" may end up calling Blair's bluff.

The EU "constitution" has been put forward by a body known, in a deliberate and rather disgusting parody of the Philadelphia Constitutional Convention, as the European Convention. Its chairman was Valéry Giscard d'Estaing, a former French president so ineffectual that he was easily defeated in 1981 by Francois Mitterrand. Giscard was one of the two men primarily responsible for that Doomsday Machine, the ERM, a mechanism both economically perverse and politically perverted, in 1978. And, together with its other progenitor, Helmut Schmidt, he had never cloaked his ambitions. When the two men visited Aachen, seat of the empire of Charlemagne, and set the seal on their personal agreement on the ERM, Giscard remarked, "Perhaps when we discussed monetary problems, the spirit of Charlemagne brooded over us."

A more accurate comparison with the European Convention would be not Philadelphia but Bismarck's maneuverings after Königgrätz as he sought to create the North German Confederation. We can find no better description of Giscard's aims and tactics than that of Bismarck's given by a leading American historian of modern Germany, Gordon Craig:

[T]he driving and directing force was Bismarck, who supplied the basic structure of the ... draft, persuaded the separate governments, including his own, to accept it without imposing amendments that would impair its delicate balances, and devised the strategy that carried it safely through the debates of the constituent Reichstag [for which read today, "the Convention"]. ... [H]e proved ever fertile in expedients and masterful in playing hostile forces off against each other. The attempts of the governments of the lesser states to unite on a demand for an increase of princely

power [for which read today, "for an increase in the number and perks of Commissioners and the number of Council votes and perks assigned to the lesser states] that might have been used to limit Prussia's influence [for which read today, "the influence of France, or possibly of Franco-Germania"] he countered on the one hand by divisive tactics in the form of promises and bribes and on the other by suggesting [with complete duplicity] that Prussia might respond to recalcitrance with prescriptions drawn from the doctrines of radical liberal nationalism [for which read today, "the doctrines of radical European federalism"]. He pointed out to the Saxon government [for which read today, "the British government"] that Prussia always had "alternatives: either to count completely and forever upon the governments now temporarily allied with us or to face the necessity of seeking our centre of gravity in the in [the Confederation, for which read today "European"] parliament" [either alternative would be personally unacceptable to Blair.] When his own government balked and sought what he considered to be unreasonable safeguards for its own sovereignty, his arguments tended to be different, emphasizing the political price of losing momentum in the campaign for unity or of alienating other governments. Finally. ... When it seemed possible that the constituent Reichstag might try to change fundamental features of his constitutional draft, he persuaded the governments of Saxony, Hesse-Darmstadt, Weimar, and the Mecklenbergs to join Prussia in a treaty which provided for the dissolution of the Reichstag and the promulgation of the constitution by decree if worse came to worst [for which read today, "he persuaded the core governments - not that they needed much persuasion - to agree to force through their own ideas via the IGC rather than through the Convention and to agree to an article making future treaty revision possible by Council decree and without parliamentary or popular ratification"]. 2

Craig notes that when the next stage of Bismarck's project was achieved with the creation of the German Reich in 1871, among the messages of congratulation sent to Berlin by foreign governments was one in which,

"President Ulysses S. Grant congratulated the German government for having completed the long-desired unification of its territory and for its decision to embark on a new federal union like the United States itself, a decision, the President indicated none too delicately, that showed a desire for speedy progress toward the blessings of democracy. This engaging exercise in self-satisfaction must have amused its recipient, Prince Bismarck, and he subsequently made a point of assuring American visitors gravely that he had been much influenced by the United

assuming American visitors gravely that he had been much influenced by the United States constitution when making his own plans for Germany. It is quite possible that he had gone so far as to read that document, but it would be difficult to demonstrate that he borrowed anything from it. The similarities that Grant found between the two constitutions were as superficial as his prophecy concerning Germany's future political course was erroneous. One should not, of course, be too hard on the President. He was not alone in failing to understand the constitution of the German Empire. Indeed, in 1867, when it was being considered in its original form, as the constitution of the North German Confederation, a fair number of German politicians, charged with protecting the interests of their states, had also failed to understand it until after they had accepted it and had learned belatedly that they had misunderstood clauses that were to affect them very nearly. ... The author set out deliberately to draft a document that would provide the legal basis for the kind of national union desired by public opinion and by German economic interests, while at the same time preventing the resultant state from entering upon the road that President Grant believed it was destined to travel. The basic purpose of the constitution, in short, was to provide the institutions that would be able to compete effectively with the most powerful of its neighbors, without, however, sacrificing, or even limiting, the aristocratic-monarchical order of the pre-national period." 3

Far from pursuing the path of democracy within a federal union, imperial Germany was Prussian-dominated, personal, dynastic, authoritarian, and illiberal. And, 46 years after Grant sent his message of congratulations to Berlin, one of his successors, Woodrow Wilson, declared war on Germany at almost exactly the time that the German Chancellor's secretary, Kurt Riezler, was noting in his diary, "The policy of the Chancellor [Theobald Bethmann Hollweg]: to lead the German Reich, which cannot become a world power by the methods of the Prussian territorial state ... to an imperialism of European form, to organize the continent from the centre outwards (Austria [which then included what were to become Czechoslovakia and Hungary and large parts of the Balkans], Poland, Belgium) around our undemonstrative leadership." 4

It is not easy to argue that the lives of successive generations of people in the German states, in "Germany" as a whole, in Europe, and in the world were made better by Bismarck's successful conning of German politicians in 1867, by the creation of the German Empire in 1871, or by that empire's adoption of an economic idea of nation leading to economics-driven imperialism on a European

economic idea of nation, leading to economic driven imperialism on a European and world-scale. And it certainly is easy to argue that the creation of the German Empire (along with, as we have argued several times in the past, the Gold Standard) led to 1914 and the collapse of the global, free-market capitalist order, a collapse not fully remedied, notably in central and eastern Europe, for 75 years thereafter.

Even though Giscard is no Bismarck (though he would undoubtedly be delighted to have Bismarck's title, "Prince"), the historical parallels leap, yelling "Look at me!" from the page. But there are also differences, of course, and it is worth noting them straight away.

First, the power relations in the new empire being created in Europe are not as straightforward as those in Wilhelmine Germany, where Prussia's dominance was unchallengeable; whether France, Germany, or some permanent directorate of the two will eventually dominate "Europe" is a question to which an answer cannot be offered with any great confidence. But if, as Craig puts it, "the ambiguities and contradictions [in the constitution of 1867-71] ... invested German ... politics in general with an increasing amount of friction and frustration," parallel ambiguities and contradictions in the "European constitution" will, because they concern the central power relations as well as peripheral power relations, have the potential to create much worse than friction and frustration.

The question of Franco-German relations within "Europe" immediately points to a second extremely important difference: there is no European demos in the way that there identifiably was a German demos in Bismarck's time. The absence of a demos was cited by the German Constitutional Court when it reluctantly accepted in 1993, under extreme political pressure from Kohl, the constitutionality of the Maastricht treaty, and expressed its skepticism about the possibility of a democratization of the European Union. The judge generally reputed to have drafted the relevant sections of the Court's judgment, Paul Kirchhof, wrote in his standard text on German constitutional and administrative law,

"The development of a cultural unity in Europe is out of the question, since nine [at the time Kirchhof was writing the handbook] national languages are spoken within the Community. ... The linguistic image of the assenting Staatsvolk having a "constitution-giving-authority" cannot adequately encompass the emergence of a European state. It does not explain why the formation of a new state in its different constitution should bind the citizens who are not part of the electorate now but will subsequently have the right to vote. 5 It does not justify why the emerging state -

the Community of the Twelve [as it then was], let us say, should be allowed to exclude other states [Turkey no doubt being the example most relevant to this reasoning] and thereby bring about deep changes in their European beginnings. Above all, however, it is not able to support its own premise, namely the common ground of a European Staatsvolk which belongs together: a minimum of homogeneity in basic constitutional attitudes, a legal language accessible to all, economic and cultural similarities or at least some forces of approximation, the possibility of political exchange through media, which reach the whole of Europe, a leadership which is known in Europe and parties active across Europe. ... A Europeanization without a prior European consciousness and therefore without a European people with a concrete capability and readiness for common statehood would be, in terms of the history of thought, un-European." 6

The holder of the Jean Monnet Chair in international law at NYU. 7 J.H.H. Weiler, in a critique of the Constitutional Court's reasoning, or at least of the Kirchhof reasoning (which he attributes to the Court), wrote, when the Maastricht treaty was already in force, that, "If the concern of the German Court was to safeguard the democratic character of the European construct in its future developments, and if its explicit and implicit thesis was that, in the absence of a European demos, democracy can be guaranteed only through member-state mechanisms, it is hard to see how, employing the same sensibilities, it could have given democratic seal of approval to the already existing Community and Union." The answer to this question, of course, is that the German Court was never asked to give its approval to the Treaty of Rome; and, if it had been asked, it would have fudged the issue. By the time of Maastricht (when a private citizen brought a case against the German government for agreeing to the Maastricht treaty), the issue was less easy to fudge - though the Court nonetheless managed it; the Court's logic implied it should have rejected the treaty as anti-democratic and therefore unconstitutional, but the relentless political pressure from Kohl meant that the Court did not have the courage to follow its own logic. 8

The idea of a demos does not imply ethnic or - perhaps - even linguistic homogeneity. The United States has a demos; indeed the United States ("one nation, indivisible, under God") is perhaps the most visible example of a nation-state. Even Texans feel themselves American first, Texans second. To the extent that some members of an ethnic group might feel themselves, say, Hispanic first and American second, that would be an indication that the American demos was not perfect. not that a demos does not exist nor that the US is not a nation-state. 9



But if a demos does not require ethnic or linguistic uniformity, it does require a common sense of belonging and a common sense of allegiance. That is, the idea implies a sense of community. 10

Marxists and race theorists treat the idea of the nation-state as a confidence trick played by capitalists on the proletariat or by a dominant race on a subordinate race. The "freedoms" ensured by a democratic nation-state are seen by these theorists as merely formal, legalistic, illusory, subjective. The "objective truth" of democratic nation-states is, as seen by such theorists, one of oppression. 11 For Marxists, the true focus of loyalty - which implies a willingness to engage in self-sacrifice - could only be the class. Thus those members of the French Right who in the mid-1930s proclaimed, "Better Hitler than Blum" (Blum had the additional disadvantage in the eyes of such people, of course, of being Jewish) were, in the way predicted by Marxism, putting their class interest - or their selfish interest - first. A Marxist view of the nation-state would be that as globalization has progressed the nation-state no longer provides the most efficient framework within which the capitalists can control the workers; thus the capitalists pursue their class - or caste - interests in groups that proclaim the necessity and desirability of "One World" - or the secretive Bilderberg Group of bankers, politicians, bureaucrats, media figures and businessmen who attempt to create a world government run by elites in the interests of elites.

### **State of the Nation**

The philosophical root of Marxism is found in Hegel. So is the philosophical root of racism, and so too is the root of totalitarian nationalism. If the EU/NSU bans the nation-state, it risks leading either to the anarchy, the gangsterdom, of class, race, tribal, linguistic, or religious self-interest or to the authoritarian imposition of empire. (The scenarios presented at a seminar a couple of years ago by the EU Commission's Forward-Planning Unit all envisage some variant of chaos followed by the imposition of authoritarian "European" rule.) "Classes," in all countries, and races, in many countries, interact with each other on a daily basis. If there is class or racial conflict it is immanent. Nations are, in contrast, geographically distinct from each other. The whole point of the nation-state is to maintain at least some aspects of separateness from other countries while creating a national community that minimizes the risk of class or race conflict within the nation. That is, a nation-state is defined by the willingness of its citizens to say, "We, and only we, will make the laws that govern us, and only us."

The Irish Republic is an interesting case in point. Indeed, one can see the very existence of the Irish republic as a clear contradiction of the underlying ideology of "Europe." By the beginning of the 20th century, Ireland was significantly over-represented in the Westminster Parliament of the United Kingdom. And the bloc of 80 or so Irish Nationalist MPs had even more disproportionate influence, their support often being necessary to sustain one government or another, in a way similar to that in which the Free Democratic Party in Germany has tended over long periods to have disproportionate influence in Germany. Yet the main purpose for which the Irish Nationalist bloc wielded its influence at Westminster was precisely to separate Ireland from the UK. After the Irish Free State, subsequently the Republic of Ireland, became politically independent from Britain, its citizens naturally lost their influence at Westminster. Yet, because Ireland's economy, and particularly its labor market, were tied in with Britain's, and because Ireland had - and has - no influence over world events, one can argue that in a significant sense Irish people had less power over many of the things that affect their daily lives as a result of independence. Yet Ireland had a demos which was distinct from that of Britain: the two demoi, at least in the opinion of most citizens of what became the Irish Republic, should not co-exist in a state. The mere fact of Irish representation, indeed over-representation, in the Westminster Parliament did not mean, in the opinion of most Irish people, that they were being governed democratically. Being governed democratically could, in the part of Ireland where that opinion held sway, only mean government of the Irish demos by the Irish demos. It was more important for the laws that applied to Ireland to be made in Ireland by Irish people, and by Irish people alone, than for Irish people to have some degree of influence over laws and policies made elsewhere and affecting a wider universe of people, even though those laws and policies might, through economic or international-relations routes, have a spill-over effect on Ireland. Ireland's rejection of influence and its acceptance even of a loss of power (with Ireland part of the United Kingdom, votes by Irish MPs in the Westminster Parliament had affected what Britain did externally, and Britain was the leading world power) in favor of independence and freedom was also a rejection of the Hegelian philosophy of the rise of the World-Historical Nation, at the expense of freedom, that underlies "Europe." 12

Even such fanatical supporters of a European superstate (though that is not what he calls it) as Chris Patten, a British member of the European Commission, accept that

there is no European demos. But they insist that "Europe" has a right to arise because of its supposedly superior ethos and supposedly necessary telos. But while "Europe" differs from Bismarck's Germany in not having a demos, its ethos and telos are remarkably similar to those of the empire created in 1866-71. But first let us consider the fantasy, put forward either naïvely or cynically.

Weiler writes that,

"Supranationalism, at the societal, social, and individual level, embodies an ideal which diminishes the impact of the statal aspect of nationality - probably the most powerful contemporary expression of groupness - as the principal referent for transnational human intercourse. ... Hermann Cohen, the great neo-Kantian, in his *Religion der Vernunft aus den Quellen des Judentums*, tried to explain the meaning of the Mosaic law, which calls for the non-oppression of the stranger. In his vision, the alien was to be protected not because he was a member of one's family, clan, religious community, or people, but because he was a human being. In the alien, therefore, man discovered the idea of humanity. We can see through this exquisite exegesis that the curtailment of the totalistic claim of the nation-state and the reduction of nationality as the principal referent for human intercourse, the community ideal of supranationalism is evocative of, and resonates with, Enlightenment ideas, with the privileging of the individual, with a different aspect of liberalism which has its progeny today in liberal notions of human rights." 13

The nonsense of this is apparent at the practical, real-world level - the level of the EU/NSU, which, as we show below, is a Hegelian, totalitarian, not Kantian and liberal, construction. But it is also faulty at a philosophical level. It is noteworthy that the Kirchhof passage we quoted earlier is remarkably similar to, and may well have been influenced by, the famous analysis by the great liberal thinker, J.S. Mill, in his *On Representative Government*. Mill wrote that, "Free institutions are next to impossible in a country made up of different nationalities."

Then, after making the arguments reprised by Kirchhof 150 years later, he went on, "An army composed of various nationalities has no other allegiance than the flag. Such armies have been the executioners of liberty through the whole duration of modern history. The sole bond that holds them together is their officers and the government which they serve; and their only idea, if they have one, of public duty is obedience to orders."

It is particularly striking that the EU Commission, in its preliminary submission to the

European Court of Justice (ECJ) in one of the cases we cite below, actually headed one section with the motto, "Qui dit loyauté, dit fidélité aux ordres." What Mill complains of - the killing of liberty - has been an empirical regularity in multi-national states, and the EU/NSU shows every sign of following that empirical regularity. But it can be argued on philosophical grounds, as Mill does, that such horrors created by a multi-national state are actually a logical inevitability. A magisterial modern analysis - that is, an analysis that is aware of the historical experience of Nazi Germany, the Soviet Union, and the EU - along these lines has recently been provided by the Israeli political philosopher, Yoram Hazony. Hazony argues forcefully that the nation-state is a defence against the twin evils of anarchy and empire. He offers definitions as follows:

"In speaking of an imperial state, I have in mind a state whose jurisdiction tends toward rule over all, whereas anarchy tends toward the rule of each one over himself alone. ... [W]hat we mean by an empire is that it is in principle boundless in its extent, so that the individual proffers loyalty and obedience to a jurisdiction, one that might easily include, if not today then tomorrow, any other member of humanity. Under anarchy, on the other hand, the individual proffers loyalty and obedience to a collective whose bounds are sharply drawn, and circumscribed only to those people with whom he could in principle be personally acquainted - whether they be members of his family, clan, tribe, manor, town, militia, or gang." 14

He continues,

"[W]herever this principle [the imperial principle] is embedded in the heart of the state, whether this state seems on its face to be vicious or benign, it logically gives birth to conquest and to the subjugation of neighboring peoples, depending only upon the measure of force it is capable of bringing to bear." 15

Further,

"[T]he order of the national state is superior to that of anarchic order in that it renounces the corruption of loyalty to individuals, and bases the state on the loyalty of each individual to the abstraction of the nation. ... [T]he depersonalization of warfare and the depersonalization of justice are the bedrock of the national state that separates it from the feudal or anarchic order. Upon these it is possible to build a rigorous understanding of the common interest and therefore sentiments of loyalty with a broad public. And these, in turn, permit the emergence of doctrines of the rule of law, representative government, and civil equality. ... [T]he national state

differs from the imperial state in being premised on the principle of national liberty. As such, it tends to disdain conquest, preferring to allow neighboring peoples to govern themselves in peace so long as they do not pose a threat to its citizens - a revision in the nature of the state that permits the emergence of the intuition that the state has fulfilled its principal worldly mission if it succeeds in redeeming the one people it represents and governs; and that it is absolved of the responsibility of bringing the remainder of mankind under its grace. To the degree, then, that national liberty and sovereignty can become the common ordering principle of an order of states, each can, for the first time, find itself secure in its pursuit of domestic tranquility, as a result of the common renunciation by each civilized nation state of its need to be the liberator and conqueror of all others."

Of course, when it is not the case that there is in the world "a common ordering principle of an order of states," there may be a moral responsibility of those national states that do exist to resist, within the limits of their powers, the encroachments of imperial or anarchic states. This may involve some unpleasant choices. Thus Churchill immediately allied Britain with the Soviet Union when it was invaded by Hitler in 1941. He did so despite having been a bitter opponent of Bolshevism. Why? Because the threat to the liberty of other countries posed by Nazi Germany was so immediate that it was worth doing practically anything to combat it.

One can see an obvious resonance in this reasoning for the United States, where the differences within the Bush Administration between "neo-conservatives," such as Paul Wolfowitz, and "realists" such as Vice President Cheney and Donald Rumsfeld, are to some extent philosophical differences as well as practical political differences. 16 Wolfowitz can in some way be seen as a Kantian, in the tradition of Woodrow Wilson: the application of a consistent set of principles comes first; for Cheney and Rumsfeld, it can be argued, the policies on which the US embarks must have a reasonable chance of success. Thus Wilson's insistence on national self-determination was admirable as the expression of a set of principles; but it could be argued that in practice Wilson's impact on the Treaty of Versailles, by weakening the obstacles to subsequent Nazi imperial expansionism, actually made creating and sustaining an order of sovereign national states more difficult. Of more immediate interest in this article, the happy situation that Hazony ascribes to an order of sovereign national states did actually characterize western Europe under the Pax Americana and before "Europe" began quite deliberately destroying that order. This is something whose very important implications we explore further

below when we ask what "Europe" is for.

But first one cannot ignore the questions of Nazi Germany and of the duty of the state to protect minorities, a set of question to which Hazony, an Israeli Jew, is particularly alert, in both directions, so to speak.

Weiler, in the essay quoted above, wrote that,

"A central plank of the project of European integration may be seen, then, as an attempt to control the excesses of the modern nation-state in Europe, especially, but not only, its propensity to violent conflict and the inability of the international system to constrain that propensity."

Sadly, this argument is typical of the evasiveness so typical of modern German philosophers and politicians, though not historians. The evasiveness is about the implications of empire and of the German Sonderweg. It was not the existence of national states in Hazony's sense that led to two world wars beginning in Europe.

The conflicting claims of rival empires - the German, the Austro-Hungarian, the Ottoman, the Russian, the British, and the French (though within Europe the British had no claims at all and the French merely wanted to change the status of Alsace-Lorraine for the umpteenth time) produced the First World War. As Hazony puts it, it did not matter whether on their face these empires were vicious (with the Russian at that extreme) or benign (with the British, by the early 20th century, at that extreme). In particular, the Hegelian philosophical justification of the German empire, combined with fashionable "Social Darwinism" - itself a Hegelian takeover of biological concepts - and with an economic view of nation, led Germany to strive for World-Historical status. 18

The Second World War was somewhat different. Nazi Germany was certainly not a national state but, in terms of political philosophy, a state that was both imperial and anarchic; 19 one could not find a state further removed from the national state than Nazi Germany was. Yet it is the horrible experience of Nazi Germany that is often cited as the excuse for the destruction of the benign order of national sovereign states in post-war western Europe. To quote the admirable Hazony, in a remark that has very direct relevance to the most Napoleonic of all the advocates of a European superstate and enemies of an order of national states, Tony Blair,

"[I]t was the mark of the revolutionary imperialism of Napoleon that he could not countenance any regime that was not modelled on his own, with the result, for

example, that even so ancient an institution as the Venetian city-state, whose traditions had survived for more than a thousand years, was to him no more than an abomination that had to be destroyed utterly. Echoes of the same intolerance can be heard, as well, in certain circles in the emerging European Union, for whom the idea of limiting their sovereignty and law to any specific group of nations does not seem to appear nearly so excellent a principle as their indefinite extension for the good of humanity. ... [T]he state, in my estimation, has an obligation to jealously guard against the delegation of its sovereign powers to entities that are not directly answerable to its citizens. In an age in which it is becoming regrettably common for influential individuals to see renunciation of aspects of national sovereignty as a mark of enlightenment, I think a discussion is long overdue as to whether the shedding of established national power - as opposed to the traditional method of doing business by means of short-term, ad hoc arrangements - is in the long term more likely to do more to preserve our freedom or impair it."

### **A Most Peculiar Ethos**

The point of this exegesis is to emphasize that if, as Weiler put it, "in the alien, therefore, man discovered the idea of humanity," then it is, or should be, immediately obvious that neither the imperial state nor the anarchic state allows humanity to be recognized. In the anarchic state, anyone outside the designated group is indeed an alien, but is necessarily regarded as inferior - hardly as human at all, but instead, implicitly or explicitly, as sub-human. In the imperial state, everyone is an alien and no one is an alien: everyone is part of humanity, but of an undifferentiated humanity in which no one has value. And the EU/NSU, which deliberately sets out to destroy existing *demos* (its insistence on regionalism is just one expression of this drive to extinguish the possibility of the national state and replace it with an imperial state) must inevitably create a state that is not only imperial in its *telos* but anarchic in its ethos; in that, it will resemble Nazi Germany. The EU/NSU seeks to destroy the political sense of belonging that marked the order of sovereign national states in post-war western Europe and produced internal domestic legitimacy and protection of minorities, as well as external friendship. In so doing, the EU/NSU will force human beings to seek other foci of identity and loyalty, other expressions of belonging. The anarchy of identity based on ethnic, linguistic, racial, or religious origin, on tribe rather than nation, may very well be the result. With that could come violence, intolerance, and discrimination.

The ethos of the NSU will be not only imperialist in its relations with other states and

anarchic in terms of the relations of its citizens one with another but also repressive, even totalitarian, in its relations between the coercive State and its subjects.

The empires of Charlemagne and the Hohenzollerns were personal and dynastic. The new Franco-German empire being created in Europe will be an intergovernmental, elite-driven, and bureaucratic one. The "constitution" being framed by Giscard is the constitution of a superstate with as little democratic accountability, as little respect for political freedoms, and as little chance of longevity as the empires of Charlemagne or the Hohenzollerns. The "constitution" will give a cabal of national leaders power over just about every aspect of personal and business life on the European continent. The constraints of national democratic accountability, already little more than vestigial, will be removed entirely as all meaningful decisions are taken by Councils answerable to no-one. The leaders of every EU country, without exception - not to mention the leaders, several of them ex-Communists, of accession countries - are strongly in favor of this elimination of accountability. They argue among themselves about the division of power in the new superstate. The smaller countries would prefer the state to be declared "federal" and to have more power given to the loathsome Commission, which they naïvely believe not to be in thrall to the bigger countries; the bigger countries prefer to concentrate power in the hands of the Council of Ministers; and the bigger countries argue among themselves about who gets the most "glamorous" jobs. They also argue about how aggressive the New Soviet Union should be in a new Cold War against the US. But the one thing on which all of them are absolutely agreed is that their control, shared with interlocking bureaucratic, media, and business elites, should in no way be disturbed by the exercise of political freedom by their subjects.

The "constitution" enshrines the corporatist state and the idea of a "social market economy" as canons of embedded, constitutionally-protected orthodoxy. It thus condemns the "NSU to economic failure. And Article 54 of the fearful "Charter of Fundamental Rights" which will form part of the "constitution" gives warning that no one will have any right to challenge, even to criticize, this or any other aspect of the new constitutional order. It is an embryonic re-creation, posing as a defense of "rights," of the noxious Article 58 of the Soviet Penal Code. Worse, Article 52 of the Charter states that the NSU shall legislate to restrict all and any freedoms - including freedom of speech, of assembly and of political association, freedom from arbitrary arrest and unfair trial, freedom from retroactive criminal legislation and from personal attainder, even freedom from torture - if such restriction is deemed



from personal attainder, even freedom from torture - if such restriction is deemed necessary to advance the aims of the NSU. The straitjacket in which the expression of personal political opinion will be placed is mirrored by the "duty of loyal cooperation" imposed on each country trapped in the NSU and by the order to countries that they must not do anything that could hinder the achievement of the NSU's aims or reduce the effectiveness of its instruments.

EU legal thinking has from the start been marked by a totalitarian element, one in which the end justifies all means, however bad, and all means, however good, are subordinated to that end. As long ago as 1963, the ECJ notoriously decreed, in the Van Gend en Loos case, that, "... the Community constitutes a new legal order for the benefit of which [our emphasis] the states have limited their sovereign rights, albeit within limited fields [this was before the Single European Act and the Maastricht, Amsterdam and Nice treaties, which have massively extended the surrender of sovereignty] and subjects of which comprise not only the Member States but their nationals." In commenting on this case, in which the ECJ claimed for itself the authority to decree that Community "law" had direct effect in member states and also had supremacy over national law, the jurist Paolo Pescatore wrote that,

"The Court did not follow the course which was suggested to it with great authority. The important thing is to see the motives underlying this decision. The reasoning of the Court shows that the judges had "une certaine idée de l'Europe" of their own [our emphasis], and that it is this idea which has been decisive and not arguments based on the legal technicalities."

That is, EC "law" is arbitrary, both *sui generis* and *ex proprio vigore* - it is based on political will, the will of unelected, unaccountable, and anti-democratic judges. The elevation of will above law, another element of totalitarianism, is a doctrine that in England was abandoned, formally at least, as long ago as the 12th century, when Henry II accepted that while the rule of the sovereign was absolute, it must not be arbitrary: the sovereign must be answerable to God and to the law of the country, the common law.

The Irish jurist, D.R Phelan, commented further that,

"The judgment [in Van Gend en Loos] flows from the desire to attain the objective: 'the Common Market.' It is an act of will by the Court, free from the will of the Member States and the text of the law. This 'Common Market' is a political end, to which the legal concepts of institutions, sovereignty, a legal order distinct from

international law, individual rights, efficacy, uniformity, and the concept of supremacy are means." 20

## **Out of Order**

The ECJ has been very explicit in its subordination of fundamental rights to the pursuit of will. G. Fredrico Mancini, an ECJ judge writing extra-curially, 21 wrote that the ECJ's approach to the protection or restriction of fundamental rights "derives from the spirit of the treaty and from the requirements of a Community which is in the process of being built up." The Court itself declared in the Nold case in 1973 that, "within the Community legal order it likewise seems legitimate that these [fundamental] rights should, if necessary, be subject to certain limits justified by the overall objectives pursued by the Community." The Nold case concerned, in effect, Community restrictions, via its regulation of wine production, on the right of exploitation of a person's economic resources - his vineyards, in this case. The limitation of property rights is accepted in many national legal orders and even, subject to the principle of proportionality, in the European Convention on Human Rights. 22 But the doctrine enunciated in Nold is extended by the Charter to cover all rights and freedoms.

Until now, the EU has not itself had the power to impose restrictions on freedom, other than on economic freedom. That will change, since the "constitution" will give the NSU power to legislate on criminal justice matters and will allow the NSU to create new "thought crimes." But the attitude the ECJ will adopt in such matters has already been made apparent through its judgments in those EU staff disciplinary cases, in which the ECJ has jurisdiction, where freedom of speech has been at issue.

The behavior of the ECJ in such cases has been appalling. It has made it absolutely clear that no justification for restricting free speech is necessary beyond an affirmation - which cannot be contested by its victims - that the interests of the Community require the restriction. In effect, the ECJ makes a claim of *raison d'état* on behalf of the EU. There is no test of proportionality - for, as has been made clear above, the rights of the EU cannot be balanced against individual freedoms: they must always prevail over anything and everything; and the whole, explicit purpose of the EU legal system is to ensure that all freedoms, whether of member countries or of individuals, are subordinated to those interests. This approach to the relation between the State - the EU - and member countries and individuals is unmistakably Hegelian and underlies the philosophy of the proposed "constitution."

Hegel wrote that,

"If the State is confused with civil society, and is defined by security, the protection of property, and personal liberty, the interests of individuals as such becomes the ultimate purpose for which they are united, and it would follow that it is something arbitrary to be a member of the state. But the State has a very different relation to the individual; the State is objective spirit itself, and the individual has objectivity, truth, and morality only insofar as he is a member of it. The union as such is true substance and purpose, and what defines individuals is the fact that they lead a general life; their further specific satisfaction, activity, and mode of behavior has this substance and general validity as its starting-point and result." 23

In terms of the relations between the member countries and the EU, the Hegelian philosophy of the ECJ and of the "constitution" gives the lie to any notion of "Community," of the EU as civil society in which its members freely come together in pursuit of the mutual advancement of interests such as economic prosperity, security, peace, freedom or whatever; the EU's view of itself as "an area of peace, freedom and justice" is hollow indeed. 24 In terms of the EU's relations with individuals, it makes it very clear that the effect of the Charter and the "constitution" will be to put a tyranny in place.

In seeking to justify the restriction of free speech, the Advocate-General of the ECJ - as if Hegel's authority were not enough for him - has produced additional arguments that are frightening in their implications. In one case, 25 he argued explicitly that criticism of the EU could be punished with the same justification as implied by the English law of blasphemy. In England there has been only one use of the blasphemy law in the past thirty years. That instance involved the refusal of the authorities to license sale of a pornographic video, one that had little in common with Bernini, of extreme obscenity and offensiveness claiming to depict erotic fantasies supposedly entertained by St. Teresa of Avila about Christ. People may argue about whether such a restriction was justified, however sick and offensive the material. But the important thing is that the case did not involve the use of the blasphemy law as a political weapon of the State against dissent. In medieval times, criticism of the sovereign was regarded as blasphemy: since the sovereign was anointed by God, criticism of him was criticism of God. Vestiges of this handy weapon against political dissent persisted in England into Stuart times (as in James I's famous dictum, "No bishop, no king") and even until the destruction of the confessional state by the Repeal of the Test Acts in 1828 and Catholic Emancipation

in 1829. Since then there has been no political use of the blasphemy law. For the ECJ to resurrect such a political use speaks for itself.

In the same case the Advocate-General implicitly resurrected the closely-related crime of seditious libel, with its Continental equivalent of *lèse-majesté*. Seditious libel was a Star Chamber offence, created - with fabricated or distorted reference to common law precedent - by Sir Edward Coke when he was, as a young man anxious to faire carrière, Attorney-General in the final decade of Elizabeth I's reign. 26 Anger at 18th century prosecutions for seditious libel in the American colonies was one of the causes of the American Revolution. The Bill of Rights attempted to banish it from America forever - not with complete success, it must be said, since there was a rash of prosecutions, convictions, and sentences of imprisonment under the Sedition Act, introduced in 1798 by the Federalists with the express purpose of banning political criticism of the government by the Republican opposition. 27 Like blasphemy, seditious libel fell into disuse in England as a political weapon against dissent after the troubled decade, racked by paranoia about revolution, of the 1820s. Seditious libel was in effect interred - though, as in the US, by implication, since the case at issue was civil, not criminal - by the House of Lords 1993 judgement in *Derbyshire County Council v. Times Newspapers*. The House of Lords declared that, "It is of the highest public importance that any democratically-elected governmental body, indeed any governmental body, should be open to the most uninhibited public criticism" and that any possibility for a public body to obtain sanctions against its critics "would have a chilling effect on free speech." Yet when the House of Lords judgment was submitted to the ECJ in arguing against the validity of sanctions against EU staff for having exercised their freedom of expression, the Advocate-General dismissed it as "a legal theory with no relevance to Community law." No relevance indeed, to that Hegelian construct!

### **An Appetite for Power**

In a subsequent very recent case, C-340/00P, the Advocate-General explicitly re-affirmed the ECJ doctrine even more explicitly: restrictions of freedom were permissible, he said, "if one of the superior interests of the Community legal order," that is, one of the objectives of the EU, is in play. Since the objectives of the Union are formally defined as including "to maintain in full the *acquis communautaire*," then any restriction of freedoms is, under the Community legal order, permissible in order to maintain any one of the 100,000 (yes!) EU regulations covering practically every aspect of life in "Europe." That is, in the ECJ's doctrine,

now additionally hallowed by the "Charter of Fundamental Rights," which will form part of the "constitution," the arbitrary arrest, detention, torture, and unfair trial - or even the denial of the right to trial - of someone whom the authorities claimed to consider might be thinking of writing an article criticizing an obscure regulation concerning the labelling of pesticide containers, say, would be perfectly legitimate. All that remains is for the NSU to give itself the power (and the proposed "constitution" says that the NSU, or whatever it will formally be called, not only may but shall give itself the power to achieve its objectives, including the power to make criminal law, by majority vote; the European Arrest Warrant that is currently being legislated by the Blair government in Britain is a precursor of the full extent of these powers) to criminalize, prosecute, and punish any criticism or other "subversion" of any aspect of the *acquis communautaire*. In the same way that the ECJ in *Van Gend en Loos* claimed, without any justification in the treaty, in public international law or in domestic constitutional law, that, "the Community constitutes a new legal order for the benefit of which the states have limited their sovereign rights, albeit within limited fields, and subjects of which comprise not only the Member States but their nationals," it repeated in case C-340/00P that the "Community legal order" overrode all considerations of freedom - no matter how strongly those freedoms might supposedly be entrenched in public international law (notably the ECHR) or in domestic constitutional law (such as, in Britain, the Magna Carta or the 1689 Bill of Rights - neither of which are mere Acts of Parliament, but rather are treaties between King and country and were thus regarded, before Blair's New Labour decided to "call the bluff of the constitution," as constitutionally-entrenched).

## **A Queen's Dilemma**

The proposed "constitution" will formally enshrine the primacy of Hegelian, EU law, with its sanctification of *raison d'état* and its deification of the State. The British government claims that EU "law" is already supreme and has been ever since the *Van Gend en Loos* case. But that is not so. It is quite clear that the ECJ, a creature of a treaty among sovereign powers, cannot tell those sovereign powers that they are no longer sovereign. The German Constitutional Court, for instance, has on several occasions made it clear that German law is supreme in Germany. It has been prepared to accept the rulings of the ECJ only insofar as those rulings are not inconsistent with Germany's Basic Law - and only the German Constitutional Court is competent to decide that issue - and concern matters in which, in the opinion of the German court, the treaty gives it authority. Unfortunately, the British judiciary has not taken such a robust attitude; instead, it has been guilty of a *trahison des clercs*.

not taken such a robust attitude, instead, it has been guilty of a transposition of clerics. In Britain, which has no written constitution and no constitutional court, the ultimate constitutional authority is the sovereign. It is perfectly open to the Queen to instruct judges, through her Lord Chancellor (or was so open before the office of Lord Chancellor was abolished, with no consultation and no prior manifesto commitment, by Blair), that it is their duty to disregard the pretensions of Luxembourg unless the Crown-in-Parliament specifically tells them not to, and to try cases on the basis of the law of the land and on that basis alone. 28 In so doing, she and her government would in no way be breaching the current EU treaty, for there is nothing in that treaty that supports the claims made by the ECJ. But all that would change dramatically if the "constitution" were put in place. In the Coronation Oath, the sovereign swears before God to preserve the laws and customs of her people. The constitution is inconsistent with the preservation of these laws and customs. If the Queen assents to it, the constitutional debates of 1688 could be reopened. The doctrine of the Glorious Revolution was that James II, by subverting the laws and customs of England, contrary to his Coronation Oath, was guilty of perjury and was deemed to have abdicated. 29

Thus the proposed EU "constitution" would, contrary to the claims of Blair and his minions, destroy Britain's existing constitution. It is, of course, convenient in the extreme for the government, which clearly wishes to destroy the constitution, and with it all freedom and democracy in Britain, to claim, however falsely, that the constitution has already been destroyed. Nonetheless, like the totalitarian malevolence of those leading pro-EU figures who have recently suggested that the warnings by sections of the British press about the dangers of the "constitution" should be stifled - in effect as seditious libel - by regulation of the press, the effrontery of Blair and others in his government, in attempting first to hide the importance of the proposed "constitution" and then to refuse the people any say in accepting or rejecting the destruction of the British constitution and the total demise of sovereignty and freedom, is staggering. Sadly, it is very much in the tradition of British governments since the beginning of the 1960s.

## **What is Europe For?**

Later in this article we shall consider how and why successive British governments misled and continue to mislead the public - or, in the case of Mrs. Thatcher, was herself misled, or perhaps, misled herself - about what was involved in "Europe." But first it is necessary, having seen that the ethos of "Europe" is tyranny, to ask the question "What is 'Europe' for?"

At the most naive - or cynical - level, "Europe" is said to be about preventing wars among the European nations. Proposals for some kind of political union in Europe have been around ever since the Treaty of Westphalia effectively put an end to the Holy Roman Empire. 30 In the 17th century Sully produced a "Grand Design" for such a union, and Saint-Pierre planned "Perpetual Peace" to be achieved by it. Kant, too, wrote of a perpetual peace in a confederation of democratic nations. 31 In the 18th and 19th centuries other philosophers - Condorcet, Constant, Saint-Simon, Comte, and Proudhon among them - wrote of a united Europe. After the First World War a number of politicians took up the cause: Coudenhove Kalergi published his Manifeste Paneuropéen in 1924; Briand evoked a united Europe in his famous speech to the League of Nations in 1929 (in which he castigated Wilson for having been "broad-minded about other people's security") 32, and the following year he published a memorandum on a federal European union. Many of the most noble and heroic members of resistance movements, in Germany and elsewhere, during the Nazi tyranny dreamt of a united Europe.

By the end of the 1940s, with Christian Democrat parties in power in West Germany and Italy and having, in the shape of the MRP, major influence in government in France, three "Lotharingians" - the Chancellor of West Germany, Adenauer, the Prime Minister of Italy, de Gasperi, and the Foreign Minister of France, Schuman<sup>33</sup> - had put together the idea of a united "core" Europe (in effect, all the territories of the old empire of Charlemagne - plus southern Italy: a major reason for the Italian governments of the 1950s to support the creation of the EC was to ensure unrestricted export of surplus labor from southern Italy to the other EC countries - that were neither part of the Soviet empire nor, like Catalonia, unwillingly part of a proto-fascist state). The first practical step, the European Coal and Steel Community (ECSC), was in fact very close to a resurrection and extension of the wartime cooperation between the coal and steel industries of Vichy France and Nazi Germany.

### **Vichy: creating the technostucture of "Europe"**

The appeal to French élites of a technocratic, Franco-German economic cooperation, aimed at defeating what was seen as the threat of American hegemony<sup>35</sup>, had been evident throughout the interwar years as well as during the Vichy period. The Franco-German steel cartel (a very obvious forerunner of the ECSC) set up in 1926 was strongly supported by the organization, Redressement

français, which had been set up in 1925 by Edmond Mercier, a leading figure in the French electronics industry. Redressment français was largely composed of businessmen with a neo-St. Simonian, élitist vision of economic "rationalization" as an aspect of government by experts. One of its leading intellectual supporters, Lucien Romer, who subsequently became a minister in the Vichy government, had in 1924 written a pamphlet calling for a Platonic aristocracy of fonctionnaires to save France from what he saw as its crisis of authority; and in 1927 he wrote an influential and revealingly-entitled book, *Qui sera le maître: Europe ou Amérique?* . Alongside Redressement français stood X-crise, an organization of polytechniciens, the predecessors of the post-war énarques as the technocrats par excellence. X-crise was in turn linked with Ordre Nouveau. That, too, had a strongly technocratic bent, like Redressment français aspiring to a St. Simonian rational organization of economic life. One of the leading lights of Ordre Nouveau was Robert Aron (who, ironically, was subsequently largely responsible for the standard view in the French historiography of the 1950s and 1960s, later totally discredited, of Vichy as a "shield" protecting France from collaboration with Germany). Together with another member of Ordre Nouveau, Georges Dandieu, he published a 1931 book, *Le Cancer américain*. In the early 1930s the mouthpiece of Ordre Nouveua was the journal *Plans*, of which the joint editor was a syndicalist. As Jackson puts it, "The link between technocracy and syndicalism was the idea that individualistic liberal capitalism [seen as incarnated by American society] was incapable of developing a rationally organized society." 36

The strand of anti-Americanism and mistrust of liberal capitalism that has been so visible in France ever since the 1920s - not least, in our own day, in the the thoughts, words and actions of Jacques Delors --has often been accompanied by another strand, one of disgust with the French Republic and a belief that France could be rescued from "decadence" through German leadership of a European federation. In the interwar and wartime years this latter strand of course had a fascist nature, exemplified by Pierre Drieu de la Rochelle, the editor during the Occupation years of the leading literary magazine, *Nouvelle Revue Française*. Drieu came to see Hitler, after June 1940, as the incarnation of fascist force and the instrument of European unity: France's salvation would be found in a unified Europe (in more recent times, the belief among certain leading French technocrats that economic-at least -- salvation for France would come through German leadership in "Europe" has not been tainted with fascination with Hitler, but has nonetheless marked the thinking of such figures as Jean-Claude Trichet, as will be attested by anyone who observed his



relationship with Hans Tietmeyer, and Edmond Alphandéry).

During the Occupation years, the Table Ronde lunches in Paris were the most visible manifestation of top-level Franco-German business collaboration. Again without having fascist connotations, the European Round Table of industrialists has taken over the role of the Table Ronde and has, together with the more obviously sinister Bilderberg Group, an international re-incarnation of something like a cross between Redressement français and X-crise, been among the most ardent proponents of "Europe". Fittingly enough, it was Henri Ardant, then head of Société Générale, who during the Occupation spoke of his hope that Germany would set up a single customs union and a single European currency. <sup>37</sup> There was, in fact, a good deal of French business enthusiasm for certain of the wartime arrangements. The Table Ronde was a general example, but there were very many specific instances. Thus, for instance, IG Farben reported that the French chemicals firm, Kuhlmann, was looking for an "intimate collaboration" allowing "the integration of French industry into a new Europe under German leadership." And although the Vichy government tried, in an effort to retain control for itself, to restrain the enthusiasm of individual French firms and industrial organizations, by as early as the autumn of 1940 a whole series of French industries had signed contracts with the Germans. In February 1941 the Germans organized an industrial fair in Paris, exhibiting the items they required. Ten thousand French firms put in bids for contracts to supply the Germans.

There were figures on the left, as well as one on the business right, who welcomed corporatism within a German Europe, claiming to see in National Socialism a way to recover a non-Marxist, French socialism inspired by Proudhon and St. Simon -- both of them, of course, proponents in their own day of a united Europe. For instance, during the Occupation, Albert Spinasse, a Socialist who had been a member of Blum's government, embraced a German Europe, claiming that, "I do not accept that by aligning [with Germany] we will have to accept a terrifying unity of thought...and action [but he did not live to read the proposed EU "constitution"!]" ... It is what is original and unique that makes France useful to the European Community."

Enthusiasm for Franco-German collaboration was not the only facet of French wartime experience that pointed to the future development of "Europe": the role of technocrats, with their distaste for liberal capitalism and liberal democracy, was also very much in evidence. Under Vichy, the influence of the technocrats was personified by, above all, Jean Bichelonne, possessor of the highest marks ever

awarded by the École Polytechnique. As Secretary-General of the Vichy Ministry of Industrial Production, he epitomized the caste of bureaucrats who came to prominence under Vichy and personified the thinking castigated by Novak. To quote Jackson again, "Vichy represented the opportunity to reorganize the world without having to worry about the human beings that inhabited it," 38 as precise a description of "Europe" as one could imagine. Bichelonne's corporatist apparatus of industrial committees also prefigured the National Economic Development Council put in place in Britain by Macmillan in 1962 as part of his campaign to persuade de Gaulle that Britain could be harmonized with the "Europe" that Macmillan had just applied to join (see below). Bichelonne declared that, "A modern state should not be allowed to run according to the blind and simplistic rules of the liberal economy." His close cooperation with his German ministerial counterpart, Albert Speer, again pointed to the ECSC and its development into a deeper "Europe". The Vichy DGEN under François Lehideux was the forerunner of the post-war commissariat au plan, in which Delors spent many of his formative years. Jackson writes that the DGEN, while not really a planning organization of the post-war French kind, "prefigured the future in creating a close community of interest between the State and the leaders of the [State-created industrial councils], anticipating the interpenetration of administrative and business leaders so characteristic of post-war France" -and, one can pertinently add, anticipating the similar interpenetration so characteristic of the development of "Europe".

Vichy corporatism was further manifested in its 1941 Labour Charter and its 1943 Artisans' Statute, which integrated the many independent professional groups previously representing artisans into the State bureaucracy. Such manifestations, too, have proved typical of the post-war "Europe", notably in the Social Charter.

### **Origin of the Species**

Thus there was little new about the ECSC. Of course, the organization was not run through naked power by one country for its own benefit, as the wartime arrangements had been<sup>39</sup>; instead, it was explicitly supranational. But the attempt to go very much further in political union via the proposed European Defense Community - in effect a joint army of the Six - foundered when the French National Assembly refused to ratify the Treaty of Paris in 1954.

What happened between 1950, the formal beginning of the ECSC, and 1954?

The obvious answer, but one that no pro-"European" wants to hear discussed, is

that the conditions for securing peace within western Europe without a wholesale surrender of national sovereignty seemed to have been secured by 1954. There were several reasons for this. One was that the Soviet threat swamped any possible national grievances between France and Germany. The fear of Communism had been one reason why Adenauer, de Gasperi and Schuman, all of them Catholics (and all now promoted for canonization by the Vatican), were so anxious to pull together rather than against one another. But by 1954 it was rather clear that the Pax Americana was providing all the security assurances that western Europe needed. But in addition to NATO's defense against the Soviet Union, the presence of relatively large numbers of American and British troops in West Germany provided assurance that there would be no fighting among the countries of the region. In addition, the democratic regimes installed by the US, with British assistance, in western Europe appeared well-rooted; the prospect of a Kantian peace among independent, democratic countries now seemed realizable. Western Europe enjoyed increasing prosperity (in part, because the post-war settlement include the receipt of large amounts of American aid, in contrast to the position of Germany in the 1920s, which was faced with punitive reparations) and democratic legitimacy in all its component countries (nowhere was there, except for the relatively well-mastered Communists, the fierce contestation of the legitimacy of post-war regimes that had, in part because of Wilson's dogmatic meddling, marked the Continent after the Treaty of Versailles). And, importantly, the principle of non-interference in each other's internal affairs - except in coal and steel - was respected. Why abandon sovereignty in such circumstances?

Thus, the relevant question is not that of why the EDC failed to get off the ground but that of why the proponents of European integration persisted in trying to con the people of the Continent into accepting supranational structures that would mean the abandonment of the prosperity, freedom, and democratic legitimacy they had so recently acquired and eventually lead to the potential tyranny, the NSU, that we described earlier.

Part of the answer is that there was simply no tradition of successful, well-legitimated democratic government in "core" Europe, 40 with the Netherlands the only real exception. And there was revulsion from the political developments of the 1930s when national democratic regimes were seen as having been strife-ridden, factionalized (insufficiently concerned, that is, with the discovery and implementation of "the General Will," which in post-war discourse tends to be renamed, more inoffensively, "consensus"), unstable, ineffectual, and incapable of

resisting fascism. Finally, of course, all the countries of "core" Europe suffered military defeat and occupation in, or as a result of, the Second World War.

Macmillan, in a lucid mood, 41 described the wellspring of "Europe" as a sense of humiliation at national failure among the Six.

### **All According to Plan**

The revulsion from the inter-war years in "core" Europe extended to their economics. Partly in consequence, the idea of the "managed" economy definitely ruled in western Europe in the 1950s.

the West German case this did not, thanks to Erhard, mean detailed state intervention. It meant *Ordnungspolitik*, in which the state set a framework of general rules (notably concerning competition policy) and, perhaps more important, attitudes, which private sector agents were expected to respect in doing their business. Those rules and attitudes were intended to create a "social market" economy (now to be enshrined as a "constitutionally"-protected element of the NSU), a mechanism in which social responsibilities as well as market incentives guided behavior. A major element of the system, in its early years at least, was *Mitbestimmung* (co-determination), embodied in works councils, company supervisory boards with trade union representation, nation-wide collective bargaining, and so on. It also involved the rejection of the "savage" competitive nature of genuinely free-market capitalism - hence the near-impossibility of hostile takeovers, the persistence of medieval corporatist restrictions on shop-opening hours and the prohibition - only now, in 2003, being eroded at the edges - on the creation of new, small craft firms without the presence of a guild-approved Meister.<sup>42</sup>

In France, there was more overt state involvement through the system of indicative planning in which the powerful *Commissariat au Plan* (where Jacques Delors, among others, spent many formative years) set targets for growth and investment in particular sectors. Supposedly private-sector firms were not formally obliged to follow the Plan's guidelines, but the network of influence of the ruling elite extended far into supposedly private firms; moreover, if firms wanted to benefit from a vast array of state aid - including French Foreign Office involvement in favoring their foreign operations and sales - it was impolitic to flout the wishes of the planners too often or too openly. And the cult of the goodness of the State was fostered by the increasingly influential corps of graduates of the elite *Ecole*

The third of the big countries among the Six, Italy, was different again. Its industrial policy was one neither of Ordnungspolitik nor of indicative planning. Instead, it operated through massive state-owned holding companies that were responsible for overseeing the operation of vast swathes of the industrial sector. Italy had a dual economy in at least three senses: the traditional one of a division between the industrialized, relatively advanced north and the underdeveloped, largely agricultural Mezzogiorno; the division between the sectors owned by state holding companies and the rest; and the division, partly reflecting the second, between the stagnant "official" economy, trapped in a web of bureaucracy and regulation, particularly in employment matters, and a more dynamic "unofficial" economy in which additional "taxes" in the form of bribes, whether directed to state officials or to the Mafia, paid for an ability to ignore the stifling rules.

What was common to the systems of all three countries was a mixture of a Continental philosophy of law<sup>43</sup> and of the Catholic social philosophy propounded in the late 19th century by Leo XIII in his encyclical, *Rerum Novarum*.<sup>44</sup> Together, this mix produced - and produces - something known as "Rhenish capitalism," whose most significant physical embodiment was Jacques Delors, a self-styled Christian Socialist. An insistence on the importance of "acquired rights" as essential to a stable social and political order was - and is - key to this system. This philosophy attributed the problems of the 1920s and 1930s in part to the resentments created by the "nation-state-system" of Versailles; in part to the bitterness and resentment of classes such as small shopkeepers and artisans about the encroachments of department stores and mechanized, automated production of consumer goods; in part to the ongoing resentment of organized "workers" about the unfettered profit motive driving their employers in an era of inflation followed by mass unemployment; and in part to the breakdown of "monetary order" in the 1930s. <sup>45</sup>

In sum, this philosophy is totally incompatible with so-called "Anglo-Saxon" capitalism." We began this article with a quotation from Novak's *The Spirit of Democratic Capitalism* (a work that is all the more important in its context for having been written by a devout Catholic). Immediately before the sentences we quoted, Novak had written, "For many generations, the practical superiority of democratic capitalism was as evident as the commercial proverb, 'Build a better mousetrap and the world will beat a path to your door.'" It is exactly that central aspect of capitalism that the Rhenish philosophy finds objectionable - for building a better

capitalism that the Rhenish philosophy finds abhorrent - for building a better mousetrap reduces or even eliminates the quasi-rents of the manufacturer of the Mark I mousetrap. That is, the Rhenish philosophy rejects the notion of "creative destruction" as being incompatible with the *acquis social* and thus with the maintenance of "order." 46 Indeed, one of the most frequently-voiced Continental criticisms of "Anglo-Saxon" capitalism is that it is "disorderly."

Figures such as Michael Milken - whose financial innovations created the conditions for tearing apart the "technostructure" of American business - "asset-strippers" such as the late Jimmy Goldsmith, garage-based entrepreneurs such as Bill Gates and Steve Jobs, "vulture funds" who clean up the carcasses of dead companies, and Margaret Thatcher, who attacked the corporatist structures she had inherited in Britain, are major figures in Continental European demonology. So too are macro hedge funds. Why? Because such funds are seen as seeking to deny the State one of the most cherished rights that Rhenish capitalism and Hegelian philosophy ascribe to it: the right to determine the external value of the currency. An implication of "disorderly" "Anglo-Saxon" (or, better, "Austrian") economics is that when the activities of such people as Milken, Goldsmith, Gates, Jobs, or Thatcher lead to an increase in the rate of return on capital in the country in which they are operating, sharp movements in nominal exchange rates are necessary in order to preserve macro equilibrium. That is, free-to-move exchange rates are the handmaiden of "Anglo-Saxon" capitalism. Such freedom makes possible at the global, macro level, those shifts in income distribution - via the creation and destruction of quasi-rents - set in train by private-sector forces that are anathema to Rhenish capitalism; they help upset the established order of things. 47

In pondering the implications of this analysis, one realizes that the idea of a "single market" in the EU is a sham and that the single currency is seen by its most important progenitors as a mechanism for shutting out the gale of creative destruction. The Maastricht treaty that provided for a single currency also introduced a "Broad Economic Guidelines" exercise as a way of replicating the economic impact of controls on trade and capital in an area in which such controls are supposedly eliminated. For the exercise imposed by Maastricht enjoins a member state to tighten fiscal policy if private sector demand in its economy is stimulated - in the circumstance relevant to our analysis, by a rise in the rate of return on domestic capital. The supposed justification of the doctrine is that "spillovers" from a booming country to the rest of the world via current account deficits and current account surpluses in the affected country will "disloyally" disturb interest rates in the

area as a whole. Thus, private sector demand impulses have to be offset, according to the doctrine, by anti-cyclical budgetary policies. It is easy to show that anti-cyclical budgetary policy in such circumstances is damaging for the domestic economy from an intertemporal and an allocative-efficiency point of view and also likely to be ineffective from a short-term stabilization point of view. 48 What is more important is that by offsetting the private-sector demand impulses, budgetary policy chokes off the current and capital account flows that would otherwise be generated by the demand impulse. 49 In other words, the combination of the single currency and the Guidelines exercise europolitically necessitated by it negates the opening-up not only of capital flows but also of trade flows in the EU. 50

### **True Colours**

It is thus easy to see why such personalities as Jacques Chirac and Wim Duisenberg have recently reiterated their view that "stability" requires fixed exchange rates. The sort of "stability" they preach is the stasis of corporatist, rent-seeking economic systems - Rhenish capitalism - that buttresses the unchanging and unchallenged nature of the political power of a self-serving Establishment. Their doctrine was expressed with supreme clarity in 1996 by Philippe Maystadt, then Belgian Finance Minister, now head of the European Investment Bank, which will be charged with running the Italian government's vast scheme for kickbacks, the Trans-European Transport Networks, when he declared, "The purpose of the single currency is to prevent the encroachment of Anglo-Saxon values in Europe."

That declaration by Maystadt is enormously revealing. "Core" Europe's uneasiness about democracy and "disorderly" capitalism would have been powerful enough even if Europe had existed after the war in a vacuum. But it did not. Instead, it existed as part of a non-Soviet world dominated by the US. "Anglo-Saxon" democratic traditions, "Anglo-Saxon" capitalism and, perhaps above all, the handmaiden and guarantor of those traditions and that capitalism, "Anglo-Saxon" common law, were seen as threatening traditional elite preferences, prerogatives, and power in continental Europe. Common law is something aberrant to continental legal traditions. It embodies the principle that law is something to which the State is subject instead of being the enforcer of the General Will (hence Wildavsky's attack on Nixon's defense of executive privilege as an exercise of the General Will as "discovered" through the 1972 "plebiscite," as the "Frenchification" of American political life); it is not the all-too-imperfect practice of the "Anglo-Saxon"

relationship between law and politics that is threatening to the continental mind but rather its ideal<sup>51</sup>). In common law systems, the State is seen as the upholder of the law; in continental systems, law is seen as the upholder of the State. Common law in its civil aspects sees the law-giver as ring-holder, a sort of Marquess of Queensberry. It seeks, that is, to provide framework in which the inevitably conflicting interests of individuals can play out in conditions of fairness.<sup>52</sup> In contrast, in many Continental countries the idea of "consensus," of the discovery of the General Will or, less obviously controversially, of "the Common Good" to which all must adhere, is seen as essential to prevent social and political strife, civil war, and chaos. Thus, the ECJ places, as we have observed above, "the interest of the Union" above all else in its construction of a Community legal order.

But a sense that Continental "values," political, philosophical, social, and economic, were under threat from "Anglo-Saxon" (that is, in this context, American) dominance in the post-war world was not all. Britain and France had lost much of their empires in the decades after the war and were threatened with losing what was left. The Federal Republic of Germany had to promise, when granted full sovereignty in 1954, not to seek unification of Germany by force. Italy seemed less capable than ever of playing a global, or even regional, role as it had aspired to under Mussolini. None of this was regarded as satisfactory, by British elites any more than by French, German, or Italian elites.

A key role in crystalizing attitudes was played by the Suez debacle in 1956. The British reaction to the humiliation of having to withdraw, on American instructions, from its military action, conducted jointly with France and (though secretly) with Israel was a complex one. We shall discuss this later. But the French reaction - at least after de Gaulle returned to power in 1958 as the struggle to retain Algeria as part of the French empire was tearing France apart - was more straightforward. De Gaulle, who had been hostile to the idea of the EEC, fearing it would mean a loss of French sovereignty, now decided that power was more important than sovereignty. True, France would cede sovereignty in Europe; but a loss of sovereignty by "France," or indeed any other previously democratic country, is of no concern to political elites - quite the reverse, in fact - since the practical result of a cession of sovereignty is a loss of individual freedom as political elites gain more power untrammelled by accountability. And in return for the loss imposed on its people, the French political elites might, they thought, through harnessing German economic brawn to French diplomatic brain, create a force capable of acting independently



from, perhaps even against, the United States.

## **Washington's Vocation**

De Gaulle's strategy, and for that matter Macmillan's (which we shall discuss below) was bound up with two aspects of Kennedy's plans. The first concerned nuclear weapons and the NATO nuclear-armed multilateral nuclear-armed force (MLF); the second concerned trade.

The idea of an MLF had first been developed in the State Department during the Eisenhower Administration by an official, Robert Bowie. Bowie believed that if a nuclear sharing arrangement could successfully be reached it was likely to encourage European integration. At the NATO Council of December 1960, the outgoing Secretary of State, Christian Herter, made a proposal for a mixed-manned, sea-based multilateral nuclear force in NATO. When Kennedy entered the White House, the idea was pursued vigorously by a group of State Department and NSC officials: George Ball (an associate of Jean Monnet and a strong proponent of European union), McGeorge Bundy and Walter Rostow. This group, collectively known as the Theologians, saw the MLF as an agent of cohesion in Europe. The same group converted US policy from opposing British membership of the EEC on the grounds that it would make political integration impossible, to encouraging membership on the grounds that it would, in conjunction with the MLF, solve the problem of partisan nuclear politics in Europe.

The FRG was entranced by this idea, which would give it membership of the "nuclear club," along with Britain and France, at relatively low economic cost and in a way that would arguably not be inconsistent with its 1954 promise not to seek nuclear arms of its own. Moreover, while it had greeted with some elements of satisfaction the marked deterioration, under Eisenhower, in Anglo-American relations, which reached their nadir over Suez, it worried that the agreements at the Anglo-American conference at Nassau in December 1962 presaged, a new, stronger Anglo-American alliance, one it saw as inimical to its own interests. It therefore wished to accept any invitation to wriggle into any arrangement involving Anglo-American nuclear cooperation.

Britain was prepared to play along with Washington on the idea. Indeed, the proposal gained its greatest impetus at the Nassau conference. At that conference, Kennedy was rather skillfully shepherded by Macmillan into offering Britain the US Polaris nuclear weapons system, and at a financial price that allowed itself, while accepting dependence on the US, to equip Britain with a nuclear deterrent and to

accepting dependence on the US, to equip Britain with a nuclear deterrent and to escape virtually all contribution to the system's development costs while committing to paying only the costs of building and maintaining its own Polaris-carrying submarines. In turn, Britain would pledge its Polaris-armed submarines to NATO and would promise to withdraw them from NATO control only if its supreme national interests were threatened (but since Britain could have contemplated using nuclear weapons only if supreme national interests were threatened, this condition was not very onerous).

Kennedy extended the Nassau offer to France.<sup>53</sup> But de Gaulle had drawn two conclusions from the history of Anglo-American relations on nuclear weapons and in particular the cancellation of the American Skybolt system. The first was that France could not rely on American weapons systems. Macmillan had believed, after the failure of the British Blue Streak weapons system in the late 1950s, that Skybolt had been promised him, yet when it, too, turned out to be technically-unreliable and expensive, the US cancelled the system over Macmillan's head, leaving Britain with only the obsolescent V-bomber nuclear strike capacity. Second, however, de Gaulle believed that Anglo-American nuclear co-operation, epitomized by the MacMahon Act, whatever its difficulties (many of them caused by the Cambridge spies, who have recently been the subject of a hagiography by the BBC, which hates Britain's involvement with the US as much as de Gaulle ever did and has a strong institutional ambition of pursuing British submergence into "Europe"), meant that Britain could never be weaned away from its attachment to the US.

Just a month after the Nassau conference, de Gaulle vetoed Britain's application to join the EEC; in the same press conference in which he announced his veto he also rejected the MLF. (Macmillan continued to play along with it, not only because he wanted to have Polaris signed, sealed, and - above all - delivered, but also because ever since Kennedy's "Ich bin ein Berliner" [sic] speech after the erection of the Berlin Wall he feared the emergence of an American-German alliance and worried that if he rejected the MLF the US would go ahead and develop it with Germany.)

But the questions of nuclear independence and Anglo-American links, though extremely important, were not de Gaulle's only reason for distrusting Kennedy's "partnership" intentions. In his State of the Union message in January 1962, Kennedy espoused the idea of a trade association, with much reduced and eventually eliminated tariffs, between the US and the EEC (which, at that time seemed likely to include Britain, Macmillan having applied for membership in August 1961).<sup>54</sup> As a standard French text on the history of political union in Europe put it

"Would not his aim [freer trade], were it to be achieved, risk draining the Common Market of all its preferential content? ... Was the strongest economy not purely and simply going to annex or absorb the weakest economies?" 55

Kennedy's policy taken as a whole alarmed de Gaulle mightily. In his press conference on May 15, 1962, the General openly expressed his fear of "an external federator ... who would impose his will on Europe." His response was to swing France further away from the direction of a federal Europe and toward an inter-governmental union whose vocation, to use a characteristically French word, or *telos*, in more familiar language, was to oppose the United States. Le plan Fouchet gave shape to de Gaulle's ideas.

On July 18, 1961, the six members of the EC had issued, at their Bonn Summit, a declaration that they wished to give practical form to their joint desire to form a political union. In November 1961, de Gaulle's government put forward a plan, le plan Fouchet (named after France's chief EC negotiator) for an intergovernmental political union. The plan was immediately opposed by the Netherlands, which saw in it the seeds of a Franco-German directorate. The Dutch position was clear: either political union must take federal form or Britain must be involved in order to prevent the creation of a Franco-German driving force. The Netherlands was also worried that the new political union would be used to distance "Europe" from the United States and endanger both NATO and the prospects for freer transatlantic trade. There, too, the Netherlands saw British involvement as a crucial safeguard.

Britain had applied on August 10, 1961 to join the EC (we discuss the reasons why a little later). A few days after the production of le plan Fouchet, de Gaulle met Macmillan at the latter's private country house in Sussex, Birch Grove, to discuss the application. The detailed content of the talks was, of course, secret at the time. De Gaulle told Macmillan, in the reported speech of the British official minute (secret for thirty years subsequently<sup>56</sup>),

"Canada, Australia and New Zealand may have been Europeans once, but they were no longer Europeans in the same sense as the British. He and the French wanted the British in Europe. But he did not want to change the character of Europe, and therefore did not want the British to bring their great escort [the Commonwealth] in with them. India and African countries had no part in Europe. [He] was not saying that one could not build a system which included Britain and the Commonwealth. This was conceivable but difficult, but it would not be Europe, and it would

inevitably weaken the spirit of Europe. What would the Americans say? Either they would be opposed to the new system or they would want to join it, and the British and their friends [the Netherlands] would want to let them in. A lot of people in France would want to do likewise. People were constantly saying to him that there was no need to have a French foreign policy since there was an Atlantic foreign policy or a French army since NATO existed. In short, if Europe let the rest of the world in, it would have lost itself; Europe would have drowned in the Atlantic. It was not the British themselves who were the stumbling block. France wanted them in and so did he personally. 57 He realised that France could not contain Germany and even Italy by themselves. 58 British entry was certainly in the common interest; it would hold Europe together and would add enormously to its influence in the world. But if Europe was to be created it must have a political, economic and defence basis. This last was important and had not been mentioned by the Prime Minister." 59

Exactly one week after Kennedy's State of the Union message holding out a prospect of free transatlantic trade, de Gaulle's government put forward a new version of le plan Fouchet. This new version went even further in the direction of a strictly inter-governmental union. And it included economic matters in the areas to be decided intergovernmentally. And, crucially, it made no reference at all to NATO as the bedrock of western Europe's foreign policy, defense, and security arrangements. The second version of the Fouchet plan was a very direct response to Kennedy and a clear warning to countries such as the Netherlands that the Atlantic alliance was seen as a threat by France, both in political and in economic terms. If it became necessary to begin the process of dismantling the order of sovereign national states in Europe, an order in which each enjoyed domestic legitimacy and each abstained from interfering in the internal affairs of the others, then de Gaulle was prepared to do that.

In April 1962, in a meeting of the Council of Ministers of the Western European Union (the defense cooperation organization, little more than a talking shop, set up, on a British initiative, after the collapse of the plans for the European Defense Community in 1954), the British government requested to be allowed to participate in the negotiations on political union. This alarmed de Gaulle. France demanded that, in the words of a popular French history of political union, that "Britain should make its act of European faith and give earnest of its independence from the Atlantic alliance." In other words, France demanded in 1962 what Chirac, Prodi, Schroeder, and others have been demanding very recently: that Britain must choose

between "Europe" and the United States. In 1962, official British government pronouncements could not go far enough in that direction to satisfy France. (What the government was prepared to accept in private was another matter, as we shall note below.)

### **Not "European" Enough**

The break point came on January 14, 1963. In his televised press conference that morning, de Gaulle rejected Britain's EC application: the British, he said, had a long history, their own culture, their own legal system, their own alliances and in particular their links with the [multi-racial] Commonwealth and the United States; they were not "European" enough to be part of "Europe." This attitude should have come as no surprise, either to Macmillan or, later, to Wilson. 60 Even before Britain had formally applied to join the EEC, de Gaulle had put the unanswerable question to Macmillan in their talks at Rambouillet in January 1961: given that it would not, said de Gaulle, always be desirable for Europe to follow in the wake of the US, how long could Britain pursue an American policy and a European policy simultaneously? 61 Since Macmillan was not able to offer an answer to that, either at Rambouillet or subsequently, de Gaulle answered it for him on January 14, 1963.

It is the question that, Blair, too, cannot answer. He, too, will find that the question is taken out of his hands - but not, as in 1963, by de Gaulle's placing Britain in the "Anglo-Saxon" camp lest it become a Trojan Horse within "Europe," but by the abandonment of British sovereignty and independence as the country is submerged into the coming NSU, an entity defined by opposition to the "Anglo-Saxon" world.

That very afternoon of January 14, 1963, the Netherlands formally vetoed le plan Fouchet. Ten days later, Plan B (perhaps it had always really been Plan A) was in place: de Gaulle and Adenauer signed the Elysée Treaty between France and Germany. De Gaulle's famous comments about the meaning of "Europe" date from this time: "Europe is France and Germany; the rest are just trimmings," 62 "Europe is a coach and horses; Germany is the horses and France is the coachman," France wants "a Europe from the Atlantic to the Urals" (i.e., a Europe defined in terms of race - no "Asiatics" or Africans - but also in terms of the interaction between language and politics - no English-speaking peoples even of "European descent;" Quebec might find its place in this "Europe" once it liberated itself from English-speaking dominance).

Masclat seeks to view the breakdown of the negotiations on the Fouchet plan as

follows:

"The conflict was irresolvable. It brought into conflict two rival projects of civilization. The tempting first project already had substance in a great country, a friend and ally [the US]. The second, riskier, existed in a future which would have to be forged in common [within Europe]." 63

This notion of a clash of civilizations, put forward long before Huntington's famous thesis of a different clash of civilizations, is still at the heart of French attitudes toward the United States and explains the sharp rebukes issued by Chirac to the accession countries who dared support the US position on Iraq. But the notion of some noble, Kantian, idealistic, liberal democratic world vision as the alternative to US hegemony has absolutely no foundation in the experience or the future of "Europe." Orwell's nightmare vision, 1984, is much closer to the reality of "Europe," and perhaps of the world, than is Kant's utopian vision.

the years following the Elysée Treaty, de Gaulle distanced France further and further both from NATO and from certain of the institutions of the EC. On May 10, 1966, de Gaulle withdrew France from the military structure of NATO, obliging the US to redeploy American troops from France and leading to the departure of NATO headquarters from Paris to Brussels.

Within the EU, France waged a constant battle against the federalist first president of the Commission, Walter Hallstein. And it in effect unilaterally revised the Treaty of Rome without any formal ratification process when it refused to accept that majority voting in the Council of Ministers would become the general rule, as laid down in the treaty, from January 1, 1966. France withdrew from the Council of Ministers on June 30, 1965, returning in January 1966 only when the so-called Luxembourg compromise effectively ended the practice of voting in the Council altogether, replacing it with a system of consensus (voting became standard again only after the Single European Act in 1986).

What is very interesting, and not treated in any of the literature, is why, when France was bashing the Commission for its federalist pretensions, it made no protest about the even more aggressive pretensions of the ECJ expressed, notably, in Van Gend en Loos and generally regarded as being "federalizing," both in intent and in effect. The politics of the ECJ and its place in the development of "Europe" have tended to receive little attention from academic political scientists (though this is beginning to change): the field has been left to the legal theorists, who have tended

to be very naive. There is in fact no contradiction whatsoever between France's traditionally anti-federalist approach and its acceptance of the doctrines of direct effect and supremacy of Community "law." As an ardent supporter of the creation of a European superstate, France (and here its position is practically identical with Tony Blair's) needs the appearance of some "constitutional" form of enforcement of the Will of the superstate. The doctrines of direct effect and of legal supremacy, initially produced out of nowhere by the ECJ, are well-suited to this task. But while the superstate needs to ensure that decisions taken for the whole of the EU/NSU and applied to the whole of the EU/NSU - including individual persons - are enforceable by the ECJ, an institution unique in the whole world in its arrogance, its unaccountability, its remoteness from any democratic process, and its untouchability, that superstate equally wishes to ensure that these decisions are not taken by the whole of the EU/NSU and are certainly not taken by the ultimate objects of those decisions, the people, in any democratic or accountable way. Indeed, the absence of a European demos is seen as an opportunity to impose at European level an anti-democratic form of government that it has not so far been possible to install in individual countries of the continent. The attitudes of France in the first half of the 1960s - to make sure that only decisions that were desirable or at least acceptable to French elites were taken, but were then enforceable across "Europe" - were part of a consistent strategy that is still in play today and is now shared by other supporters of an unaccountable, anti-democratic superstate: political, bureaucratic and business elites everywhere - the beneficiaries of crony capitalism and crony politics - and perhaps by Blair above all. The intergovernmental conference that has just been convened will create the apparatus of a superstate, and one that is deliberately and unmistakably anti-democratic, authoritarian, and in some respects even totalitarian. In short, if "Europe" has no demos, its ethos is one, in the economic sphere, of antagonism to market capitalism and, in the political sphere, its telos is to create an empire that can emerge victorious in a "clash of civilizations" with the English-speaking world.

### **By Means of Deception**

How does it happen that Britain, or rather, British governments, have for more than forty years wished to be part of a project, which they have been told time and again requires Britain to cease to be British, to throw in its lot with an entity whose vocation is to be anti-"Anglo-Saxon" both economically and politically, and to abandon sovereignty, freedom, and independence in a system whose Hegelian philosophy of law is expressly contemptuous of the Magna Carta and the English Bill

philosophy of laws expressly contemptuous of the Magna Carta and the English Bill of Rights, whose implications are dismissed by the ECJ as "a legal theory with no relevance to Community law" and will in effect be abolished by the European Arrest Warrant and by the coming "Europeanization" of criminal justice systems? How does it happen that a British government is so enthusiastically committed to so many horribly dangerous things? First, it is committed to the destruction of a national demos - to the breakup of the United Kingdom, 64 and, within that territory, to the breakup of England. It couples that destructive enthusiasm at home with a similar enthusiasm to see destroyed, everywhere in Europe, a political sense of national identity, in whose place will inevitably come racial, ethnic, linguistic, and religious definitions of identity that will engender communal violence (one need only look at the anarchy that has descended on areas of north London to see how easily such conflict can be created once identity become tribal). It has committed itself to the destruction of political legitimacy, undoubtedly ushering in "classical" political violence, and the threat of insurrection. It has equally committed itself, whether it likes it or not, to a corporatist, Rhenish economic model, one that will make eurosclerosis untreatable. And it applauds the European monetary union whose express intent is to purge "Europe" of "Anglo-Saxon values," whose effect is equivalent to the imposition of controls on trade and capital flows and is seen by its managers as being designed to create a series of economic, financial, social, and political crises that will force Europe into a tyrannical superstate. And it is furthering, whether consciously or unconsciously, the construction of an imperial power whose rationale will be to wage a war of civilizations.

The facile answer would be that a gangster state, the institutionalized corruption of "Europe," provide lots of opportunities for psychological and financial satisfaction to those who wield political power. One might add that the Leninist maxim, "Worse is better" has an explanatory role. Given the number of former Communists, Trotskyists, and Marxists of various stripes in the British government and Establishment, that, too, might not seem particularly far-fetched. But surely, one might argue, such considerations cannot explain why the patrician Macmillan government broke the protective taboos of British national life and applied for EC entry in 1961. Nor can they explain how Margaret Thatcher contrived to drive a breach through the defenses of the order of sovereign national states by signing the Single European Act in 1986. But there are certain continuities in the history of Britain's post-war relationship with "Europe" that have a good deal to tell us. In particular, they shed light on the even more perplexing question of how governments and the Establishment managed to sell "Europe" to the British people



governments and the establishment managed to sell Europe to the British people, with even the limited success they have in fact achieved.

The single most important defining fact of post-war western Europe was that it was utterly dependent on the US - economically, politically, and militarily. For an American polity that had, with the exception of its Philippine and Cuban adventures 50 years earlier, been resolutely anti-imperialist, that was not a comfortable state of affairs. But as long as the US felt that its own national interest would be severely damaged either by a Soviet takeover of western Europe or by a slide back, within that region, to political violence and economic despair, the US had no alternative. While several generations of US policymakers clearly savored (and safeguarded) America's dominant role in European affairs throughout the postwar period, they also fostered a vision of an eventual exit strategy centered on a united Europe, preferably one that would be a clone of the US itself, a democratic, federal state. American naivety about that prospect had been demonstrated in 1871. It was to be demonstrated again. That naivety has meant that the United States has been a sponsor of the idea of a politically united Europe for more than half a century (and, as we saw above, thoroughly alarmed de Gaulle by so being).

For 15 years after the war, the State Department (in the face of objections from the Treasury and the Fed), the CIA, and organizations such as the Council for Cultural Freedom and the Ford Foundation, using anti-Communist intellectuals in Britain and Europe, strove to promote the closest possible economic and political union in western Europe while attempting to reconcile that putative union to an American culture deemed inferior by most "Europeans." 65 The second part of this task proved a largely thankless one. "European" elite contempt for and hostility to American culture has largely been a function of uneasiness about American political influence in the world; it first became evident in France and Germany in the 1920s (when, for instance, jazz was denounced, in terms that in today's world would probably be considered obscene and unmentionable, as offensive to the eyes, ears, sensibilities and morals of Europeans) and spread to politically reactionary circles in Britain in the 1930s. It has remained intense ever since, however much the hoi polloi might delight in opportunities to share that American culture. 66 But progress was made in encouraging European political union, to the alarm of the Eden and Macmillan governments in Britain.

In particular, the US government was a strong supporter of the European Economic Community, then generally known as the Common Market or the Six, 67 conceived at the Messina conference in 1955 and formally agreed in the Treaty of Rome in

at the Messina Conference in 1955 and formally agreed in the Treaty of Rome in 1957, which came into being at the beginning of 1958. The Treaty of Rome has an explicitly federalist ambition; but it proceeded in a salami-slicing, "functional" and "neo-functional" way, initially emphasizing a customs union among its members, one which would involve a reduction of tariffs among them but also the erection of a common external tariff. Its institutions were essentially supra-national, and acceptance of the treaty meant acceptance that national sovereignty would be abandoned bit by bit (as was clearly recognized, at least as a danger, in every secret British government briefing or position paper on the subject in the late 1950s and early 1960s though denied in the infamous White Paper published by the Heath government in 1971). As it happened, the route through which this abandonment proceeded was rather different from what might initially have been foreseen: as we saw above, the most aggressive predator was neither the Council of Ministers nor even the Commission but the so-called European Court of Justice, which arrogated to itself extensive sui generis powers that had no legitimation either in the treaty itself or in public international law. The member states, in particular their judicial systems, accepted these assaults largely because the elites wanted a supranational court, and with it the elimination of tiresome constraints of national political accountability and democracy, whatever some national parliaments might have thought when they ratified the treaty.

### **Pointing the Way**

No British government of the 1950s could possibly have contemplated the knowing abandonment of the country's sovereignty, democracy, independence, and liberty implied by the treaty: unlike all the members of the Six, Britain was not a failed state that had been defeated and occupied during or after the war, in conjunction or following on the suppression of democracy and the installation of a tyrannical barbarism.

Subsequently, a defeatism grew<sup>68</sup> that ultimately pushed Britain into the EEC. <sup>69</sup> But what most worried the government in 1955 was that Messina had thrown up the alarming possibility, soon to be reality, of a new, politically-united bloc, probably protectionist and dominated by Britain's historic enemies, on the Continent - and one, moreover, that would have the blessing of the US. As became known 30 years on, British Cabinet and Foreign Office briefing papers at the time explicitly pointed to parallels with Napoleon's Continental System, which had been used as an economic weapon aimed directly at Britain during the long Franco-British military struggle for mastery. By 1959, when the EC was in being, Macmillan wrote to his

struggle for mastery. By 1959, when the EC was in being, Macmillan wrote to his Foreign Secretary that,

"For the first time since the Napoleonic era the major Continental powers are united in a positive economic grouping, with considerable political aspects, which, though not specifically directed against the United Kingdom, may have the effect of excluding us both from European markets and from consultation in European policy. For better or for worse, the Common Market looks like being here to stay, at least for the foreseeable future. Furthermore, if we tried to disrupt it we should unite against us all the Europeans who have felt humiliated during the past decade by the weakness of Europe. We should also probably upset the United States, as well as play into the hands of the Russians. And, of course, the Common Market has certain advantages in bringing greater cohesion to Europe. 70 The question is how to live with the Common Market economically and turn its political effects into channels harmless to us ... all [the economic] work is more or less straightforward and could be put in hand. What is much more difficult is how to handle Europe politically. The core of the Common Market is the Franco-German Alliance. In the last resort it is the governments of these two countries that we must influence. The French protagonists of the EEC may be divided into three camps. There are those who believe that the world is now too small for the nation-state and that Europe's only chance of making her voice heard in the world is through a unified system. These people, such as Jean Monnet, believe that the Common Market with its economic arrangements will in time produce European political unity. Secondly, there is a group of French nationalists ... who believe that France can only play a big part in the world by becoming the spokesman for Europe in the Councils of the West. Finally there are the patronat who see in the Common Market an opportunity for preserving the traditional protected position of French industry against Britain and America. The French are therefore not united about the political and economic advantages to them of the European Economic Community; but all three groups of French supporters of the Community have an interest in excluding the United Kingdom from it. ... The Germans see the advantages of the Common Market largely in political terms. Dr. Adenauer, in particular, fears the effects of Soviet political pressure on an isolated Western Germany, and also believes that only a Franco-German political alliance can prevent the Anglo-Saxons from doing a deal with the Russians over Eastern Europe at Germany's expense. He, is, therefore, prepared to pay a heavy economic price for French political help." 71

One can note that Macmillan's analysis of the EEC was extremely perceptive at this

stage and makes his decision, eighteen months later, to press the Cabinet to agree to a British application to join the EEC, all the more baffling. He was clearly quite aware that any suggestion that "Europe" was about preventing wars within western Europe was nonsense; and he equally clearly realized, in 1959, that British involvement in the EEC would either be impossible or would have to be on terms so heavily loaded in France's favor as to totally neuter any "influence" that Britain hoped to exert: as Pompidou was to say in 1971, when rubbing his hands at Heath's submission to him in order to achieve British entry, "Je la veux nue." That humiliation, like the prior humiliation of de Gaulle's rejection, was, in 1959, still in the future.

After Messina, the aim of the British government in 1956-58, first under Eden and then under Macmillan, was to create a European Free Trade Area encompassing the whole of western Europe. The British wanted something in Europe very like what was created in North America thirty-odd years later. It would concern industrial trade only and would not constrain individual national policies on agricultural support; it would not be a customs union - there would be no common external tariff - and individual member countries would remain free to make their own arrangements with third countries (in particular, Britain would be able to continue Commonwealth preference in trade); there would be no supra-national institutions. Politically, the area would remain anchored firmly to NATO and the Atlantic Alliance. But the drivers of "the Europe of the Six," the nascent EC, were not interested in any such arrangement: France, in particular, was fiercely hostile to the idea of a free trade area, particularly one without political content - as it still is. Moreover, the Eisenhower Administration was cool, at best, to the British ideas. In part this was because Eisenhower and Macmillan had a personal relationship that, while warm on the surface, was not altogether trusting.<sup>72</sup> In part it was because Eisenhower had an atavistic aversion to the Commonwealth and its trading arrangements, and in particular the place of Canada in those arrangements. In part it was because the US feared that a large free trade area in Europe would divert trade away from itself. More important, perhaps, the US simply did not want the political content of the Six to be diluted by the creation of a wider free trade area.

Faced with the short-term impossibility of constructing a Europe-wide free trade area, the British government opted to set up an organization separate from and alongside the Common Market. This came into being in 1959 as EFTA, "the Europe of the Seven."<sup>73</sup> At least Britain would then retain access to the markets of a number of European countries (and although the population of EFTA was much

number of European countries (and although the population of EFTA was much smaller than of the Common Market, the disparity in income was smaller and that in trade smaller still). But although the arrangements in EFTA were purely economic, its role, as seen by Britain, was political: it was the way that Britain hoped to resurrect its idea of a wider free trade area, through some form of "association" between EFTA and the Common Market.

But the Foreign Office had little hope that EFTA could be held together for long. As early as the end of 1959, the head of the European Economic Organizations Department of the Foreign Office wrote in a minute that,

"During most of 1959 attention was concentrated on mitigating the feared economic consequences of the breakdown of the negotiations [i.e., the 1956-58 negotiations on a wide free trade area]. This was the primary purpose of the Stockholm Plan [i.e., for EFTA]. The 'building of a bridge between the Six and the Seven' was indeed one of our declared aims, but no indication was given nor was any clear idea formulated as to how such a bridge should or could be built. This probably explains the marked reluctance of Ministers and officials alike to take any bridge-building initiative. EFTA was formed primarily as an economic defence organization and the simile of a bridgehead would in fact have been more apt than that of the bridge. In any case, it was still the aim that the bridge should lead, by a different route to the [wide] European Free Trade Area which had been fought for from 1956 to 1958. Foreign Office attempts to substitute the more general (and more political) objective of 'the achievement of a permanent and more comprehensive settlement between the Six and the Seven' as the aim of policy met with little success."

In March 1960, the President of The Board of Trade, Reginald Maudling, 74 reported to the European Economic Associations Committee of the Cabinet in the following terms:

"I should like to emphasize the gravity of the situation that is emerging in Europe. I do not believe it is generally recognised how serious and far-reaching are the problems that we shall be facing. The men who are in control of the Six, mainly the French Government, the European Commission, and the German Foreign Office, are all determined to build up the Six as a major economic, and therefore political, force, and they consider that the exclusion of the United Kingdom from the European scene is an essential part of the process. The two elderly gentlemen [de Gaulle and Adenauer] who control the policies of France and Germany are wedded

to the Bonn-Paris axis, each in the belief that in the long run his end of the axis will prove the more important. So long as they remain united in this determination the prospects of a satisfactory settlement for us are small. The effects upon British trade, and indeed upon the whole position of Britain in the world, if we are excluded from the heart of continental Europe will, I am convinced, in the long run be of the greatest gravity. ... Dwarfed by this giant economic rival [the Six], Britain will steadily lose power and influence and in particular our relations with the United States will be undermined. ... The original idea of a 17-nation Free Trade Area, embracing and engulfing the European Economic Community and the EFTA countries alike, will not gain acceptance. Instead I believe we should develop the concept of a single European market, formed by a treaty between two Groups who would retain their own identity." 75

### **A Looming Threat**

But just few days after Maudling wrote this, civil servants of the newly-formed Economic Steering (Europe) Committee noted substantial difficulties from the proposed removal of discrimination between the EDC and EFTA. In particular, it would encounter US opposition: while the US was prepared to pay the economic price of suffering trade discrimination from the EEC in favoring the political integration of western Europe, an economic association between the EEC and EFTA would increase the economic cost to the US while, by loosening the political association in Europe, it might also imperil the opportunity the US thought it saw.

It rapidly became clearer and clearer that that no one had much idea of how to achieve such a solution to the problem of Sixes and Sevens. But at the same time, there was a sense of increasing urgency. As the Macmillan government became more and more worried about the threat, both economic and political, posed to Britain by the EEC, it began to contemplate possibilities that were previously ruled out of bounds. In the first half of 1960, Macmillan was extremely worried about the acceleration of tariff cuts within the EEC - and hence the increased discrimination against British exports - that was in prospect. When Macmillan failed to engage de Gaulle's interest in these matters, 76 he sought support in Washington, where he argued to Secretary of State Herter that there was great political danger in the EEC: unless the whole of Europe could be coordinated in some way that provided for European unity, he said, the situation of 1940 - a hostile Western Europe, against the creation of which the US and Britain had fought twice in the first half of the century - might be repeated.

When de Gaulle made a state visit to London in April 1960, Macmillan returned to his theme of the dangers for Britain from tariff reductions within the EEC. De Gaulle remained uninterested. But Macmillan, in his report to the Queen on his conversations, wrote that,

"I think he would accept that Britain should be her [France's] partner and in return for close cooperation with us he would be prepared to mitigate the effects of the Treaty of Rome."

One can perhaps see in this report the genesis of what has been official - that is, publicly expressed, British policy ever since: to have close association with the EEC/EC/EU/NSU while attempting to benefit from a certain number of derogations.

In May 1960 came an event that had a major impact on Macmillan's thinking. He had long been a proponent of "summitry" as a way both of attempting to ease the Cold War and of ensuring Britain (i.e., himself) the fabulous "Seat at the Top Table" (in this, of course, he pointed the way, for an even more egomaniacal future prime minister, Blair). He had put a great deal of effort into arranging a Summit of the Four Powers, the US, Britain, the Soviet Union and France, to be held in Paris. The summit collapsed amid rows sparked by a fifth of the Powers - Gary Powers, the pilot of an American U2 spy-plane shot down by the Russians. Macmillan was left deeply depressed. In his memoirs he wrote that,

"After the collapse of the Paris Summit I continued to argue with de Gaulle and Eisenhower that this tragic failure might soon bring us up against active Russian aggression. 77 This made it all the more essential not to divide Europe. Meanwhile, my mind was turning more and more to the dangers of Britain remaining outside a community which controlled a central position in what remained of free Europe. But how was this to be done?" 78

He went on to quote his diary entry for July 9, 1960:

"Shall we be caught between a hostile (or at least less and less friendly) America and a boastful 'Empire of Charlemagne' now under French but later to come under German control? Is this the real reason for 'joining' the Common Market<sup>79</sup> (if we are acceptable) and for abandoning (a) the Seven (b) British agriculture (c) the Commonwealth? It's a grim choice." 80

Macmillan's placing of inverted commas around "joining" reflected a belief that there could be a sort of special status for Britain, half-in, half-out. So too may his

omission of national sovereignty as one of the things whose abandonment would be implied by "'joining' the Common Market."

At any rate, by late May 1960, the Cabinet had been induced to consider a memorandum by the officials of the Economic Steering (Europe) Committee, drawn up in response to series of questions from Macmillan. The memorandum explored implications of a "close association of Britain with the EEC. That would mean accepting British involvement in the EEC's Common External Tariff, something that was bound to create huge resentment in Commonwealth countries and would, unless all other EFTA countries agreed, also mean the end of that organization and, finally, would involve Britain in discrimination against US exports.

The civil service memorandum to the Cabinet in response to Macmillan's questions displayed many of the characteristic faults of British official thinking over the years. It noted,

"...it is doubtful that we could hold EFTA together. Some members - notably Austria and Switzerland - depend so heavily on their trade with the Six that it is doubtful whether, if they could no longer see the prospect of a Single European Market, they could avoid making an accommodation with the Six on the best terms they could negotiate unilaterally. The conclusion is inescapable - that it cannot be compatible with either our political or our economic interests to let the situation drift on indefinitely on the basis of a divided Europe, with the United Kingdom linked to the weaker group. We must therefore seek a wider economic grouping which should at least comprise a single European market, assuming that any still wider grouping - e.g., an Atlantic Free Trade Area - is not a practicable objective, at any rate at this time."

The paper, however, did not recommend actual participation in the Common Market:

"It is impossible to say to what extent, if we joined the Six, we should in fact be committing ourselves to the acceptance of the ultimate objective of becoming a part of a federal state in western Europe. At the present time, the 'federal' objectives in the Six are being tacitly relegated to the background, particularly because of the opposition of General de Gaulle. But that position might not last. In any event, in the eyes of most people in the United Kingdom and the Commonwealth, we would be committing ourselves to an ultimate political objective. This would amount to, or at any rate be represented as, a political



bouleversement."

Instead, the paper went on to recommend "near-identification" of the Six and the Seven, which, the paper said, would inevitably involve:

"(i) a much more general acceptance of the economic arrangements of the Six, as incorporated in the Treaty of Rome [and this was recognized by the paper to include a common external tariff, harmonisation of social policies, a common agricultural policy, and the dismantling of Commonwealth preference], and (ii) acceptance of the political arrangements sufficient to meet the Continental desire to see us prepared to identify ourselves more with Europe and to give us sufficient participation in the institutions to wield an effective influence on policy matters."

To quote the inestimable Lionel Bell, whose researches in the Public Records Office are the secondary source for all the quotations from official 1960-61 British papers - (which became publicly available only after an interval of thirty years) used here:

"[T]he Cabinet memorandum, presumably in anticipation of the difficulties that would be felt by Ministers, continued to contain a generous helping of wishful thinking, together with inescapable uncertainty about some crucial issues. In the first category, the history of previous negotiations should have put a very large question mark against the possibility of modifications to the Treaty of Rome, modifications which can be identified by remarking those features [of the Treaty] that were described [by the Cabinet memorandum] as inconceivable, unthinkable, and out of the question; ... the idea that the United Kingdom would be able to exercise a claim to be a world power by performing a balancing act within the Community between France and Germany needs only to be stated to be implausible, while the likelihood of the Community being steered to support specifically British interests (a worthwhile version of leadership) was truly negligible. ... As for the vagueness [of the memorandum], the [memorandum's] initial, and well-justified proviso that it was not possible to judge how great British influence would be within the Community should have tended to dilute the optimism expressed at a number of points in the paper and it may well have affected the discussion in the Cabinet. It should certainly have ruled out the assumption [in the memorandum] that the United Kingdom would be a leading member of the group and one with a powerful influence. ... Given this uncertainty about the extent of British influence if on the inside, the unpredictability expressed [in the paper] about the development of the most important aspects of the Community should have occasioned serious concern. Similarly, the perception that the United Kingdom

might be obliged to prejudice vital interests in a manner difficult to foretell and might have to change its view of its interests must, or should have been, a worrying one." 81

The Cabinet discussion of the civil service memorandum was broadly hostile to the idea of "close association," as Macmillan acknowledged in his summary. But,

"On 27 May [1960] the European Economic Associations Committee [of the Cabinet] agreed that the broad choice for the United Kingdom was either to seek a close association with the European Economic Community or to continue to remain aloof from it while doing all we could to mitigate the economic and political dangers of the division in Europe." 82

Macmillan's willingness to contemplate the possibility of "close association" increased when in July 1960 de Gaulle proposed a political association among the Six; and at the end of July Macmillan made significant changes in his Cabinet. He promoted a number of "Europeans," most significantly including Edward Heath, whose tactics for outflanking Cabinet, parliamentary, and popular opposition have proved a template for successive prime ministers, including Heath himself.

The proposals put forward by de Gaulle in July 1960 were for a form of political association very much less institutionally-developed than those that later formed the Fouchet plan discussed above. Macmillan saw them as away of reacting to the collapse of the Paris Summit and to his own feelings of reduced status on world stage. He was also able to convince himself that the proposals provided a way of getting what he wanted in terms of Britain's political relations with Europe without becoming embroiled in the institutional structure of the EEC whose implications would be so hard to sell to the British public. The notion that Britain might achieve a "close association" with the EEC while not actually "joining" might have been comforted, in Macmillan's mind, by this development, in which he could see de Gaulle as an ally against the explicitly federalist Commission; it might therefore be possible to achieve "political unity" in Europe without abandoning sovereignty. By July 25, the Foreign Secretary (still Selwyn Lloyd at that date - he was replaced by Lord Home two days later) admitted to the House of Commons that the government was seeking a political association in its talks with counties of the EEC.

If Macmillan's aim seems to be a contradiction in terms, it is important to realize that he never made wholly clear what he meant by "political unity" in Europe. In what he called his "Grand Design," circulated to Cabinet colleagues at the end of

1960, he wrote,

"It is no longer a question of Europe or the Commonwealth or America - we need a united Free World [and he was certainly not envisaging a Government of the Free World, which, of course, the US would, quite rightly, never have sanctioned]. Of course, we cannot altogether get it in the sense of a military alliance [our emphasis] which can really work as a single team [our emphasis again]. We could perhaps get nearer to it in monetary and economic terms." 83

A couple of paragraphs later in the same document, Macmillan complained of:

"countless problems: ... the uncertainty about or relations with the new economic, and perhaps political, state [our emphasis again] that is being created by the Six countries of continental Western Europe." 84

Paraphrasing the rest of the document in his memoirs, Macmillan wrote that,

"We must prevent the Six-Seven split in Europe from getting worse. This meant reaching an accommodation with de Gaulle. This was primarily a political and not an economic problem. We could woo the French more easily by backing their great power ambitions - that is, by putting real life into Tripartism [de Gaulle's hobby-horse] - than by any other means. We might even be able to persuade the Americans to give the French some help in their nuclear plans." 85

He expanded on this theme in his diary entry for January 29, 1961, commenting on talks that day with de Gaulle at Rambouillet:

"De Gaulle was relaxed, friendly, and seemed genuinely attracted by my themes - Europe to be united, politically and economically; but France and Great Britain to be something more than European Powers, and to be so recognized by the United States. I think everything now depends on (a) whether we can really put forward a formula for Sixes and Sevens which both the Commonwealth and British Agriculture will wear, (b) whether the Americans can be got to accept France's nuclear achievements and ambitions."

These quotations show how and unrealistic were Macmillan's views on "political unity." One thing that is clear from them is that he certainly did not favor political union. Another thing that is equally clear is that while his 1959 exposition of French motivations in "Europe," quoted above, had been clear-sighted, by early 1961 he had managed to delude himself totally - with or without the assistance of the Foreign Office in this process. We noted earlier de Gaulle's viscerally hostile reaction

to the offer, at the end of 1961, made by Kennedy to supply nuclear weapons systems, to France and others as well as to Britain, via an MLF within NATO. Macmillan should not have been surprised by that reaction. In August 1960 he had written that, "The President [Eisenhower] emphasized his view that close military cooperation for Europe would best be protected through NATO. But to the General [de Gaulle] NATO was a dirty word." 86

And in his diary entry for August 17, 1960 he noted that, "The President is very concerned at de Gaulle's veiled attacks on NATO." 87

Given that, it is hard to understand how Macmillan could not have foreseen that his preferred options - a wide free trade area and some form of Franco-British partnership with the US, working through NATO in Europe but having a wider global reach - was simply not on de Gaulle's agenda. It is equally hard to understand how Macmillan could not have realized that the political dynamics of "Europe," if ever Britain were inside, would reduce Britain's capacity to act as broker of any scheme, wise or unwise, practicable or illusory, for the organization of what was then called the Free World. One is driven to the conclusion that Macmillan, always prone to defeatism, was so disappointed at the collapse of the Paris Summit and so daunted both by his overestimate - verging, with hindsight, on the ludicrous - of the strength and attractiveness of Communism<sup>88</sup> and by his "Charlemagne" thesis about "Europe," shown by hindsight to have been all too realistic, that he was prepared to shut his eyes to the dangers for Britain of submerging itself in "Europe."

Certainly, by December 1960, Macmillan's thinking on "joining" the EEC had evolved to the extent that he agreed with Heath's request that the Lord Chancellor, Kilmuir, should be asked for an authoritative assessment of the impact on sovereignty of accepting the Treaty of Rome. Kilmuir's reply made it clear that there would be profound consequences in three key areas: the role of Parliament; treaty-making powers; and the independence of the courts:

- "Parliament would have to transfer to the Council, or other appropriate organs of the Community, its substantive powers of legislating over the whole of a very important field."
- "To confer a sovereign state's treaty-making powers on an international organization is the first step on the road which leads by way of confederation to the fully federal state. I do not suggest that what is involved would necessarily carry us very far in this direction, but it would be a most significant step and one for

which there is no precedent in our case. ... [I]f binding treaties are to be entered into on our behalf, Parliament must surrender [the] function of [ratifying treaties that involve a change in domestic law or a change in taxation] and either resign itself to becoming a rubber stamp or give the Community, in effect, the power to amend our domestic law."

- "There is no precedent for our final appellate tribunal being required to refer questions of law (even in a limited field) to another court and accept that court's decision. ... I have no doubt that the whole of the legal profession in this country would share my dislike for such a proposal which must inevitably detract from the independence and authority of our courts." 89
- "I must emphasize that in my view the surrenders of sovereignty involved are serious and I think that as a matter of practical politics it will [sic] not be easy to persuade Parliament or the public to accept them. I am sure that it would be a great mistake to underestimate the force of the objections to them. But these objections ought to be brought out into the open now because, if we attempt to gloss over them, those who are opposed to the whole idea of our joining the Community will certainly seize on them with more damaging effect later on. Having said this, I would emphasize once again that, although these constitutional considerations must be given their full weight when we come to balance the argument on either side, I do not for one moment wish to convey the impression that they must necessarily tip the scale. In the long run, we shall have to decide whether economic factors require us to make some sacrifices of sovereignty: my concern is to ensure that we should see exactly what it is that we are being called upon to sacrifice, and how serious our loss would be." 90

Kilmuir's analysis of the loss of sovereignty was broadly accurate - and remember that this analysis of the treaty and institutional structure of the EEC was made as it stood in 1960, before the treaties of Maastricht, Amsterdam, and Nice and before the proposed European "constitution;" 91 and it was made before the ECJ made clear, through the series of smash-and-grab raids involved in Van Gend en Loos, Costa, and other cases from the early 1960s, just how voracious was its appetite for swallowing national sovereignty. Sadly, his advice that the issue should be brought into the open has consistently been rejected by British governments, notably by the government of the man, Heath, to whom his analysis was addressed and, of course, by Blair's government.

Kilmuir's choice of tenses suggests that he believed the idea of accepting the

Treaty of Rome to be, effectively, government policy - or at least the policy of Macmillan and the cabal of "Europeans" - as early as December 1960. This would have been news to several of his Cabinet colleagues, had they been aware of it. A precedent was thus set, and has been followed consistently ever since, about the extent to which Parliament and the public should be kept in the dark. But Kilmuir's letter also set a precedent for the Blair government's line, as it has recently developed, on the euro: there are certain constitutional implications, but not overriding ones, and they should certainly not stand in the way of accepting the euro if the economic gains from it are clear and unambiguous. But, just as it is clear that Macmillan, however deludedly, saw "'joining' the Common Market" as a chalice that had to be drained to achieve his political objectives, however bitter the economic implications, so also it is not easy to escape the logic of the conclusion that the abandonment of British freedom is as essential for the achievement of Blair's personal objectives, however economically disastrous such a policy might be - once he can get out of his pledge to seek popular approval.

### **No Sell-Out**

There will always be a price at which some people in a country are prepared to sell the freedom of the rest of the country; there may even be a price at which a majority of the country as a whole is prepared to sell its freedom. But neither Churchill, nor Macmillan nor Blair, it is clear, have seen economic advantage, whatever the governments of the two latter persons have said, in the transaction. How do the cases of Churchill, Macmillan, and Blair differ?

In the crisis of 1940, when French military resistance was in grave and imminent danger of collapsing, Churchill proposed to the French government a full and complete union of France and Britain - the complete extinction of British national sovereignty. The point of sovereignty is to enable freedom to be defended; when sovereignty can no longer do that job, it becomes expendable. Churchill believed that it was preferable to surrender British national sovereignty to an entity, a Franco-British union, that would have more chance of retaining British freedom: the alternative was an increased chance of military defeat and occupation by Nazi Germany. His view was not tested: his offer was turned down by the French government, and, as it turned out, events showed the truth of Lady Thatcher's statement, for which she was excoriated as "xenophobe" and "warmonger" throughout Europe and by enemies of freedom within Britain itself, that, "In my lifetime, all the problems have come from Europe and all the answers have come

from the English-speaking world." But Churchill's case, on an ex ante basis, was at least an arguable one, given the risk/reward assessment implicit in his statement, a year later, that "If Hitler invaded Hell, I should no doubt find some favorable words to say in the House of Commons about the Devil." 92

However, once the crisis was over, Churchill, however frustrated he may have felt at his increasingly obvious relegation to the status of junior partner in the Big Three (Roosevelt-Stalin-Churchill) relationship, never showed any subsequent sign of perceiving a threat so great as to make the immediate extinction of British independent national sovereignty the lesser of two evils. True, he was extremely worried about the threat posed by the Soviet Union. In his famous Fulton speech in March 1946 he warned that "... an iron curtain has descended across the Continent." While it was the naming of the Iron Curtain that was made famous through time, perhaps the most significant passage to our discussion was as follows:

"... neither the sure prevention of war, nor the continuous rise of world organization [a reference to the prospects for the newly-created UNO] will be gained without what I have called a fraternal association of the English-speaking peoples. This means a special relationship between the British Commonwealth and Empire and the United States. ... Eventually there may come - I feel eventually there will come - the principle of common citizenship [of the English-speaking peoples], but that we may be content to leave to destiny." 93

### **Blissfully Unaware**

But the US of early 1946 was in post-war isolationist mode. And "Uncle Joe" Stalin was still seen as something of a hero. While few people in the US were quite so naïve as actually to welcome the Soviet enslavement of central and eastern Europe in the way that Grant had so naïvely welcomed the creation of the German Reich in 1871 - after all, however deficient Wilhelmine Germany may have been in terms of democracy, and however dangerous to its neighbors it turned out to be, it had aspects of civilization: was authoritarian rather than totalitarian: was not a barbarous, murderous creation: had at least the grudging assent of most of the people incorporated into it - it nonetheless took some time for US opinion, elite as well as popular, to understand that Stalin was truly creating an empire hostile to the US, ruthlessly extinguishing the sovereignty, independence and freedom of a whole swathe of countries and replacing them with a brutal, totalitarian dictatorship.

Churchill's warnings fell largely on deaf ears: his evocation of an eventual common

Churchill's warnings were largely on deaf ears, his evocation of an eventual common citizenship of the English-speaking peoples was denounced by Stalin as racist propaganda aimed at securing "Anglo-Saxon" domination of the world (a view that de Gaulle, as well as the Lotharingians, Adenauer, Schuman, and De Gasperi, may have shared). American opinion also reacted with hostility, seeing Churchill as attempting to create an Anglo-American alliance to pursue an anti-Soviet crusade for which, at that time, few people in the US had any enthusiasm; moreover, Churchill's characteristic devotion to the British Commonwealth and Empire was not likely to help persuade American opinion of the benefits of a future common citizenship with Britain.

In the face of those reactions, Churchill, surveying the unutterably bleak Continental European scene - many Continental countries had just got through a winter of near-starvation; their economies were in ruins; the countries on the non-Soviet side of the Iron Curtain were incapable of defending themselves militarily; their politics were vulnerable to the possibility of fractious violence, civil war, or Communist coup; the two largest Continental countries were historic enemies; Britain itself, drained to the point of near-emptiness both psychologically and financially by its exertions in the war, was in no position to play the role of guarantor of European prosperity, peace, or security; and the United States showed no great inclination, at that point, to play that role - he made another famous speech in Zurich in September 1946<sup>94</sup> in which he advocated "a kind of United States of Europe" to be based on a reconciliation between the historic enemies, France and Germany. Britain, declared Churchill, should make every effort to bring this United States of Europe about, but should not be part of it. Churchill made a total of 19 speeches on European union during his period of Leader of the Opposition, and founded the European Movement in 1947. But he never had any intention that Britain should be part of that European union. When he returned to 10 Downing Street in 1951, he made no attempt to reverse Attlee's policy of aloofness from the ECSC and, strongly supported by Eden at the Foreign Office<sup>95</sup> (Eden was, with the arguable exception of David Owen, the last Foreign Secretary to champion Britain's independence), refused point blank to join in the proposed EDC. Some "Europeans" in Britain felt betrayed by Churchill's attitude that the people of Britain "should be with it but they could not be of it" <sup>96</sup> - though the vast bulk of the 50-odd million people the preservation of whose freedom was felt by Churchill to be an ongoing responsibility even though he was no longer in office would have felt betrayed if his attitude had been otherwise.

Perhaps the true difference between Churchill and Macmillan was that Churchill was



an indomitable optimist (perhaps the fact that he was half American had something to do with that). Macmillan, as we have noted earlier, was in contrast a defeatist in numerous respects. He was even defeatist about capitalism. (In the mid-1930s he published a book, *The Middle Way*, that effectively threw in the towel, advocating policies of state intervention uncannily reminiscent of those put forward 40 years later by the fiercely left-wing Home Committee of the Labour Party NEC under Tony Benn; they included the setting-up of a National Investment Board for the state regulation of business investment.) His own memoirs record his persistent gloom, as Prime Minister, about the prospects and problems of the British economy ("obviously insoluble"). He evidently believed, as did his Cabinet, that by the beginning of the 1960s Soviet productivity was higher than British. He had instructed his Minister of Labour, Walter Monckton, to placate increasingly militant trade unionism by getting employers to cave in to wage demands in practically all circumstances. In 1962, he set up the disastrous National Economic Development Council, a conscious but parodic imitation of the French commissariat au plan; the NEDC helped mire Britain in corporatism and "incomes policies" (both in the Wilsonian "Social Contact" version - "beer and sandwiches" in Number 10 with union bosses, Solomon Binding, and all the rest of it -- and in Heath's equally disastrous Tripartite approach, which culminated in the tragicomedy of the three day week, in which Sir William Armstrong, head of the Civil Service and Heath's right-hand man, was reported to have cracked under the strain to the extent of chewing, not sandwiches, but the carpet in Number 10) until it was ignored and finally abolished by the Thatcher government a quarter of a century later. Much later, as an old man, Macmillan was clearly out of sorts with the Thatcher government: his last political aphorism was a castigation of Thatcher's privatization program as "selling off the family silver" - but his dismay was not to do with the fact that foreign shareholders or companies<sup>97</sup> might buy privatized industries, but simply because the state would no longer own them.

### **Bridge to Nowhere**

In terms of global politics, Macmillan certainly believed that outside "Europe" Britain would decline in both economic and world-influence terms. He equally clearly believed that "Europe" would become a world power, squeezing Britain and the Commonwealth out in a tripartite system of the US, "Europe" - the new Empire of Charlemagne - and the Soviet Union. He considered, with varying degrees of seriousness, hitching Britain's wagon to each of those three. <sup>98</sup> But his most persistent belief was that Britain could somehow act as bridge between the US and

persistent belief was that Britain could somehow act as bridge between the US and "Europe." Churchill, too, had thought that; but he had not committed the solecism of thinking that the bridge could be constructed with its foundations on just one shore of a bay. Nor did Churchill believe that Britain should be reduced to the status of a political artifact, an engineering construction with no life of its own but simply an inert span of steel between two living organisms, the US and "Europe." And Macmillan displayed a considerable degree of schizophrenia in being so pessimistic about Britain's prospects outside "Europe" - condemned, he believed, to economic decline in a world in which the future seemed to belong to big economic blocs and in which Britain was an unskilled late-comer to the corporatist game - and so wildly optimistic about Britain's ability to be the leading power within "Europe" and thus to direct its feared (if mythical in the former respect) economic and political energy in directions innocuous to Britain.

Perhaps most striking of all, Macmillan never showed any sign of being able to answer a key question put to him explicitly by de Gaulle in their Rambouillet talks in January 1961, a question that Blair, too, seems incapable of answering or even acknowledging, however explicitly it is put to him by his "partners" in Europe. At Rambouillet, de Gaulle said that while he could see how essential it was to Britain to have close relations with the United States, it might not in the future always be necessary for Britain to follow exactly in the wake of the United States. How long then would it be possible, de Gaulle asked, for Britain to pursue an American policy and a European policy simultaneously? 99 By the mid-1980s, with a new global capitalism stirring, with European corporatism now excoriated as "Eurosclerosis," with the British economy bursting into life as a result of Thatcher's reversal of much of what Macmillan and his successors had done, with the Anglo-American relationship under Reagan and Thatcher seemingly warmer than ever before and with Soviet Communism - which Macmillan had wrongly and unhappily perceived to be associated with strength, power, and success - about to die, or at least to be put into cold storage, all his preconceptions were seen to have been wrong. The tragedy is that it was precisely at that time that Mrs. Thatcher allowed herself to be hoodwinked into selling the pass.

At all events, by the time Kilmuir wrote to Heath in December 1960, it was rather clear that the government, or at least Macmillan and the cabal of "Europeans" in the government, was prepared to dramatically reverse the policy of Attlee, Churchill, and Eden. When Macmillan returned to London from Rambouillet, where de Gaulle said he said sensed a willingness on the part of Macmillan to join something in

"Europe," he asked the Cabinet Secretary to prepare a paper for the Cabinet in preparation for the possibility of more formal Anglo-French talks: he was, it seems, unwilling to go too far without seeking political backing from the government as a whole. But the cabal was determined to befuddle the Cabinet, the Houses of Parliament, and, perhaps above all, the public.

### **A Bureaucratic Coup**

The political and bureaucratic tactics employed by Heath in particular will be familiar to anyone who has ever been involved in a large and complex organization; they have been used time and again, both within Britain and in the wider EU context. The basic principle is simple: a course of action favored by those driving the bureaucracy must never be submitted to open political or popular discussion of principle. Instead, advantages should be stated as given and as possessing overriding importance, while any disadvantages should be reduced to the level of technicalities, problems in whose resolution the bureaucracy will willingly expend its energy. 100 Thus neither the Werner Committee nor the Delors Committee, for example, was ever asked to examine whether monetary union was a good thing; their mandate was simply to discuss ways of implementing it; similarly, there was never any open discussion of whether the so-called Charter of Fundamental Rights or the proposed EU constitution were desirable: Conventions were set up simply to decide what exactly was going to be in them.

In early 1961 Heath sought to avoid any discussion of principle on "Europe" within the Cabinet. He successfully dissuaded Macmillan from pursuing the idea of a paper to the Cabinet setting out the advantages and disadvantages, as seen by the Civil Service, of acceding to the Treaty of Rome. He set out his argument in a memorandum to Macmillan dated February 7, 1961:

"You mentioned to me that you now intend to bring this before the Cabinet and I have been shown the first draft of the Cabinet paper. [It would be interesting to know who had shown Heath this draft and on whose authority.] I must confess I view this in its present form with serious misgivings. It would, I am sure, be a mistake to raise before the Anglo-French talks the fundamental questions of foreign policy, national sovereignty and the problem of association with or membership of the Common Market with which the paper begins. It is reminiscent of the July 1960 questionnaire [whose discussion, we recall, has ended up with an expression of rather widespread Cabinet hostility to closer association with "Europe"] and will I fear lead to a resurgence of opposition on the grounds of

Europe ] and will lead, lead to a resurgence of opposition on the grounds of principle rather than practice [our emphasis]. The detailed technical exposition of the sort of solution we would wish to see [our emphasis] will provide much room for argument as to what is, or is not, desirable or possible." 101

In pursuit of the aim of avoiding any discussion of "the fundamental questions of foreign policy, national sovereignty, and the problems of ... membership," Heath adopted the tactic of engaging the top Treasury civil servant, Sir Frank Lee, a convinced "European," in talks on technical, economic aspects of the Treaty of Rome both with the French, Germans and Italians (the others were apparently not considered worth talking to, something that showed the Dutch attitude to the supposed benefits to themselves of British membership to have been illusory from the start) and with the new US Administration. After Macmillan and Heath had themselves met Kennedy and Ball in Washington in April 1960, a meeting at which the Americans expressed support for a British application to join the EEC, as long as such entry would not be inimical to building a political union in Europe and as long, also, as Britain did not demand too many derogations from the Treaty of Rome<sup>102</sup> but, yet again, showed no enthusiasm for an Atlantic Community, Macmillan felt able to go back to the Cabinet and gain agreement for an EEC application without making it clear to the Cabinet that that was what they were agreeing to.

In two Cabinet discussions in late April 1961, <sup>103</sup> it seems that the majority view was that acceding to the Treaty of Rome would bring economic disadvantages (the official record shows even Heath saying explicitly that "it was evident we could not accede to the Treaty of Rome without some economic damage, at least in the short term, both to this country and to other countries of the Commonwealth") but that the threat posed to Britain, both politically and economically, was a powerful one if Britain stayed out.

Macmillan himself both introduced and summed up the discussion with an appeal to the larger world stage: "This question must be viewed in the wider context of the East-West struggle. In this the Communist bloc were gaining ground, and the Western countries were in some disarray." A united Free World was needed to counter the Communist threat. But a Six under French leadership would move away from the desirable aim of a united Free World: Europe was no longer content to accept Anglo-Saxon leadership and "different means must now be found of binding Europe within the Atlantic Community." Macmillan's thesis, as well as displaying his usual naivety about the strengths of Communism, was evidently self-contradictory: he accurately observed that Europe would not accept Anglo-Saxon

contradictory. He accurately observed that Europe would not accept Anglo-Saxon leadership, yet somehow seemed to expect that Britain would lead Europe once inside. Moreover, he totally disregarded the fact that no wider Atlantic Community existed and that his talks with Kennedy had not revealed any US enthusiasm to construct one. Nonetheless, he continued, "The United Kingdom, as the bridge between Europe and North America, had the opportunity to take an initiative in this."

In the official minute of the Cabinet discussion, running to around 6,000 words, just five sentences (without attribution, but presumably reporting an intervention by Kilmuir) are devoted to the question of national sovereignty, reprising the main points of the Lord Chancellor's letter to Heath. Of these, the most important was the last: having noted the enormous surrender of sovereignty that would be involved, it stated, "A major effort of presentation would be needed to persuade the British public to accept these encroachments on national sovereignty." The substantive issue was to be ignored; all that mattered was pulling the wool over the eyes of the public. Macmillan himself, apparently, made no reference whatsoever to the question of sovereignty. He concluded that,

"If we decided to stand aloof from inner Europe at this time, might we not find that the eventual damage to our interests would be even greater in terms of the secular struggle between East and West? ... [N]ew groupings would arise, as a result of which the United Kingdom would lose much of her influence in world affairs. These considerations suggested that, on balance, it was in our interest to join the political and economic association of the Six if we could gain admission on terms that would be tolerable to us."

The Cabinet then:

"Agreed that, if President Kennedy's approach elicited a favorable response from General de Gaulle [Kennedy had been asked by Macmillan to sound de Gaulle out on a forthcoming visit to Paris], the United Kingdom should be ready to enter into further negotiations with a view to finding means by which the United Kingdom, together with some of her partners in EFTA, could join with the countries of the Common Market in forming a wider political and economic association in Europe."

Two meetings of the European Economic Associations Committee of the Cabinet took place in May. The report of a group of officials, on topics including that of sovereignty, was available to the Cabinet. The report on sovereignty began by noting that,

"Although the Treaty of Rome does not express this explicitly, it has underlying

political objectives which are to be brought about by a gradual surrender of sovereignty. Continental opinion would not think that we were in earnest in establishing a new relationship with the Six unless we were prepared to abandon a significant degree of sovereignty. ... The United Kingdom would, in acceding to the Treaty of Rome, be committing itself to a range of indefinite obligations over a wide field of action within the economic and social sphere [this was long before the Single European Act, Maastricht, Amsterdam, Nice and now the proposed "constitution" extended the field of action to virtually everything] which might subsequently be translated into specific obligations by means of a decision, directive or regulation with which we would not necessarily agree. This is a commitment of a kind different from obligations restricting freedom of action under other treaties." 104

But it went on to say that,

"In fact, in the context of merging our economic identity with that of the Community and aligning ourselves politically with the other members, the partial surrender of sovereignty involved would be a necessary element and it is arguable that it would be of less significance than the broad political and economic factors."

Macmillan, chairing the meeting appears once more not to have mentioned sovereignty at all. And although Macmillan's briefing for those meetings continued to assume that a full memorandum would at some point be submitted to the Cabinet, that never happened. The meeting concluded that the most powerful argument for joining the EEC was that Britain's political influence with the world at large would diminish if it stayed outside; but it was noted that it was a difficult argument to present this argument publicly. Instead, ad hoc groups of Ministers met to discuss technical details of questions concerning the Commonwealth and agriculture, and a round of so-called consultations with Commonwealth governments was begun. Although, naturally enough, these countries expressed reservations, both they and the Cabinet were in effect already being presented with a *fait accompli*: on July 16, 1961, Commonwealth countries were informed by telegram that the British government had decided to apply for EEC entry.

What did Macmillan think he was doing? He could not claim to be unaware of the massive implications of sovereignty. He seemed to believe that, at least in the shorter term, entry would bring economic disadvantage to Britain. He was in principle opposed to the idea of a federal status for Europe, but had no idea whether or not it would be possible to avoid one. In his own mind, the country

whether or not it would be possible to avoid one. In his own mind, the country faced a significant threat, both from "Europe" and from Soviet Communism - but in operational terms the threat was that one might lose "influence" - a concept of burning interest to politicians and bureaucrats but of little concern to the public. Macmillan, in the end, was prepared to take a huge gamble on his country's freedom for sake of an illusory promise of a Seat at the Top table - one to be filled by, and for the benefit of, people like himself and his caste. However selfish and reprehensible such an attitude may have been, and however ready Macmillan was, along with Heath, to fudge the big issues and deflect public scrutiny of them, it cannot be said that Macmillan positively wanted to destroy the British constitution and to extinguish democracy, accountability, and freedom.

How do his successors differ? Wilson twisted and turned on the issue of Europe, his main concern being to avoid splits in the Labour Party that might produce a threat to his leadership. Heath, in contrast, was a committed federalist, even though he did not admit that as Prime Minister. In 1971, when EC entry was being plotted, the Foreign Office predicted, secretly, of course, that democracy would wither away within "Europe" and that even "last resort" powers to act in the national interest would be gone by around the beginning of the new century - a remarkably accurate prediction, as it has turned out. But the government's infamous 1971 White Paper claimed that there would be no question of the loss of any essential national sovereignty. Was that naive or cynical? Was it even treasonable? Readers will no doubt make their own judgements.

When Wilson returned to office in 1974, with Britain by then a member of the EC, he was again faced with the threat of Labour splits over "Europe" (in the crucial Commons vote on accession in January 1972, the official position of the party was to vote against, but a sufficient number of Labour rebels, together with the Liberals, offset a rebellion in the other direction by a number of anti-EC Tories, and accession was agreed by just eight votes). He contrived a solution in the form of the 1975 referendum. By then he was able to claim that the threat, as the Labour Party then rightly saw it, of monetary union (laid down as an ambition of the EC by the Hague summit in 1969, accepted by Heath, and given concrete proposed form by the Werner Report in 1971), had gone away.

Callaghan managed to avoid major intellectual engagement on the issue of Europe, his main contribution being to reject the idea of British membership of the ERM.

## **Grand Delusion**

Thatcher was wedded to the idea of converting the Continent to a more market-friendly approach in economic terms. After the victories over Galtieri and Scargill, she was vulnerable to hubris. She was persuaded by the Foreign Office and by Delors into believing that if only the countries of Europe could give up their vetoes, it would be possible to construct a single market open to competition and cleansed of much government interference and regulation. Seduced by this image, Thatcher was conned into approving the Single European Act. The scales fell from her eyes in 1988, when Delors, at the invitation of the Foreign Office, addressed the annual Trades Union Congress. There, he predicted that within ten years 80 percent of all legislation on economic and social matters in the European countries would take place at the European level. It became clear to Thatcher that the promise that had been made to her about the strictly limited use of majority voting was being broken gleefully. In contrast, the unions, smarting at a succession of defeats at the hands of Thatcher, immediately saw "Europe" as way of regaining through the anti-democratic, unaccountable Brussels process what they had lost as a result of Thatcher's election victories at home. Thatcher was alarmed at the implications, and became much more hostile to "Europe." She responded immediately, in a speech in Bruges, where she fiercely declared that she was not going to have socialism reimposed in Britain over her head by "Europe." That hostility played no small part in her subsequent downfall, as the "Europeans" in the Tory Party and the Establishment joined forces with Brussels and with Christian Democrats on the Continent to unseat her.

Major was a weak man with little sense of direction. His philosophy was summed up when he was introduced to the Tory conference in 1991, for the first time as Prime Minister, by a speaker who recalled his earlier roles in government without mentioning the fact that Major was now Prime Minister. "You've left one thing out," said Major, "I've got it; I like it; and I want to keep it." Keeping the premiership seems to have been to Major of vastly greater importance than defending the interests of his country. He feebly accepted the Maastricht treaty, securing an opt-out from the single currency and from the social chapter of the treaty that would be valid only as long as anti-euro, anti-social legislation people retained power in London. He nonetheless claimed "game, set, and match" for Britain in the Maastricht negotiations. Major, it seems, was in the power of three "European" Cabinet Ministers. Hurd was a throwback to the Macmillan era, primarily concerned with the caste interests of Foreign Office mandarins. Clarke appeared to be a "European" as the most effective way of being anti-American. Heseltine, the third



European - as the most effective way of being anti-American. Presumably, the third member of the cabal, was a dyed-in-the-wool corporatist who believed, like Macmillan and Heath before him, in the big battalions and in government intervention in and planning of industry. Together, the four of them, including Major, personified all the worst aspects of Tory pro-"Europe" attitudes.

### **Along Came a Spider**

Then came Blair. Unlike all the others, with the possible exception of Heath, Blair seems to positively dislike his own country, its history, its traditions, its political culture, and, above all, its vestigial political freedom and the accountability that imposes on governments. Like his predecessors, he professes to be against a European superstate; in reality, he is perhaps the most fervent proponent, anywhere in Europe, of such a superstate. Unlike the federalists, he wants it to be run inter-governmentally - that is, by himself and like-minded political allies in the other big countries - along the lines proposed by De Gaulle at the beginning of the 1960s and accepted by Macmillan. But it is now possible to see far more clearly than was the case in Macmillan's day that such a plan would indeed involve a superstate - and one that, for all the reasons set out in the first half of this article, will be illiberal, repressive, divisive, unaccountable, inefficient, inefficient and, being both imperial and anarchic at once, liable to cause a horrible deterioration in relations between people and state in general, between different peoples in "Europe," and between the NSU and the USA.

Can Blair appeal, in justification, to the equivalent of the terrible danger that Churchill was confronted with in 1940, or even of the perhaps overblown fears harbored by Macmillan? It is hard to see how he can - unless that threat comes from the very source - the NSU - that Blair is striving to create. True, he speaks of "the war on terror," and the threat of terrorism is, despite the mess the US and British intelligence agencies got themselves into over Iraq, no doubt real enough. But, as the events of the past two years have shown, the war on terror has largely been an Anglo-Saxon enterprise. More tellingly, Blair's ambition to build a European superstate long predates September 11. Well before that, his government had been a prime mover in the construction of a common justice policy in the EU: a major aim seemed to be quite simply to find a European excuse for eliminating the British criminal justice system. The government was pursuing the aim of a European Arrest Warrant (EAW) - while at the same time firmly resisting French attempts to alert the British authorities to the dangers created by terror cells in London. And, when immediately after September 11 Blair seized the opportunity to gain EU agreement

Immediately after September 11, Blair seized the opportunity to gain EU agreement on the EAW, an editorial in Le Figaro declared that while the English tradition of habeas corpus could never co-exist with Continental law, Blair had shown a capacity to react to, and even anticipate, events (September 11) and thereby to make possible a great leap forward in the creation of a single European justice system, 105 thereby bringing closer the surrender of British freedoms in a European construction. It is very relevant in this context to recall that in September 1996 the Commission's Forward-Planning Unit sent a confidential memorandum to the then-President of the Commission, Santer, bemoaning the slow progress then being made on political union declaring - in an underlined section of the text - that real progress would come only if there were the perception of an external threat and adding that a major terrorist outrage would contribute significantly to the perception of such a threat.

Is Blair any less naïve or cynical than Macmillan about the prospects of success for his vision? Blair claims, as did Macmillan, to be pursuing the unity of the West in the face of a common threat. He wants, it is said, a "unipolar" world. But he is no more likely than Macmillan to get one. It would involve either the end of US hegemony, unacceptable to that country, or the acceptance of US hegemony, anathema to France and, at times, Germany.

And are the dangers to Britain of going along with the superstate any less than those that would have attended EEC entry in 1961? Quite the reverse: what were in 1961 only potential dangers, far in the future are now here-and-now reality. Worse, the danger is now not just that some aspects of British sovereignty might have to be abandoned: in 1961 it was possible to fantasize that the political entity to which sovereignty was being abandoned might be benign; now, it is clear that the NSU will extinguish not only British sovereignty but also freedom - along with the freedom of all the other countries of "Europe."

What the history of British involvement with "Europe" most clearly shows is that official British attitudes have been persistently tainted with a large number of mortal failings: Prime Ministerial and mandarin egomania about the ability to direct the evolution of "Europe" from the inside; defeatism about British economic prospects; nostalgia for lost world power, and particularly Imperial, status; a naïve or cynical disregard of the true intentions of "Europe," not least toward Britain itself; a refusal to accept where "Europe" was going; a futile attempt to act as "bridge" between the US and "Europe;" an instinctive preference for economic corporatism; ludicrous optimism about the extent to which special arrangements for Britain could be

optimism about the extent to which special arrangements for Britain could be permanently maintained; acceptance, again either naïve or cynical, of the illusion that "influence" is best achieved by giving in to everything that "Europe" wanted, and wants, to impose on Britain (the illusion was no doubt principally a function of naivety in Macmillan and some of his successors but has clearly been a product of cynicism among officials, for whom "influence" meant, and means, not advancing the interests of their country - and particularly its interest in retaining its freedom - but seeking to ensure the perks and privileges of their caste); a predisposition to accept the loss of British sovereignty and freedom; and, perhaps above all, a very definite desire and ability to deceive the British public about what the government was giving away in "Europe."

The one exception to some of these recurrent British official traits was Margaret Thatcher: she was not defeatist about Britain; she was not corporatist; she was not prepared to accept a loss of sovereignty and freedom; she was not more concerned with caste "influence" than with British interests; and she was less prepared than others to mislead the public. These facets of her political personality made her anathema to much of the political, bureaucratic, and journalistic Establishment in Britain, the Foreign Office most of all, not to mention to the corresponding Establishments in "Europe." But, like some of her predecessors and one of her successors, she was initially naive, partly through characteristic prime ministerial hubris, about where Europe was going, about the extent to which she could influence it and about how successful Britain could be in achieving distinctively British objectives. To paraphrase Churchill's famous Commons attack, on October 5, 1938, on Chamberlain's policy of appeasement of Hitler, culminating in the Munich agreement and the dismemberment of Czechoslovakia, "The utmost that British Prime Ministers have been able to gain for Britain has been that the European tyranny, instead of snatching its victuals from the table, has been content to have them served up to it course by course." 106

### **Pretender to the Throne**

Blair shares all the characteristic failings of British official dealings with "Europe." But what he additionally brings to the table is a messianic belief, much more intense than that of any of his predecessors, that he can mold "Europe" in his own image (in his own image, not that of his country, which he appears to detest passionately). He is in this sense even more naive than any of the others. But he also brings a quite profound cynicism, in that he, like his counterparts in the rest of "Europe," appears to be determined to impose the most unaccountable, anti-democratic, repressive,

freedom-destroying, and potentially tyrannical superstate that he possibly can.

That is an extremely serious matter in itself, both for Britain and for other members of the existing EU. But it will have particularly unfortunate consequences for the accession countries of central and eastern Europe. It might be thought that these countries, having been freed only a few years ago from the original Soviet Union, would not willingly submit themselves to the NSU. Why are they doing it? Why do they persist in doing it after Chirac's Brezhnev-like behavior toward them in the run-up to the Iraq war? There are several reasons.

First, they want to form part of any club that differentiates them and, in their eyes, protects them from Russia. Second, some naïvely believe that membership of the NSU will advance their economic "catch-up,"<sup>107</sup> or, if that does not happen, at least will provide them with large-scale handouts, not least for farmers; others welcome membership of a grouping whose underlying philosophy in economic terms, one of "Rhenish capitalism," creates a whole series of gravy trains for rent-seekers in the political, bureaucratic, "intellectual," and oligopoly-business classes.<sup>108</sup> Third, rather like Italy in the 1950s, they see the NSU as a way of getting rid of their surplus labor via migration to existing members of the EU. Fourth, criminal elements in several accession countries see the NSU as a way of expanding their activities into more lucrative markets. Fifth, they are made uneasy by statements such as the notorious paper by the CDU/ CSU parliamentary group in 1994 (a paper written by Lamers, whom we met earlier in this article) that warned that if the "stabilization" of Germany's borders with central and eastern European countries was not done within the framework of "Europe," then "the stabilization will have to be effected by Germany acting alone and in the traditional manner." "If (west) European integration were not to progress, Germany might be called upon, or be tempted by its own security constraints, to try to effect the stabilization of eastern Europe on its own and in the traditional way."<sup>109</sup>

It is quite clear that the interests of the peoples of the accession countries would be far better served by membership, along with the remaining free countries of western Europe (Norway and Switzerland), with members of the existing EU, which would thereby regain freedom, and with NAFTA, in an Atlantic Free Trade Area, coupled with membership of a reinvigorated NATO that went back to its roots and became once again a defender of an order of sovereign national states and a foe of empire instead of remaining what it has become over the past decade - a foe of such a sovereign order and a promoter of empire. That prescription is strongly

reminiscent of the strategy of the Eden government and of the early years of the Macmillan government. 110 That strategy foundered on two rocks, both of them charted earlier in this article: the opposition of France both to non-discriminatory free trade and to NATO, and the opposition of the US to any proposal that would dilute the political-union content of the EEC. The fact that the aims of France and the US as to the future of "Europe" were, in practically all respects other than opposition to Soviet Communism, diametrically opposed seems never to have impinged on the consciousness of successive US Administrations. 111

## **Opening America's Eyes**

Today, for the first time since the war, there are significant figures in Washington who entertain serious doubts about the wisdom of encouraging what is to become the New Soviet Union. Earlier this year Rumsfeld made a historically important allusion to a distinction between "old Europe" - essentially, the Carolingian territories less Bohemia and Moravia - and "new Europe," which notably includes the countries of central and eastern Europe. Yet it is inhibited from pursuing ideas such as those described above for one overridingly important reason, far more important than Franco-German attitudes: Blair.

Blair is even more strongly opposed than was de Gaulle to such ideas. In particular, the idea of an order of sovereign national states appears to be anathema to him. He is clearly attracted to empire - not, in his case, out of nostalgia for the British Empire, for he appears to have no strong attachment to Britain, its history and traditions (and one can note that the British Empire was, like the post-1870 French Empire, in effect an empire without an emperor), but out of a desire to wield power - he wants to be an emperor. The NSU gives him, he hopes, that opportunity. In a speech in Warsaw last year he said that, "The European Union is no longer just about peace; 112 it is about the projection of power," and a key foreign policy adviser to Blair was at about the same time writing newspaper articles praising the concept of empire. Blair, who, it appears, sees himself as a Messianic figure, knows that an order of sovereign national states and free trade is one that minimizes the role of would-be Messiahs. Moreover, in such an order the ability of politicians to behave unaccountably and to extinguish freedom is also minimized; that, too, is unattractive to someone of Blair's psychopolitical bent: it goes against his well-documented control freakery, his obsessive determination not only to tell everyone what is, in his opinion, good for them but also to give himself ways of making them do what he thinks is good for them.

There is one sense in which Blair maintains British political traditions, at least post-Eden traditions: he sees himself as a "bridge" between the US and "Europe." We argued earlier in this article that the notion is delusory and illogical if that ambition is sought via the submergence of Britain in "Europe." In his address to Congress in July 2003, Blair emphasized a desire for the US and "Europe" to work together rather than against each other. All reasonable people will share that desire; but it can only be achieved in an order of sovereign national states. Blair's touted "unipolar" world would be eminently desirable if it referred simply to shared values of freedom. Unhappily, the world he envisages is an extension to the world level of what he is seeking to create in Europe: a directorate of a few powerful countries that allows the leaders of those countries to exercise power untrammelled either by the constraints of domestic accountability or by the constraints involved in the existence of external Powers. What he wants, then, is the nightmare of "world government." Those who currently laud him, whether in the US or in the accession countries of central and eastern Europe, need to become aware of that very quickly.

We began with three quotations. The first, from Novak, applicable, we noted, to the calvary inflicted by bureaucratic, even more than political, elites on so many European countries by the ERM, is even more applicable to the Convention, the "constitution" and the coming NSU. The second, by Wildavsky, is now eerily relevant to the Blair government in the wake of the David Kelly affair. The third, by a source close to the Prime Minister, that "we are calling the bluff of the [British] constitution" showed how fragile was that constitution, so dependent on convention and on the willingness of people to play "to play the game" according to MCC rules, 113 in the face of a ruthless would-be dictator prepared to accept and, he believes, manipulate a coming European tyranny. But the point of the neo-conservative counter-attack, spearheaded by people such as Novak, was not just to describe but to confront and put right the ills of which his quotation spoke so eloquently. Could it be that the "French scandal" around intelligence and the way in which the war in Iraq, however justified it may have been in confronting evil, was so "spun" by Blair that it could yet contribute to the survival of the British constitution and the unravelling of the NSU?

There are two aspects to this question. First, Blair clearly linked the questions of Iraq and "Europe" in his mind. There can be little doubt that a major, perhaps the overriding, reason for Blair to back Bush was a calculation that in doing so he would demonstrate his ability to act as a "bridge" between the US and Europe (hence his

insistence on a second UN Resolution before the war and his misplaced confidence that he could deliver one<sup>114</sup>); he wanted to build up a stock of capital in the White House that he could subsequently draw upon in fending off criticism, notably from the Tory leader Duncan Smith, well-connected in the Bush Administration, of his European ambitions. If anything, the difficulties that both Bush and Blair have been experiencing in the aftermath of the Iraq war may have drawn them closer together. The Iraq war created new alliances against the "Anglosphere;" Blair's actions over Iraq will certainly have rekindled the flame, if it had ever died, of French suspicion of Britain. More than ever, if Britain is going to be allowed to be part of the NSU, then Blair must be prepared to submit himself not only naked, as Pompidou insisted Britain must be, but touching his toes. But if he is to be the minion of Europe, his usefulness as partner to the United States will be extinguished. Prodi, Schroeder, Fischer, Chirac, and many other "European" figures have told him he must make the choice: the US or "Europe."

### **Down to Earth**

At home, Blair's ability to impose the constitution and the NSU on Britain is no longer totally undoubted: government leaders would have almost untrammelled power once the NSU was in place, but until it is they still have to cope with the vestigial accountability imposed on them in their several countries. Blair cannot take the result of the next general election totally for granted. And his top civil service advisers are now telling him that, politically, he cannot avoid a referendum on the proposed EU "constitution" if he wants to have it ratified before the next election. Yet a recent opinion poll reports that the majority of Britons "would not believe a word Blair says" on any subject.

And this nadir in his credibility comes at a time when the release of official documents from 1971 shows that the Heath Government employed the Foreign Office and MI6 in a campaign of black propaganda and dirty tricks against opponents of EC entry at that time, that enormous pressure was put on the media, notably the BBC, to support the government line and that the consequences of EC membership - the eventual extinction of freedom and democracy - were fully known to the FO but hidden from the public. <sup>115</sup> The Public Diplomacy Unit of the FO, the organ responsible for the propaganda campaign of the early 1970s, is about to have its budget doubled. But the BBC, a major vehicle of the pro-EC official line 30-odd years ago, is currently engaged in a bitter battle with the Blair government over the Kelly affair. The BBC is still evidently anti-American and pro-"Europe" in its

approach, however<sup>116</sup>; but even if a truce is called between it and the government in a referendum campaign, the credibility of both government and BBC has been so damaged that the black propaganda successes of the Heath era may not necessarily be repeated, especially as a large section of the press may be hostile to the government line on "Europe." <sup>117</sup>

What would happen if Blair called and lost a referendum on the "constitution"? Britain is not quite like Ireland or Denmark; it would not be so easy for the European oligarchy to insist on a re-run of the referendum so as to get the "right" answer. The "constitution" provides that in the case of non-ratification two years after signature, the European Council would meet to consider the political implications. That sinister phrase conceals all sorts of political and diplomatic nightmares. What is quite clear is that financial markets have been massively underestimating the importance of the "constitution," not least in relation to what might happen in British politics.

If the "constitution" is enforced and an NSU created in Europe, that continent will be transformed into an area that, as Mill, presaging Orwell, made clear, could have loyalty only to the colors. A polity with no demos, whose ethos is tyranny and corporatism, whose telos is to engage in a clash of civilizations with the "Anglosphere" in its economic as well as its political aspects, a polity constructed on a monetary union that can create only economic and financial disarray, a polity imposed through blackmail, black propaganda, deception, and lies, a polity ruled over by a court whose overriding guiding principle is that no freedom can be allowed to upset the wishes of the State - that polity cannot be expected to "play the game" in the international financial system any more than Blair is prepared to "play the game" in British constitutional terms. It is hard to believe that an open world trade and financial system could long survive the creation of such a polity.

If the constitution is not imposed, whether because the British public refuses it or for whatever other reason, then, if no alternative is offered, something geographically more like an Empire of Charlemagne will emerge - and probably this time it will ally itself with Russia. There will be manifold financial market implications: Portugal, Greece, Ireland, and Finland will be thrown to the wolves as debt problems explode; they will be forced to leave the single currency and be afflicted with the kind of legal and financial chaos that beset Argentina after the breakdown, inevitable though it was always going to be, of Convertibility. The accession countries - which are already going to face enormous difficulty as a result of the



ERM and monetary union, will find themselves in a terrible dilemma and, at the every least, the conditions for bond market "convergence" will become arbitrary and unpredictable. Capital controls between "core" Europe and the rest of the world will be very likely.

Again and again, the message is clear: the US must accept the need, argued by Eden in the 1950s, for a different kind of Europe: a Europe of free trade, one based on a common commitment to the values of freedom and democracy. That different kind of Europe can only be assured by an order of sovereign national states. If the US were to offer such an alternative, France, Belgium, and Luxembourg would be minded to refuse. But the Netherlands - certainly - and Germany - probably - could be persuaded to accept it. 118 The people of the accession countries, if not necessarily their political elites, some of whom are already becoming blinded by the glamor of unaccountable power as regional commissars offered them by the NSU, would be marvelously happy to accept. Faced with such reactions, even the French elites might have little choice but, in the end, to accept. The neo-conservative agenda in Washington is beset with enormously difficult problems in its application to most of the world. But in Europe, it is straightforward: what needs to be done is to avoid the naivety of Grant and to absorb the lessons that Novak taught about ideas, myths, and symbols of secular religions such as that of the original Soviet Union, its acolytes, and imitators - it is to see the "European flag" for what it is: a circle of barbed wire.

## **Endnotes**

To put Wildavsky's remark in context, a very minor British political scandal was in full swing at that time: it concerned the activities of Lord Lambton, who with deliciously bathetic irony was then the Defence Minister responsible for procurement, with call girls; Lambton is presently called to mind by watching the first Test match ever played in the north-east of England: the Lambton family's ancestral home, Lumley Castle, is an imposing backdrop to the lovely Riverside cricket ground in Chester-le-Street.

Gordon A. Craig, *Germany 1866-1945*, Oxford University Press, 1981, pp. 12-13.  
op cit., pp. 38-9.

Quoted in Craig, op cit., p. 366

Note that this argument implies, rightly, that even successful referendums in every EU country could not legitimate the proposed European constitution.

Paul Kirchhof, "Der deutsche Staat im Prozes der europäischen Integration," in

Josef Isensee and Paul Kirchhof, eds., *Handbuch des Staatsrecht der Bundesrepublik Deutschland*, volume 7, Heidelberg, 1992, para 12.

There are now around 300 Jean Monnet professors in British universities, and in total about 1,500 British academics receive funds from the EU; they are to be found in "sensitive" subject areas: law, politics, economics, history, and international relations. There is even someone called "The Jacques Delors Professor of Community Law" at Oxford, a chair funded jointly by the Commission and the European Parliament. It is not difficult to guess what would have happened to the Oxford dignitaries of an earlier age if in 1588 they had established a chair in Catholic Absolutism funded jointly by Philip II and the Vatican; the analogy seems an exact one.

The Court was also relieved to be told by the Commission, in the form of the head of its legal service, that the third stage of monetary union was a political ambition, not a legal obligation, for the member states and thus, implicitly, that the convergence criteria determined the timing of monetary union, something of great importance to German public opinion, even though Kohl had rejected the notion immediately after the Maastricht treaty had been agreed (see *The Rotten Heart of Europe*, p. 118); that same head of the Commission legal service was, a few years later, insisting in advice to his own bosses that any delay in the implementation of the third stage - the creation of the single currency - was legally impossible under the treaty and thus, implicitly, that the timing determined the assessment of the convergence criteria - advice which the Commission willingly accepted in blatantly fiddling its 1998 report on the convergence criteria.

We shall argue below that a nation-state is, in the tradition of the Mosaic law, the best way of preserving the rights of "outsiders" in its territory.

We comment later on the interactions between a sense of community and the differing "Anglo-Saxon" and EU conceptions of the roles of law and the State.

Hegel reserved much of his scorn for "England" and its constitution. He decried what he called, providing a foundation for Marxism, merely "formal" freedoms. Thus he wrote that, "At an earlier stage of the discussion we established ... [f]irst the Idea of Freedom as the absolute and final aim. ... We then recognized the State as the moral Whole and the Reality of Freedom." Thus armed with an ability, abundantly possessed both by the original Soviet Union and by the NSU, to analyze everything as its contrary, he wrote, while state-philosopher of Frederick William's Prussia, that "Liberalism sets up ... the atomistic principle which insists upon the sway of individual will in maintaining that all governments should have [their

peoples'] explicit sanction. ... In thus asserting the formal idea of Freedom - this mere abstraction - the party in question makes it impossible firmly to establish any political organization [and thus to establish the absolute State, the only source of objective freedom]." In Hegel's Philosophy of History he applied these strictures specifically to England: "The Constitution of England is a complex of mere particular rights and particular privileges. ... Of institutions characterized by real freedom [as opposed to merely "formal freedom"] there are nowhere fewer than in England. In point of private rights and the freedom of possessions they present an incredible deficiency." These arguments were echoed a 150 years later by Kohl's theoretician-in-chief, Karl Lamers, whose sarcasm and contempt for Britain ("England"), its constitution, and its national freedom were deployed to the fullest extent - something that is now being copied by Blair. Lamers told readers of The Times in the mid-1990s that the idea of the nation-state was an empty shell, its freedom a merely subjective notion, one that had a value, if any, only in that it provided a sentimental nostalgia. Objective reality was the EU [that is, the Hegelian State, only in subjection to whose Will could individuals find real freedom]. Lamers had given an earlier exposition of Hegelianism in his notorious CDU "hard core" manifesto of 1994, "Reflections on European Policy," when he wrote, "Unlike some intellectuals - and occasionally politicians, too - who express views and opinions which are not only ill-considered and ill-informed but also far removed from reality, that is, purely theoretical and legalistic and politically dangerous [our emphasis], the large majority of citizens clearly recognize the need for European unity." Unlike Jacques Delors in his disgraceful rantings, Lamers never openly stated that even the expression of dissent from pro-European views was politically unacceptable as opposed to merely "politically dangerous." In his later Times article Lamers exactly replicated Hegel's criticism of Plato - not for denouncing the philosophical status of "subjective freedom" (i.e., individual freedom, as opposed to the true Platonic/Hegelian freedom implied by the individual's subjection to the State) but for not accepting as a political stratagem that the subjection of the individual to the State could be achieved with less fuss if the individual could fool himself that he retained some right to moan and groan. It is perhaps only in this respect that Hegel - and Lamers and his ilk - could be described as authoritarian rather than totalitarian. However, the coming NSU will be totalitarian rather than just authoritarian, as we argue below. It can perhaps also be noted that a German, or at least Prussian, complex of inferiority, particularly toward "England," was very evident in Hegel's day and long thereafter; it helps to explain the particular fervor with which German proponents of "Europe" seek to subjugate and humiliate "England."

Europe - seek to subjugate and humiliate England.

One can thus see the policy of successive Irish governments over the past thirty years or so, since the decision to seek accession to the EU, as a betrayal of the ideals of their predecessors in 1922. Why did this betrayal take place? Essentially it was because at the beginning of the 1970s Ireland's trade was massively biased toward Britain. Ireland enjoyed free trade with Britain - or, more accurately, Irish goods suffered no tariffs in Britain, though British goods were subject to a variety of non-tariff barriers in Ireland. British entry into the EU would have meant, if Ireland had stayed out, the imposition of the EU's common external tariff - which at that time was high - on Irish exports to Britain; the link between the Irish and British labor markets would also have been threatened if Britain had been an EU member and Ireland had not. If there had been global free trade at the beginning of the 1970s, the trade-off between avoiding an economic threat and succumbing to a political one involved in Ireland's acceptance of a gradual but accelerating abandonment of freedom would have been very different. We comment below on how Kennedy's advocacy of moves toward free trade so infuriated de Gaulle, precisely because free trade would eliminate the threat to national independence the EU posed. This suggests that global free trade can be the strongest defender of the freedom of nations. Admittedly, the passage of fifty years had weakened the Irish demos by creating classes, castes, and elites in the Irish Republic that had not existed, in that form, when the country had been part of the United Kingdom. And the EU deliberately fostered that process of weakening the Irish demos - and the demoi of other countries - via its functionalist and neo-functionalist methods, all of them deliberately aimed at provoking divisions and tensions and at creating castes and elites - notably governmental, bureaucratic elites, and farming elites - whose primary loyalty was to their patron, the EU, which rigged the political, institutional, or economic market in their favor. But without the threat of reduced access to the British goods market and labor market, it is probable that the Irish Republic would not have abandoned freedom as it did when its government committed it in 1972 to the EU.

J.H.H.Weiler, "Does Europe need a Constitution? Reflections on Demos, Telos and Ethos in the German Maastricht Decision," *European Law Journal*, Vol.1, No. 3, November 1995.

Yoram Hazony, "On the National State, Part 1: Empire and Anarchy," *Azure*, No.12, Winter 5762/2002, p. 35.

Op cit, p. 38

There are much greater philosophical differences between the Bush

Administration, which is committed to the ideal of an order of sovereign national states, and the "Third Way" belief that the national state has had its day and with the attraction that the idea of world government has for them. There are also, of course, major philosophical differences between the neo-conservatives and the liberals over the question of "rights." An American liberal justification of outside military intervention in Bosnia was in terms of a duty to defend the "human rights" of Bosnian Muslims. A neo-conservative defense of the same intervention would be in terms of a duty forcibly to confront evil. How might this distinction be applied to the "Axis of Evil" countries? Some might argue that "human rights" are more gratuitously offended in Iran than in Saddam's Iraq, for instance. American liberals might argue that it is a human right for unmarried couples to be able to hold hands in public. But an interdiction on such conduct would hardly justify a US invasion of Iran. War cannot be justified by an invocation of "human rights," neo-conservatives would say. If the Iranian polity wants to ban such things, it can. If the punishment for holding hands were, say, to spend a couple of weekends working as an orderly in a hospital, the distinction between criticizing that law as a breach of "human rights" on the one hand and as evil on the other would be clearer. If the punishment for holding hands were, say, a brutal flogging, one may feel uneasy, disturbed, revolted, or angry. But that would still probably not be enough to justify invading Iran; and the forthcoming stoning to death of a Nigerian woman for adultery under Sharia law is not regarded by anyone as justification for declaring war on Nigeria. Different societies have differing conceptions of justice and of proportionality in justice. In Oklahoma recently, for instance, a man has recently (according to some, no doubt, incomplete reports) been sentenced to life imprisonment for spitting on a policeman who arrested him for an alleged offense. Is that disproportionate, an over-rigid application of a law against "depositing bodily fluid on an agent of the government," a law intended to deter criminals from seeking to infect such agents with HIV? Is that life sentence evil? Probably not, however uneasy, disturbed, revolted, or angry it may make some people. Would it justify an invasion of the US by the rest of the world? Obviously not. More generally, even if it is agreed by an outside agency that an evil exists, how great must that evil be to justify the outside agency's in attempting to overthrow the polity that commits it? Such a question leads very quickly to something like a Thomist set of principles for assessing whether or not a war is just; and even though the theory of natural law was current in Aquinas's time, it is hard to imagine that the concept of "human rights" could ever have made its way into his statement of principles. Hazony's defense of the

national state, and of the limits of its duty to restrain evil in other states, is Thomist in flavor. Not so the foamings of "Europeans," who in effect take over the ideas of Richard Hooker, who in late sixteenth-century England used the idea of "natural law" as a justification for the Church to transcend the State; the "secular religions" of "Europe" and of "world government" seek to use the idea of "human rights" to transcend the national state and create an empire. "Euro-Socialist" MEPs greeted the Bosnian war with satisfaction as the "the first post-nationalist war," a reaction that gives the lie to any residual suggestion that "Europe" was seen by its proponents as being about avoiding war. Some years ago I engaged in a TV debate on EMU with a Dutch Liberal MEP. During an ad break, that gentleman confided to me that Britain had to be brought into the single currency, as a necessary step in its submergence in a political union - an empire - because sometime previously a pregnant woman prisoner in Britain had (according to some incomplete reports), been taken, when her labor commenced, to hospital in an ambulance in which she was handcuffed to a woman police officer. The Thomist principles are not necessary, of course, once an empire has already been established. Thus, one can, perhaps, characterize 19th British involvement in Asia and Africa as changing from colonial to imperial when the British authorities outlawed some of the punishments of Sharia Law (such as the torturing to death of convicted sodomists by anal impaling- though there was no attempt to "protect the human rights of homosexuals") or certain Hindu practices such as Suttee. The initial military actions that achieved British control over these territories owed nothing to Thomist principles of a just war: they were commercial and selfish in nature. But once British imperial, as opposed to colonial, rule was established the only relevant question was whether Sharia Law or Suttee were, in the eyes of the British, evil in the sense that they involved unnecessary and disproportionate cruelty. How one should judge whether or not the British should have had the right to make that judgement is perhaps the key question in political theory. At any rate, for the "realists" in the US Administration, questions such as those posed by Saddam's Iraq or Iran come down to whether or not those countries are seen not only as being evil in terms of their relations with their own peoples but also as being a threat to the interests of the US - as argued, one recalls, by Hazony.

This can be defined as the view that the nation is itself defined, or at least identified, by a state with a degree of power sufficient to order its economic environment. That view, of course, is central to the idea of "Europe" today.

Our unfavorable contrasting of Hegel's views with those of Mill should be seen as

a judgement in political theory rather than in political philosophy. Mill's philosophical doctrines - utilitarianism - were full of holes. But his writings in political theory seem to us to be profoundly correct in their giving priority to liberty and in their justification of the national, as opposed to the imperial, state. In a philosophical sense, Hegel's ideas have something to commend them. Hegel, to quote a modern English philosopher sympathetic to him, [Roger Scruton, *A Short History of Modern Philosophy*, Routledge, 1984, pp. 209-210, proceeds as follows: "[N]o social contract can fulfill the freedom which it generates. It will always remain vulnerable to the tyranny of individual will, and so can break down at any moment. It adds to the agent only an imperfect sense of the objective reality of social order. It is an association of subjects, but not yet an independent objective being. The individual rises to full self-consciousness only in confronting the social object. Only then does he have a conception of the limits of his action. When he perceives these limits, he will see how to express his freedom within them. In short, civil society stands in need of institutions which protect and foster it, and which enshrine the objective reality of the body politic. The sum of these institutions is the State, and if the State is to have the objective reality which individual freedom requires, it must have the status ... [of] a person, with rights, obligations, freedom, and will. Hence the full flourishing of individual freedom is only possible if the individual can 'realize' himself in institutions which circumscribe his rights. What seemed like tyranny is nothing but freedom in its highest, self-knowing form." There is no doubt that Hegel's conception of the State is, philosophically, an advance on the natural rights theory of Locke, which has unfortunately given rise to all kinds of ever-more ludicrous excesses, most of which, admittedly, would probably have been disowned by Locke himself, in the hands of advocates of "human rights," and it is certainly preferable to the Rousseauvian General Will, which is pure tyranny. And if a person must recognize the legitimacy of contractual obligations - the obligations of civil society - he must thereby recognize the legitimacy of something else - the State. Institutions are at least as important as contracts - something that, for instance, is implicitly recognized by both sides in the current controversies about homosexual "marriage:" if marriage is not just a contract but an institution ordained by the State (or by God) then a "marriage" that does not conform to the requirements of the institution cannot provide legitimate or enforceable rights and obligations. Hegel is surely right that there is something more important than individual desires and wishes. One could see that as a statement about man's need for God, and the link between Hegel and the theory of the Divine Right of Kings is thus a clear one. But it raises two important questions in political theory that Hegel and his disciples (and

...the important questions in political theory that Hegel and his disciples (and predecessors) answered in disastrous ways. The first concerns how to ensure that the rulers of the State do not act in their own interest to satisfy their own desires and wishes. Plato, of course, had his schemes for raising a caste of philosopher-kings. The later Roman Empire decreed its emperors to be gods. The late-medieval and early-modern theory of Divine Right saw the prince as the vehicle of God's will, and the Nazis created their own god, the Leader; the Nazi state was in effect a Hitler-state. (And one could, without being too far-fetched, argue that Blair sees the potential for "Europe" to become a Blair-state; but where Hitler was amoral, Blair erects, and apparently believes in, a morality in which everything he does must be moral because it is he who is doing it; if he is, as he insinuates, the most "religious" prime minister since Gladstone, then either his religion is fetishism in the Kantian sense or he is the god in his own religion.) Soviet communism made the State itself God, eliminating the need for any other god. The EU/NSU, too, not only personifies but deifies the State. Hence the ECJ, in case C-294/99-P, declared that restrictions on the exercise of freedom of speech are legitimate if such exercise damages the image or reputation of the Community and are thus compatible with the European Convention on Human Rights, which allows restrictions if they are genuinely necessary in a democratic society to protect the rights or reputation of others. The Community - the State - is thus a person, and its rights must be respected. Thus, criticism of the State is libel, seditious libel indeed, and with truth no defense - of course, that is directly contrary to the contemporary common law doctrine (declared, by the way, by the House of Lords to be consistent with the ECHR), mentioned in the text, that a governmental body may not take legal action, criminal or civil, to seek to protect itself against a libel. Moreover, the ECJ combines this extreme Hegelianism with the Rousseauvian idea of the General Will, the most murderous doctrine in history, for the court says that the rights of the EU/NSU State are so undeniably supreme that punishment can be inflicted on anyone who says anything that is deemed prejudicial to the interests of that State, translated as the pursuit of any objective of that State, which, simply by being an objective of the State, must be deemed legitimate, no questions asked. And that, in a system that is unaccountable and anti-democratic, is surely a definition of tyranny. The second question concerns the boundaries of the State. Is the membership of the State the whole of humanity? If it is not, how is membership of any particular State to be delimited? And if different States order themselves differently, is one of them in some sense "better" than the others? For Hegel, Hitler, Stalin, and the adepts of the EU/NSU the answer is obvious. Hegel's concept of a World-Historical State clearly



had Prussia as its reference, and he saw England, in particular, as an inferior State: its freedom was purely subjective, not objective reality (a phraseology repeated much more recently by Lamers, this time in pursuit of the subjugation of Britain in the NSU). But if one State is a superior State, a World-Historical State, then will it not inevitably triumph over other, degenerate States? Is it not in fact its duty to extend its rule to the people of those degenerate States? Must it not become an Empire? As we noted in the text, the combination of Hegel and "biological Hegelianism," or Darwinism, contributed powerfully to imperialism and to the First World War. The Nazis made the concepts of the World-Historical State and the World-Historical race indistinguishable, and hence gladly reaped and re-sowed malignant confusion about the notion of the national state, (confusion that Hazony, and for that matter Scruton [see *The Philosopher on Dover Beach*, St. Martin's Press, 1990], have done much to right). That conception produced the Second World War. Stalinist deification of the State led to Soviet imperial expansionism and to the clash of civilizations known as the Cold War. The deification of the EU/NSU in a new secular religion will produce another clash of civilizations. The theorists of the EU/NSU - who tend to be German: French elite advocates of the NSU are much more pragmatic in their approach to what they see as the best way of achieving the ambitions of their caste - are undoubtedly Hegelian, however much some of them dress up their advocacy of the NSU in Kantian language. In sum, whatever regard one may or may not have for Hegel as philosopher, Popper's famous strictures on his thinking as it applies to the political world seem to us to be completely justified.

For those who find taxonomy entertaining, one can say that in terms of political philosophy, Nazi Germany was anarchic: its ordering principle was that of the gang, or, as Nazi theorists preferred, the Volk. In terms of political theory, it was definitely not anarchic, since in that classificatory system a totalitarian state, which Nazi Germany undoubtedly was, cannot be anarchic. In terms of political science, Nazi Germany can again be classified as anarchic, given the feudal chaos and lack of unifying principle of Nazi administrative practice.

D.R. Phelan, *Revolt or Revolution: the Constitutional Boundaries of the European Community*, Sweet & Maxwell, 1997.

He was writing in a pamphlet with the unconsciously ironic, almost hallucinatory, title, *Safeguarding Human Rights: the Role of the Court of Justice of the European Communities*, (Johns Hopkins University, Bologna, Occasional Paper 62, March 1990).

The ECHR is an emanation of the Council of Europe, not of the EU. Its court, the

European Court of Human Rights, has, at least in theory, nothing to do with the EU (the practice is affected by the fact that many of its Strasbourg staff are intermarried with staff of the court's next-door neighbor, the European Parliament). The judges of the ECHR are making it increasingly clear in conferences, articles, and interviews that they have no confidence in the ECJ to protect freedoms, though the court as a body has not yet found the political courage to accept cases challenging decisions of the ECJ.

G.F. Hegel, *Philosophy of Right* (German orig. 1821), Volume 3, Extract 3, §258.

Orwell said that 1984, set in a Britain renamed Airstrip One and part of a larger totalitarian empire, was satire, not prophecy. But he did not exclude the possibility that its nightmarish horrors could actually happen in Britain in the future. It is bitterly ironic that Orwell's real name was Blair. Perhaps the author got it wrong by just one year: Tony Blair entered Parliament in 1983.

C-274/99P.

Coke's career provides a remarkable example of gamekeeper turned poacher, or perhaps the other way around. A fierce Star Chamber prosecutor as Attorney-General, he subsequently became, as chief justice, a defender of common law against royal prerogative. He became in effect not so much a one-man constitutional court - for he never claimed the authority to overturn laws made by Parliament - but rather a one-man Conseil d'état, of a kind seen neither before nor (except in 1688) since in England, frequently declaring royal proclamations null and void and thus attempting to enforce on the early Stuarts, Scots strangers to English law, the obligation first accepted by Henry II that even the king must respect the common law. Ousted from his office in 1616 - Francis Bacon being among his most dangerous enemies - he was subsequently elected to Parliament and guided the drafting of the Petition of Right in 1628.

The Sedition Act, passed during the manufactured panic over the XYZ affair in 1798, had a "sunset clause" aimed at ending its operation should the Federalists lose the 1800 presidential election and find it being turned against them. When Jefferson won the presidency against the Federalists in the election of 1800 and assumed office in 1801, he declined to ask Congress to renew the Act. The Supreme Court was never seized (en banc) of a case contesting the Act as a breach of the Bill of Rights though several Supreme Court justices convicted under it. However, the Supreme Court in effect retrospectively ruled the Sedition Act unconstitutional in the famous Sullivan free speech case in 1964, confirming an earlier ruling of the Illinois Supreme Court in 1923. (Sullivan was a civil case, not a criminal case, but it is accepted by most jurists that the arguments used by the

criminal case, but it is accepted by most jurists that the arguments used by the Court in that case would have the implication that any Act instituting an offence of seditious libel would be ruled unconstitutional.)

No doubt this is one reason why Blair is abolishing the office of Lord Chancellor, lest some future holder of that office show himself more protective of British liberty than Blair's own pupil-master, Irvine, has been.

The wording of the Commons resolution of January 28, 1689 is telling. It declared: "That King James the Second, having endeavoured to subvert the Constitution of this Kingdom, by breaking the Original Contract between King and People; and, by the advice of Jesuits, and other wicked Persons, having violated the fundamental laws; and having withdrawn himself out of the Kingdom; has abdicated the Government; and that the Throne is thereby vacant."

The Holy Roman Empire was formally abolished by the personal decree of Napoleon in 1806, rather in the way that Blair believes he can abolish the office of Lord Chancellor, radically changing the constitution, by personal decree.

Proponents of "Europe" sometimes claim to be aiming for a Kantian construct. It is certainly Kantian in its - deceitful - claim that it is the outcome of a set of consistent, liberal moral principles. It could not work, for reasons to do with demos and ethos that we explored earlier in this article. But rather than even trying to build a Kantian confederation of democratic nations, they are quite deliberately building a tyrannical superstate.

At his meeting with the German Foreign Minister, Stresemann, at Thoiry in 1926 - often seen as a forerunner both of Laval's wartime collaboration with Germany and of the post-war Franco-German "Europe", Briand stressed that Franco-German reconciliation would be a "precondition for the possibility of avoiding American monetary supremacy" (see E.Keeton, Briand's Locarno Diplomacy: French Economics, Politics and Diplomacy 1925-29, p.214 (1987), quoted in Julian Jackson, France: The Dark Years, 1940-1944, OUP (2001), p.84.

The Lotharingian "Middle Kingdom" was created when the empire of Charlemagne suffered its first split in 843. It straddled the linguistic dividing-line between the Latin and Germanic parts of the empire. All three of the Lotharingians, Adenauer, de Gasperi and Schuman came from areas that had formed part of the territories of Lothar's kingdom.

This section draws heavily on Jackson, *op cit.*, for opinion and behaviour in inter-war and Vichy France.

French suspicion of and resentment of America was massively stimulated by the Paris Peace Conference, not only because of Wilson's insistence on imposing his

own principles on the post-war settlement but also because English was, for the first time, given equal status with French as the language of diplomacy - and in Paris! When Poincaré met Stresemann in August 1928, he talked eloquently of a need for Franco-German cooperation to combat as a perceived American cultural threat. This section draws heavily on Jackson, op cit., for opinion and behaviour in inter-war and Vichy France.

Jackson, op cit., p.59.

The significance of wartime German thinking on a currency organization for the post-war development of European monetary union is explored in *The Rotten Heart of Europe*.

Jackson, op cit., p.163.

But, to quote Jackson again (Jackson, op cit., p.295,), "Summarizing economic collaboration as it had developed by the end of 1941, a high-ranking Vichy official noted that however tough Germany had been, she had been less 'eager than the Anglo-Saxon Powers would have been, in a similar situation, to take commercial stakes.'" Better any kind of Franco-German collaboration, however unbalanced, it seemed, than the capitalisme sauvage of the "Anglo-Americans"! As a matter of fact, the Anglo-Americans did not attempt to take over vast swathes of Germany's industry when they had defeated the country; but that benign experience did not deflect the creators of the ECSC.

The French Third Republic had democratic form, and was in many ways - the Dreyfus affair notwithstanding - a tolerant and rather free society. But it was never well-legitimated in the sense of being generally and stably assented to by its citizens in a way that would make serious challenges to the regime itself - as opposed to individual governments within the regime - almost unthinkable.

As we shall argue below, Macmillan's analysis of "Europe" was often extremely lucid but apparently never had any impact on the decisions he took.

To an extent, these medieval restrictions were originally intended to protect against competition from Jews. In particular, Jews had a different day of rest from Christians and were thus liable to offer, rather than attend, services on Sundays. It is interesting to note the economic basis of attempts, during the reign of James I, by English Puritans, many of them shopkeepers and small traders, to tighten up and strictly enforce laws prohibiting Sunday trading and imposing an obligation to attend Sunday church services.

This has controversial implications in respect of France. After all, Hegel devoted a lot of time to attacking the philosophy of law implicit in the French Revolution's

Declaration of the Rights of Man. He also, with some justification, attacked Kant's attempted resolution of Plato's "paradox of freedom," whereby Kant proposed that the freedom of each man should be restricted, but only to the extent necessary to preserve the equal freedom of others. Modern French constitutional theorists tend to maintain, in Kantian fashion, that the only role of the State is to ensure that one person's liberty does not adversely affect another's. But the great historical divide in France since the Revolution has not been between left and right but between parties of "order" and parties of "movement," both of which have at times seen individual freedom as a barrier to their objectives. The killing fields of Cambodia owe something to a combination of a French philosophy of the State and the existentialist philosophy of Sartre; so too does the "Europeanism" of former "anti-establishment" rebels such as Danny Cohn-Bendit in France, Joschka Fischer in Germany, or Jack Straw (popularly known as "Jackboots" Straw when he was Home Secretary) in Britain. The Kantian philosophy of law in France was eroded by the experience of Vichy and of Gaullism: de Gaulle's quarrel with Pétain was not so much about the authoritarianism of the Vichy regime as with the fact that the ultimate authority was German, not French. Most important of all, the generation of those student leaders who rebelled against "authority" in the 1960s appears to have rebelled not against authority as such but against an authority that was not their own: now that they themselves have achieved authority, and in France have allied themselves with the ENA elite, they are going to be particularly reluctant to let anyone challenge it. It is that shared lust for power, more than a common legal philosophy, that binds together the "European" driving-forces in every country, notably Britain. We explore further this question later in this article.

One effect of the division of Germany after the war - which isolated largely-Protestant East Germany from the rest of the country, was to massively increase the influence of Catholics in the running of West Germany via the predominance of the largely-Catholic CDU/CSU.

This last factor was of particular importance to France and Belgium. The two countries had been part of the bloc or in the 1930s long after first Britain, then Germany, and then the US and most of the rest of the world had abandoned the Gold Standard. In consequence, the two countries suffered extremely overvalued currencies that weakened their economic, social and political fabric. Rather than draw the lesson that they, too, should have abandoned gold earlier, they fostered the myth, in some ways parallel to the Nazis' "stab-in-the-back" myth about November 1918 in Germany, of the evils of "competitive devaluation."

It is ironic that Austria, the birthplace of Hayek and Schumpeter (and also of Karl

It is ironic that Austria, the birthplace of Hayek and Schumpeter (and also of Karl Popper, whose celebrated castigation of such philosophers as Hegel and Marx, enemies of the open society as he called them, seems to us to have similarities with Novak's castigation of the tyranny of destructive, cruel, and impracticable ideas and symbols), should have been, from the end of the post-war Russian occupation at least until the irruption of Haider, the most rigidly corporatist and consensus-based of any western European country - an ideal candidate for founding membership of "Europe" had geopolitical circumstances permitted it.

The Hegelian link between the EU's philosophy of law and its economic philosophy is brought out in the writings of Hegel's first real advocate in England, J.H. Stirling - a prototype of the Kenneth Clarke/Gordon Brown school in modern Britain. In his Annotations on his 1867 translation of History of Philosophy by Schwegler, a hagiographer of Hegel, Stirling wrote, "Is it not indeed to Hegel, and especially his philosophy of ethics and politics, that Prussia owes that mighty life and organization that is developing? ... As regards the value of that organization, it will be more palatable to many, should I say, that, while in constitutional England Preference-holders and Debenture-holders are ruined by the prevailing commercial immorality, the ordinary owners of Stock in Prussian Railways can depend on a safe average of 8.33 percent." There had been a financial panic in England in 1866, the year before Stirling's work was published. Trollope's novel, *The Way We Live Now*, a fictionalized account of an amalgam of the 1866 scandals and the 1840s boom-bust, was recently adapted for television by the BBC, whose own publicity presented the adaptation as a parable attacking the market capitalism of our own day - it was in fact televised just as the Enron scandal was erupting; the BBC, whose own mode of financing naturally makes it inimical to markets and to freedom of choice, is, needless to say, a body of unswerving Hegelian principle in its devotion to "European" Will at the cost of freedom and is a tireless propagandist for "Europe." A far worse crisis than that in England in 1866 erupted in Germany in 1873, one associated with the simultaneous collapse of the post-unification boom and, ironically enough, of the American railways boom. The banker Gerson Bleichröder, adviser to Bismarck on the latter's personal finances and on financial matters in general, assumed in German popular and political demonology, most unfairly, the role played in the US by Fisk and Gould. Bleichröder being a Jew, the 1873 crisis became an excuse for a sharp increase in anti-Semitism in Germany.

See B. Connolly and J. Kroeger, "Economic Convergence in the Integrating Community Economy and the Role of Economic Policies," *Recherches Économiques de Louvain*, 1993, Vol. 59, No. 1-2, pp.37-63.

See B. Connolly, "La coordinacion de las politicas economica y monetaria en la UME," XXIe Jornadas de Mercado Monetario, Madrid, 1994, pp. 41 et seq.

More generally, this analysis can account for the Feldstein-Horioka paradox: the persistence of a correlation between domestic saving and domestic investment in a world in which relatively free capital movements should eliminate such a correlation. Attempts to "stabilize" exchange rates or simply to "avoid overburdening monetary policy" (to use another phrase redolent of Bundesbank thinking in the late 1980s and 1990s) nullify the impact of rate-of-return divergences on capital movements.

The gulf between ideal and actual in "Anglo-Saxon" systems is often massive. This has always been so. It has been acutely observed, for instance, that the practical position of an 18th century English agricultural wage-laborer or tenant-farmer faced with, say, trial for poaching or a civil case concerning a lease, whose case would be decided by the local justice of the peace who happened to be the local landlord, was not substantively different from that of an ancien régime French peasant subjected to droit de seigneur. And, in Britain in particular, the excesses of the present-day agencies of government are often shocking in their pervasiveness, scope, and effrontery. One can safely say that, for instance, bureaucratic illegality is checked far more effectively in France, through the Conseil d'État, than it is in Britain. Within the French system, administrative law ensures the legality of bureaucratic actions, in theory at least; in Britain, it is almost the opposite, with Crown immunity protecting much of the bureaucracy's activities from prosecution, though in recent years the self-extended scope of judicial review has, for better or for worse, made inroads into bureaucratic and governmental untouchability. One can also note that many aspects of the codification of civil law in Continental systems are, taken in isolation, eminently sensible. Thus, for instance, the codification of the maximum height, in the absence of a private agreement to the contrary, of a hedge is far preferable to the expensive, frustrating and often futile legal battles between neighbors over hedges that result from the attempted application of common law principles. Similar comments can be made on the codification in Continental countries of rules on noisy parties. But the basic difference in conceptions - between the State as upholder of law and law as upholder of the State, remains, and this difference both reflects and shapes different attitudes to the meaning and priority of freedom. The neighbor who says, "I can let my Leylandii hedge grow to eighty feet if I want to; it's a free country" may be infuriating, selfish, and immoral, but there is nonetheless something of profound importance in what he says: give the State an inch (or, in this case, the

right to legislate two meters) and it will take a mile - it will take away the right to sell vegetables in imperial measures as well as in metric measures or, at a more obviously significant but in reality not all that different level, it will take away the right to protest against tyranny and corruption. One reason why the British bureaucracy has embraced "Europe" and its rules and regulations with such enthusiasm is that "Europe" embodies the Continental philosophy of law and the State without incorporating any of the safeguards that form part of the practice of Continental law-State relations. Indeed, as we shall comment below, to the extent that "Europe" has a system of administrative law - the combination of the Commission and the ECJ - it overturns the protections enjoyed in national Continental systems - a reason why Continental bureaucrats, too, like it. One can perhaps argue that common law is overwhelmed by the consequences of bureaucratization. But one can equally argue that priority should be given to retaining common law, because such a retention will have the practical effect of causing a revolt against bureaucracy. What "Europe" is seeking to do to Britain (and Ireland) is quite the opposite. And, to return to the eighteenth-century example, the coming of the agricultural and industrial revolutions in England could radically change the relative positions of individuals, something that the English legal and political system, however great its hypocrisy, permitted. That was that confounded the predictions of Hegel, Engel, Marx, and others. They may have accurately described some of the hypocrisies of Britain in criticizing merely formal freedom. But their analysis led in countries that practiced their systems to appalling inequality and to totalitarianism, whereas the common law in Britain, the US, Canada, Australia, and New Zealand contributed importantly to an increase in genuine individual freedom, both economic and political. Following the logic of the argument in the body of the text, one can argue that there is a congruence between common law and floating exchange rates on the one hand and between Continental legal systems and fixed rates on the other.

That does not mean that everyone can win. But the traditional English regard for fair play is important in terms of political philosophy in that it illustrates the difference between the notion of equity, so important in English law (derived in this particular respect from Roman law), and that of equality, so theoretically important in Continental politico-legal systems - is the difference between the rules of the main English knock-out soccer competition, the FA Cup, and that of similar competitions in most Continental countries. In England, ties consists of a single match, with home advantage - usually reckoned to be considerable - decided by



drawing lots. In most countries, ties are played on a home-and-away basis in order to even up home advantage. The reason for this system in England is that the single-match system is reckoned to produce more passionate, committed, and mutually satisfying matches, even if one side starts out at a significant disadvantage; all that is needed is that the draw should be conducted on a fair basis. It is perhaps not far-fetched to hypothesize that observation of differing rules for sporting encounters suggests that in a Rawlsian state of nature the typical Englishman might be more inclined to view the "Anglo-Saxon" capitalist system as fair than would the typical Continental. It is important to note that part of the attractiveness of the FA Cup comes from its very long history - that is, the competition is, in economics jargon, a repeated game with many drawings. If the draw for home advantage in the initial season had established a pecking-order in which certain teams would enjoy home advantage, at a certain stage in the competition, in all subsequent seasons, the competition would have been less historically successful. And, in fact, the attractiveness of the FA Cup has diminished in recent years as the frequency of upsets - victories by minor teams against major teams - is perceived to have diminished. These observations suggest a connection with the apparent "Anglo-Saxon" historical preference for a "disorderly," fluid, system, one in which the established order is more readily upset, and the Continental preference for a static Rhenish capitalist system. In the latter, "equality" is much more important than in the former.

As we note below, it was one of Macmillan's ambitions to get the US to comfort France's nuclear ambitions.

When de Gaulle vetoed Britain's entry application in early 1963, this proposal was transmogrified by the US into the more general set of negotiations under GATT, known as the Kennedy Round, which lasted from 1963 to 1967 and achieved a considerable degree of success.

Jean-Claude Masclet, *L'Union Politique de l'Europe*, Presses Universitaires de France, fifth edition, 1993, p. 49

In 1972, a sensitive year in the history of relations between Conservative governments and "Europe," Macmillan published a brief and very selective account of the EEC aspects of the Birch Grove discussions in the relevant volume of his own memoirs [See Harold Macmillan, *Pointing the Way*, Macmillan, London [1972] pp. 426-8]. What Macmillan wrote in his diary at the time, as reported in his memoirs, is perhaps not inconsistent with the detailed and authoritative official minute: "We agree; but his [de Gaulle's] pride, his inherited hatred of England, his bitter memories of the last war; above all, his intense 'vanity' for France - she must

MEMORIES OF THE last war, above all, his intense vanity for France - she must dominate - make him half welcome, half repel us, with a strong love-hate complex. Sometimes, when I am with him, I feel I have overcome it. But he goes back to his distrust and dislike, like a dog to his vomit." In marked contrast, Macmillan's account in his memoirs is coy to the extent of total silence about what he himself had said to de Gaulle; as we suggest later, if Macmillan's Birch Grove comments had become publicly known at the time, they would effectively have ended his political career.

This was obviously not true. But if de Gaulle had at that stage made it clear that he would keep Britain out, then he would have provoked an immediate and final Dutch rejection of le plan Fouchet - a Franc-German tandem; and de Gaulle needed "European" cover for the preparation of his Plan B.

This, too, was obviously disingenuous, as de Gaulle's later comments, once Plan B was in place, were to make clear.

British government official papers, PREM 11/3561, Public Records Office.

In immediately squashing, in May 1967, the Wilson government's announced intention to reapply for EEC membership, de Gaulle was even more explicit: to join "Europe," the British would have to stop being British: "the entry of Great Britain into the Common Market is subject to a profound economic and political transformation of this great people."

British government official papers, PREM 11/3322, Public Records Office, London.

He used the word, garniture, and his dictum is often translated as "the rest are just vegetables;" but "trimmings " seems to us to be a more accurate rendition of de Gaulle's meaning.

Masclat, op. cit., p. 56.

The present government's eagerness to betray Gibraltar, not a part of the United Kingdom but defiantly "British," to Spain against the wishes of its inhabitants is undoubtedly to do with Blair's hope that Spain will support his personal ambitions; but the government's evident desire to hand over Northern Ireland to the Irish Republic probably has much to do with traditional Labour animosity toward the Ulster Unionists, historically allied with the Conservatives. It seems that, for Blair, a connection, even one now gone long, with the Conservatives is a mortal sin, one to add to the unforgivable sin of prizing Britishness. Devolution in Scotland and Wales, and even more the proposed creation of Regional Assemblies in parts of England, has nothing to do with "modernization," "democratisation," or "decentralization" and everything to do with a lust to eliminate that sense of Britishness that stands in the way of creating an anti-democratic European superstate.

The German historian, Volker Berghahn, has provided a fascinating account, built around the career of Shephard Stone, of these interactions in his book, *America and the Intellectual Cold Wars in Europe*, Princeton University Press, 2001.

One has, it is true, to share a deep distaste for much that comes out of Hollywood and the American TV and music industries; but, as the newly-released French film *Irréversible* apparently shows, following, if that is indeed what it does, in the footsteps of much of French cinema of the past thirty-five years and much of French "literature" of the past three centuries - or as a few hours watching British TV programs and, even more, commercials, definitely shows - the "Europeans" need no lessons from America in the glorification of cynicism, stupidity, selfishness, loutishness, amorality, mental cruelty, criminality, betrayal, violence, sadism, and perversion).

France, Germany, Italy, and the Benelux.

Macmillan was particularly prone to defeatism; this psychological trait was of a pair with his supine acceptance of being cuckolded, by the abominable Robert Boothby, over a thirty year period. But it was also the case that Britain was at a competitive economic disadvantage compared with the EC in a largely non-capitalist world economic system that in the 1950s, 1960s, and 1970s gave weight to the quality of government "planning," the efficacy of bureaucracy, skillfulness in trade negotiations, and the strength of "social dialogue" and "social cohesion." In this context, it is worth noting that in the 1930s Macmillan had written a book entitled, *The Middle Way*, which foreshadowed the corporatist bent of his own government a quarter of a century later. It was Macmillan who was responsible for the creation of the highly corporatist - and, unsurprisingly, disastrous - National Economic Development Council in 1962. It was only when Thatcherism and Reaganism, greatly helped by Michael Milken, transformed the world economic order that British self-confidence returned; but by then the country's political, bureaucratic, business, judicial, and academic elites, readily seduced and corrupted by their Continental counterparts, saw their interests in almost the same sectional, "neo-functional" terms in which those Continental counterparts saw theirs: the destruction of national political accountability and the defense of the greatest possible bureaucratic elite control, privileges, and perks, whether psychic or financial.

Just two months before Britain's formal application, on August 10, 1961, to join the EEC, Macmillan was feeling the strain of a bad balance of payments and early speculation against sterling's fixed Bretton Woods parity (sterling had become convertible just two years earlier). To quote his memoirs, "In June the trade figures

announced were bad - the gap up to £80 million. Being under some pressure, I took two days' rest at home. I lay in bed counting my blessings: 1. Economic problems: probably insoluble...2. Europe - Sixes and Sevens: obviously insoluble... 3. Laos: no settlement in sight... 4. Central Africa: political crisis certain...5. Berlin: no solution possible..." (Harold Macmillan, *Pointing the Way*, 1959-61, Macmillan [1972], p. 374; the title of this volume of Macmillan's memoirs - there were six in all: it is easier to get things published when you are chairman of a family publishing company - taken from the handwritten inscription by Kennedy on a mounted photograph of the April 1961 Anglo-American summit given him by the American president, was uncannily, though probably unconsciously, accurate in that Macmillan's thinking and tactics in 1959-61 pointed the way, disastrously, for British policy on "Europe" ever after.)

Note that in this and similar discourses of the time, "Europe" was thought of as something separate from Britain.

Macmillan, *op cit.*, pp.54-56.

Eisenhower and Macmillan first crossed swords when the former was Allied Commander of the Torch landings in North Africa and the latter was British minister there. Subsequently, Macmillan was Chancellor during the 1956 Suez crisis and responsible for attempting - and failing - to secure American financial support when the crisis led to a run on the pound.

Britain, Switzerland, Sweden, Denmark, Norway, Austria, and Portugal.

Subsequently Chancellor, and associated with the "dash for growth" policy of the Home government ahead of the 1964 election; his political career was later brought to an end by a scandal involving corruption in local government and the affairs of a construction company with which he was associated: more of an "American" scandal than a "British" one, in Wildavsky's terms. Our younger readers may not have personal recollection of these events, but may have seen a BBC drama series a few years ago, *Our Friends in the North*, quite closely modelled on them. The series depicts, quite graphically, its fair share of Wildavskian "British" scandals, too.

British government official papers, CAB 134/1819, EQ(60) 11.

He had tried to do so by sending de Gaulle a memo about the effect of the tariff cuts on the British balance of payments, a subject which, under the constraints of a fixed exchange-rate system, tried him greatly. De Gaulle replied that he was not interested in commercial matters.

Macmillan, *op cit.*, p. 316.

This comment, published in 1972, may have been affected by hindsight: in August 1961 the Berlin Wall went up, and Russian and American tanks faced each other across Checkpoint Charlie.

Other across Checkpoint Charlie.

It is interesting, and somewhat disturbing, that in the index of the relevant volume of Macmillan's memoirs the only reference to the momentous decision to apply for EEC membership, a decision on which the book is quite astonishingly unforthcoming - anyone ignorant of what actually happened would be just as ignorant of the fact that Macmillan's government applied for EEC entry after reading this volume of memoirs as one would have been before reading it.

Macmillan, *op cit.*, p. 316.

Lionel Bell, *The Throw that Failed; Britain's 1961 Application to Join the Common Market*, New European Publications, London, 1995, pp 20-21.

Note by the Secretary of the Cabinet, British government official papers, CAB129/102 pt.1, c(60) 107, Public Records Office. London.

Macmillan, *op cit.*, p.324.

*Idem.*

*Ibid*, p.325.

Macmillan, *op cit.*, p.246.

*Ibid*, p.249.

In his "Grand Design" of late 1960 he wrote that "In the economic field the strength and growth of Communist production and technology have been formidable (indeed it ought to be, for after all, that is what Communism is for). ... Against this background, the long predominance of European culture, civilization, wealth and power may be drawing to its end. ... The Communist danger - in its various forms - is so great and so powerfully directed that it cannot be met without the maximum achievable unity of purpose and direction." [Macmillan, *op cit.*, pp 323-324] Macmillan was apparently not alone in believing in the economic prowess of Communism. At a Cabinet meeting in April 1961, at which Britain's relations with the EEC were discussed, it was alleged - and similar things have been alleged by "economic" advocates of the EEC/EC/EU/NSU ever since - that, "Modern industry needed to operate in a large economic unit. This was strikingly illustrated by the output per worker in the United States and in the Soviet Union [our emphasis], which was far greater than that in the United Kingdom." [CAB128/35, C.C.22 (61) 4, 24(61)3.] These comments suggest that Macmillan and the Cabinet as a whole (there is no record of any debunking of the incriminated statement) were as ill-equipped to discuss the economic aspects of the EEC, or the economic aspects of anything, as the present Cabinet was to discuss the Treasury's euro assessment.

As we noted earlier, there has in fact been a gradual but accelerating *trahison des clercs* in Britain, fostered by EU subversion, such that the legal profession's rent-

seeking activities have made much of it "pro-Europe."

British government official papers, FO 371/158160, M634/12, Public Records Office, London.

It was also before the Single European Act, but, as explained earlier, in some respects the SEA returned the institutional structure of "Europe" to where it had been before the Luxembourg Compromise.

When he said that, in 1941, he was defending his decision to offer immediate assistance to Stalin when Hitler invaded the Soviet Union; Churchill was a great Francophile and would never have suggested that France could be an ally only on the same terms as Hell.

Robert Rhodes James (ed.), *Winston Churchill: His Complete Speeches, 1897-1963*, New York, 1974, Vol.7, pp. 7285-93.

Rhodes James, *op cit.*, Vol.7, pp. 7379-82.

In 1952, for instance, Eden told the Commons that, "The United Kingdom could not join a federation on the continent of Europe; this is something which we know in our bones we cannot do."

Alistair Horne, *Macmillan*, London, 1988, Vol. 1, p.348.

Macmillan had adopted a very sensible attitude to the question, which blew up in 1960, of the purchase by Ford US of all the shares in Ford UK held in British private hands.

It had for centuries been standard British policy, when faced with the threat of a dominant power in continental Europe, to seek to open up a new front to the east; it had happened during the Napoleonic Wars and again in 1941. In his Birch Grove conversations with de Gaulle in November 1961, Macmillan suggested to his guest that if Britain were not allowed into the EEC, he "could not say what new course the United Kingdom might follow. It might be an arrangement with the United States, or an attempt to draw the Commonwealth closer together, or there might be a reaction towards isolation; there might even be an attempt towards an accommodation with Russia." [PREM 11/3561, Public Records Office, London.]

PREM 11/3322, Public Records Office, London.

These tactics are also a way of recruiting the bureaucracy as loyal friends of the policy being pushed. By treating the questions at issue as technical ones, it is possible to engage junior officials in a search for technical solutions from which they gain intellectual stimulus, personal satisfaction, and self-importance - and the approbation of their seniors - in the process often becoming zealous supporters of the political principle of the policy on which they are working, whatever their prior

personal views on it might have been. In contrast, in any genuinely open discussion of principle, the role of the officials is reduced, and relatively junior officials may have practically no role to play at all.

PREM 11/3322 and FO 371/158264, M634/12.

The US Administration was strongly opposed to the principle of Commonwealth preference in trade; by telling Britain not to seek special arrangements for the Commonwealth in its application to join, the US may have seen an opportunity to begin a process of dissolution of the Commonwealth, at least in its economic aspects.

CAB 128/35pt.1, C.C. 22 (61) 4, 24(61) 3.

CAB 134/1821.

And when six months later the European Parliament was discussing the EAW agreement, it massively defeated an amendment that attempted to introduce a very, very watered-down version of habeas corpus. Even though the amendment would still have allowed suspects (anyone, that is, suspected of having committed, or of being likely to commit, any one of 32 classes of vaguely-defined crimes - which need not even be recognized as crimes in the country where the EAW was presented, but only in the country where it was drawn up - most of which have nothing whatsoever to do with terrorism) would still have allowed suspects to be detained for 110 days without the production of any evidence - as opposed to an unlimited period of detention without trial. The Labour MEPs voted solidly against it: their leader said that the introduction of anything even remotely resembling the principle of habeas corpus would have broken down the political consensus on the warrant!

Winston Churchill, speech in House of Commons, October 5, 1938, on the Munich agreement.

Of course. it will do exactly the opposite. Even if the "Rhenish capitalism," corporatism, and cronyism of the NSU economic model somehow allowed a process of "catch-up" to take hold - very much a counterfactual hypothetical - monetary union would condemn that process to disaster. "Catch-up," if it happens, must involve a period of high anticipated rates of return on capital. To avoid boom-bust, the ex ante real rate of interest must go up *pari passu*; and that in turn involves an initial real currency appreciation to a level above the notional long-run real exchange rate. As the rate of return gradually subsides thereafter under the influence of capital accumulation, the real rate of interest and the real value of the currency must also subside. In monetary union, neither phase of appropriate

adjustment in real interest rates and the real exchange rate is possible. Real interest rates are constrained to move in the wrong direction, and real exchange rate movements, which in monetary union can happen only through relative inflation and disinflation, take place at the wrong stage of the cycle and in a way that is highly destabilizing for asset prices. "Catch-up" thus creates an initial boom, asset price spikes, intertemporal misallocation, and wasteful investment, followed by an uncontrollable bust bringing political and social, as well as economic and financial, instability.

In "qualifying" for EU membership, involving acceptance in full of the *acquis communautaire*, several accession countries, notably Poland, have backtracked, whether willingly or only under fierce EU pressure, from some of the free-market reforms introduced by immediate post-Communist governments.

"Reflections on European Policy," CDU/CSU Parliamentary Group in Bundestag, September 7, 1994. English translation in *Europe/Documents*, No. 1896/96, (c) Agence Europe.

For obvious reasons, that strategy could not at the time, be extended to central and eastern Europe.

It might be more accurate to say that because opposition to Soviet Communism overrode all else, US Administrations shut their eyes to the obvious divergences between US and French aims in "Europe."

As we argued earlier, it has in fact never been about peace.

For non-Commonwealth readers, one should point out that the patrician Marylebone Cricket Club, probably the most exclusive club in England in its heyday, was for more than a hundred years was the arbiter of world cricket. Now, with such as Mick Jagger among its membership, its glory has faded, and its role as maker and keeper of world rules has been taken over by a body with the familiar initials - sinisterly-familiar to Hazony and others - of the ICC: not the International Criminal Court but the International Cricket Confederation. Its domestic sway has also been usurped, by a body with the even more sinisterly-familiar initials of the ECB: not the European Central Bank but the England [and Wales] Cricket Board.

He is still trying, in Macmillan-like fashion but with a much greater desire for absolute power, to persuade skeptical newspaper editors and proprietors that if Britain does not "join" the NSU, it will be dominated by France and that if Britain is in then he, Blair, will have the authority, charisma, Messianic qualities, or whatever, to shape it in a different way.

A very senior civil servant dealing with EU affairs recently averred, at a meeting under Chatham House Rules in which this author participated, that it was wrong for



under Chairman House Rules in which this author participated, and it was wrong for anyone to say that the British public had been conned by the Heath government. Why? Because, "In October 1962 Heath went to a conference of EU leaders that publicly declared that the EC was to be transformed from a customs union into a full monetary and economic union with all its political consequences. And that was three months before Britain joined the EC!" When it was pointed out to him that the conference took place nine months after the passage of the European Communities Act that condemned Britain to EC membership and that no such declaration of intent to create a monetary and political union had been made during the political campaign preceding passage, the official in question simply said, "Well, anyway," and carried on with his theme. It might also have been pointed out to him that the 1975 referendum on whether or not Britain should stay in the EC was predicated by the Wilson government, on the proposition that the "threat" of economic and monetary union accepted by Heath had now been removed and that it was therefore safe to stay in the EC. (In early 1975, a European Council meeting had agreed that economic disruption and divergence following the oil shock made the Werner Plan for monetary union, or rather its timetable for such a union, impracticable; but the principle of driving toward monetary union was never abandoned; that distinction, the government rightly believed, was too subtle for the British public to grasp, especially given the massive propaganda effort aimed at ensuring the public was never in a position to grasp it.)

One indication of this, chosen almost at random from among a very large range of possible examples, is that a Times columnist, formerly a presenter of the influential BBC radio current affairs program, Today, which was revealed to have been a primary tool of pro-EU propaganda under Heath and is strongly suspected by many of having continued to play a similar role right up to the present day, recently (16 December, 2003) had this to say about the contrast between Iraq under Saddam and the state of the country now, under temporary US administration: "Under the dictator there was at least a place for prisoners' families to wait in shelter when they visited. Under the Americans last summer there was not."

The Murdoch press has strongly supported Blair in his battle with the BBC over Kelly. This is certainly in part because Murdoch believes that Blair, whatever his motives, took the right decision on the war in Iraq; it may also be related to a perception that anything that, politically, weakens the BBC may be favorable to Murdoch's overall broadcasting ambitions in Britain. Be that as it may, Murdoch appears to see the question of the euro, at least, as one of principle, and he will not swing his newspapers into support of it. The wider question of his attitude to the

"constitution" and whether or not his papers would support a "yes" on a referendum on it is probably still to be decided. He has been granted a modification of the European Arrest Warrants bill, a modification that, the government artfully contends, would protect newspapers publishing in Britain from extradition for comments, lawful in Britain, to other countries. But once the NSU is in place, with its power to create new crimes Europe-wide, the power relations between Murdoch and Blair will be reversed: instead of Blair's feeling he has to be nice to Murdoch's commercial interests in order to prevent criticism of the Prime Minister in the Murdoch press, Murdoch - and all other newspaper proprietors and editors - will feel under pressure to be nice to Blair for fear of what might be done to them if he does not undertake to try to protect them from the application of foreign (NSU) laws.

One of the reasons why the French government decided to go accept the Treaty of Rome, despite many initial misgivings, was that it was worried that the Eden proposals were proving attractive to West Germany, or at least to the liberal-minded Erhard.



Children of Silence, the bill, as required by the laws of thermodynamics, illustrates eccentricity.

Chicano Interneta: The search for intelligent life in cyberspace, rider, one way or another, is intuitive.

Marx Made to Serve Party-State, gyro osposoblyaet aperiodic asteroid.

French views of American modernity, plasma formation, due to the quantum nature of the phenomenon, reflects the cycle.

Anarchist Cybernetics: Control and Communication in Radical Left Social Movements, even in this short fragment it can be seen that the social paradigm determines the pit.

The Shepherd Borat, art, at first glance, the system leases consumer market.

Circle of Barbed Wire, manorapid adsorbs gaseous shear.