Chapter Six: The long road towards British entry

The last chapter looked in some detail at Jean Monnet's early life and work up to the end of the 1940s. It emphasised his firm embrace of what came to be called the supranational option rather than the inter-governmental, but it also tried to explain why he did little to popularise his idea and why in certain crucial respects it was flawed. This chapter looks at a development that was doubtless affected by that omission – the long, tortuous process by which the UK finally secured entry to what was called at the time the European Economic Community.

There have been plenty of books covering the developments leading to Britain's entry to the EEC and the country's later departure from the EU.[1] This book retraces the steps of the country's accession and later departure solely in terms of Britain's reluctance to embrace the supranational option, something that is frequently misinterpreted or underplayed in the literature. It is the contention of this book that a refusal to share sovereignty has always been fundamental to the UK position but has not been sufficiently recognised. It is in the context of trying to defend this position that the book explores the history of the UK's relations with the EEC and later the EU. It will then seek to show that the sharing of sovereignty will be crucial to the establishment of a viable British Union post-Brexit.

1 Philip Stephens' *Britain Alone: The Path from Suez to Brexit* provides an excellent narrative of the main events. Britain's struggles with Europe should always be read with an eye to the wider European context. See Ian Kershaw's *Rollercoaster: Europe 1950–2017* and (still a masterpiece, despite its age), Tony Judt's *Postwar: A History of Europe since 1945*. Alasdair Blair's most recent edition of *The European Union since 1945* is an excellent summary of events up to and including the Treaty of Lisbon, and contains useful excerpts from key documents as part of the Seminar studies in history series. I try to summarise the history of the EU's development from a UK perspective in *The European Union: An Introduction* Chapter 2: History, pp. 9–50.

The Labour government and supranationalism

The first serious engagement of the UK with supranationalism after World War Two came over the Marshall Plan. The allocation of aid was organised through the Organisation for European Economic Cooperation (OEEC) and the US was resistant to any system where there was a unanimity rule – in effect where one country could exercise a national veto over the details of the aid programme. The foreign secretary in the Labour government formed after World War II, Ernest Bevin, helped to co-ordinate the recovery plans of 16 European states and turn them into a single programme. Despite US opposition, he insisted that that the OEEC must not become the sort of supranational body with real powers that Monnet was keen on. That would simply mean what he called a 'bunch of intrusive middlemen' inserting themselves into the decision process, which should be left to national governments.[2]

The UK had come out of a six-year war which it was more likely to see as a war between one nation-state and another than as a common act of resistance across national boundaries against the menace of fascism. Unlike countries that had been occupied, it saw its institutions as exonerated by a common act of resistance rather than compromised by the dilemma of occupation. Moreover, this was the first ever Labour government with a working majority. Any suggestion of sharing power with others, whether at home or abroad, was anathema.

Many on the British Left in the 1940s were intensely patriotic, believing that patriotism could be a vehicle for social reform. It is important to bear in mind a point made by Eric Hobsbawm, namely that the original meaning of patriots was not right-wing flag-wavers but what Hobsbawm called 'disturbers of government,' people who wanted to show their love of country by reforming it or even by revolution. That sense of people creating a nation by asserting their rights as citizens must be set against the way in which patriotism was later hijacked by the Right in the late nineteenth century. It was turned into a means of converting the beneficiaries of a broader franchise, which included many

2 See Bogdanor, Vernon *Beyond Brexit: Towards a British Constitution*, pp. 24–25. Bogdanor describes Bevin's famous remark on the Council of Europe 'If you open that Pandora's box, you never know what Trojan horses will jump out' as 'perhaps the most prescient remark ever made about Britain's involvement with the European movement' (p. 25).

poorer voting citizens, to reactionary governments that offered to defend them against external enemies.[3]

Furthermore, post-war decolonisation took the form of national movements demanding and winning independence from colonial régimes. Patriotic feeling, Hobsbawm points out, could prove an effective agent of social change, as it had done both in colonies resisting their imperial controllers and in nations resisting Hitler and fascism.[4] Patriotism was an integral part of rebuilding the UK after the war, with the first ever Labour government to enjoy a working majority elected in 1945 under the slogan 'Now, let's win the peace!' The Labour leader, Clement Attlee, had fought in the First World War (he was at Gallipoli) and was determined that a country 'fit for heroes' would be built after the Second World War in the way it had not been after the First. Socialism was to be implemented by a victorious nation after a huge national effort.

In this context, proposals to get together with other countries came to be seen as impediments to realising this aim of national renewal. Hence the widespread resistance to an agreement like that proposed by Robert Schuman in 1949. Sovereignty-sharing was seen less as a way of embedding peace in Europe than as a way of frustrating British plans for social reform. To many on the Left the supranational projects associated with Monnet looked more like a vehicle for right-wing ideas. The Coal and Steel Community was viewed as an industrial cartel, the later European Economic Community as a capitalist club of rich nations.[5]

It was perfectly clear by 1949, as the post war European order began to take shape, that the UK wanted to avoid any arrangements that were not inter-gov-

3 Hobsbawm, Eric *Nations and Nationalism since 1780*. See especially Chapter Two, 'Popular proto-nationalism'.

4 See the chapter 'Nationalism in the late twentieth century' in Hobsbawm, Eric *Nations and Nationalism since 1780*, pp. 163–192.

5 Alex May in his useful book as part of the *Seminar Studies in History* series, *Britain and Europe since 1945* (although being published in 1999 it covers only the years up to the Blair government elected in 1997) points out that 'the Labour government had nationalised coal and was committed to the nationalisation of steel, whereas the Schuman Plan appeared to involve the formation of an effective cartel, run in the interests of industrialists.' He then quotes Herbert Morrison's famous remark about the Schuman Plan, 'the Durham miners won't wear it!' May, Alex *Britain and Europe since 1945*, p.18. Note also that the association of the Coal and Steel Community with a 'cartel' is still held by some on the Left, such as Yanis Varoufakis. See his *And the Weak suffer What They Must?*, p. 58, where he talks of building the new Europe on 'a cartel of big business'.

ernmental. It believed government representatives should meet their counterparts from other nations and seek to reach unanimous agreement on joint action. If a single member state found a proposal unacceptable, then the proposal should be withdrawn. The only unclear thing about the UK's attitude was whether it was happy for everyone else to adopt a sovereignty-sharing programme, even if it refused to do so itself.

Rejection of the Coal and Steel Community

Once Schuman's announcement from the Salon d'Horloge made clear that the UK could not prevent the Coal and Steel Community from happening, it attempted to change it (despite refusing to be a member) into something intergovernmental. That, essentially, was the Eden Plan, for by the time it was attempted the Labour government had fallen (in 1951) and the new foreign secretary was the Conservative Anthony Eden. The Eden Plan was an attempt to subordinate the European Coal and Steel Community (ECSC) to another recently formed body, the Council of Europe. However, the Council of Europe was a very different animal to the Coal and Steel Community. It was not – and is not – a sovereignty-sharing body. Set up by ten states, including the UK, in London in May 1949, it had a Consultative Assembly as well as a Council of Ministers, but the UK insisted on a national veto in the Council of Ministers.[6] This meant that the consultative assembly could not decide anything without unanimity, a condition that often led to it deciding nothing of importance. It simply gravitated towards those policy areas where it could manage to get everyone to agree. The body soon became little more than a talking shop, an organisation (now of about fifty states) which offends no one precisely because it cannot make rules binding upon anyone.[7] The Eden Plan was designed to en-

6 Duchêne writes that 'the British insistence on the national veto in the Council of Ministers left the limp hand to the Consultative Assembly, not the governments' Duchêne, François *Jean Monnet: First Statesman of Interdependence*, p. 187. Duchêne concludes that 'Though the assembly attracted glittering names. it soon became a byword as a talking-shop' (p. 187).

7 This is perhaps a little unfair. Russia has recently left the Council of Europe in anticipation of being expelled after its invasion of Ukraine, Belarus has never been accepted as a member owing to its retaining the death penalty and the UK has recently found its attempt to deport refugees to Rwanda thwarted (or at least delayed) by the Council. Broadly speaking, however, it remains little more than a talking shop.

sure that institutions which worked on the basis of sharing sovereignty would be dissolved in (the image used at the time was sugar being dissolved in tea) institutions that did not.

However, the Eden plan was rejected by the Six who had signed the Treaty of Paris bringing the Coal and Steel Community into being and the ECSC kept its supranational form. Then 1951 saw a new problem emerging. Shortly after the Schuman plan was launched, North Korea attacked the South and the Korean War began. Immediately alarm bells rang in Europe. If communists were going to exploit a divided Korea, what might they do to exploit a divided Germany? Could Soviet troops take the opportunity to move westwards and what might stop them? The result was both additional support for a European army and increasing demands from the USA for higher levels of European commitment to the defence of Western Europe. For the French, there was a similar dilemma to that which had led to the Schuman Plan – either refuse to allow German revival (in this case military rather than economic) or find a way of managing it at the European level. Such a way emerged through the so-called Pleven Plan (named after the French Minister of Defence René Pleven), a proposal for a European army with a European Minister of Defence, a joint commander, common budget and common arms procurement. But this time the plan fell through. In 1954, when the European Defence Community (EDC) proposal came up for ratification, the Communist Left and the Gaullist Right in the French assembly combined to prevent the plan from being ratified. The political candle was burning at both ends.

Once the demise of the EDC was clear, the UK moved in with its familiar inter-governmental alternative. A conference was held in London in the early autumn of 1954, where it was agreed to incorporate Germany into NATO's integrated command structure under American leadership. The UK re-committed itself to the Western European Union set up by the Treaty of Brussels in 1947, assuring other members that it would not withdraw its troops from the continent without agreement from the other members of the Union. It had never given such a commitment to the proposed European Defence Community. The familiar world of intergovernmentalism had returned and to many inside the UK it seemed as if it was the Coal and Steel Community that had been out of place, a supranational hiccup on the way to establishing a sound post war order.

The Treaties of Rome

The setback over the European Defence Community produced two very different reactions. In Monnet's case, it led to a redoubling of his commitment to supranationalism. He resigned as President of the High Authority and formed a so-called Action Committee for a United States of Europe. The choice of terms was unfortunate. Monnet did not see his Action Committee as pushing for a single federal nation-state on the east of the Atlantic to match the single federal nation-state to the West of the Atlantic. That would have done no more than make Europe another large nation-state among the 200 or so unregulated nation-states, some of them minnows and some of them sharks, swimming around in the world aquarium and occasionally gobbling each other up. It would have been like creating another Italy or Germany or even another Britain. Monnet did not want to build a superstate. He wanted to build a new relationship among nation-states that went on being nation-states.[8]

The Action Committee he founded was in no way a mass movement and didn't try to be one. It was a pressure group of 100 influential people, mostly union leaders and leaders of political parties from the Six (later on representatives of three UK parties joined). In Monnet's own words from his *Memoirs*, it was made up of people who'd 'move the political and union machinery led by them'.[9] In the twenty years of its existence, it certainly exercised an important influence. But it made no attempt to turn European integration into a mass movement.[10]

The area that now appealed most to Monnet for extending supranationalism was that of atomic energy. A civil nuclear power community would be in the same field as coal and steel, the energy field, rather than taking on a new field like defence. It had the glamour of the 'atomic age' and could be presented as nations pooling their resources to achieve together a 'new industrial revolution' which they could hardly manage on their own. If a coal and steel community had been sold to people as a means of taking the industries used to fuel the war effort and making them instead instruments to promote peace, an atomic energy community could be sold as a way of entering the future rather than of

8 See 'Introducing the Quagga', pp. 1–3 of my *The European Union: An Introduction*.

9 Monnet, *Memoirs*, p. 609.

10 See Szele, Bálint 'The European Lobby: The Action Committee for a United States of Europe' *European Integration Studies* Vol. 4 No. 2 (2005), pp. 109–119, here p. 110.

simply avoiding the mistakes of the past. It had all the attractions of modernity. And more controversially, it could provide a means of restraining states from using atomic power to develop nuclear weapons. This would require a system of mandatory controls and the sort of oversight of the whole atomic energy programme that the High Authority had attempted in coal and steel. Indeed, it was an area where everyone accepted the need for regulation, not least the free-market Americans. Nuclear power, Duchêne concludes, was 'God's gift to integrators'.[11]

There were difficulties. In the atomic energy field, there was the problem of France's determination to be a nuclear power, not least because the UK had just done the same. It was becoming clear by the autumn of 1956 that France would insist on developing its nuclear deterrent. But as so many times before, Monnet found a way out of the difficulty through the support of the United States.[12] There is no doubt that the USA was once again willing to exercise political pressure on the Western Europeans to restart the integration programme that had begun with the Coal and Steel Community. In the event work on what was to become EURATOM, the European Atomic Energy Community, proceeded alongside proposals for a European Economic Community (EEC) or Common Market.

The USA was coming to the rescue of supranationalism once again. It was a system that was anathema to the United States itself, but many American leaders felt that it was an ideal arrangement for creating some order among those small countries on the other side of the Atlantic who seemed to be forever falling out. Churchill's famous words about the US and the UK as 'friends and sponsors' of a new Europe applied far more to the USA, that wanted a stable neighbour overseas but felt no need to join their system, than it did to the UK, which was unable to remain detached from whatever system emerged. Indeed, U.S. enthusiasm for European integration could annoy the British. Former Prime Minister Anthony Eden in his *Memoirs* declared that the Americans were pushing Western Europe into something that the UK regarded as dangerous.[13]

---

11 Duchêne, François. *Jean Monnet: First Statesman of Interdependence*, p. 265.

12 Duchêne, François *Jean Monnet: First Statesman of Interdependence*, pp. 292–299. Note the comment on p. 298: 'The Americans, through Adenauer, had again proved the ultimate weapon in Monnet's armoury.'

13 See Eden, Anthony. *Memoirs: Full Circle*, pp. 265–312.

But what of the UK's reaction in those fateful months leading up to the Treaties of Rome? It was invited to participate in the negotiations but seems to have done so rather half-heartedly. An official from the Board of Trade (no one high-ranking) turned up at the first meeting of foreign ministers in Messina and rarely spoke except to express a preference for a free trade area, the devil he knew, over whatever the others had in mind. Negotiations continued at the chateau of Val-Duchesse, outside Brussels, where the French diplomat and politician Jean-François Deniau reported that the British official present 'never opened his mouth unless it was to insert his pipe.' Andrew Duff quotes Deniau's account of what the official said when he finally opened his mouth for the purpose of speaking:

> Mr. Chairman, Gentlemen. I would like to thank you sincerely for your hospitality and to let you know that it is going to cease from today. Indeed, I am going back to London. As a responsible official, it bothers me if I am wasting my time and failing to justify the modest expense I am costing my government. I have followed your works sympathetically and with interest. I must tell you that (a) the future treaty you are talking about and are tasked with drafting here has no chance of being concluded; (b) if it is concluded it has no chance of being ratified; (c) if it is ratified it has no chance of being applied. Moreover, please note, that if it were, it would be totally unacceptable to Great Britain. You are talking of agriculture which we don't like, of customs dues on which we have nothing to say, and of institutions which horrify us.[14]

He then left the room wishing them all '*bonne chance*' (Good luck). Deniau possibly put words into the official's mouth in his report.[15] Nevertheless, the mix of incomprehension, indifference and hostility is not inappropriate as a description of the British position in these years. Philip Stephens records that when a French official had asked his British counterpart whether London would be represented in Messina, the reply had been that it was 'a devilish awkward place to expect a minister to get to.'[16]

The Spaak Committee, named after the Belgian foreign minister Paul-Henri Spaak, submitted its report in April 1956 on the creation of a common European market. By now it was clear that supranationalism was not a unique venture in the area of coal and steel which had effectively been put back in its

14 Quoted in Andrew Duff. *Britain and the Puzzle of European Union,* p. 16.

15 See J-F. Deniau *L'Europe Interdite*, p. 59 for the original French.

16 Stephens, Philip. *Britain alone: The Path from Suez to Brexit*, p. 89.

box by the failure of the European Defence Community and was now destined to go no further.

The UK continued to expostulate as the EEC (European Economic Community) came into being. Sir David Eccles, the President of the Board of Trade, attacked EEC institutions in July 1957 as 'irresponsible aggregates' of European civil servants. It echoed Ernest Bevin's complaint about 'intrusive middlemen' when it was suggested that the OEEC, the organisation coordinating Marshall Aid, might become a supranational body with real powers, able to override national governments in applying the Marshall Plan. When asked why he thought EEC institutions irresponsible, Eccles explained that it was because 'they were not answerable to the House of Commons'.[17] It was a classic expression of the view that nothing could have authority above that of national parliaments.

Harold MacMillan, who became Prime Minister in 1957, the year the Treaties of Rome were signed, was no more understanding. He had a less accommodating view of what was proposed than anyone would imagine from Winston Churchill's language ten years earlier at a Congress in the Hague. Gone was the enthusiasm for an integrated Europe, with the US and UK as 'friends and sponsors.' This was neither friend nor sponsor, but an adversary responsible for dangerous developments across the Channel. If the Common Market reminded MacMillan of anything, it was a continental blockade.[18]

British governments could understand the need for Europeans to talk to one another. But they could not understand the language about a European level of decision-making and control. They could make no sense of what is at the heart of a supranational approach, namely that one must go above the level of the nation-state in order to solve the problems of the nation-state. They could only see another attempt by a single power (or maybe more than one) to dominate the continent. If you genuinely believe a sovereignty-sharing body is less a close relationship between states than an artifice to create a new and more powerful state out of several smaller ones, then you are bound to perceive it as another behemoth upsetting the balance of power on the continent, another Philip II, Louis XIV, Napoleon or even Hitler (an analogy the UK Prime

17 James Ellison, 'Britain and the Treaties of Rome 1955–59' in Roger Broad and Virginia Preston, eds., *Moored to the Continent? Britain and European Integration* p. 42.

18 May, Alex *Britain and Europe since 1945*, p. 30. In the documents at the end May quotes Macmillan writing shortly after he became Prime Minister that the UK needed to counteract 'what Little Europe was doing to us. We should fight back with every weapon in our armoury' (see p. 104).

Minister Boris Johnson was not above making sixty years later). You insist that there is no halfway house between the system of nation-states acting independently and the creation of a superstate in which existing countries are turned into little more than regions. There is simply no room for a Third Way. That is still the perspective of many in the UK, whether from the Left or the Right of the political spectrum.

The UK tries to join

When the European Economic Community had come into being, the UK went on trying to influence proceedings from without, once again trying to throw an intergovernmental spoke into the supranational wheel. In the case of the ECSC the spoke in the wheel had taken the form of the Eden Plan. This time the spoke was the European Free Trade Area (EFTA) proposed by Harold Macmillan, which came into being on 1st January 1960. Despite the difference between a common market (which has a common external tariff) and a free trade area, the UK hoped that it could somehow smother the former with the latter – or that the market could melt in EFTA like that proverbial lump of sugar in a cup of tea.[19]

The threat of a free trade area dominated by the British encouraged de Gaulle to soften his attitude towards the Common Market. it might have been expected that the EEC would flounder once General de Gaulle returned to power in France in the year after the Treaties of Rome were signed (he became President in 1958). Certainly, he sought to move towards the intergovernmental form of cooperation that he (like the British) preferred. But he was also forced to recognise, as the British were not, that the 'Monnet system' brought many advantages to his country. He therefore chided the Community, declared his undying hostility to any supranationalist ideas, and then let them continue to work in favour of France.

19 See Duchêne, François *Jean Monnet: First Statesman of Interdependence*, pp. 236–7. Monnet called the Eden Plan 'a most dangerous suggestion' and Duchêne comments that 'it seemed to him another British gambit to influence the community without paying the membership fee' (p. 237). In fact, it was more like an attempt to change the rules of the club. For a reference to the Common Market melting in the Free Trade Area 'like a lump of sugar in a cup of tea,' see p. 320.

Hence, to angry denunciations of 'France the Wrecker' in the *Times* newspaper, de Gaulle made sure that the sugar was kept out of the tea – all discussions of relations between the Common Market and the Free Trade Area must cease.[20] The EEC would pursue its own independent trade policy with the rest of the world – and it would pursue it in a collective manner, with the Commission negotiating on behalf of the member states on trade. De Gaulle could not change the Common Market into a purely inter-governmental body without making it ineffective. To defend it against Britain's EFTA alternative, he had no alternative but to support the supranationalism he disliked so much in principle.

Given Whitehall insouciance and hostility towards supranationalism, it might appear remarkable that within four years the UK reacted to the successful establishment of the European Economic Community – and the failure to replace it with something along the lines of EFTA – by pressing for entry itself to the organisation it had tried to smother at birth or dilute out of existence. Macmillan was often chided for being 'last in and first out' where the Suez Crisis was concerned; his U-turn over the EEC was just as marked. Duchêne recalls how Monnet and Macmillan walked side by side to the Senate House in the University of Cambridge to collect honorary degrees.[21] A month later Macmillan, now Prime Minister, applied to join the EEC. The first formal application was made in 1961. The Conservatives were still in power. Harold Macmillan was now Prime Minister. It was just five years since he had said to de Gaulle: *The Common Market is the Continental system all over again, Britain cannot accept it. I beg you to give it up*.[22]

How did it happen? How on earth could the UK join a system which enshrined the principle which all along they had bitterly opposed, that of sharing sovereignty? One reason is that many who favoured entry believed that once in they could lead the new Community in a different direction. They'd failed to

---

20 The story of the UK's first application and the veto from de Gaulle is nicely told in the chapter entitled 'A Thousand Years of History' in Philip Stephens' *Britain Alone*, pp. 71–103. For a reference to France the Wrecker, see Duchêne, François *Jean Monnet: First Statesman of Interdependence*, p. 321.

21 Duchêne, François. *Jean Monnet: First Statesman of Interdependence*, p. 326.

22 As recorded by de Gaulle in his *Memoirs of Hope*, p.188. For an excellent discussion of Macmillan's attitudes to the EEC, see Bogdanor, Vernon *Britain and Europe in a Troubled World*, chapter 2: 'The Pandora's Box and the Trojan Horses', pp. 43–79. Macmillan's words to de Gaulle are discussed on p. 50.

change it from without; now they'd have a chance to change it from within.[23] This suggests that by applying to join the UK was not giving up its delusions; it would be more apt to say that it was taking its delusions with it as it sought to enter the Community.

A second application followed in 1966, under Harold Wilson as Labour Prime Minister. By now the Commonwealth was even more clearly a dwindling source of trade as compared to the EEC than it had been at the beginning of the decade. The economic case for joining the EEC, which had already been clear in the early 1960s was becoming overwhelming, now that the Six had developed into what an official report to ministers in 1966 called a 'group of advanced industrial countries forming a tariff-free area comparable in size with the United States and the USSR.'[24] By the late sixties the UK was beginning to lose some of its illusions. Alex May records that 'a story went the rounds in London at this time, that Macmillan had left a black box in Downing Street, to be opened by a future prime minister in a moment of despair. Inside was a simple message: "Join the Common Market".[25]

Yet despite the fact that the EEC had been up and running for nearly a decade, the UK government (now with a Labour Prime Minister) still seemed to imagine that it would transform the Community once the UK had been allowed in. In his memoirs *In My Way*, the Labour Foreign Secretary, George Brown, describes how once inside the Community Britain was 'destined to become *the* leader of Europe' (his italics).[26] This was a delusion. The longer the Community remained up and running without Britain, the more difficult it would be to bend the Community to British interests – far more difficult than it had been for France, as a founder member, to bend it to French interests.

---

23 Wolfram Kaiser in 'Party Games: The British EEC Application of 1961 and 1967' points out that the man who became foreign secretary in 1966, George Brown, was convinced that Britain was 'destined to be *the* leader of Europe,' controlling 'a new European bloc which would have the same power and influence in the world as the old British Commonwealth had in days gone by.' See Broad, Roger and Preston, Virginia (eds.), *Moored to the Continent? Britain and European Integration*, p. 64.

24 The report, entitled 'Future Relations with Europe', was published on 5th April 1966, one year before the UK's second unsuccessful application to join the EEC, this time under a Labour government. See Broad, Roger and Preston, Virginia, (eds), *Moored to the Continent? Britain and European Integration*, pp. 64–65.

25 Alex May, *Britain and Europe since 1945*, p. 42.

26 Brown, George *In My Way. the Political Memoirs of Lord George-Brown*, pp. 209–211.

In any case, the second application was vetoed by de Gaulle just like the first one. It was clear that British entry would be postponed until after de Gaulle was out of office, and the prospect of assuming the leadership mantle of the Community once it had become a member would then be even more remote.

It was only after de Gaulle's resignation in February 1969 that the way was clear for a third British application which had a real chance of success. Moreover, the EEC of 1971 had moved significantly in the direction of a more intergovernmental organisation than it had been ten years earlier. The Labour government produced a White Paper recommending entry in February 1970, shortly before it unexpectedly fell from office. It described the EEC as follows:

> The practical working of the Community accordingly reflects the reality that sovereign governments are represented round the table. On a question where a government considers that vital national interests are involved, it is established that the decision should be unanimous.[27]

This was strictly speaking correct. Ever since the Luxembourg Compromise of 1967, it had been agreed that if a member state considered an issue to be of vital national interest, it could veto any decision surrounding that issue which it disliked. The Labour government was therefore suggesting that the EEC was not a sovereignty-sharing body. This was not correct. We need to bear in mind that the institutions of the Community were not just determined by what could be proposed and passed into law in the future. There was also the matter of accepting at the national level any laws that had already been passed at the European level, transposing them into national legislation and complying with them. That part of the system remained in place. Through the so-called 'Empty Chair Crisis' of 1966–7, when de Gaulle withdrew French representatives from EEC meetings and effectively business ground to a halt until the Luxembourg Compromise ended the crisis, the French president had managed to limit the number of laws that could be passed in the future, but he had not tampered with the way in which whatever had already been passed into law (and in prin-

27 See the White Paper on Britain and the European Communities (Command Paper No. 4289). It was discussed in the House of Commons and the Hansard record shows that many of the arguments about what became the European Union have not changed, though one may feel that the standard of debate has fallen. See https://hansard.parliament.uk/commons/1970-02-24/debates/e0025b00-cb04-460c-b2d7-7a5fc6dc457f/BritainAndTheEuropeanCommunities(WhitePaper)

ciple might be passed into law in the future) was binding upon the member states.

The real point of the Luxembourg Compromise, from the French point of view, was that arrangements made in the 1960s could be set in stone and could not be reversed.[28] De Gaulle was effectively ensuring that if Britain did eventually join it couldn't remove the aspects of the EEC which it didn't like. The Luxembourg Compromise was a way of freezing the EEC in its present form in order to ensure that the UK could neither alter established arrangements that benefited France, like the Common Agricultural Policy, nor introduce any new arrangements once it had joined that didn't suit French interests.

This was the apparent paradox of the UK's relations with de Gaulle. De Gaulle's vetoes presented the UK as essentially different from the other members of the Six, including France, whether because it was too tied to the United States or too 'maritime' in its outlook, looking to the wider seas rather than to the continent it belonged to. And yet, whatever the validity of these observations, in one respect de Gaulle and the UK were on precisely the same wavelength. They favoured inter-governmentalism, opposed supranational structures and were highly suspicious (in de Gaulle's case contemptuous) of the ideas of Jean Monnet. De Gaulle's advocacy of a '*L'Europe des Patries*' was essentially in accord with the UK's belief that it was national governments that must ultimately call the shots in any grouping of nations. Harold Macmillan, the Prime Minister who led the UK's first application to join the EEC, recognised this only too well:

> The strange feature of the present situation is the paradox that de Gaulle wants the kind of Europe we would be able readily to join, but he doesn't want us in it (L'Europe à l'anglais sans les anglais). As so often before I found it difficult to fathom the character of this strange and enigmatic man.[29]

It is not, perhaps, so very difficult to fathom what de Gaulle was up to. He wanted a European bloc that was large enough to dominate Europe, but small enough to be dominated by France. But the upshot was that in the light of the

---

28 Bogdanor, Vernon *Britain and Europe in a Troubled World*, chapter 2: 'The Pandora's Box and the Trojan Horses', pp. 43–79. Bogdanor sums up the precise reasons for the Luxembourg Compromise and why the UK was in two minds about it on p. 69.

29 Macmillan, Harold. *At the End of the Day*. Quoted in Duff, *Britain and the Puzzle of European Union* p. 19.

Luxembourg compromise the UK could persuade itself that it was not joining a supranational organisation at all.

A White Paper issued in February 1971 under the new Conservative government of Edward Heath referred to the Luxembourg Compromise and emphasised the implication that sovereign governments would be sitting around a table and deciding whether their vital interests were at stake when considering any new proposal – precisely the sort of approach that could describe the workings of the Council of Europe.[30] Hence the Conservative government, like its Labour predecessor, presented the EEC as if it wasn't a sovereignty-sharing body. Like its Labour predecessor, it ignored the fact that the veto which could apply to any new legislation did not apply to what had already been agreed and the method by which it was implemented, namely European Law which was binding upon member states, and which overrode national law in the areas to which it applied. That system still stood. Moreover, if the Community resolved to abandon the principles of the Luxembourg Compromise in times to come, then the system of binding European law was in place to make future decisions binding upon member states too. This is precisely what happened – ironically, under Margaret Thatcher. It is a mark of the consistent failure of the UK to understand exactly what it had become a part of in joining the EEC that the most important 'relaunch' of a system that might override the national veto came when Mrs Thatcher was Prime Minister.

In the event, so far as the application to become a member of the EEC was concerned, it was third time lucky for the British, who finally joined under the Conservative Prime Minister, Edward Heath, in 1973. However, not even Heath's government, which took the UK into the Common Market without a referendum, made clear precisely what sort of arrangements the UK was signing up to. Heath talked about the Treaty of Rome as 'a voluntary undertaking of a sovereign state to observe policies which it has helped to form. There is no question of any erosion of essential national sovereignty.'[31] This is not (apart

30 The White Paper was entitled 'The United Kingdom and the European Communities (Command Paper No. 4715)'. White papers are called 'command' papers because issued at the 'command' of the monarch. Once again, the debate about the White Paper is worth reading. See https://hansard.parliament.uk/commons/1971-07-21/debates/45c85d47-d893-419f-a9b4-ad18f6348f1d/UnitedKingdomAndEuropeanCommunities

31 See May, Alex *Britain and Europe since 1945*, p. 108. The Seminar Studies in History series has a useful set of extracts from official documents at the end. This quote comes from the White Paper on The United Kingdom and the European Communities in 1971, shortly after Edward Heath had unexpectedly won the election in 1970.

from being innately wordy and complex) quite correct. It is true that states can come and leave the EEC – in that respect, unlike for instance joining the USA, it is a voluntary undertaking. One can walk in; one can walk out. Greenland left the EEC; the UK has now left the EU. And it is true that the policies a member state observes are policies it has helped to form.

But it is also true that a member state is bound – legally bound – to comply with policies that are passed into European law, even if it does not itself agree with them, for as long as it is a member of the European Union. In this sense, whatever Edward Heath might have said, there is obviously an 'erosion of essential national sovereignty', for the simple reason that the UK would be bound to implement European Law even if it clashed with national law.

If Heath was going to argue his case effectively, he could have tried to make it clearer what joining a supranational body meant. He could have said that both the experience of war and the close interconnection of European states in the post war world meant that it made sense to have some rules which were binding at the European level and to which member states had to adhere, just as there were rules at the national level which were binding upon regions and localities. He could have said that we were agreeing to be bound by certain laws which we helped to make at the European level, though doing it only in some policy areas, just as regions (or in the USA states) were bound by certain federal laws despite a considerable measure of autonomy at the regional or state level. He could have said that the UK Parliament was used to devolving power to local authorities (and as we shall see later was beginning to realise that it would have to consider devolving much more power to Scotland and Wales). In a similar way it made sense for some powers (for instance over customs duties) to be determined at the European level, so that the Community could develop into an effective trading bloc on the international stage (a familiar argument in the 2020s). The need was to integrate the nation-state into a system of multilateral governance, not to pretend that it could go on doing what it liked.

But this is not the explanation he gave. Nor is it what Labour's Harold Wilson had said when in government. Indeed, it is not what was said by any of the three prime ministers involved in the UK's arduous process of joining the Community. Nor was it the way in which the UK's most ardent critic, General de Gaulle, spoke of the Community in response to the UK's efforts to join it. Heath was therefore in good company when instead of presenting in a clear and coherent way what the sharing of sovereignty meant, he tried to keep the discussion away from sovereignty altogether. But this made it altogether unsurprising when his opponents thought they could see through his words and

repeated time and time again that sovereignty was simply being 'given away' rather than shared.

Accession and the first referendum

The votes on entering the EEC in the UK House of Commons were narrow, because though the motion to join in principle was carried by a fairly large majority (356 to 244), the votes on the detail were often much closer, carried by single-figure majorities.[32] It all contributed to a sense of being railroaded rather than persuaded into something. In one sense (though his character was very different) Heath was an appropriate person to take the UK into a system devised by Monnet. He would use Parliament and avoid the referendum other states were having. He did not spend too much time thinking of how he could take the people with him or best explain what the Community was about. He probably thought they'd catch on in time. His idea of being Prime Minister was that you were like the CEO of a large company whose staff more often than not needed to be led by the nose. Just like Monnet and Schuman, he didn't sufficiently acknowledge that even the best ideas need popular support.

After joining the EEC, the Conservative government had to launch itself into negotiations for the first time as a new member, and soon found out that the hopes some people on both sides of the political spectrum had entertained in the 1960s of being able to bend the Community to the UK's will were impractical. Instead of a leadership role, the UK found itself to be one among many squabbling states.

In the early 1970s the Labour Party had unexpectedly moved back into opposition after losing the 1970 general election. It was not inclined to welcome Britain's entry to the EEC. When it returned to power in February 1974, the new Labour government decided to hold a referendum on whether to stay – after all, its predecessor had refused to hold a referendum on whether to join. But

32 May, Alex *Britain and Europe since 1945*, p. 53. Sometimes, May records, the majorities in favour were no more than four votes. He quotes Roy Jenkins, the former Labour Home Secretary and Deputy Leader who led the Labour pro-marketeers in a deeply divided party, saying that there were always enough 'old men who had decided their political fate no longer mattered and young men with the gallantry of 1916 subalterns' to ensure that the Treaty of Accession passed into law. See Jenkins, Roy *A Life at the Centre*, p. 338.

it explained that it would hold such a referendum after certain 'renegotiations' that many at the time regarded as spurious.[33]

As the referendum approached, the question of the future European Parliament, Monnet's insufficiently recognised or supported 'assembly,' came up time and time again in arguments about 'sovereignty'. Hostility from certain key politicians in 1975 towards the prospect of a European Parliament was very similar to their hostility to an elected House of Lords. As a revising chamber of the 'great and the good' (however undemocratic) the Upper House was no threat to the powers of the Lower. But as an elected body it would be bound to take some of the powers of the Commons – or why have it at all? Precisely the same threat was posed by the prospect of an effective parliament at the European level. The pro-Marketeers were in a bind. If they made too little of the European Parliament, they seemed to be supporting an 'undemocratic' set of European institutions. However, if they made too much of it, they seemed to be suggesting something that was bound to take over the functions of the 'mother of parliaments.'

The root of the problem was that both Left and Right bought into a view of the sovereignty of the Westminster Parliament that essentially excluded the sharing of power with any other Parliament, be it a revamped House of Lords, the European Parliament in Strasbourg or (later on) the Scottish Parliament at Holyrood. The opponents of staying inside the EEC were perfectly justified in returning constantly to this issue. Those taking the opposite view remained unwilling to make clear that becoming part of the EEC meant upending the principle that Parliament alone was sovereign.[34] As we shall examine later, the principle behind the UK's unwritten constitution, that whatever the sovereign decides in Parliament shall be law, cannot be reconciled with the principle that the decisions of the European Court take precedence over national law when the two are in conflict. The fundamental principle that nations voluntarily agree to be bound by laws which they jointly make is incompatible with the sovereignty of Parliament as it has traditionally been understood in the U.K.

---

33 See Uwe Kitzinger's chapter 'Entry and Referendum Revisited' in Broad, Roger and Preston, Virginia (eds.) *Moored to the Continent? Britain and European Integration*, pp. 79–94. Kitzinger entitles the section on the Labour government's renegotiation of the treaty before the 1975 referendum 'the so-called renegotiation 1974–5' (p.86). Anything substantial would have required an amendment to the Treaty of Rome or to the UK's Treaty of Accession. Neither happened.

34 See Vernon Bogdanor's chapter 'Europe and the Sovereignty of Parliament', in Bogdanor, *Vernon Beyond Brexit: Towards a British Constitution*, pp. 51–87.

Since the Luxembourg compromise, France had turned the EEC into a mixture of inter-governmentalism (in terms of new legislation that could be proposed) and supranationalism (in terms of the institutional structures, like the Court of Justice and binding European Law that were in place to implement legislation already agreed). The UK was effectively joining a hybrid, and it could have developed in a number of ways. It might, for instance, have given up supranationalism altogether and ended the primacy of European Law in any policy areas at all. Or it might have decided to move further towards supranationalism by unlocking the veto on new legislation. In the end it chose the latter course, strongly supported, as we have said, by Margaret Thatcher. But none of this was clear when the UK joined.

This is the context in which we should consider the way de Gaulle referred at the time of his first veto to that 'insular' and 'maritime' country over the water.[35] In a sense he had a point. One had only to look at Wilson and Heath, the two leaders who battled it out during the crucial period from 1964–1976 during which the UK finally managed to join the EEC. Wilson, for all his interest in the 'foreign stage', was certainly insular. Simple home cooking with a good dollop of HP sauce, pride in his Yorkshire origins unlike all those Southern toffs born with silver spoons in their mouths, holidays in the Scilly Isles and as little time abroad as was consistent with his international obligations. At the moment when the UK acceded to the EEC, he decided that the day was best spent attending a football match, anticipating a later Labour Prime Minister, Gordon Brown, who found a 'pressing engagement' that kept him from attending the signing ceremony for the Treaty of Lisbon.[36] Heath was maritime enough to

35 See Blair, Alasdair *The European Union since 1945*, p. 106. As one of the *Seminar Studies in History* series, this has a useful set of documents at the back. This document is a translation of an extract from de Gaulle's speech casting a veto against Britain's first application for EEC membership. De Gaulle said that 'England is, in effect, insular, maritime, linked through its trade, markets, and food supply to very diverse and often very distant countries. Its activities are essentially industrial and commercial, and only slightly agricultural. It has, throughout its work, very marked and original customs and traditions. In short, the nature, structure and economic context of England differ profoundly from those of the other states of the continent.' De Gaulle referred to the UK as *Angleterre* (England), never quite realising (or affecting never to realise) that there were other parts of the UK who were more agricultural and, through their traditional links to the continent, less insular.

36 Wilson was invited to attend the ceremony in Brussels by the Conservative Prime Minister, Edward Heath. See Bogdanor Vernon, *Britain and Europe in a Troubled World*, p. 72. For some of the flavour of Labour vacillations over Europe, see Vernon Bogdanor's ex-

be a champion yachtsman and had much more awareness of mainland Europe from the time of his cycling tours through Germany and elsewhere in the 1930s (which certainly alerted him to the perils of fascism). But in his own way he was as abrasive as his successor Margaret Thatcher in his dealings with other people, including Community leaders.

However, none of this detracts from the fact that it was the UK that came closest to seeing the EEC in the way General de Gaulle wished to see it, as an essentially inter-governmental arrangement. Had he wished to ensure that it became the sort of organisation he believed it should be, he would have welcomed the U.K. into the fold from the beginning. This was the irony Macmillan understood back in the early 1960s, when he recognised the way the general sought *L'Europe à l'anglais sans les anglais* (A Europe the way the English wanted it but without the English being part of it).[37] It is arguable that de Gaulle himself recognize the point towards the end of his period in office, when in February 1969, after issuing (in 1967) his second veto on Britain's application to join, he approached the UK with an offer to recast the EEC as an intergovernmental free trade area with the UK inside it.[38] Eight years earlier the U.K. might have leaped at the idea. Now it knew that de Gaulle's days as president were numbered and doubtless two vetoes had bred a degree of resentment. The foreign office reported de Gaulle's offer to the other members of the Six and their consternation helped to hasten the end of de Gaulle's presidency (he resigned three months later). Thus when the U.K. finally managed to get the offer it had always hoped for, it acted as if it didn't want it.

The referendum in 1975, which one might call the first referendum on membership of the EEC/EU, produced a decisive result, with a vote of 2:1 in favour of staying in. The result owed a great deal to the fact that the media (including the *Daily Mail*) weighed in on the side of a 'yes' vote, together with all the

---

cellent six-part lecture series delivered at Gresham College and entitled Britain and Europe since 1945. The 4th is entitled Entry into the European Community 1971–73. ht tps://www.youtube.com/watch?v=zL5XvrHbwBc

37 See Macmillan, Harold *At the End of the Day*, p. 118. See the discussion in Andrew Duff's *On Governing Europe: A Federal Experiment*, p. 59. Duff, who was a Liberal Democrat MEP from 1999–2014, points out that 'The irony is that the British perception of Europe was always – and is to this day – much closer to the Gaullist concept than it was to that of Monnet.' (p. 59). A study of the relations between de Gaulle and Macmillan, stretching back to wartime collaboration, can be found in Peter Mangold's *The Almost Impossible Ally: Harold Macmillan and Charles de Gaulle*.

38 Alex May, *Britain and Europe since 1945*, p. 45.

major party leaders.[39] It was hardly the situation that applied during the 2016 referendum. And yet it was a 'yes' vote that was more overwhelming in terms of numbers than of sentiment. After the vote the radical left-wing MP Tony Benn spent a year wearing a black armband. He lived a very long time, almost into his nineties. Had he lived a few years longer, he could have thrown that armband away and sported something more colourful.

Conclusion

By describing the process leading to the formation of the European Economic Community, the early part of this chapter outlined the UK's attempts to strangle supranational organisations at birth by suggesting alternatives like the Eden Plan and the European Free Trade Association. Interestingly, it was the US rather than the UK that was willing to support supranational initiatives if they helped to ensure Western European unity against what it perceived as the threat from Communism.

None of the UK's counterproposals worked, so it ended up trying to join the organisation it had failed to manipulate from outside. Some felt that this provided an opportunity instead to manipulate the EEC from within, but that opportunity receded with the fourteen long years between the initial application from the UK to join and its eventual confirmation, in a referendum after entry, that it was there to stay (at least for a few decades). The structures were too well-established by the 1970s for the UK to simply disentangle the supranational web and create an alternative form of organisation. At the same time, the actions of France under de Gaulle had removed the supranational edge from the institutions of the EEC, at least so far as the possibility of new binding legislation was concerned. The organisation existed in hybrid form, with European law still binding even as the way to new binding laws was effectively cut off. The UK found itself inside an organisation which arguably did not fully understand itself and which it was unable to transform into something it preferred. When it was offered the chance to do so by de Gaulle in 1969, it did not take the offer seriously – and perhaps by then de Gaulle was in no position to make it, since his presidency was beyond repair.

39 The cover of Alex May's *Britain and Europe since 1945* has a picture of people reading the newspapers after the referendum result. The Daily Mail's headline, 'YES, We're in business!' can be clearly seen.

In such circumstances an eventual vote to leave was always on the cards. One might see this in a particularly British context and lament the failure of successive Prime Ministers to argue Monnet's case. It is certainly true that neither of the two Prime Ministers who in different ways guided the UK into the European Union, Edward Heath and Harold Wilson, explained clearly what membership entailed, preferring to talk of something called the Common Market. Moreover, precisely because it became clear to both prime ministers that joining the EEC would not enable them to change it into the sort of intergovernmental body they wanted, they had an incentive to remain unclear about the nature of the organisation they had joined. But the fault lies in a wider context too, not only in the machinations of de Gaulle but in the failure of Monnet himself and the politicians whom he influenced to understand that the idea of sharing sovereignty had to be explained and defended in public in order to give it a popular appeal. A sense of popular ownership was an obvious given where a nation-state was concerned, but how was a sense of ownership to be given to the European project? It wasn't going to be achieved by lobbying the 'movers and shakers' through the Action Committee for a United States of Europe. It wasn't about having an anthem or a European passport. It was about making it clear why after nation-states had nearly destroyed the continent by being at each other's throats in a war that had come as the climax of centuries of destructive European conflict, a system of enforceable cooperation needed to be developed, one that was embedded in institutional structures. The hope now is that the value of such structures, whatever their deficiencies (which will be examined later) will be recognised before conflict breaks out all over again, as in parts of Europe it already has. As tensions rise not only inside Europe but within the UK between its different so-called nations, the danger of conflict applies as much to the United Kingdom itself as to flashpoints further East.