

# **The Royal Society of Edinburgh**

## **MacCormick European Lecture**

### ***Today's EU: all passion spent?***

**Lord Kerr of Kinlochard GCMG HonFRSE**

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#### **Report by Peter Barr**

#### **Europe: More debate, logic and passion required**

*As Secretary-General of the European Convention, Lord Kerr helped to draft the EU Constitution from 2002 to 2003, and in this year's inaugural MacCormick European Lecture, renamed to commemorate the former MEP Sir Neil MacCormick, the ex-diplomat said what is needed in Europe is not just more debate but more Neil MacCormicks...*

#### **Introduction**

To commemorate the late Sir Neil MacCormick, Michael Russell, Minister for Culture, External Affairs and the Constitution in the Scottish Parliament, introduced the lecture now named in his former mentor's honour with some warm words of praise for his "learning, experience, kindness and knowledge," highlighting Sir Neil's contribution to the RSE and Scotland and also his passion for Europe. Russell began by quoting the English writer John Aubrey, who wrote in *Brief Lives*: "When a learned man dies, there dies a great deal of learning with him." But in Russell's view, this is not the case with Sir Neil, since in dying he left his learning and his passions with us, including his passion for Europe. "At a time when most people in Scotland are showing little if any passion about the European elections," Russell concluded, "it is the passion he had for the things he believed in that will distinguish this lecture and future lectures."

In his opening remarks, Lord Kerr echoed these sentiments, describing Sir Neil's endless encouragement, optimism, enthusiasm and passion, adding that what we need in the debate about Europe is "a lot more MacCormicks."

#### **Europe matters**

Even though the title of his lecture implies that the EU has run out of steam, Lord Kerr made a passionate call for debate about Europe – not just more logical and better informed but also recognising how much it matters to the UK and Scotland as well as to countries beyond.

Lord Kerr wore his passion on his sleeve from the start, saying that we only need to look at our war graves to see that the EU makes sense: any political construct that prevents such slaughter happening again must be good. Having served in the UK Embassy in Moscow in 1968, he described being moved when the Czechs, and other East European and Baltic states, showed how keen they were to be members, after the break-up of the Soviet Union, and said that it is "worth getting passionate" about an entity which reinforces freedom and makes dictatorship impossible in member countries.

"There is passion," he said, "but we are not good at expressing it."

He then described the findings of a survey which suggested that most British people think that the EU is "bad for jobs" and a "raw deal" for the country, and said this is "demonstrably absurd". The creation of the single European market and the correction of original budget imbalances, both successes won by Mrs Thatcher, mean that the UK now gains a lot in terms of employment and makes a fair contribution to the budget.

“Why leave a club when we are winning?” he asked, noting that English is now the main language of the EU institutions. “Why leave when the tide has turned?” he added, noting that the old idea of power steadily accruing to the centre is out of fashion, along with dreams of a big EU budget and laws which fail to take account of national interests. “The tide turned in the 90s,” he said.

The EU Constitution, which Lord Kerr helped to draft and insists is not a constitution but a treaty, is a “tombstone” of the old ways of thinking, he said. It confirms that the EU may not raise taxes or borrow money, make peace or war, or even decide who its citizens are. “All that is left entirely to the nation-states,” he said. The Lisbon Treaty is a bargain between states, with no ‘constitutional’ claim to a legitimacy arising directly from the people. Lord Kerr also believes that the EU would, if the Lisbon Treaty were ratified, become more democratic, clearly recognising the sovereign role of national parliaments, as well as taking due account of population in its own voting procedures. UK voting weight would increase by almost 50 per cent, he said.

Lord Kerr then quoted William Hague, saying that the Treaty of Lisbon is “all about institutional aggrandisement.” Not only is this not true, he said, it is the reverse of the truth. He also stressed that it is more important than ever to uphold the principles of the single market, at a time when economic pressures lead some politicians to argue for national protectionism – e.g. for the car industry. “Protectionism protects only decline,” he said.

When it comes to immigration, he added, we should also be more aware of the facts, recognising that northwest Europe has an ageing and stagnating population which will have to be renewed by immigration from the faster-growing south and east. “Our choice,” he said, “is whether to import workers or outsource work.”

### **EU elections, Scottish independence and the Euro**

In the second half of his lecture, Lord Kerr (in his own words) “insulted” one by one the Conservative Party, the Scottish National Party and the Labour Party, starting with the Conservatives and their negative approach to the forthcoming EU elections (June 4).

Noting that turnout is likely to be less than 33 per cent of the electorate and that the election is “a mid-term referendum on an unpopular government” in the UK and some other countries, he expressed concern that the Conservatives appear to be more “anti-Europe” or “Euro-sceptic” than ever and plan to form a new alliance with parties who oppose the very idea of the EU, even potentially finding themselves in the same camp as the BNP and UKIP.

“How can you stand for election to an assembly of which you don’t want to be part, to pass Europe-wide laws of which you disapprove, and – as a first task – approve a new European Commission whose powers you reject?” he asked. Not to be part of any of the big Strasbourg groupings, Lord Kerr suggested, means being committed to “impotence,” since the work of the Parliament is done in committees and power in committee lies with the Centre-Right, Centre-Left and Liberals, who make up nearly 80 per cent of the Parliament. “The Conservatives have had real influence via the EPP (European People’s Party),” he said, “but now seem to be giving this up. It makes no sense to decide to have no influence. If you don’t want to get things done in Strasbourg, why stand for election?”

As for Tory talk of forming a new Euro-sceptic grouping, Lord Kerr thought they might well succeed, but only by embracing “some rather odd bed-fellows,” largely from Eastern Europe, very socially conservative and very opposed to agricultural reform. “Was Mr Klaus from Prague or Mr Gorski from Warsaw a natural ally for the party of Sir Alec or Lady Thatcher?” he asked. And did it make sense to reject alliances with Chancellor Merkel and President Sarkozy, in favour of such “fringe figures of the far Right”?

Turning his attention to Scotland, Lord Kerr had a warning for the SNP. “Unlike many in England, we Scots know it’s not a zero-sum game; you can be both a good Scot and a good European,” he

said. But this should not blind us to the fact that “selling our independence in Europe would not be easy.” Spain has the Basques and Catalans to think about, he explained, and along with four other EU member states also facing minority separatist movements, has refused to recognise breakaway Kosovo.

Lord Kerr also wondered what would happen to the Treaty of Accession if Scotland became independent, and how easy it would be to renegotiate the budget rebate won by Mrs Thatcher. An independent Scotland would not face insurmountable EU obstacles he added, but “part of the debate about Scottish independence should be about Europe, and how to overcome them,” he concluded.

Lord Kerr then pointed out that the Euro, now 11 years old, is used by 15 countries, the world’s most widely used transactions currency, and the world’s second reserve currency. The economic effects of adopting the Euro are complex, he said, “but it has probably increased trade flows.” Perhaps it is time to debate again “whether our isolation is really so splendid”? The UK has effectively been able to devalue the pound by 30 per cent, he explained, but Mr Brown did not argue 11 years ago that we must reject the Euro in order to retain the right to devalue; rather, he told us that the days of “boom and bust” were over.

The UK’s credit rating is now threatened with down-grading by Standard & Poor’s, said Lord Kerr, even though our government borrowing is less, for example, than France, Germany or the United States, who are not yet threatened. “Why the difference?” he asked. They have the benefit of having reserve currencies: 27 per cent of international reserves are now held in Euros, with only about four per cent in Sterling. “Alas, neither Tories nor Labour seem willing to revisit the debate,” said Lord Kerr. “The silence is deafening.”

“The EU is a good idea which works,” Lord Kerr concluded, but we still need to have a debate, particularly if we are to have an independence referendum in Scotland. It isn’t right to let Europe’s critics get away with slogans and prejudice. “We need more debate, logic and passion, and less fear, ignorance and cynicism. We need more articulate advocates. Neil MacCormick is greatly missed.”

## **Q&A**

During the Q&A session which followed, Lord Kerr, who apologised for not getting round to offending the Liberal Democrats, explained that the uncontroversial admission of the Baltic States to the EU does not constitute a precedent for an independent Scotland; they had obtained their independence well before joining. Indeed, the UK had never recognised their incorporation into the Soviet Union. The dissolution of an existing member-state would pose much bigger political issues, particularly for Spain, Greece, Bulgaria, Romania and Cyprus.

Asked about the chances of Turkey joining, Lord Kerr criticised those who like to regard the EU as the “Holy Roman Empire reconstructed,” and thus resist Turkey on religious grounds. Some countries fear mass immigration from Turkey, even though this is unlikely. He also described “loud US insistence on Turkish admittance” as a “repeated mistake” which has backfired, because Europeans tend to say “mind your own business.” The US is not, after all, proposing to admit Mexico, he continued. Ultimately, however, he thought Turkish accession will happen; and that it is in our interest that it should.

Finally, in his vote of thanks, Sir David Edward, Sir Neil MacCormick’s successor as the RSE’s International Committee Convener, declared that “we could not have had a better first MacCormick European Lecture,” singling out Lord Kerr’s hard practicality, deep and wide experience, rich sense of humour, rare wisdom and much-needed passion, saying these are all the qualities Sir Neil would have wished for in the lecture now named in his honour.

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