

Ratifying the EU constitution

by Richard Corbett MEP

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Other than the General Election, the key subject in British politics over the next two years will be the European Constitution. There will undoubtedly be much discussion. Our debate will take many forms and come from many angles, and so it should. But my concern is that it must be based on real, hard facts – not on rhetoric, myths, or scaremongering.

The new constitution isn't perfect. But it was drawn up with input from many different countries, political parties and organisations, and agreed by all 25 elected governments. The question is not whether the constitution is utterly flawless, but whether it represents a genuinely worthwhile improvement on the *current* constitution – that is, the existing treaties that describe how European countries work together in the EU.

There are certainly some striking differences. For a start, the new constitution replaces an intricately complex legal minefield of several overlapping treaties with a single readable document, setting out precisely what the EU can and can't do. At about 65,000 words, it might not exactly be short, but it's certainly a big improvement on the status quo. Not even the most extreme eurosceptics can disapprove of that, though I'm sure some of them would like to.

In fact, the sceptics ought to approve strongly of the main reason for its length. Unlike the US constitution, which gives blanket powers to their federal government, our document is designed to *constrain* the European Union by defining in detail exactly what member countries want to do at European level in each policy area. We need that level of detail because the last thing we want to do is write a blank cheque.

So the fundamental status of the Union, as a freely co-operating association of sovereign nations, is re-emphasised. The so-called 'principle of conferral', which says that the EU can only do what its member countries agree it should do, is written out explicitly for the first time. There's absolutely no sign of sovereignty being merrily thrown away by any one of the EU's 25 proud nation states – eight of which, lest we forget, have only recently reclaimed their independence after throwing off the oppressive yoke of Soviet communism.

The main changes in the new constitution are simply designed to make the EU more democratic, more efficient and more effective. In terms of democracy, the influence of both national parliaments and directly-elected MEPs is enhanced. Westminster is given the opportunity to scrutinise all new European proposals before they reach the legislative stage. The European Parliament is given the power to approve, rewrite or reject virtually all European legislation, making it an equal legislative partner with the Council of Ministers. This means that the EU will normally only be able to legislate with the approval of both elected governments in the Council and elected MEPs in Parliament – a level of scrutiny that exists in no other international organisation.

As for efficiency and effectiveness, the European Commission is reduced in size, and for good measure its role is clearly laid down as an executive with no law-making powers. A new, streamlined voting system in the Council will help to prevent deadlock in the newly-enlarged Union. And EU institutions are required to conform to agreed standards of fundamental rights, without this affecting national laws.

Meanwhile, it's also interesting to note what *doesn't* happen in the final draft. There's no loss of national veto in any sovereignty-sensitive areas – tax, social security, foreign policy, and so on – while the key gut issues of national politics remain completely outside the EU's remit (such as

schools, the NHS, and direct taxes). No new responsibilities are passed to the EU, and there's no grand centralisation, as our own House of Lords points out.

All in all, this new constitution embodies an important set of improvements to the way the EU is organised. But don't take my word for it – find out for yourself! At the end of the day, it's crucial that the debate is based on simple facts. And if the facts are allowed to prevail – no matter how loudly the anti-Europeans can shout – I firmly believe that the new constitution will deserve our wholehearted support.

Richard Corbett is an MEP for Yorkshire and the Humber and Labour's spokesman on EU constitutional affairs. He is currently working on a report on the proposed European constitution in the European Parliament.