

# Why eurosceptics should support the new EU constitution

by Richard Corbett MEP

I find it sad that much of the debate about the proposed new EU constitution is couched in the usual hyperbole. Eurosceptic parts of the press are already conjuring up fears of an imminent centralised superstate.

Of course, it's easy to see why those on the extreme right are opposed to the new constitution. There's much in it to displease them – respect for human rights, respect for minorities, principles of non-discrimination. And so there should be. But what puzzles me is why genuinely moderate eurosceptics should object.

On the grand scheme of things, the new constitution doesn't change much, but those changes it *does* make are almost exclusively aimed at addressing the most common eurosceptic complaints. It emphasises yet again that the European Union is a voluntary association of co-operating states, with only those responsibilities that its members unanimously choose to give it. Surely, not even the most ardent anti-Europeans could object to that!

In general, the new constitution contains a set of modest but worthwhile improvements to the current constitution of the EU (the existing set of overlapping treaties). It does three main things:

- **streamline decision-making** to prevent gridlock in an enlarged EU;
- introduce greater **democratic safeguards**;
- **clarify** the nature and aims of the Union.

So much for the broad outline, which is hardly controversial. It's when you look at the detail of these provisions that it becomes clear just how many traditional eurosceptic criticisms are addressed.

They complain about apparent lack of democracy. So the constitution now gives the directly elected European Parliament control over all aspects of the EU budget. The adoption of EU legislation will be subject to the prior scrutiny of national parliaments and the dual approval of both national governments (in the Council) and the directly elected European Parliament - a level of parliamentary scrutiny that exists in no other international structure. The exercise of delegated powers by the Commission will be brought under a new system of supervision by the European Parliament and the Council, enabling each of them to call back Commission decisions to which they object. An 'emergency brake' is introduced, enabling national governments to block majority decisions in certain sensitive areas if they consider it to be of national importance.

They complain about lack of transparency. So the constitution now insists that the Council of Ministers should always meet in public when legislating, meaning that no laws will be enacted behind closed doors.

They complain about inefficiency. So the constitution introduces several new measures to streamline and improve decision-making. It increases the areas in which governments take decisions by qualified majority voting rather than by unanimity – a vital factor if the enlarged Union is to be able to function without being blocked by vetoes, though the veto is of course retained for sensitive subjects such as tax and foreign affairs. The voting system in the Council is changed so that votes tally with population size. Greater continuity is provided for by replacing the current six-monthly rotating presidency of the European Council with a two-and-a-half-year chair. The size of the Commission is reduced, and the size of Parliament is capped.

They complain about inflexibility. So there are enhanced provisions for flexible arrangements when not all Member States are willing or able to go ahead with certain policies at the same time.

They complain about complexity and jargon. So the constitution replaces a dozen overlapping treaties with a single clear document, spelling out the objectives of the Union, its powers and their limits, its policy instruments and its institutions. It simplifies and clarifies legal acts: 'European laws' and 'European framework laws' replace the existing regulations, directives, framework decisions and so on. And it spells out the Union is based on a set of shared values: freedom, democracy, equality, the rule of law, respect for human rights and minorities, pluralism, non-discrimination, tolerance, justice, solidarity and gender equality.

And they complain about what they see as some kind of slide towards a powerful centralised superstate. So the constitution stops such debate in its tracks, enshrining the principle of conferral, under which the Union only has those responsibilities that its member states agree to give it. It also reinforces subsidiarity – that the Union should never act except where local or national action is agreed to be insufficient.

Perhaps it's still too much to expect the more blinkered eurosceptics to see this – after all, it has the word "Europe" in the title, which for some people is bad news in itself. Sadly, they will continue to oppose dogmatically a document which does little more than simplify and democratise.

It's easy to forget, too, that the constitution is no more than a vehicle, setting out the principles and procedures for adopting policies. The policies themselves are the interesting part. People just aren't turned on by arguments about institutions, and one of the reasons for having the new constitution is to provide a lasting settlement. If it fails to be adopted, we can look forward to several years of bitter wrangling on the future structure of the enlarged EU. That might keep those politicians happy who make their careers out of euroscepticism – but it's hardly a prospect for the rest of us to relish.