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**BIDDING FAREWELL? ON THE ASSESSMENT OF THE STRUCTURAL  
OR SITUATIONAL NATURE OF THE CURRENT CRISIS SURROUNDING  
DAVID CAMERON'S PROSPECTIVE REFERENDUM ON BRITAIN'S  
CONTINUED MEMBERSHIP OF THE EUROPEAN UNION**

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‘I believe something very deeply. That Britain's national interest is best served in a flexible, adaptable and open European Union and that such a European Union is best with Britain in it.’

~ David Cameron in his Bloomberg speech on 23 January 2013



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# Table of contents

<b>INTRODUCTION .....</b>	<b>1</b>
<b>PART 1. WITHDRAWAL FROM THE EUROPEAN UNION: LEGAL AND PRACTICAL OUTLOOK.....</b>	<b>7</b>
1.    LEGAL FRAMEWORK FOR WITHDRAWAL FROM THE EUROPEAN UNION .....	7
2.    PREVIOUS WITHDRAWAL FROM THE EUROPEAN UNION: THE CASE OF GREENLAND .....	9
3.    WITHDRAWAL FROM THE EUROPEAN UNION AND BREXIT: WHICH CONCLUSIONS?.....	12
<b>PART 2. DIACHRONIC PERSPECTIVE: FORMER PRIME MINISTERS’ ‘RED LINES’ IN THE PAST CRISES .....</b>	<b>15</b>
1.    THE PRE-MEMBERSHIP PERIOD: A FORETASTE OF THE CRISES TO COME .....	16
2.    1973-1979: WILSON’S ‘IN/OUT’ REFERENDUM, A FIRST CRISIS .....	19
3.    1979-1990: THE THATCHERITE FOURFOLD CRISIS .....	24
3.1. <i>The British budgetary contribution and the European Monetary System: a dual ‘economic’ crisis.....</i>	<i>24</i>
3.2. <i>The supranational development of the EEC: a ‘political’ crisis .....</i>	<i>26</i>
3.3. <i>The Bruges speech: a ‘reforms’ crisis .....</i>	<i>27</i>
3.4. <i>Delors’s ‘social Europe’: a ‘social’ crisis.....</i>	<i>28</i>
4.    1990-1997: THE ‘MAD COW’ CRISIS UNDER MAJOR’S PREMIERSHIP .....	29
5.    1997-2010: MILITARY DISAGREEMENTS UNDER BLAIR’S PREMIERSHIP .....	32
6.    2010-2013: CAMERON’S PLEDGE FOR AN ‘IN/OUT’ REFERENDUM, A CURRENT CRISIS .....	37
7.    FORMER PRIME MINISTERS’ ‘RED LINES’ IN THE PAST CRISES: WHICH CONCLUSIONS?.....	39
<b>PART 3. SYNCHRONIC ANALYSIS: PARTY LEADERS’ ‘RED LINES’ IN THE CURRENT CRISIS .....</b>	<b>45</b>
1.    ON THE IDEA OF BREXIT AND AN ‘IN/OUT’ REFERENDUM .....	47
2.    PARTY LEADERS’ ‘RED LINES’ OR WHAT IS WRONG WITH THE EUROPEAN UNION.....	53
2.1. <i>The free movement principle: placing limitations .....</i>	<i>53</i>
2.2. <i>The ‘ever closer union’ principle: intergovernmentalism and flexibility .....</i>	<i>60</i>
2.3. <i>The eurozone: safeguards and British opt-out.....</i>	<i>63</i>
2.4. <i>The single market: completion and competition.....</i>	<i>66</i>
2.5. <i>The international trade deals: ‘openness’ to the rest of the world.....</i>	<i>68</i>
2.6. <i>The EU budget: capping expenditures and securing the British rebate.....</i>	<i>73</i>
2.7. <i>EU red tape: from unnecessary bureaucracy to national legitimacy.....</i>	<i>77</i>
2.8. <i>The institutional costs: limiting useless excesses.....</i>	<i>81</i>
2.9. <i>Human rights: freeing the UK from restrictive rulings .....</i>	<i>82</i>
3.    PARTY LEADERS’ ‘RED LINES’ IN THE CURRENT CRISIS: WHICH CONCLUSIONS? .....	87
<b>DISCUSSION AND CONCLUSION .....</b>	<b>93</b>
<b>REFERENCES.....</b>	<b>101</b>
<b>LIST OF TABLES .....</b>	<b>113</b>



## INTRODUCTION

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‘Love is begun by time ... And time qualifies the spark and fire of it.’

~ Shakespeare, *Hamlet*, Act 4, Scene 7

Britain: the birthplace of many world-famous personalities of letters, the cradle of revolutionary inventions, the origins of the most spoken language worldwide. All this historical, scientific and cultural legacy is now highly praised and proudly brandished not only in Britain but also all around Europe as being part of the European culture and civilisation. Apart from this legacy, the United Kingdom (UK) is also an important actor on the European scene in terms of facts and figures. The British population accounts for about 13 percent of the total population of the European Union (EU)<sup>1</sup>, which makes it the third most populated country in the EU. The UK is also the fourth net contributor to the EU budget and was part of the first enlargement in 1973, which makes it one of the oldest Member States, apart from the six founder members.

Yet, the UK has frequently been described as the ‘awkward partner’<sup>2</sup> and a ‘eurosceptic’<sup>3</sup> Member State, which does not make the UK-EEC/EU relationship easy. Indeed, P. Schnapper defines this relationship as a ‘big misunderstanding’<sup>4</sup> and D. Charter qualifies it of ‘half-hearted’<sup>5</sup>. In January 2013, Prime Minister and Conservative Party leader David Cameron announced that he would hold a referendum on continued membership (or ‘in/out’ referendum) in 2017 if he wins the general election in May 2015 – and he did win. This announcement dealt the UK-EEC/EU relationship a new blow and marked the beginning of a new crisis.

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<sup>1</sup> EUROPEAN UNION, ‘Living in the EU’, available at [http://europa.eu/about-eu/facts-figures/living/index\\_en.htm](http://europa.eu/about-eu/facts-figures/living/index_en.htm) [last consulted on August 12<sup>th</sup>, 2015].

<sup>2</sup> DADDOW O., ‘Interpreting the Outsider Tradition in British European Policy Speeches from Thatcher to Cameron’, *Journal of Common Market Studies*, 2015, 53, p. 71; FONTANA C. and CRAIG P., ‘One Woman’s Prejudice’: Did Margaret Thatcher Cause Britain’s Anti-Europeanism?, *Journal of Common Market Studies*, 2015, 53, pp. 89-105; PIPER J. R., *The Major Nation-States in the European Union*, New York, Pearson/Longman, 2005, p. 255.

<sup>3</sup> MICHEL Q. et al., *La Construction Européenne. Entre idées reçues et faux-semblants*, Liège, Les Éditions de l’Université de Liège, 2010, 2<sup>nd</sup> ed., p. 25.

<sup>4</sup> SCHNAPPER P., *La Grande-Bretagne et l’Europe : le grand malentendu*, Paris, Presses de Science Po, 2000, *free translation from French*.

<sup>5</sup> CHARTER D., *Au Revoir, Europe: What if Britain Left the EU?*, London, Biteback Publishing, 2012, p. 2.

Considering the UK's reputation as a European partner and the pledge for an 'in/out' referendum, it is fair to wonder if this current crisis was predictable or if it is, on the contrary, a quite unusual event. Within this specific framework, the three following sets of questions are raised:

- [1] is there any legal basis for withdrawal<sup>6</sup> from the EU in the European treaties?; is there any precedent case of withdrawal that could provide some clues as to a potential British exit (often referred to as Brexit)?;
- [2] what were the major difficult moments that occurred in the past UK-EEC/EU relationship, i.e. from Britain's entry in the EEC to Cameron's pledge for an 'in/out' referendum?; how serious were these crises and how frequent were withdrawal threats?; which issues caused these difficult moments and which reforms were demanded by the former Prime Ministers?; and
- [3] how accepted and spread are the project of an 'in/out' referendum and the idea of a Brexit?; on which issues relies the current crisis and what are the reforms to bring to the EU that are demanded by Cameron in order to avoid a Brexit in 2017?; do Cameron's main election challengers, i.e. the other party leaders, advocate the same reforms as Cameron in their election campaign?; how do these four party leaders communicate on their 'red lines' and are these all of the same importance?

This dissertation is divided into three Parts each exploring a set of questions, which will eventually help to conclude on and answer to the central research question:

*is the current crisis surrounding Cameron's 'in/out' referendum a structural or a situational phenomenon?*

In other words, is this crisis an almost usual, commonplace crisis in the UK-EEC/EU relationship? Or is it on the contrary an unusual crisis that takes roots in specific circumstances?

Part 1 deals with the issue of withdrawal from the EU from a legal and practical angle. It first explores the legal grounds for withdrawal, and then takes a closer look at

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<sup>6</sup> The terms 'withdrawal' and 'exit' are here preferred to the term 'secession' which, as pointed out by S. Berglund in her paper 'Prison or Voluntary Cooperation? The Possibility of Withdrawal from the European Union.' *Scandinavian Political Studies* 29.2 (2006): 154-155, is less suitable in the case of the EU. Indeed, most definitions of the term 'secession' emphasise that the seceding entity seeks to acquire sovereignty or a territory. None of the two situations apply to the EU; this is why the term 'withdrawal' has been used throughout this dissertation.

the only example of withdrawal, i.e. the case of Greenland, in order to assess its potential utility for a prospective Brexit.

Part 2 takes the form of a journey into the past UK-EEC/EU relationship from Britain's accession to Cameron's pledge for the 'in/out' referendum with a focus on the difficult moments (or crises). This specific focus on the past crises aims at assessing the frequency of these crises and bringing out the Prime Ministers' 'red lines', i.e. the almost non-negotiable reforms to bring to the EEC/EU in order to set the relationship with the UK right, so as to observe whether these 'red lines' repeat themselves throughout the successive legislatures despite the different political leanings.

Part 3 focuses on the current, and thus latest, crisis which revolves around Cameron's 'in/out' referendum. It investigates Cameron's communication in order to bring out his 'red lines', and explores the 'red lines' adduced by his three main election challengers so as to determine whether some of Cameron's 'red lines' bear relation to the current circumstances or context by being issues for his contemporaries of different political ideologies as well. In order to grasp the importance of these 'red lines', which may be different from one 'red line' to another, their respective communication strategies are also reviewed because these may reflect their real intentions as to their 'red lines'. It also glances at the idea of withdrawal and the possibility of Brexit in the four party leaders' communication.

In order to grasp the very nature of the current crisis, and provide an answer to the central research question, both a diachronic and a synchronic exploration of the 'red lines' are necessary. Cameron's 'red lines' serve as reference point because he was the initiator of this crisis and because he remained Prime Minister after the 2015 general election. The analysis of the past 'red lines', and then of the 'red lines' adduced by Cameron's contemporaries, will highlight the structural and/or situational aspect of Cameron's 'red lines' and *ergo* of the current crisis.

In this regard, a closer look at the terms 'structural' and 'situational' is necessary in order to apprehend the research question efficiently. The term 'structural' can be defined as follows:

**Structural.** Of, relating to, involving, or resulting from those aspects of a system concerned with the formal laws and relations of its structure.<sup>7</sup>

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<sup>7</sup> 'structural', Oxford English Dictionary Online [accessed through a VPN].

A fact is considered structural if it comes back regularly and becomes part of the structure of a system that is subject to certain laws, principles, codes and features. Within the framework of this dissertation, a fact will be deemed structural if it pertains to a specific and permanent system, i.e. the UK-EEC/EU relationship, and occurs independently of the circumstances or changes in the society or in the governing political tendency. Consequently, a structural fact can only be observed over a significant time lapse that has known such upheavals. As for ‘situational’, the definition can be the following:

**Situational.** Of or pertaining to a situation or situations; dependent on, determined by, or in relation to position, situation, or circumstances.<sup>8</sup>

A fact is considered situational if it pertains to a situation which is limited in time and which depends on specific circumstances, or to a certain political tendency on a longer time lapse. In this sense, every structural fact was at first situational; consequently, a situational fact can become structural in the future if it tends to repeat itself through time despite some changes. Within the framework of this dissertation, a fact that is related to a definite socio-economic or political context, or to specific political leanings will be situational.

On the basis of these definitions, the following axioms have been set: if the prospective referendum is surrounded by ‘red lines’ of structural nature, it is most likely a structural phenomenon; if it relies on ‘red lines’ of situational nature, it is rather a situational phenomenon.

### *Overall methodology*

As mentioned above, both a diachronic and a synchronic qualitative analysis of Cameron’s ‘red lines’ have to be carried out in order to assess the structural or situational nature of the current crisis. At the end of this analysis, it will be possible to observe and discuss the nature of the current crisis with the help of a summary table encompassing all the past and present ‘red lines’ surrounding Cameron’s own ‘red lines’.

To bring out these ‘red lines’, thematic analysis was chosen as methodology. V. Braun and V. Clarke define thematic analysis as ‘a method for identifying, analysing and

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<sup>8</sup> ‘situational’, Oxford English Dictionary Online [accessed through a VPN].

reporting patterns (themes) within data.’<sup>9</sup> In this research, the ‘red lines’ constitute the themes that help to grasp ‘something important about the data in relation to the research question, and [represent] some level of patterned response or meaning within the data set.’<sup>10</sup>

Thematic analysis presupposes the gathering of a data corpus, i.e. ‘all data collected for a particular research project’<sup>11</sup>, and starts with the familiarisation with this data corpus. Then, relevant and interesting data for the research question are looked for and listed. Afterwards, these data are sorted out and classified in themes which are given an illustrative name. Finally, these themes and their compounds are contextualised and analysed thoroughly in order to produce a set of worked-out themes.

This thematic analysis is based on two specific data sets. A data set corresponds to ‘all the data from the corpus that are being used for a particular analysis.’<sup>12</sup> Regarding the former Prime Ministers’ ‘red lines’, the data set was constituted of relevant literature, and to a lesser degree of a few speeches delivered by the Prime Ministers. As for the current ‘red lines’, the data set is made up of speeches delivered by Cameron and his three election challengers, as well as of the different party manifestoes for the 2015 general election to a lesser extent. More specific details about the data sets, the scopes and the methodologies used to bring out the past and present ‘red lines’ are provided for in Parts 2 and 3 respectively.

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<sup>9</sup> BRAUN V. and CLARKE V., ‘Using Thematic Analysis in Psychology’, *Qualitative Research in Psychology*, 2006, 3, p. 79.

<sup>10</sup> *Ibid.*, p. 82.

<sup>11</sup> *Ibid.*, p. 79.

<sup>12</sup> *Ibid.*



## **PART 1. Withdrawal from the European Union: legal and practical outlook**

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‘Farewell! – God knows when we shall meet again.’

~ Shakespeare, *Romeo and Juliet*, Act 4, Scene 3

In the light of Cameron’s prospective ‘in/out’ referendum, two questions arise about the possibility of withdrawal from the EU: (1) is it legally possible to withdraw from the EU and, if so, what are the legal grounds on which a Member State can rely?; and (2) is there any precedent case of withdrawal that could be used as a basis for a potential British withdrawal? This first Part discusses the possibilities of saying ‘farewell’ to the EU, looking first at the legal framework, and then at the very special case of Greenland for a practical outlook on this issue, before concluding on the possibility of a Brexit.

### **1. Legal framework for withdrawal from the European Union**

When the European integration began in the post-Second World War era, one of the aims was to prevent another war from happening on the European continent. For this reason, the tendency was towards enlargement, not towards the opposite process, and there was consequently no need for legal provisions on withdrawal from this ‘peace club’.

In the absence of a legal basis at European level, the alternative is to turn to public international law in order to find out whether unilateral or consensual withdrawal from an international treaty is possible.<sup>13</sup> The Vienna Convention on the Law of Treaties stipulates that if the treaties governing the cooperation area do not have any clause of withdrawal, a signatory can withdraw unilaterally in only two cases: (1) if it is possible to determine that the parties intended to acknowledge the right of withdrawal or if this right can be inferred from the nature of the treaty<sup>14</sup>; and (2) if some circumstances have

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<sup>13</sup> ATHANASSIOU P., ‘Withdrawal and Expulsion from the EU and EMU: Some Reflections’, *Legal Working Paper Series*, 2009, 10, p. 12.

<sup>14</sup> Article 56 § 1 of the Vienna Convention on the Law of Treaties (23 May 1969).

radically and unexpectedly changed compared with the time of the conclusion of the treaty<sup>15</sup>. As for consensual withdrawal, the Vienna Convention does not provide any answer.

However, the legal void on the possibility of withdrawing from the EU was for the first time filled with the entry into force of the Treaty of Lisbon of which article 50 TEU enshrines the right to withdrawal and provides for the legal basis for withdrawal.

This article begins as follows: ‘Any Member State may decide to withdraw from the Union in accordance with its own constitutional requirements’<sup>16</sup>. This first paragraph introduces an important notion, i.e. the constitutional or lawful legitimacy of the application for withdrawal. In the British case, it implies that the referendum has to be a constitutional or legal means to decide to withdraw from an international treaty. The UK is a representative democracy in which parliamentary sovereignty constitutes a constitutional principle.<sup>17</sup> Under such a principle, referenda should in theory not be held, and the results would not be legally binding and could thus be plainly ignored.<sup>18</sup> In practice, however, the Parliament can pass an Act allowing a referendum to be held.<sup>19</sup>

The second paragraph indicates the procedure to follow. First, the Member State wishing to withdraw has to notify the European Council. The latter gives some guidelines about the withdrawal and ‘the Union shall negotiate and conclude an agreement with that State, setting out the arrangements for its withdrawal, taking account of the framework for its future relationship with the Union.’<sup>20</sup> Finally, the agreement is concluded under the ordinary legislative procedure. No precise details are provided about the arrangements or the future relationship with this Member State. On the procedural level, the article consequently remains rudimentary, merely stating the institutional steps to follow.

The third paragraph provides for that the treaties shall cease to be applied to the Member State in question ‘from the date of entry into force of the withdrawal agreement or, failing that, two years after the notification referred to in paragraph 2, unless the European Council, in agreement with the Member State concerned, unanimously decides to extend this period.’ If no agreement is reached, the withdrawal will thus be effective

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<sup>15</sup> Article 62 § 1 of the Vienna Convention on the Law of Treaties (23 May 1969).

<sup>16</sup> Article 50 § 1 TEU.

<sup>17</sup> SCHNAPPER P., *Le Royaume-Uni doit-il sortir de l’Union européenne ?*, Paris, La Documentation Française, 2014, p. 55.

<sup>18</sup> *Ibid.*, p. 56

<sup>19</sup> BRITISH PARLIAMENT, ‘Referendums’, Education Service, available at [www.parliament.uk/education/about-your-parliament/general-elections/referendums/](http://www.parliament.uk/education/about-your-parliament/general-elections/referendums/) [last consulted on August 12th, 2015].

<sup>20</sup> Article 50 § 2.

two years after the notification to European Council, which makes unilateral withdrawal from the EU possible, at least theoretically.

Although this article enshrines the right to withdrawal and gives some guidelines, many questions remain unanswered: what will be the nature of the post-withdrawal relationship?; what will happen to the citizens of this Member State who use the right to free movement to live in another EU Member State?; which status will be allocated to the withdrawing Member State? This lack of precision and clarity makes the article more political than legal. It seems that the introduction of a withdrawal clause in EU primary law was more a symbolic deed than a real desire to provide precise guidelines for withdrawal. Indeed, article 50 TEU conveys the message that each Member State remains *free* to be in the EU or not, rather than being trapped in a marriage where divorce is an unachievable dream.<sup>21</sup>

## **2. Previous withdrawal from the European Union: the case of Greenland**

Greenland is often cited as the sole example of withdrawal from the then EEC, although many features make this withdrawal very unique and special. In this regard, R. J. Friel points out that ‘there are sufficient differences to warrant the imposition of strong caveats for analogous use’<sup>22</sup> with a Member State’s withdrawal. Keeping this in mind, it is nonetheless interesting to explore the case of Greenland with regard to withdrawal from the EU and more specifically the arguments and bones of contention that were adduced by the Greenlandic authorities in favour of withdrawal.

Greenland was not a Member State in itself. It was, and still is, part of the Kingdom of Denmark.<sup>23</sup> Before the Danish membership, Greenland was not willing to take part in this enterprise, unlike Denmark.<sup>24</sup> In 1972, a referendum was held in Greenland and 70.3 percent of the voters declared themselves against membership. However, the results of

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<sup>21</sup> NICOLAIDES P., ‘Withdrawal from the European Union: A typology of effects’, *Maastricht Journal of European and Comparative Law*, 2013, 2, p. 209.

<sup>22</sup> FRIEL R. J., ‘Providing a Constitutional Framework for Withdrawal from the EU: article 59 of the Draft European Constitution.’, *The International and Comparative Law Quarterly*, 2004, 53.3, p. 411.

<sup>23</sup> *Ibid.*, p. 409.

<sup>24</sup> BERGLUND S., ‘Prison or Voluntary Cooperation? The possibility of Withdrawal from the European Union’, *Scandinavian Political Studies*, 2006, 29.2, p. 158.

this referendum were not taken into account since Greenland was not independent enough from Denmark to decide on this matter.<sup>25</sup> On 1<sup>st</sup> January 1973, Greenland reluctantly joined the EEC together with Denmark but without having the status of Member State.

Greenland's negative attitude towards the EEC took its roots in political, cultural and geographical issues.<sup>26</sup> Greenland already had to deal with Copenhagen for most of its internal affairs. With the entry into the EEC, other decisions that affected the country were taken even further away, in Brussels.<sup>27</sup> The Greenlanders felt like they were governed by 'two foreign bureaucracies'<sup>28</sup>. Moreover, they were bound to give a part of their already reduced autonomy to the EEC while they were actually seeking more self-governance.<sup>29</sup> This situation seemed contradictory to the Greenlanders. The discrepancies in terms of culture were equally significant.<sup>30</sup> Indeed, only about 14 percent of the Greenlanders are from European (Danish) origin. The rest of the population descends from Inuit of Canadian origin<sup>31</sup>. Their cultural identity and ways of life were perceived as different from those of the EEC Member States.<sup>32</sup> Moreover, Greenland is geographically separated from Europe and is closer to the American continent, which reinforced these perceptions.<sup>33</sup>

Beside these political, cultural and geographical differences, the topic of fishery was sensitive. The fishing industry was of the utmost importance to this insular territory<sup>34</sup> and the European fisheries policy (the ancestor of the Common Fisheries Policy created in 1983) had caused some issues. The main problem was that this policy gave the other Member States important fishing quotas in the waters belonging to Greenland, which provoked resentment among Greenlanders even though they did not use all Greenland's waters and fishing resources.<sup>35</sup>

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<sup>25</sup> BERGLUND S., *op. cit.*, p. 158.

<sup>26</sup> TATHAM A. F., "Don't Mention Divorce at the Wedding, Darling!": EU Accession and Withdrawal after Lisbon', in *EU Law After Lisbon*, A. Biondi, P. Eeckhout and S. Ripley (Ed.), Oxford, Oxford University Press, 2012, p. 146.

<sup>27</sup> *Ibid.*

<sup>28</sup> *Ibid.*

<sup>29</sup> LOUKACHEVA N., *The Arctic Promise: Legal and Political Autonomy of Greenland and Nunavut*, Toronto, University of Toronto Press, 2007, p. 116.

<sup>30</sup> BERGLUND S., *op. cit.*, p. 158.

<sup>31</sup> FRIEL R. J., *op. cit.*, p. 409.

<sup>32</sup> BERGLUND S., *op. cit.*, p. 158.

<sup>33</sup> FRIEL R. J., *op. cit.*, p. 411.

<sup>34</sup> BERGLUND S., *op. cit.*, p. 159.

<sup>35</sup> *Ibid.*, p. 158.

Nonetheless, the principle of ‘home rule’ was created in 1979<sup>36</sup>, granting Greenland more power on its administration. The same year, the eurosceptic party Siumut formed a majority in the government and decided to hold a referendum on whether Greenland should keep its status among the EEC.<sup>37</sup> In February 1982, 53 percent<sup>38</sup> of the population (on a turnout of 75 percent<sup>39</sup>) voted against this status.<sup>40</sup> Denmark had promised to respect the outcome of the referendum<sup>41</sup> and thus began to negotiate, on behalf of Greenland, Greenland’s withdrawal from the EEC<sup>42</sup>, as well as an Overseas Countries and Territories (OCT)-status.<sup>43</sup>

At that time, withdrawal from the EEC was not codified in the treaties. Greenland could not rely on the Vienna Convention since it was not a signatory *per se* to the accession treaty to the EEC. It was decided that the legal basis for withdrawal would be the article 236 of the Treaty of Rome<sup>44</sup> which states that ‘[t]he Government of any Member State or the Commission may submit to the Council proposals for the revision of this Treaty.’ Denmark introduced a request to the Council to amend this Treaty in order to change Greenland’s status. The Commission and the Parliament were consulted and both gave a favourable opinion. Then, the nine Member States amended the Treaty in order to remove Greenland from the EEC and grant it the OCT-status instead.<sup>45</sup> These amendments became known as the Greenland Treaty.

On 1<sup>st</sup> February 1985 Greenland withdrew from the EEC and acquired the OCT-status. The latter had been created in order to smooth the relationship between the EEC and the Member States’ former colonies, as well as to help these overseas countries and territories to develop economically.<sup>46</sup> The OCT-status was applied to Greenland with special arrangements and a protocol was annexed to the Treaty of Rome. This protocol regulated the economic agreements between the EEC and Greenland, especially regarding fishery<sup>47</sup>. The fisheries agreement guaranteed tariff-free access for fishery products to the

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<sup>36</sup> FRIEL R. J., *op. cit.*, p. 409; BERGLUND S., *op. cit.*, p. 158.

<sup>37</sup> BERGLUND S., *op. cit.*, p. 159.

<sup>38</sup> LAPONCE J., *Le référendum de souveraineté : comparaisons, critiques et commentaires*, Québec, Presses de l’Université de Laval, 2010, p. 47 ; LOUKACHEVA N., *op. cit.*, p. 115.

<sup>39</sup> LAPONCE, J., *op. cit.*, p. 47.

<sup>40</sup> BERGLUND S., *op. cit.*, p. 159.

<sup>41</sup> TATHAM A. F., *op. cit.*, p. 145.

<sup>42</sup> BERGLUND S., *op. cit.*, p. 159.

<sup>43</sup> FRIEL R. J., *op. cit.*, p. 410.

<sup>44</sup> FRIEL R. J., *op. cit.*, p. 410; TATHAM A. F., *op. cit.*, p. 146.

<sup>45</sup> *Ibid.*

<sup>46</sup> LOUKACHEVA N., *op. cit.*, p. 116.

<sup>47</sup> *Ibid.*

EEC common market<sup>48</sup> and financial compensations for Greenland<sup>49</sup> in exchange of an access to Greenlandic waters for the EEC Member States<sup>50</sup>. Moreover, the OCT-status gave access to development aids and the Greenlanders remained European citizens.<sup>51</sup>

### **3. Withdrawal from the European Union and Brexit: which conclusions?**

In the light of this legal and practical outlook on withdrawal from the EU, it can be concluded that a Brexit is within the realms of possibility. A British withdrawal is even more relevant now that Cameron remained Prime Minister following the 2015 general election, which makes the organisation of the promised ‘in/out’ referendum almost inevitable in the course of his second term of office.

As mentioned above, article 50 TEU enshrines the right of unilateral withdrawal, though it is more intended as a symbolic act than a real willingness to provide legal guidelines. Moreover, it makes the referendum an adequate tool if it meets the legal requirements of the Member State regarding withdrawal from an international organisation. However, introducing legal grounds for withdrawal may have provided the Member States with a threatening tool or a negotiating power.<sup>52</sup> Although Cameron’s ‘in/out’ referendum could be such a tool, a Brexit could nonetheless happen in the not too distant future since it will be the British population’s choice.

Even though Greenland’s withdrawal offers a practical illustration of a case of withdrawal from the EEC, it cannot entirely serve as a precedent for future withdrawal from the EU or for a Brexit. Even though there exist factual similarities between the two countries and the circumstances – such as the recourse to a referendum or the geographical detachment from the European continent – there also exist differences such as the legal grounds for withdrawal or the difference in status (*Table 1*).

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<sup>48</sup> GAD U. P., ‘Greenland: A post-Danish sovereign nation state in the making’, *Cooperation and Conflict*, 2014, 49.1, p. 105.

<sup>49</sup> BERGLUND S., *op. cit.*, p. 160.

<sup>50</sup> GAD U. P., *op. cit.*, p. 105; LYCK L. and TAAGHOLT J., ‘Greenland - Its Economy And Resources’, *Artic*, 1987, 40.1, p. 52.

<sup>51</sup> BERGLUND S., *op. cit.*, p. 159.

<sup>52</sup> LECHNER S. and OHR R., ‘The right of withdrawal in the treaty of Lisbon: a game theoretic reflection on different decision processes in the EU’, *European Journal of Law and Economics*, 2011, 32, pp. 358 and 372-373.

	Greenland (withdrew in 1985)	The United Kingdom (could withdraw after 2017)	
<b>DIFFERENCES</b>	Status of the entity at the time of withdrawal	Autonomous entity within the Kingdom of Denmark	Sovereign State
	Number of MS at the time of withdrawal	10	28 (or more)
	Legal basis and procedure for withdrawal	No legal grounds, amendments using article 236 EEC (Greenland Treaty), consensual withdrawal: 1. Request to the Council to amend the Treaty; 2. Consultation of the Commission and Parliament; 3. Favourable opinion of the Parliament and Commission; 4. Amendment of the Treaty by all the Member States	On the basis of art. 50 TEU, unilateral withdrawal: 1. Notification to the European Council; 2. The Commission and the HR CFSP settle a withdrawal agreement with the MS; 3. The Parliament gives its approval; 4. The Council votes by qualified majority.
	Post-withdrawal relationship	OCT-status	To be defined but not OCT-status
<b>SIMILARITIES</b>	Instance initiating the request for withdrawal	Eurosceptic political party (Siumut, social-democratic political party)	Eurosceptic political party (Conservative Party, centre-right political party)
	Tool used at national level to legitimise withdrawal	Referendum	Referendum
	Geographical position	Island disconnected from Europe, closer to the American continent	Island disconnected from continental Europe, close to the European continent

Table 1. Main differences and similarities between Greenland's withdrawal and a potential Brexit

These differences are sufficient to prevent blind superposition of Greenland's withdrawal and a potential Britain's withdrawal but the similarities disclose some features that may be inherent or favourable to the idea of withdrawal, like geographical features for instance.

To these factual differences can be added a few peculiar features that favoured Greenland's smooth withdrawal and the lack of opposition from the other Member States<sup>53</sup>. First, trying to thwart Greenland's withdrawal would have left a bitter taste of colonialism due to Greenland's former colony status.<sup>54</sup> Given Britain's sovereignty and imperialist past, such ethical considerations would not even come to mind.

<sup>53</sup> FRIEL R. J., *op. cit.*, p. 410; TATHAM A. F., *op. cit.*, p. 146.

<sup>54</sup> TATHAM A. F., *op. cit.*, p. 146.

Secondly, Greenland did not try to withdraw unilaterally but rather negotiated, through Denmark, its withdrawal with the other Member States and sought their approvals, which shortened the odds on refusal.<sup>55</sup>

Thirdly, Greenland's withdrawal did not have any impact on the number of Danish representatives in the European institutions<sup>56</sup>, which was due to the too small proportion of inhabitants to benefit from Greenlandic representatives.<sup>57</sup> On the contrary, the UK has one of the biggest populations of the EU, which would require considerable modifications in the treaties and upset the whole organisation of the EU.

Fourthly, the economic ties between the few Member States were less tangled at that time and the economic impact of Greenland's withdrawal was barely perceptible.<sup>58</sup> On the contrary, Britain's withdrawal would have considerable effects due to its close economic ties with the numerous Member States.<sup>59</sup> Moreover, Greenland has been granted the OCT-status facilitating the pursuit of these close economic ties while the UK should renegotiate a new settlement from scratch.

Finally, all signs of reluctance towards Greenland's withdrawal vanished due to the exceptional circumstances that this case presented.<sup>60</sup> Now with several countries encountering social and economic difficulties and the recent Grexit question, a snowball effect could be feared, which would make the negotiations less smooth.

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<sup>55</sup> TATHAM A. F., *op. cit.*, p. 147.

<sup>56</sup> FRIEL R. J., *op. cit.*, p. 411; TATHAM A. F., *op. cit.*, p. 146.

<sup>57</sup> TATHAM A. F., *op. cit.*, p. 146.

<sup>58</sup> BERGLUND S., *op. cit.*, p. 161.

<sup>59</sup> MILLER V. (ed.), 'Leaving the EU', Research Paper of the House of Commons, 2013, 13.42, p. 12.

<sup>60</sup> LOUKACHEVA N., *op. cit.*, p. 116.

## **PART 2. Diachronic perspective: former Prime Ministers’ ‘red lines’ in the past crises**

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‘The course of true love never did run smooth’

~ Shakespeare, *A Midsummer Night’s Dream*, Act 1, Scene 1

After discussing the legal and practical possibilities of withdrawal from the EU, this second Part takes the shape of a journey into the past UK-EEC/EU relationship by focusing on the successive crises<sup>61</sup>. This time travel aims at assessing the recurrence of the idea of withdrawal and above all bringing out the ‘red lines’ adduced by the past Prime Ministers in order to discover whether they recur or not throughout the relationship.

### *Zoomed-in methodology*

As mentioned in the overall methodology in the Introduction, thematic analysis was performed in order to discover the themes, i.e. the ‘red lines’. The data set for this analysis was made up of relevant literature written from a British (e.g. D. Charter, O. Daddow) and a non-British (e.g. P. Schnapper, C. Hull) perspective in order to cross the sources of information and provide an accurate and objective overview of the UK-EEC/EU relationship. Focusing on the different crises made the ‘red lines’ appear since these are mostly adduced in crisis-time.

The research carried out in this Part covers a long period of time and several premierships, which did not make a discourse-based analysis suitable as in Part 3. In order to remedy this difference in sources with Part 3, a few significant speeches delivered by the successive Prime Ministers have been explored in order to add evidence of the time.

At the end of this analysis, the former Prime Ministers’ ‘red lines’ are brought together in a summary table, which gives an overview of the past ‘red lines’ and an idea of their degree of recurrence.

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<sup>61</sup> The term ‘crises’ is used as an umbrella term, and is therefore put between quotation marks, to refer to the tensions in the relationship that eventually resulted in disagreements, deadlock situations or referenda.

## 1. The pre-membership period: a foretaste of the crises to come

At the beginning of the European integration, the UK was not keen to take part in this adventure. The question of Britain's membership of the EEC was controversial and divided public opinion, the media, as well as the business, intellectual and political circles. Three arguments against membership were especially put forward: (1) political and institutional arguments with the attachment to the institutions and to parliamentary sovereignty<sup>62</sup>; (2) economic arguments with the desire to stay open to the world; and (3) cultural and geographical arguments.

The first argument against membership relied on the loss of sacrosanct sovereignty.<sup>63</sup> In the UK, the Parliament of Westminster is considered to be the most legitimate and highest authority of the country, a status that this political body acquired smoothly and gradually throughout history.<sup>64</sup> This historical legitimacy of the British institutions contrasted with the institutions acquired following bloody revolutions in other European countries and reinforced the attachment to the national institutions. The English Constitution, which is not codified in a single document but rather consists of various successively written documents<sup>65</sup>, further reflects this smooth and gradual process. This customary Constitution conflicted with the idea of formal, supranational texts<sup>66</sup> such as the first European treaties.

Edmund Burke, 18<sup>th</sup>-century Irish philosopher and member of the British Parliament, had already underlined the difference between the French Constitution which was abruptly established in the aftermath of the French Revolution and the gradually shaped English Constitution.<sup>67</sup> This argument of historical legitimacy also appears in Enoch Powell's speech on Britain's membership of the EEC in 1971 in which he stated that

your assemblies, unlike the British parliament, are the creation of deliberate political acts, and mostly of recent political acts. The notion that a new

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<sup>62</sup> SCHNAPPER P., *La Grande-Bretagne et l'Europe : le grand malentendu*, *op. cit.*, p. 45; SCHNAPPER P., *Le Royaume-Uni doit-il sortir de l'Union européenne ?*, *op. cit.*, pp. 55-59.

<sup>63</sup> PIPER J. R., *op. cit.*, p. 256.

<sup>64</sup> SCHNAPPER P., *Le Royaume-Uni doit-il sortir de l'Union européenne ?*, *op. cit.*, p. 57.

<sup>65</sup> UNIVERSITY COLLEGE LONDON, *What is the UK constitution?*, available at [www.ucl.ac.uk/constitution-unit/whatis/uk-constitution/](http://www.ucl.ac.uk/constitution-unit/whatis/uk-constitution/) [last consulted on August 12<sup>th</sup>, 2015].

<sup>66</sup> MICHEL Q. et al., *op. cit.*, p. 26.

<sup>67</sup> BURKE E., *Reflections on the Revolution in France*, published in 1790, available at [www.fordham.edu/halsall/mod/1791burke.asp](http://www.fordham.edu/halsall/mod/1791burke.asp) [last consulted on August 12<sup>th</sup>, 2015].

sovereign body can be created is therefore as familiar to you as it is repugnant, not to say unimaginable, to us.<sup>68</sup>

Powell sought to explain that the British political institutions were created and had gained legitimacy throughout history, which makes the European supranational institutions spontaneously built from scratch appear as illegitimate from a British point of view. Powell was of course a notable eurosceptic Conservative who wanted to keep the UK out of the EEC but his stance nonetheless reflected a widespread belief.

Parliamentary sovereignty, which constitutes ‘the defining principle of the British Constitution [and] the ultimate lawmaking power vested in a democratically elected Parliament’<sup>69</sup>, was also seen as ‘indivisible’<sup>70</sup> and ‘incompatible’<sup>71</sup> with EEC law. The projects of cooperation that saw the light of day in the 1950s were designed in a supranational perspective, which involved a loss of sovereignty. Indeed, the European Coal and Steel Community, created in 1951, pooled coal and steel resources which were strategic sectors at the time.<sup>72</sup> Henceforth, there was a prevalent fear to witness a deterioration of the parliamentary sovereignty to the benefits of the EEC.<sup>73</sup>

The second argument against membership was the desire to remain open to the rest of the world which found its roots in Britain’s imperial past. Maintaining a close relationship with the Commonwealth was important in order to secure the economic ties that Britain had developed with these countries.<sup>74</sup> The British political elites approved of the idea of the free trade area established by the European Economic Community (EEC, created in 1957), but they were not enthusiastic about the customs union because it implied common external tariffs. If Britain took part in the free trade area, the price repercussions on imports from the Commonwealth<sup>75</sup> would jeopardise the privileged economic ties with the Commonwealth.<sup>76</sup> In order to preserve these ties, the UK chose to

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<sup>68</sup> POWELL E., ‘On Britain’s membership of the EEC’, Association des Chefs d’Entreprises Libres, Lyon, 12 February 1971, speech, available at [www.enochpowell.net/sd-49.html](http://www.enochpowell.net/sd-49.html) [last consulted on August 12<sup>th</sup>, 2015].

<sup>69</sup> UNIVERSITY COLLEGE LONDON, *op. cit.*

<sup>70</sup> SCHNAPPER P., *Le Royaume-Uni doit-il sortir de l’Union européenne ?*, *op. cit.*, p. 58.

<sup>71</sup> SCHNAPPER P., *La Grande-Bretagne et l’Europe : le grand malentendu*, *op. cit.*, p. 53.

<sup>72</sup> SCHNAPPER P., *Le Royaume-Uni doit-il sortir de l’Union européenne ?*, *op. cit.*, p. 12.

<sup>73</sup> SCHNAPPER P., *La Grande-Bretagne et l’Europe : le grand malentendu*, *op. cit.*, p. 54.

<sup>74</sup> LORD C., *British Entry to the European Community under the Heath Government of 1970-4*, Newcastle upon Tyne, Atheneum Press, 1993, p. 12; PIPER J. R., *op. cit.*, p. 256; SCHNAPPER P., *Le Royaume-Uni doit-il sortir de l’Union européenne ?*, *op. cit.*, p. 66.

<sup>75</sup> SCHNAPPER P., *La Grande-Bretagne et l’Europe : le grand malentendu*, *op. cit.*, p. 54.

<sup>76</sup> SCHNAPPER P., *Le Royaume-Uni doit-il sortir de l’Union européenne ?*, *op. cit.*, p. 12.

set up a free trade area without common external customs duties with countries that did not take part in the EEC<sup>77</sup>: the European Free Trade Association (EFTA)<sup>78</sup>.

In the same vein, the primacy of the ‘special relationship’ with the United States that saw the light of day after the Second World War was seen as ‘incompatible’<sup>79</sup> with a British durable involvement in the European integration. Although this ‘special relationship’ mainly falls within the argument of openness to the world, it can just as much be invoked in relation with linguistic, cultural and political matters<sup>80</sup>. The historical and linguistic ties and the unifying power of the Anglo-Saxon culture are indeed many factors that contribute to the permanence of this ‘special relationship’.<sup>81</sup>

Moreover, involvement in the EEC was also seen as narrowing down the economic opportunities in a globalizing world<sup>82</sup> where emerging countries were becoming more and more significant on the international scene.

The third and last type of argument against membership concerned the geographical distance with the European continent and cultural discrepancies, an argument that sounds at first glance similar to the one adduced by Greenland. The insularity of Britain, physically separated from Europe by the Channel, would weaken the feeling of belonging to Europe.<sup>83</sup> In other words, the physical separation would have shaped a psychological separation and Britain would have become an apart nation with a different destiny from continental Europe.<sup>84</sup>

However, the British political leaders began to change their minds about the European integration in the 1960s for several reasons. First, the economic ties with the Commonwealth were weakening<sup>85</sup> and there was a growing disillusionment with the real capacities of this network of Nations due to the expulsion of apartheid South Africa in 1961<sup>86</sup>. There was thus a need to recreate and increase international influence.<sup>87</sup> Secondly,

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<sup>77</sup> Austria, Denmark, Norway, Portugal, Sweden and Switzerland.

<sup>78</sup> HULL C., *Opening Pandora's Box: David Cameron's Referendum Gamble on EU Membership*, Yale University, 2014, p. 7; PIPER J. R., *op. cit.*, pp. 256-257; SCHNAPPER P., *Le Royaume-Uni doit-il sortir de l'Union européenne ?*, *op. cit.*, pp. 12-13.

<sup>79</sup> SCHNAPPER P., *Le Royaume-Uni doit-il sortir de l'Union européenne ?*, *op. cit.*, p. 72.

<sup>80</sup> PIPER J. R., *op. cit.*, p. 256.

<sup>81</sup> MILWARD A. S., ‘The United Kingdom and the European Union’, *Journal of European Integration History*, 2014, 20, p. 73.

<sup>82</sup> SCHNAPPER P., *La Grande-Bretagne et l'Europe : le grand malentendu*, *op. cit.*, p. 35.

<sup>83</sup> *Ibid.*

<sup>84</sup> *Ibid.*, p. 34.

<sup>85</sup> HULL C., *op. cit.*, p. 7; PIPER J. R., *op. cit.*, p. 257.

<sup>86</sup> PIPER J. R., *op. cit.*, p. 257.

<sup>87</sup> DADDOW O., ‘Interpreting the Outsider Tradition in British European Policy Speeches from Thatcher to Cameron’, *op. cit.*, p. 77.

the British economy was declining and needed to widen its horizons to recover<sup>88</sup>. Moreover, the EEC was becoming an interesting economic partner and the alternative EFTA did not act as the expected counterbalance to the EEC.<sup>89</sup> Finally, there was an American pressure on the UK to join the EEC and model it according to the British vision.<sup>90</sup> In this changing international context, the leaders started to consider British membership of the EEC, a turnaround that C. Lord qualifies as ‘the pursuit of a traditional foreign policy by other means’<sup>91</sup>.

In 1961, Harold Macmillan, Conservative Prime Minister, made an application for Britain’s membership of the EEC. However, Charles de Gaulle, the then French President, vetoed the British membership in 1963.<sup>92</sup> In 1967, the Labour Prime Minister Harold Wilson introduced a new unsuccessful application for membership which was vetoed by de Gaulle the very same year.<sup>93</sup> It is only in 1973 that the UK was able to join the EEC under Edward Heath’s incumbency. These two French vetoes, the twelve-year long membership process and the feeling of humiliation and resentment that resulted therefrom<sup>94</sup> gave rise to a deep crisis that left the first scars on the UK-EEC/EU relationship before it has even really started.

## 2. 1973-1979: Wilson’s ‘in/out’ referendum, a first crisis

Despite the arguments against membership, the Conservative Prime Minister Edward Heath undertook negotiations with the EEC and the UK acceded on 1<sup>st</sup> January 1973. The context was obviously different from those of the first applications. The first element that comes straight to mind is that de Gaulle was replaced by Georges Pompidou who was far more favourable to a positive outcome for Britain’s accession. However, the decisive element was above all that Heath was the first Prime Minister truly convinced of the

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<sup>88</sup> DADDOW O., ‘Interpreting the Outsider Tradition in British European Policy Speeches from Thatcher to Cameron’, *op. cit.*, p. 77; MILWARD A. S., *op. cit.*, p. 77.

<sup>89</sup> HULL C., *op. cit.*, p. 7.

<sup>90</sup> PIPER J. R., *op. cit.*, p. 257.

<sup>91</sup> LORD C., *op. cit.*, p. 10.

<sup>92</sup> MILWARD A. S., *op. cit.*, p. 76; SCHNAPPER P., *Le Royaume-Uni doit-il sortir de l’Union européenne ?*, *op. cit.*, pp. 14-15 ; SEYMOUR-URE C., ‘Press and Referenda: The Case of the British Referendum of 1975’, *Canadian Journal of Political Science / Revue canadienne de science politique*, 1978, 11.3, pp. 601-602.

<sup>93</sup> MILWARD A. S., *op. cit.*, p. 76; SEYMOUR-URE C., *op. cit.*, p. 602.

<sup>94</sup> MICHEL Q. et al., *op. cit.*, p. 26.

benefits of membership of the EEC.<sup>95</sup> Although he was aware of the implications of membership for the British sacrosanct national sovereignty, Heath was not against ceding small parts of sovereignty to gain greater influence and power.<sup>96</sup> However, as H. Young points out, Heath ‘was not prepared to concede, in cold fact, that although there might be a gain in power, there would be a loss independence.’<sup>97</sup>

Heath’s determination and concessions finally led to an agreement followed by Britain’s accession in 1973. However, the deal that Heath settled with the former Member States was far from flawless. Due to its belated membership, the UK had to make do with sets of rules that were established prior to its accession.<sup>98</sup> More specifically, Heath had accepted some budgetary terms that were not especially in favour of the UK. The 1970 EEC budget reform provided for new financial resources, i.e. a percentage of the VAT income and custom duties on products imported from non-member countries.<sup>99</sup> At the time, the UK imported many agricultural products, such as butter and sugar, from its former colonies.<sup>100</sup> If the budgetary terms accepted by Heath were respected, Britain’s contribution would have accounted for one fifth of the EEC budget at the beginning of the 1980s while Britain’s GDP made up for only 16 percent of the EEC’s.<sup>101</sup>

The agricultural and fisheries policies were not doing better. Indeed, the UK was a significant contributor to the budget share devoted to the Common Agricultural Policy (CAP) from which the country benefitted little due to the limited importance of its agriculture.<sup>102</sup> As for the Common Fisheries Policy (CFP), it had been made in a rush, knowing that the 1973 accession wave was made up of seafaring nations, and was, as D. Charter points out, ‘disastrous’<sup>103</sup> for these nations.

In the opposition since 1970, the Labour Party came down against the newly acquired membership or at least against the negotiated terms.<sup>104</sup> In view of the 1974 general election, Harold Wilson drew up his electoral programme on the negotiated terms that he considered unacceptable and promised, if he got elected, a renegotiation of these

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<sup>95</sup> SCHNAPPER P., *La Grande-Bretagne et l’Europe : le grand malentendu*, *op. cit.*, p. 96.

<sup>96</sup> CHARTER D., *op. cit.*, p. 17.

<sup>97</sup> YOUNG H. quoted in CHARTER D., *op. cit.*, p. 21.

<sup>98</sup> CHARTER D., *op. cit.*, p. 4.

<sup>99</sup> SCHNAPPER P., *Le Royaume-Uni doit-il sortir de l’Union européenne ?*, *op. cit.*, p. 18.

<sup>100</sup> SCHNAPPER P., *La Grande-Bretagne et l’Europe : le grand malentendu*, *op. cit.*, p. 99.

<sup>101</sup> SCHNAPPER P., *Le Royaume-Uni doit-il sortir de l’Union européenne ?*, *op. cit.*, pp. 20-21.

<sup>102</sup> MILWARD A. S., *op. cit.*, p. 78; SCHNAPPER P., *Le Royaume-Uni doit-il sortir de l’Union européenne ?*, *op. cit.*, p. 18.

<sup>103</sup> CHARTER D., *op. cit.*, p. 4.

<sup>104</sup> SCHNAPPER P., *La Grande-Bretagne et l’Europe : le grand malentendu*, *op. cit.*, p. 97.

terms, as well as a referendum on continued membership to be held after the renegotiation process.<sup>105</sup>

Wilson did not stand against Britain's membership of the EEC since he had applied for it in 1967 during his first premiership but he disagreed on the negotiated terms<sup>106</sup>, mostly for political<sup>107</sup> and tactical<sup>108</sup> reasons. Indeed, a majority of his party stood against membership.<sup>109</sup> With the promise of an 'in/out' referendum, this majority would be satisfied<sup>110</sup> and internal party cohesion would be maintained. Moreover, Wilson had already prepared the ground for membership in ill-suited conditions but it was Heath who finally got all the credit.<sup>111</sup> By criticizing the negotiated terms only, Wilson discredited his rival's contribution without positioning himself against membership *per se*.

Why had Wilson decided to hold a referendum even though the renegotiated terms turned out to meet the expectations? Because in the 1974 electoral campaign, the emphasis was put on the democratic choice that the population would be given while Heath was portrayed as the leader who had decided on membership without seeking the population's full consent.<sup>112</sup> The promise of a referendum also gave the certainty to the citizens that if the outcome of the renegotiations was not satisfactory enough, there would be a way of escaping from the EEC. Moreover, although the Labour party agreed with the Conservative government in 1972 on the fact that membership would be decided by the Parliament, and therefore indirectly by the population, Wilson saw in the pledge for a referendum a way of weakening the Conservative party.<sup>113</sup> This promise was thus above all an electoral strategy to come to power. And it worked: Wilson became Prime Minister in February 1974.

James Callaghan was appointed Foreign Secretary and carried out the renegotiations with the other Member States.<sup>114</sup> In this regard, Wilson had defined seven issues: (1) reducing the British contribution to the EEC budget; (2) safeguarding the

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<sup>105</sup> MEYER J.-H., *The 1975 referendum on Britain's continued membership in the EEC*, Centre Virtuel de la Connaissance sur l'Europe (CVCE), 2013, p. 2; SCHNAPPER P., *La Grande-Bretagne et l'Europe : le grand malentendu*, *op. cit.*, p. 99 ; SEYMOUR-URE C., *op. cit.*, p. 602.

<sup>106</sup> SCHNAPPER P., *La Grande-Bretagne et l'Europe : le grand malentendu*, *op. cit.*, p. 98.

<sup>107</sup> SCHNAPPER P., *Le Royaume-Uni doit-il sortir de l'Union européenne ?*, *op. cit.*, p. 20.

<sup>108</sup> FORSTER A., *Euroscepticism in Contemporary British Politics: Opposition to Europe in the British Conservative and Labour Parties since 1945*, London, Routledge, 2002, p. 49.

<sup>109</sup> SCHNAPPER P., *Le Royaume-Uni doit-il sortir de l'Union européenne ?*, *op. cit.*, p. 19.

<sup>110</sup> *Ibid.*, p. 20.

<sup>111</sup> SCHNAPPER P., *La Grande-Bretagne et l'Europe : le grand malentendu*, *op. cit.*, pp. 98-99.

<sup>112</sup> SEYMOUR-URE C., *op. cit.*, p. 602.

<sup>113</sup> MEYER J.-H., *op. cit.*, p. 2.

<sup>114</sup> FORSTER A., *op. cit.*, p. 56; SCHNAPPER P., *Le Royaume-Uni doit-il sortir de l'Union européenne ?*, *op. cit.*, p. 20.

Commonwealth exporters' interests; (3) applying a zero-rated VAT on staple goods; (4) reforming the CAP and the CFP; (5) rejecting the emerging idea of an economic and monetary union; (6) keeping the decision-making powers for industrial, regional and tax policies at national level; and (7) limiting the capital movements with the EEC.<sup>115</sup> However, Wilson made Callaghan focus on the two most sensitive issues, i.e. the budget contribution and the trade agreements with the Commonwealth.<sup>116</sup> In reality, it was not so much the trade relations with the Commonwealth that were at stake but rather the remaining ties with the vestiges of the British Empire and the creation of this network of Nations that Wilson considered as 'one of the greatest chapters in world history'<sup>117</sup>.

Callaghan came back with proposals regarding the import of agricultural products from the Commonwealth countries and a conditional rebate on the British budget contribution.<sup>118</sup> Despite the fact that Wilson was not entirely satisfied with the renegotiated terms<sup>119</sup>, he presented them as a huge success<sup>120</sup> for he was convinced that Britain had to stay in the EEC<sup>121</sup>. He launched the process to hold an 'in/out' referendum as promised and began to campaign for a 'yes' vote, i.e. keeping Britain within the EEC.<sup>122</sup>

Just as during the electoral campaign, maintaining the referendum despite the renegotiations was part of his electoral strategy. By organising such a referendum, Wilson showed his electorate that he was a man of his word and appeared as a more democratic leader than his predecessor who made the UK join the EEC without directly consulting the population.<sup>123</sup> If the outcome of the referendum was positive, the British membership would become fully legitimised.<sup>124</sup> Wilson besides reminded this legitimacy in a speech delivered shortly after the referendum: '[t]he issue was settled by the people themselves

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<sup>115</sup> FORSTER A., *op. cit.*, pp. 48-49; SPENCE J., 'A high price to pay? Britain and the European budget', *International Affairs*, 2012, 88.6, p. 1242; WALL S., *The Official History of Britain and the European Community: From Rejection to Referendum, 1963-1975*, Vol. 2, London and New York, Routledge, 2013, p. 511.

<sup>116</sup> SCHNAPPER P., *Le Royaume-Uni doit-il sortir de l'Union européenne ?*, *op. cit.*, pp. 20-21.

<sup>117</sup> WILSON H. quoted in BROAD M. and DADDOW O., 'Half-Remembered Quotations from Mostly Forgotten Speeches: The Limits of Labour's European Policy Discourse', *British Journal of Politics and International Relations*, 2010, 12, p. 210.

<sup>118</sup> MEYER J.-H., *op. cit.*, p. 2; SCHNAPPER P., *La Grande-Bretagne et l'Europe : le grand malentendu*, *op. cit.*, p. 102; SCHNAPPER P., *Le Royaume-Uni doit-il sortir de l'Union européenne ?*, *op. cit.*, pp. 20-21.

<sup>119</sup> GREENWOOD S., *Britain and European Integration Since the Second World War*, Manchester, Manchester University Press, 1996, p. 159.

<sup>120</sup> SCHNAPPER P., *La Grande-Bretagne et l'Europe : le grand malentendu*, *op. cit.*, p. 102.

<sup>121</sup> GREENWOOD S., *op. cit.*, p. 159.

<sup>122</sup> HULL C., *op. cit.*, p. 13; SPENCE J., *op. cit.*, p. 1242.

<sup>123</sup> HULL C., *op. cit.*, p. 13.

<sup>124</sup> MICHEL Q. et al., *op. cit.*, p. 59.

and it has now been virtually accepted. The argument is over.<sup>125</sup> Wilson also had to take his backbenchers' opinions into account. Despite the fact that he had presented the renegotiations as a success, he had to face tensions within a cabinet that remained deeply divided on continued membership and that wanted the referendum to be held.<sup>126</sup>

On 5 June 1975, 67.2 percent of the participants (on a turnout of about 65%) opted for a 'yes' vote, choosing to stay within the EEC.<sup>127</sup> This outcome may have caused a major stir given the fact that opinion polls reflected a widespread unfavourable outlook on continued membership before the start of the campaign.<sup>128</sup> However, the impact of the well-financed campaign for the *status quo* – backed by Wilson<sup>129</sup>, the media and most economic circles<sup>130</sup> – was considerable since it managed to reverse public opinion. Indeed, a few days before the referendum, the people in favour of a 'no' vote still formed a majority.<sup>131</sup> Moreover, the unstable economic climate of 1975, marked by the first oil crisis two years earlier, and the lack of an alternative provided by the opponents to membership also made the benefits of withdrawal uncertain.<sup>132</sup>

In a more hypothetical perspective, it has also been argued that the formulation of the question might have impacted on the final choice. Indeed, the question was formulated as follows: 'Do you think the United Kingdom should stay in the European Community (Common Market)?'<sup>133</sup> The verb 'stay' is likely to have favoured the idea of the *status quo*.<sup>134</sup> The voters might well have preferred to choose the situation they were familiar with rather than to get off the beaten tracks. Nonetheless, the importance of the formulation must be relativized given the significant gap between the 'yes' and the 'no' votes.<sup>135</sup>

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<sup>125</sup> WILSON H., 'Achievements, key issues and foreign policy', Labour Party Conference, Blackpool, 30 September 1975, speech, available at [www.britishpoliticalspeech.org/speech-archive.htm?speech=173](http://www.britishpoliticalspeech.org/speech-archive.htm?speech=173) [last consulted on August 12<sup>th</sup>, 2015].

<sup>126</sup> HULL C., *op. cit.*, p. 12; SCHNAPPER P., *La Grande-Bretagne et l'Europe : le grand malentendu*, *op. cit.*, p. 103; WATTS D. and PILKINGTON C., *Britain in the European Union Today*, Manchester, Manchester University Press, 2005, 3<sup>rd</sup> ed., p. 124.

<sup>127</sup> MEYER J.-H., *op. cit.*, p. 2; SPENCE J., *op. cit.*, p. 1243.

<sup>128</sup> HULL C., *op. cit.*, p. 11; SEYMOUR-URE C., *op. cit.*, p. 602.

<sup>129</sup> WATTS D. and PILKINGTON C., *op. cit.*, p. 124.

<sup>130</sup> MEYER J.-H., *op. cit.*, p. 2; SCHNAPPER P., *La Grande-Bretagne et l'Europe : le grand malentendu*, *op. cit.*, p. 170; SCHNAPPER P., *Le Royaume-Uni doit-il sortir de l'Union européenne ?*, *op. cit.*, p. 22 ; SEYMOUR-URE C., *op. cit.*, p. 602-603.

<sup>131</sup> SCHNAPPER P., *Le Royaume-Uni doit-il sortir de l'Union européenne ?*, *op. cit.*, p. 22.

<sup>132</sup> MEYER J.-H., *op. cit.*, p. 3.

<sup>133</sup> *Ibid.*, p. 2.

<sup>134</sup> DIBOUT P., 'Référendum et système parlementaire : Etude de la consultation référendaire du 5 juin 1975 dans le Royaume-Uni', *Revue internationale de droit comparé*, 1976, 28.2, p. 298.

<sup>135</sup> *Ibid.*, p. 298.

Wilson left power in 1976 and Callaghan succeeded him as Prime Minister until 1979. He had a European vision quite similar to Wilson at the outset but the domestic economic and social problems, which peaked in the Winter of Discontent, left little room for the EEC on his agenda.

However, it does not mean that Callaghan did not have a single ‘red line’ for the EEC. He fiercely opposed the emerging idea of an Economic and Monetary Union (EMU) because he wanted to solve the monetary crisis, resulting from the end of the Bretton Woods system in 1971, with the United States<sup>136</sup> and the International Monetary Fund (IMF).<sup>137</sup> His Atlantic preference revealed the wish to keep the American commitment in Europe and his rejection of the EMU created a hostile environment for the idea of monetary integration but they did not result in a crisis.

### **3. 1979-1990: the Thatcherite fourfold crisis**

The two-to-one vote in favour of membership in 1975 did not put an end to the debate on the European integration in the UK. When the ‘Iron Lady’ came to power, she was not as enthusiastic towards the EEC as her predecessors<sup>138</sup>, even though she had hinted that she would give her preference, as leader of the Conservative Party, to continued membership during the 1975 referendum.<sup>139</sup> During her incumbency, Margaret Thatcher was confronted to several European issues that gave rise to a fourfold crisis: a dual ‘economic’ crisis, a ‘political’ crisis, a ‘social’ crisis and a ‘reforms’ crisis.

#### ***3.1. The British budgetary contribution and the European Monetary System: a dual ‘economic’ crisis***

The first crisis was dual and was related to an economic reform desired by the British, i.e. the British budgetary contribution, and to a European project of economic integration, i.e. the European Monetary System (EMS).

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<sup>136</sup> GREENWOOD S., *op. cit.*, p. 169.

<sup>137</sup> SCHNAPPER P., *Le Royaume-Uni doit-il sortir de l’Union européenne ?*, *op. cit.*, p. 27.

<sup>138</sup> SCHNAPPER P., *La Grande-Bretagne et l’Europe : le grand malentendu*, *op. cit.*, p. 106.

<sup>139</sup> HULL C., *op. cit.*, p. 14 ; SCHNAPPER P., *La Grande-Bretagne et l’Europe : le grand malentendu*, *op. cit.*, p. 136.

Due to the difficult economic context, the British budgetary contribution had remained on Thatcher's agenda.<sup>140</sup> She wanted to obtain permanent tax relief to balance the difference between the British contributions to the EEC budget and the benefits that the UK got out of it. In this regard, the British contribution to the CAP and the EEC budget share devoted to this policy especially came in for sharp criticism.<sup>141</sup> In 1979, the European Commission offered a rebate of £ 375 million but Thatcher turned down the offer because she wanted a rebate of at least a billion.<sup>142</sup> The tensions peaked in 1982 when she vetoed the annual agreement on the price of agricultural products as long as no agreement is reached regarding the British budgetary contribution.<sup>143</sup> Despite the fact that this veto was rejected by the Agricultural Council<sup>144</sup>, it ensued several months of tensions with the European partners<sup>145</sup> during which Thatcher's catchphrase 'I want my money back'<sup>146</sup> appeared in almost every debate and European gatherings. In 1984 she finally obtained a British rebate corresponding to 66 % of the difference between the contributed and the granted amounts of money<sup>147</sup>.

In 1979 the EMS was established with the aim of reinforcing the project of the EMU.<sup>148</sup> The EMS involved an Exchange Rate Mechanism which kept the foreign exchange rates of the Member States' currencies within well-defined bands. Although Thatcher did not oppose the principle *per se*, she refused that the British currency took part in it. The prospective EMU would involve the creation of a European central bank, an idea which she opposed because it would damage Britain's sovereignty.<sup>149</sup> The term 'Union' also suggested a similar loss of sovereignty.<sup>150</sup> However, Thatcher eventually gave in and reluctantly accepted that the pound sterling joined the EMS shortly before

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<sup>140</sup> SCHNAPPER P., *Le Royaume-Uni doit-il sortir de l'Union européenne ?*, *op. cit.*, p. 28.

<sup>141</sup> SCHIRMANN S., *Penser et construire l'Europe (1919-1992): États et opinions nationales face à la construction européenne*, 2007, éditions Sedes, Paris ; SCHNAPPER P., *Le Royaume-Uni doit-il sortir de l'Union européenne ?*, *op. cit.*, p. 29.

<sup>142</sup> SCHNAPPER P., *Le Royaume-Uni doit-il sortir de l'Union européenne ?*, *op. cit.*, p. 28.

<sup>143</sup> *Ibid.*, p. 28.

<sup>144</sup> SCHNAPPER P., *La Grande-Bretagne et l'Europe : le grand malentendu*, *op. cit.*, p. 107.

<sup>145</sup> SCHNAPPER P., *Le Royaume-Uni doit-il sortir de l'Union européenne ?*, *op. cit.*, p. 29.

<sup>146</sup> CHARTER D., *op. cit.*, p. 82; MILWARD A. S., *op. cit.*, p. 78.

<sup>147</sup> CHARTER D., *op. cit.*, p. 26; PIPER J. R., *op. cit.*, p. 259; SCHNAPPER P., *Le Royaume-Uni doit-il sortir de l'Union européenne ?*, *op. cit.*, p. 29; SPENCE J., *op. cit.*, p. 1244.

<sup>148</sup> ALLEMAND F., *Le système monétaire européen, in L'union économique et monétaire : origine, fonctionnement et futur*, Allemand F., Sanem : CVCE, Coll. Dossier thématique, 2013, available at [www.cvce.eu/education/unit-content/-/unit/7124614a-42f3-4ced-add8-a5fb3428f21c/9eec77e2-c94d-42d3-beed-a8413e26654c](http://www.cvce.eu/education/unit-content/-/unit/7124614a-42f3-4ced-add8-a5fb3428f21c/9eec77e2-c94d-42d3-beed-a8413e26654c) [last consulted on August 12<sup>th</sup>, 2015].

<sup>149</sup> SCHNAPPER P., *Le Royaume-Uni doit-il sortir de l'Union européenne ?*, *op. cit.*, p. 31.

<sup>150</sup> SCHIRMANN S., *op. cit.*

she left power, in 1990.<sup>151</sup> She nonetheless insisted that ‘this Government has no intention of agreeing to the imposition of a future single currency.’<sup>152</sup>

This dual ‘economic’ crisis reinforced her European partners’ vision of Britain being only interested in economically-related matters and rejecting other forms of cooperation. Her attitude and vehemence when defending Britain’s economic interests left a deep scar in the relationship with the other Member States.

### **3.2. *The supranational development of the EEC: a ‘political’ crisis***

A convinced nationalist, Thatcher attached great importance to the British national institutions and sovereignty.<sup>153</sup> She feared a loss of control on national matters if the European integration headed in the supranational direction.<sup>154</sup> If there should be deepening of the European project, it had to be on an intergovernmental basis. In her Bruges speech (see Part 2, 3.3), she reminded this intergovernmental vision that she justified on grounds of the diversity between the Member States:

[t]o try to suppress nationhood and concentrate power at the centre of a European conglomerate would be highly damaging and would jeopardise the objectives we seek to achieve. Europe will be stronger precisely because it has France as France, Spain as Spain, Britain as Britain, each with its own customs, traditions and identity. It would be folly to try to fit them into some sort of identikit European personality.<sup>155</sup>

In her vision, the national differences thus require to keep the national institutions and identities, and to control national matters at national level. She believes that this diversity constitutes the strength of Europe and that a supranational development would weaken this strength.

This is the reason why she adopted a suspicious attitude towards the conclusion of new treaties that encompassed supranational dimensions and enhanced closer political

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<sup>151</sup> FONTANA C. and CRAIG P., *op. cit.*, p. 96.

<sup>152</sup> THATCHER M., ‘Free enterprise overwhelmed Socialism’, Conservative Party Conference, Bournemouth, 12 October 1990, speech, available at [www.margaretthatcher.org/document/108217](http://www.margaretthatcher.org/document/108217) [last consulted on August 12<sup>th</sup>, 2015].

<sup>153</sup> FONTANA C. and CRAIG P., *op. cit.*, p. 93; PIPER J. R., *op. cit.*, p. 259.

<sup>154</sup> PIPER J. R., *op. cit.*, p. 259.

<sup>155</sup> THATCHER M., ‘Britain and Europe’ / ‘The Bruges speech’, College of Europe, Bruges, 20 September 1988, speech, available at [www.margaretthatcher.org/document/107332](http://www.margaretthatcher.org/document/107332) [last consulted on August 12<sup>th</sup>, 2015].

integration. She was indeed not keen on a successful outcome for the Single European Act when the negotiations began in the first half of the 1980s.<sup>156</sup> Although she supported the concrete advances over the project for a single market, such as the enshrinement of the ‘four freedoms’ (i.e. free movement of goods, capitals, services and persons)<sup>157</sup>, she was opposed to the project of a common foreign policy, the reinforcement of the European institutions through the extension of qualified majority voting to new areas, as well as a common defence because she preferred giving priority to NATO.<sup>158</sup> She was a strong supporter of free trade and liberalism but these two implied precisely, in her opinion, a less important degree of control from the European institutions.<sup>159</sup>

She eventually gave in on an official status for the common foreign policy, which was called the European Political Cooperation (EPC), in the Single European Act<sup>160</sup>, and she conceded to the extension of qualified majority voting to some areas. Thatcher was strongly interested in the creation of the single market and she feared that protectionist countries would eventually thwart this project.<sup>161</sup> These concessions, although strategic and driven by her interests in the single market as well as her free-trade ideas, nonetheless enabled the conclusion of the Single European Act.

Despite these concessions, her reluctance towards political integration further reinforced the European partners’ vision of the UK as being only interested in economic cooperation.

### 3.3. *The Bruges speech: a ‘reforms’ crisis*

On 20 September 1988, Thatcher delivered a landmark speech at the College of Europe in Bruges. This speech contained the main reforms or ‘red lines’ that she wanted to carry out in the EEC.

In her speech, Thatcher defined five ‘guiding principles’<sup>162</sup> that the EEC should follow in order to be successful but also to meet Britain’s expectations: (1) the EEC should not become ‘a European super-state exercising a new dominance from

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<sup>156</sup> FONTANA C. and CRAIG P., *op. cit.*, p. 95.

<sup>157</sup> SCHNAPPER P., *Le Royaume-Uni doit-il sortir de l’Union européenne ?*, *op. cit.*, p. 30.

<sup>158</sup> PIPER J. R., *op. cit.*, p. 260.

<sup>159</sup> FONTANA C. and CRAIG P., *op. cit.*, pp. 93 and 95.

<sup>160</sup> SCHNAPPER P., *La Grande-Bretagne et l’Europe : le grand malentendu*, *op. cit.*, p. 87.

<sup>161</sup> *Ibid.*, pp. 75 and 77.

<sup>162</sup> THATCHER M., ‘Britain and Europe’ / ‘The Bruges speech’, *op. cit.*

Brussels<sup>163</sup>, its Member States should rather be able to pursue cooperation without losing their sovereignty and powers; (2) the efficiency of budgetary management should be improved, especially through the reform and the completion of the CAP; (3) the EEC should open its doors to European enterprises, stimulate deregulation and liberalisation, remove barriers to free trade, and establish a free market in financial, banking and insurance services in order to compete with the other powerful economies in the world; (4) the EEC should strike trade deals with the rest of the world and not limit itself to its internal borders; (5) European defence must continue to be carried out through NATO in order to maintain the American commitment on the European continent.

Although the ideas of this speech may appear to be quite temperate compared to more recent speeches on Europe, it rang out as a direct attack on the EEC at that time and considerably impacted on the relationship with the European partners.

### **3.4. Delors's 'social Europe': a 'social' crisis**

Jacques Delors, President of the European Commission from 1985 to 1995 – a period overlapping the Thatcher era – was a staunch supporter of a 'social Europe'<sup>164</sup>. He pleaded in favour of a common social policy that would improve the working conditions and the protection of workers within the single market.<sup>165</sup>

Thatcher was firmly opposed to this project that she considered to run counter to the anti-social policies that she had led during the first years of her leadership: 'We haven't worked all these years to free Britain from the paralysis of Socialism only to see it creep in through the back door of central control and bureaucracy from Brussels.'<sup>166</sup> Thatcher's vision of Europe was modelled on her domestic-led neoliberal policy which supported free trade and economic deregulation<sup>167</sup>, weakened the trade unions' influence and reduced the access to social welfare<sup>168</sup> in order to put an end to what she called the 'culture

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<sup>163</sup> THATCHER M., 'Britain and Europe' / 'The Bruges speech', *op. cit.*

<sup>164</sup> PIPER J. R., *op. cit.*, p. 259.

<sup>165</sup> SCHNAPPER P., *Le Royaume-Uni doit-il sortir de l'Union européenne ?*, *op. cit.*, p. 32.

<sup>166</sup> THATCHER M., 'On the achievements of nearly ten years in Government', Conservative Party Conference, Brighton, 14 October 1988, keynote speech, available at [www.margaretthatcher.org/document/107352](http://www.margaretthatcher.org/document/107352) [last consulted on August 12<sup>th</sup>, 2015].

<sup>167</sup> HULL C., *op. cit.*, p. 14 ; SCHNAPPER P., *Le Royaume-Uni doit-il sortir de l'Union européenne ?*, *op. cit.*, p. 30.

<sup>168</sup> SCHNAPPER P., *Le Royaume-Uni doit-il sortir de l'Union européenne ?*, *op. cit.*, p. 32.

of dependency'<sup>169</sup>. In 1989, Thatcher refused to ratify the Social Charter, which created tensions with the European partners.<sup>170</sup>

Despite these crises, Thatcher did not consider Britain's withdrawal from the EEC or calling a referendum on membership during her incumbency<sup>171</sup>. Rather, she preferred to lead what can be called a non-withdrawal policy: she thought that she could negotiate more efficiently and obtain what she wanted by opposing or vetoing a decision than by threatening to withdraw Britain from the EEC. Moreover, she was convinced that a withdrawal would have disastrous consequences on the British economy.<sup>172</sup>

On the whole, Thatcher's European policy remained known for damaging Britain's relationship with the rest of the EEC and for adding a significant eurosceptic dimension to the Conservative Party (while it was mostly pro-European at the beginning of her incumbency)<sup>173</sup>. Her views and 'ferocity'<sup>174</sup> in the European matters are often said to have played an important role in her downfall<sup>175</sup> even though she remained known as 'Britain's most influential postwar leader'<sup>176</sup>.

#### 4. 1990-1997: the 'mad cow' crisis under Major's premiership

When he became Prime Minister, Major inherited Thatcher's eurosceptic reputation and a political party divided on the European question.<sup>177</sup> The relationship with the other Member States had been besmirched by Thatcher's attitude. Major was thus determined to pursue a constructive relationship with the EC in order to bring back the Member States' confidence in Britain.<sup>178</sup>

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<sup>169</sup> SCHNAPPER P., *Le Royaume-Uni doit-il sortir de l'Union européenne ?*, *op. cit.*, p. 32, *free translation from French*.

<sup>170</sup> PIPER J. R., *op. cit.*, p. 259; SCHIRMANN S., *op. cit.*

<sup>171</sup> CHARTER D., *op. cit.*, p. 59.

<sup>172</sup> HULL C., *op. cit.*, p. 14.

<sup>173</sup> FONTANA C. and CRAIG P., *op. cit.*, pp. 97-98; HULL C., *op. cit.*, pp. 14-15.

<sup>174</sup> FONTANA C. and CRAIG P., *op. cit.*, p. 94.

<sup>175</sup> CHARTER D., *op. cit.*, p. 53; FONTANA C. and CRAIG P., *op. cit.*, p. 96; PIPER J. R., *op. cit.*, p. 260; SCHNAPPER P., 'The British Party Leaders' Discourse on Europe', in *The Foreign Policy Discourse in the United Kingdom and the United States in the "New World Order"*, L. Maguire (Ed.), Newcastle upon Tyne, Cambridge Scholars Publishing, 2009, p. 58.

<sup>176</sup> FONTANA C. and CRAIG P., *op. cit.*, p. 93.

<sup>177</sup> SCHNAPPER P., 'The British Party Leaders' Discourse on Europe', *op. cit.*, p. 57.

<sup>178</sup> GARNETT M. and LYNCH P., *Exploring British Politics*, Harlow, Pearson/Longman, 2007, p. 357.

In a speech he gave in Bonn a few months after he was elected, he outlined his vision of Britain's place in the EC: 'My aim for Britain in the Community can be simply stated. I want us to be where we belong. At the very heart of Europe'<sup>179</sup>. The true meaning of these six last words has remained unclear but it seems that he intended to secure the British interests by negotiating with the European partners rather than rejecting all the proposals outright.<sup>180</sup> In reality, it resembled more a change of strategy than a change of European policy thinking.<sup>181</sup> Major had no enthusiasm for closer integration<sup>182</sup> and was determined to resume thorny cases by following in Thatcher's footsteps, but he wanted to engage in a positive and constructive relationship with the other Member States.<sup>183</sup>

Major's incumbency had been characterised by the rejection of four important European projects related to the advent of the Treaty of Maastricht: (1) the EMU project; (2) the Social Chapter; (3) the Common Foreign and Security Policy (CFSP); and (4) a supranational aim for the EC.

First, Major was firmly opposed to the EMU which he wanted to thwart at best and to opt out at worst. He did not manage to prevent the conclusion of the EMU but he did succeed in getting an opt-out for the UK, providing for the adoption of the common currency whenever the British want.<sup>184</sup> Although Major considered this divergence from the rest of the EC a success, it eventually resulted in the isolation of Britain on the European scene<sup>185</sup>.

In line with Thatcher and his own Conservative convictions, he also opposed the idea of a 'social Europe' that would alter British labour law considerably. He eventually managed to transform the Social Chapter into a protocol attached to the Treaty of Maastricht, and to secure an opt-out of this protocol for the UK.<sup>186</sup>

Like Thatcher, he did not see any advantage in a political union.<sup>187</sup> He rejected the supranational aspect planned for the CFSP because it would alter the 'special relationship'

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<sup>179</sup> MAJOR J. quoted in BOOKER C. and NORTH R., *The Great Deception: The Secret History of the European Union*, London, Continuum, 2005, p. 262.

<sup>180</sup> HOLMES M., *John Major and Europe: The Failure of a Policy 1990-7*, The Bruges Group, 1997, available at [www.brugesgroup.com/eu/john-major-and-europe-the-failure-of-a-policy-1990-7.htm?xp=paper](http://www.brugesgroup.com/eu/john-major-and-europe-the-failure-of-a-policy-1990-7.htm?xp=paper) [last consulted on August 12<sup>th</sup>, 2015]; SCHNAPPER P., *La Grande-Bretagne et l'Europe : le grand malentendu*, *op. cit.*, p. 115.

<sup>181</sup> SCHNAPPER P., 'The British Party Leaders' Discourse on Europe', *op. cit.*, p. 58.

<sup>182</sup> GREENWOOD S., *op. cit.*, p. 158.

<sup>183</sup> SCHNAPPER P., 'The British Party Leaders' Discourse on Europe', *op. cit.*, p. 58.

<sup>184</sup> MICHEL Q. et al., *op. cit.*, p. 33.

<sup>185</sup> CHARTER D., *op. cit.*, p. 9.

<sup>186</sup> FONTANA C. and CRAIG P., *op. cit.*, p. 98; PIPER J. R., *op. cit.*, p. 260.

<sup>187</sup> SCHNAPPER P., *La Grande-Bretagne et l'Europe : le grand malentendu*, *op. cit.*, p. 78.

with the United States and the relationship with the Commonwealth.<sup>188</sup> Although he did not succeed in preventing the creation of the CFSP, he managed to make it a separate pillar that ensured an intergovernmental management of the CFSP.<sup>189</sup>

Like Thatcher, Major rejected the idea of closer integration and a supranational Europe. In 1996, a few months before the end of his incumbency, he reminded in a speech his unchanged position towards closer integration:

[b]ut some of our partners do see the future of Europe as ever-closer political as well as economic integration. We do not believe this is practical, nor, to be frank, desirable. It is not the Europe we joined and it is not a Europe we can accept. This debate about the future direction of Europe is one of the most critical we have ever engaged in. We need to argue it fiercely but fairly.<sup>190</sup>

Major wanted the British to have what they signed for: cooperation, mainly economic, between Nation States. He rejected the idea of an all-powerful authority that would regulate still more political and economic matters. He eventually endeavoured to erase all references to a supranational objective for the EC in the Treaty of Maastricht thanks to the introduction of the principle of subsidiarity<sup>191</sup> which could be interpreted differently by both the proponents and the opponents of a supranational EC.<sup>192</sup>

Major's attitude during the negotiations for the Treaty of Maastricht was thus characterised by a willingness to safeguard the British interests using negotiation, opt-outs and compromise. However, he was unable to keep his promise of putting Britain 'at the heart of Europe'<sup>193</sup>. The devaluation of the pound sterling and its forced exit from the EMS on 16 September 1992<sup>194</sup>, that remained known as Black Wednesday, resulted in both a financial disaster and a revival of euroscepticism<sup>195</sup> which deeply impacted on Major's attitude towards the EC. His European policy indeed became less constructive and more defensive till the end of his leadership.<sup>196</sup>

<sup>188</sup> MICHEL Q. et al., *op. cit.*, p. 32.

<sup>189</sup> SCHNAPPER P., 'The British Party Leaders' Discourse on Europe', *op. cit.*, p. 59.

<sup>190</sup> MAJOR J., 'Preparation for the forthcoming general election and the Conservative programme', Conservative Party Conference, Bournemouth, 11 October 1996, leader's speech, [www.britishpoliticalspeech.org/speech-archive.htm?speech=142](http://www.britishpoliticalspeech.org/speech-archive.htm?speech=142) [last consulted on August 12<sup>th</sup>, 2015].

<sup>191</sup> Cf. article 5 TEU.

<sup>192</sup> MICHEL Q. et al., *op. cit.*, p. 32.

<sup>193</sup> PIPER J. R., *op. cit.*, p. 260.

<sup>194</sup> SCHNAPPER P., *Le Royaume-Uni doit-il sortir de l'Union européenne ?*, *op. cit.*, p. 41.

<sup>195</sup> FONTANA C. and CRAIG P., *op. cit.*, p. 99; SCHNAPPER P., *La Grande-Bretagne et l'Europe : le grand malentendu*, *op. cit.*, p. 172.

<sup>196</sup> SCHNAPPER P., *Le Royaume-Uni doit-il sortir de l'Union européenne ?*, *op. cit.*, p. 42.

The most important event of his premiership that impacted further on the deterioration of the UK-EEC/EU relationship was the ‘mad cow’ crisis. The bovine spongiform encephalopathy, commonly referred to as the ‘mad cow disease’, affected the British cattle and caused serious health concerns on the whole European continent during about ten years. In 1996, the EC imposed an embargo on British beef in order to limit the spread of the disease.<sup>197</sup> In order to attempt to thwart this decision, Major pursued a non-cooperation policy by systematically blocking the unanimity decisions in the Council in May 1996.<sup>198</sup>

This short-lived non-cooperation policy did not work since the embargo was lifted about ten years later but it nonetheless provoked a momentary crisis that worsened the relationship with the other Member States. Although Major did not officially consider Britain’s withdrawal from the EC at any moment during his premiership, he did use a method similar to de Gaulle’s ‘empty chair policy’ in order to oppose undesired measures affecting his country and express disagreement.

## **5. 1997-2010: military disagreements under Blair’s premiership**

After spending seventeen years in the opposition, the Labour Party came back to power with Tony Blair as Prime Minister. The Labour Party had been predominantly unfavourable to Britain’s membership of the EEC, with the exception of Wilson who campaigned for the ‘yes’ vote in 1975 although he had himself initiated the referendum. However, Thatcher’s hostile attitude and the new eurosceptic orientation of the Conservative Party towards Europe were perceived as an electoral opportunity by Labour which became mostly favourable to the European integration<sup>199</sup>.

When Blair became Prime Minister in 1997, he enjoyed a large majority in government and a rather unified party on the European question.<sup>200</sup> He was therefore determined to cancel out the effects of the Thatcherite heritage that had marginalised

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<sup>197</sup> GARNETT M. and LYNCH P., *op. cit.*, p. 358.

<sup>198</sup> *Ibid.*

<sup>199</sup> CHARTER D., *op. cit.*, pp. 46-47.

<sup>200</sup> PIPER J. R., *op. cit.*, p. 261; SCHNAPPER P., *La Grande-Bretagne et l’Europe : le grand malentendu*, *op. cit.*, p. 126.

Britain in Europe<sup>201</sup>, and to reshape the UK-EEC/EU relationship. He wanted to give back a predominant place to Britain in Europe, and deplored the fact that the EC had ‘always appeared to be trying to shape [the British], rather than the other way round.’<sup>202</sup> Blair was convinced that a positive attitude towards the European integration would enable Britain to bring about the necessary economic and institutional reforms that would serve national interests best.

He therefore undertook to pursue a constructive European policy based on compromise and compliance rather than adamant opposition<sup>203</sup>, as well as to restore Britain’s leadership<sup>204</sup>. In a speech delivered two years after his election, he explained that he believes Britain’s place is at the ‘centre of Europe’<sup>205</sup> because it is in its interests:

[t]he reason for this constructive engagement was obvious.<sup>206</sup> It is why being in the EU remains in the British national interest. It is why withdrawal from Europe or retreat to its margins of influence is contrary to that national interest. Put bluntly, our own national self interest, economic and political, demands we are at the centre of Europe and its debates.<sup>207</sup>

The resemblance with Major’s ‘at the very heart of Europe’-policy was striking but Major had finally given up this ambition by the end of his incumbency while Blair, on the contrary, was determined to fulfil it.<sup>208</sup> Despite this ‘rupture’<sup>209</sup> with his predecessors’ attitudes towards the European integration, his European policy did not move away from the central tenets advocated by the former legislatures<sup>210</sup>, such as the rejection of a supranational objective, the maintaining of a veto right in some areas<sup>211</sup>, the reform of the CAP budget in terms of size and management<sup>212</sup>, as well as the importance of free trade

<sup>201</sup> PIPER J. R., *op. cit.*, p. 261; SCHNAPPER P., *Le Royaume-Uni doit-il sortir de l’Union européenne ?*, *op. cit.*, p. 43.

<sup>202</sup> BLAIR T., ‘Making the case for Britain in Europe’, London Business School, London, 27 July 1999, speech, available at [www.theguardian.com/business/1999/jul/27/emu.theeuro2](http://www.theguardian.com/business/1999/jul/27/emu.theeuro2) [last consulted on August 12<sup>th</sup>, 2015].

<sup>203</sup> HUGHES K. and SMITH E., ‘New Labour-New Europe?’, *International Affairs*, 1998, 74.1, p. 103; SCHNAPPER P., *La Grande-Bretagne et l’Europe : le grand malentendu*, *op. cit.*, p. 132; Tournier-Sol K., ‘Identité britannique et identité européenne dans la politique du New Labour’, p. 3.

<sup>204</sup> HULL C., *op. cit.*, p. 21; SCHNAPPER P., *Le Royaume-Uni doit-il sortir de l’Union européenne ?*, *op. cit.*, p. 42.

<sup>205</sup> BLAIR T., ‘Making the case for Britain in Europe’, *op. cit.*

<sup>206</sup> Blair refers here to Thatcher’s role in the creation of the single market.

<sup>207</sup> BLAIR T., ‘Making the case for Britain in Europe’, *op. cit.*

<sup>208</sup> PIPER J. R., *op. cit.*, p. 261.

<sup>209</sup> SCHNAPPER P., *La Grande-Bretagne et l’Europe : le grand malentendu*, *op. cit.*, p. 133.

<sup>210</sup> HUGHES K. and SMITH E., *op. cit.*, p. 103; SCHNAPPER P., *Le Royaume-Uni doit-il sortir de l’Union européenne ?*, *op. cit.*, p. 43.

<sup>211</sup> SCHNAPPER P., *La Grande-Bretagne et l’Europe : le grand malentendu*, *op. cit.*, p. 132.

<sup>212</sup> SCHNAPPER P., *Le Royaume-Uni doit-il sortir de l’Union européenne ?*, *op. cit.*, p. 43.

and the single market<sup>213</sup>. Blair's European policy, like Major's, finally remained consistent in substance with the previous British European policy thinking, and seemed to be a change of strategy rather than a radical change of policy.

Nonetheless, he did display more compliance *vis-à-vis* some European projects. Unlike Thatcher and Major who had shown great reluctance towards Delors's 'social Europe', Blair was favourable to a social commitment for Europe. The Social Chapter, which had been appended to the Treaty of Maastricht, encompassed many Labour values.<sup>214</sup> Consequently, he hastened to endorse the Social Chapter that was eventually incorporated in the Treaty of Amsterdam. In this way, he showed his commitment to the European project<sup>215</sup> and his strong differentiation of a Thatcherese approach<sup>216</sup>. However, this sudden and unexpected cooperation with the European partners must be relativized since his yielding dispositions stopped when it came to the extension of EC competences in social areas.<sup>217</sup>

Regarding the budgetary contribution to the EC budget, Blair also appeared to be rather compliant with some sensitive issues. He was the first Prime Minister to accept a reduction of the British rebate of about one fifth.<sup>218</sup> However, it was in a purely strategic perspective: by making concessions on the British rebate, he hoped to get reforms in the CAP expenditures in return.<sup>219</sup> This strategy barely bore fruit since the reduction in these expenditures was barely perceptible.<sup>220</sup>

In terms of monetary cooperation, Blair looked favourably on a future participation of his country in the single currency.<sup>221</sup> He believed that joining the euro was necessary in order to handle successfully his project of British leadership in Europe<sup>222</sup> and stated in 2002 that 'the euro is not just about our economy but about our destiny'<sup>223</sup>. Shortly after the euro changeover in the signatory Member States, he set an agenda with guidelines on a future adoption of the single currency in Britain.<sup>224</sup> These guidelines made provisions

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<sup>213</sup> HUGHES K. and SMITH E., *op. cit.*, p. 103.

<sup>214</sup> PIPER J. R., *op. cit.*, p. 261.

<sup>215</sup> SCHNAPPER P., *La Grande-Bretagne et l'Europe : le grand malentendu*, *op. cit.*, p. 127.

<sup>216</sup> PIPER J. R., *op. cit.*, p. 261.

<sup>217</sup> GARNETT M. and LYNCH P., *op. cit.*, p. 359.

<sup>218</sup> CHARTER D., *op. cit.*, p. 83.

<sup>219</sup> GARNETT M. and LYNCH P., *op. cit.*, p. 359.

<sup>220</sup> CHARTER D., *op. cit.*, p. 83.

<sup>221</sup> HUGHES K. and SMITH E., *op. cit.*, p. 97.

<sup>222</sup> CHARTER D., *op. cit.*, p. 53; SCHNAPPER P., *Le Royaume-Uni doit-il sortir de l'Union européenne ?*, *op. cit.*, p. 45.

<sup>223</sup> BLAIR T. quoted in CHARTER D., *op. cit.*, p. 52.

<sup>224</sup> SCHNAPPER P., *La Grande-Bretagne et l'Europe : le grand malentendu*, *op. cit.*, p. 129.

for five entry conditions<sup>225</sup> to be met, a referendum on this question to be held and won after the 2001 general election – in case of a Labour victory – and the changeover to the euro within three years if the population came down in favour of it in the referendum.<sup>226</sup>

The entry conditions were in Gordon Brown's hands, the then Chancellor of the Exchequer, who was absolutely convinced that it was not in Britain's interests to adopt the euro and who made sure to report negatively on these entry conditions.<sup>227</sup> Brown's poor assessment of the entry conditions frustrated Blair and dampened his enthusiasm for the single currency. Blair reluctantly gave up the project of participation in the single currency, which resulted in the partial marginalisation of his country instead of taking it to leadership.<sup>228</sup>

As for political cooperation, Blair accepted the extension of the qualified majority voting in the Treaty of Amsterdam and the Treaty of Nice.<sup>229</sup> However, just like his commitment to the Social Chapter, this cooperation must be relativized since he fiercely continued to defend the unanimity voting in sensitive areas such as tax, defence and treaty reforms.<sup>230</sup> Moreover, he managed to get an opt-out of the Schengen *acquis* when it was incorporated into EC law with the Treaty of Amsterdam.<sup>231</sup>

However, this relatively constructive relationship with the EC deteriorated when he gave unfailing support to the former American President George W. Bush during the Second Gulf War in 2003.<sup>232</sup> Even though France and Germany – just like Russia – disapproved the invasion of Iraq and threatened to use their veto right at the United Nations Security Council, Blair decided that the United Kingdom would take part in the military coalition led by the United States. In a speech delivered two days before the invasion of Iraq, he explained his choice of supporting the United States and the need for a European-American entente rather than rivalry:

[b]ut there will be, in any event, no sound future for the UN, no guarantee against the repetition of these events, unless we recognise the urgent need for a political agenda we can unite upon. What we have witnessed is indeed the consequence of Europe and the United States dividing from each other. [...]

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<sup>225</sup> Also called the five economic tests: convergence, flexibility, impact on investment, impact on financials services and impact on employment. HUGHES K. and SMITH E., *op. cit.*, p. 97.

<sup>226</sup> HUGHES K. and SMITH E., *op. cit.*, p. 97; SCHNAPPER P., *La Grande-Bretagne et l'Europe : le grand malentendu*, *op. cit.*, p. 129.

<sup>227</sup> BROAD M. and DADDOW O., *op. cit.*, pp. 217-218; CHARTER D., *op. cit.*, pp. 52 and 53.

<sup>228</sup> SCHNAPPER P., *Le Royaume-Uni doit-il sortir de l'Union européenne ?*, *op. cit.*, p. 47.

<sup>229</sup> GARNETT M. and LYNCH P., *op. cit.*, p. 359.

<sup>230</sup> *Ibid.*

<sup>231</sup> SCHNAPPER P., *Le Royaume-Uni doit-il sortir de l'Union européenne ?*, *op. cit.*, p. 45.

<sup>232</sup> HULL C., *op. cit.*, p. 21.

But the paralysis of the UN has been born out of the division there is. And at the heart of it has been the concept of a world in which there are rival poles of power. [...] I believe such a vision to be misguided and profoundly dangerous.<sup>233</sup>

The Atlantic preference was not new in Britain's foreign policy thinking; however, the foreign policy agenda was also the only remaining area in which Blair had still some freedom of movement as his project for European commitment had been shattered by the media, the population's reluctance and Brown's control over euro membership.<sup>234</sup>

By reaffirming the priority of the 'special relationship' to the detriment of the European partnership, Blair marred the UK-EEC/EU relationship. His choice of backing the United States militarily was prejudicial to the constructive relationship he had managed to establish with his European partners, which resulted in the alienation of the UK on the European scene and shattered any project of British leadership in Europe.<sup>235</sup> This military disagreement constitutes a rather small crisis in the UK-EEC/EU relationship compared to the other aforementioned crises but it nonetheless illustrates the difficulty of maintaining a durable, long-term understanding.

Despite these relatively minor military disagreements, the Blair era constitutes the heyday of the UK-EEC/EU relationship. Alongside Heath, Blair has remained the most pro-European British Prime Minister until now. He tried for a long time to adopt a new approach on Europe in order to improve the UK-EEC/EU relationship. Unfortunately, 'the ambivalence and antagonism of the two decades before him ultimately proved too entrenched to deflect'<sup>236</sup>, as D. Charter puts rightly. Despite his efforts, Blair did not manage to pass on his enthusiasm to the British population who remained deeply influenced by the media and the negative views on Europe that the latter spread.<sup>237</sup>

In June 2007 Gordon Brown was elected Prime Minister. During his three-year premiership, Blair's successor was mainly preoccupied by the financial crisis and the establishment of rescue plans for the affected British banks<sup>238</sup>. This left little room for

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<sup>233</sup> BLAIR T., 'The Iraq crisis', House of Commons, London, 18 March 2003, speech, [www.theguardian.com/politics/2003/mar/18/foreignpolicy.iraq1](http://www.theguardian.com/politics/2003/mar/18/foreignpolicy.iraq1) [last consulted on August 12<sup>th</sup>, 2015].

<sup>234</sup> DADDOW O., "'Tony's war'?" Blair, Kosovo and the interventionist impulse in British foreign policy', *International Affairs*, 2009, 85.3, p. 553; TOURNIER-SOL K., 'Identité britannique et identité européenne dans la politique du New Labour', *Observatoire de la Société Britannique*, 2008, 5, p. 5.

<sup>235</sup> HULL C., *op. cit.*, p. 21.

<sup>236</sup> CHARTER D., *op. cit.*, p. 47.

<sup>237</sup> *Ibid.*, pp. 45 and 48.

<sup>238</sup> SCHNAPPER P., *Le Royaume-Uni doit-il sortir de l'Union européenne ?*, *op. cit.*, p. 53.

reforming the EC in his preoccupations but it did not prevent him from adducing a few ‘red lines’.

Brown’s European policy was inspired by the same ideas as Blair’s. He believed in Britain’s place and leadership in Europe<sup>239</sup>: ‘Britain did not and would not relinquish our role in Europe or abdicate responsibility for the progress of the continent. Europe, by virtue of history as well as geography, is where we are’<sup>240</sup>. Moreover, he wanted to preserve intergovernmentalism as governing principle, arguing in favour of ‘[a] Europe of self-governing states working together for common purposes’<sup>241</sup>.

However, he was less enthusiastic and more critical than Blair towards the European political and economic integration.<sup>242</sup> Blair and Brown were at loggerheads as to the euro membership project over which Brown rapidly took control with his five economic tests and prevented a successful outcome.<sup>243</sup> Besides his more critical stance of Europe and his rejection of the single currency, no crisis *per se* is to be reported.<sup>244</sup>

## 6. 2010-2013: Cameron’s pledge for an ‘in/out’ referendum, a current crisis

David Cameron, incumbent Prime Minister, took up his post in May 2010. Three factors influenced his European policy during the first three years of his first term of office. For a start, Cameron emerged from the 2010 general elections without an absolute majority and had to form a coalition government with the mostly pro-European Liberal Democrats who were entitled to their say about Britain’s European policy. Secondly, many of his Conservative backbenchers were eurosceptic and in favour of an outright withdrawal from the EU; in order to keep harmony within his party, Cameron had to satisfy them in some ways. Thirdly, the growing popularity and electoral pressure of maverick UK

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<sup>239</sup> DADDOW O., ‘Margaret Thatcher, Tony Blair and the Eurosceptic Tradition in Britain’, *British Journal of Politics and International Relations*, 2013, 15, p. 213.

<sup>240</sup> DADDOW O., ‘New Labour and the reinvention of British and European history’, Queen’s papers on Europeanization 01/07, 2007, p. 7.

<sup>241</sup> BROWN G. quoted in BROAD M. and DADDOW O., *op. cit.*, p. 215.

<sup>242</sup> SCHNAPPER P., *Le Royaume-Uni doit-il sortir de l’Union européenne ?*, *op. cit.*, pp. 52-53.

<sup>243</sup> DADDOW O., ‘“Tony’s war”? Blair, Kosovo and the interventionist impulse in British foreign policy’, *op. cit.*, p. 553.

<sup>244</sup> SCHNAPPER P., *Le Royaume-Uni dans l’Union Européenne : le début de la fin ?*, La Vie des Idées, 2012, available at [www.laviedesidees.fr/Le-Royaume-Uni-dans-l-Union.html](http://www.laviedesidees.fr/Le-Royaume-Uni-dans-l-Union.html) [last consulted on August 12th, 2015].

Independence Party (UKIP), advocating a withdrawal from the EU, forced him to harden his policy regarding the European integration and reforms.<sup>245</sup>

Regarding political integration, Cameron attached great importance to parliamentary sovereignty. A few months after his election, he indeed passed a law (the European Union Act) providing for an automatic referendum for each new transfer of powers to the EU.<sup>246</sup> With this legislative deed, he reasserted national sovereignty and the power of Westminster.<sup>247</sup> However, this law did not really satisfy the Conservative eurosceptics since it only concerns the new transfers of power and does not have any effect on the previous ones.<sup>248</sup>

In economic areas, Cameron opposed every endeavour to increase the EU budget since the UK remained a top contributor.<sup>249</sup> In 2011 and 2012, he rejected proposals for the increase of the EU annual budgets.<sup>250</sup> In 2012, he vigorously opposed the increase of the multiannual financial framework (or ‘seven-year budget’) for the period 2014-2020.<sup>251</sup> He also vetoed the project of Treaty on Stability, or Fiscal Compact, in December 2011, because it did not give sufficient guarantees that the City would not be subjected to the legislation on financial flows.<sup>252</sup> However, the majority of the Member States approved the project and Cameron’s opposition only resulted in Britain’s alienation on the European scene<sup>253</sup> and in the reopening of the debate on Britain’s membership of the EU.<sup>254</sup>

On 23 January 2013, Cameron delivered a landmark speech (known as ‘the Bloomberg speech’) which was intended to clarify his stance on the EU. In this speech, he exposes his ‘red lines’ for an overhauled Europe that would fit the British interests better and could convince the UK to remain an EU member. He announces that he will

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<sup>245</sup> SCHNAPPER P., *Le Royaume-Uni doit-il sortir de l’Union européenne ?*, *op. cit.*, p. 128.

<sup>246</sup> GARNETT M. and LYNCH P., *op. cit.*, p. 363; SCHNAPPER P., *Le Royaume-Uni doit-il sortir de l’Union européenne ?*, *op. cit.*, p. 129.

<sup>247</sup> SCHNAPPER P., *Le Royaume-Uni doit-il sortir de l’Union européenne ?*, *op. cit.*, p. 129.

<sup>248</sup> GARNETT M. and LYNCH P., *op. cit.*, p. 363.

<sup>249</sup> In 2010, the UK was the fourth most important contributor to the EU budget, after Germany, France and Italy. See EUROPEAN COMMISSION, ‘Budget 2010 in figures’, March 2015, available at [http://ec.europa.eu/budget/figures/2010/2010\\_en.cfm](http://ec.europa.eu/budget/figures/2010/2010_en.cfm) [last consulted on August 12<sup>th</sup>, 2015].

<sup>250</sup> LYNCH P., ‘European Policy’, in *Cameron and the Conservatives: The Transition to Coalition Government*, Heppell T. and D. Seawright (Ed.), Basingstoke, Palgrave Macmillan, 2012, p. 79.

<sup>251</sup> LYNCH P., *op. cit.*, p. 79; SCHNAPPER P., *Le Royaume-Uni doit-il sortir de l’Union européenne ?*, *op. cit.*, p. 131.

<sup>252</sup> CHARTER D., *op. cit.*, pp. 74-75.

<sup>253</sup> SCHNAPPER P., *Le Royaume-Uni doit-il sortir de l’Union européenne ?*, *op. cit.*, p. 130.

<sup>254</sup> MILLER V., *op. cit.*, p. 2.

negotiate these ‘red lines’ and define ‘a new settlement’<sup>255</sup> with the EU. If he is re-elected in May 2015, he will then submit the renegotiated terms to the British population who will in turn decide on Britain’s membership through an ‘in/out’ referendum.

The announcement of the referendum marked the beginning of a new crisis in the UK-EEC/EU relationship. Cameron was at first strongly opposed to hold such a referendum but he eventually yielded to the pressure put on him by his Conservative eurosceptic backbenchers.<sup>256</sup> Since he was re-elected in May 2015, it is highly likely that this ‘in/out’ referendum will take place by 2017. His ‘red lines’ surrounding this current crisis are explored thoroughly in Part 3, along with those of his three main election challengers.

## **7. Former Prime Ministers’ ‘red lines’ in the past crises: which conclusions?**

This journey into the past UK-EEC/EU relationship from Britain’s accession to Cameron’s pledge for the ‘in/out’ referendum with a focus on the crises aimed at assessing the frequency of these crises and bringing out the Prime Ministers’ ‘red lines’ so as to observe whether these ‘red lines’ repeat themselves throughout the successive legislatures despite the different political leanings. Several conclusions can be drawn from this exploration and answers to the second set of questions can be brought forward.

First, this time travel makes it possible to grasp the fickle character of the UK-EEC/EU relationship regardless of the governing political ideology. Indeed, almost every legislature, either Labour or Conservative, has known a crisis-time (*Table 2*). These crises can be more or less serious as they take on different intensities, ranging from simple tensions or disagreements to withdrawal threats, through vetoes.

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<sup>255</sup> CAMERON D., ‘Britain and the future of Europe’ / ‘The Bloomberg speech’, Bloomberg, London, 23 January 2013, speech, available at [www.bloomberg.com/news/videos/b/d3c09fe3-0212-4f2d-9088-11eb2293c658](http://www.bloomberg.com/news/videos/b/d3c09fe3-0212-4f2d-9088-11eb2293c658) [last consulted on August 12<sup>th</sup>, 2015].

<sup>256</sup> SCHNAPPER P., *Le Royaume-Uni doit-il sortir de l’Union européenne ?*, *op. cit.*, p. 134.

Prime Ministers	Terms of office	Political parties	Crises
H. Wilson	Mar. 1974 - Apr. 1976	Labour	1975: 'in/out' referendum
J. Callaghan	Apr. 1976 - May 1979	Labour	-
M. Thatcher	May 1979 - Nov. 1990	Conservative	1982: 'financial' crisis 1979-1990: 'political' crisis 1988: Bruges speech 1989: 'social' crisis
J. Major	Nov. 1990 - May 1997	Conservative	1996: 'mad cow' crisis
T. Blair	May 1997 - Jun. 2007	Labour	2004: military disagreements
G. Brown	Jun. 2007 - May 2010	Labour	-
D. Cameron	May 2010 - current	Conservative	2013: Bloomberg speech 2017: 'in/out' referendum

*Table 2. Legislatures and their corresponding crises*

In this regard, internal party management is a factor influencing the Prime Minister's European policy and is not unfamiliar to the creation of crises. It appears difficult to create and maintain a favourable climate to the European integration when divisions on this very question are perceptible within the government party. For instance, the idea of an 'in/out' referendum that appeared under Wilson and Cameron mainly resulted from the need to satisfy a eurosceptic fringe within the party in order to maintain internal cohesion. Indeed, a split party is less credible in the electorate's eyes and may lead to the downfall of the party.

Even when the Prime Minister surrounds himself with persons of the same opinion, it can turn out difficult to follow the chosen policy because of external influence coming from influential policy-makers. For instance, Blair got stuck in his project for the adoption of the single currency because Brown had a significant influence on its outcome. Such an external influence on the UK-EEC/EU relationship also comes from the media and the population bringing forth their preoccupations and desiderata. The Prime Minister is not the only one who shapes the UK-EEC/EU relationship and cannot always avoid taking external opinions and influences into consideration.

Secondly, the intensity of the crises seems to be unrelated to the political leanings. For instance, the smallest crisis, i.e. the military disagreements under Blair, and the most severe crisis, i.e. the referendum under Wilson, appeared under Labour rule. The most striking example lies in the decision to hold an 'in/out' referendum which was taken by a Labour government and then, more recently, by a Conservative-Liberal Democrat government.

In this regard, it is interesting to notice the scarcity of the withdrawal threats and the real intention to withdraw. Indeed, Thatcher's veto or Major's non-cooperation policy were never intended as withdrawal threats but rather as attempts to freeze the entire system in order to influence the decision-making processes in Britain's favour. Even when a real withdrawal threat was put forward, the idea of a Brexit was not fully accepted by the referendum instigator. Indeed, Wilson's referendum bordered on a strategic approach rather than on a real intention to withdraw from the EEC and Cameron's 'in/out' referendum is more a deadline for the reforms he demands. It seems that the positive aspects of being part of the European project have almost always overcome the negative aspects.

The exploration of the first 'in/out' referendum is equally interesting as it provides a ground for comparison as to Cameron's prospective referendum. The 1975 referendum indeed illustrates the dynamics that surround this type of important, national event. Although the referendum relies on the voters' choice, these last remain subject to the influence of the media, and the business and political circles. To a lesser degree, the way the question is asked may also impact on people's final say. These elements are interesting to keep in mind with a view to the 2017 referendum, although blind superposition must be avoided due to the differences in circumstances and the long period of time between both events.

Finally, the exploration of the bones of contention between the UK and the EEC/EU and of the reforms demanded by the Prime Ministers in order to solve these problems highlights some interesting discoveries. The summary table below (*Table 3*), which gives an overview of the former Prime Ministers' 'red lines' by categories, is especially revealing of the high degree of recurrence of these 'red lines'. Indeed, ten out of the twelve 'red lines' occur in more than one legislature. In addition, the six categories in which the 'red lines' can be brought together cover a broad range of societal aspects, which gives the feeling that the European issues are pervasive in the whole British society.

Among the most recurrent 'red lines', the importance of sovereignty, the rejection of monetary integration and the 'special relationship' with the United States constitute the top three. These principles thus seem to be very important to the British leaders and to give rise to tensions when these are put into question by the process of European integration. In this regard, the pre-membership period is especially revealing of the importance for the UK of some aspects like the rest of the world and sovereignty. These

two aspects can be traced back in the past history of the UK and were already present before the start of the process of European integration, which makes them well-established and very important aspects as can be seen in the significant number of crosses.

Other 'red lines' only appear under certain political leanings and a specific socio-economic context. For instance, only the Thatcher and Major Conservative governments opposed social integration because they wanted to reduce the influence of socialism that they held responsible for the economic difficulties. These 'red lines' are not especially less important to these British leaders but they are related to special circumstances and are thus temporary issues. Besides, Thatcher's incumbency is the most filled-in period of the table. Indeed, Thatcher wanted to reform the UK-EEC relationship in many domains but her two terms of office were also periods in which many changes occurred at European level, which favoured the emergence of temporary issues.

This diachronic analysis of the 'red lines' constitutes the first step in the search for an answer to the central research question and is further explored with regard to Cameron's 'red lines' at the end of this dissertation.

CATEGORIES OF RED LINES		GOVERNMENTS							
		Pre-membership	Wilson (Labour)	Callaghan (Labour)	Thatcher (Conservative)	Major (Conservative)	Blair (Labour)	G. Brown (Labour)	D. Cameron (Conservative)
Political integration	Importance of sovereignty	x	x		x	x	x	x	In-depth analysis in Part 3
	Intergovernmentalism and opt-outs				x	x	x	x	
EEC/EU budget	British rebate		x		x				
	Reforming the CAP budget		x		x		x		
	Reforming the CFP budget		x						
Economic integration	Importance of internal free trade				x		x	x	
	Completing the single market				x				
Rest of the world	'Special relationship' with the US / NATO	x		x	x	x	x		
	Ties with the Commonwealth	x	x				x		
	Trade with emerging economies	x			x				
Monetary integration	Opposition to EMU / single currency		x	x	x	x		x	
Social integration	Rejection of the Social Chapter				x	x			

Table 3. Former Prime Ministers' 'red lines' surrounding the past crises by categories



## **PART 3. Synchronic analysis: party leaders’ ‘red lines’ in the current crisis**

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‘We know what we are but know not what we may be’

~ Shakespeare, *Hamlet*, Act 4, Scene 5

After exploring the past UK-EEC/EU relationship through its successive crises and discovering the former Prime Ministers’ ‘red lines’, the focus is now on the current crisis which started with Cameron’s announcement for an ‘in/out’ referendum. The aim of this third Part is to glance at the idea of withdrawal and of an ‘in/out’ referendum before analysing thoroughly Cameron’s ‘red lines’ and comparing them with his three election challengers’ own ‘red lines’ in order to discover if the reforms demanded by the current Prime Minister are related to the current context and circumstances.

### *Zoomed-in methodology and scope of the analysis*

The EU has taken on much room on the British political agenda since Cameron’s pledge for an ‘in/out’ referendum, which marked the beginning of a new crisis in the UK-EEC/EU relationship. To this recent event may be added the influence of the media which fuel the debate and shape public opinion, and the growing popularity of UKIP. All these developments make sure that it is no longer possible for the British party leaders to avoid dealing with the EU.

The current crisis and the demanded reforms that pertain thereto are consequently best observed in the party leaders’ communication on Europe since they are the figureheads of their respective party. In this regard, the speeches delivered by these party leaders ensure an insight into the salient aspects of their communication on a topic since they must focus on the most important issues due to time-limit. Therefore, they constitute a suitable data corpus to analyse the current ‘red lines’.

Beside Cameron, who exerts the greatest influence upon Britain’s European policy as Prime Minister and is the reference point for this research, three other party leaders, who were also Cameron’s main election challengers for the 2015 general election, were selected: Ed Miliband (Labour Party), Nick Clegg (Liberal Democrats) and Nigel Farage

(UKIP). The Labour Party and the Conservative Party are the two British historical parties that have been contending for the power for decades. The Liberal Democrats appeared later on the political scene and their significance increased in 2010 as the party came to government. Indeed, at the 2010 general elections, the Conservatives did not win a majority and were forced to form a coalition government with the Liberal Democrats in order to send Labour back in the opposition. As for UKIP, this maverick party got impressive results in the 2014 European elections, going from 13 to 24 seats, which represents the highest number of British seats.<sup>257</sup>

Between twenty and twenty-five transcripts or recording of speeches were collected for each party leader. This data corpus was carefully read or listened to in order to form the data set. In other words, speeches that did not deal with the EU at some point have been discarded. Ten speeches delivered by Cameron's election challengers were gathered to form a substantial data set suitable for analysis. As for Cameron, twelve speeches were kept, which makes two speeches more than for the other party leaders but which was necessary because he is the initiator of the crisis and the focus of the research. These speeches deal partly or entirely with the EU and were delivered on different occasions, which ensures that all aspects are tackled at some point and not only those that are of interest to a particular audience.

The chosen scope for the speech corpus spans from the end of January 2013 to the beginning of April 2015. The first date corresponds to Cameron's landmark speech in Bloomberg which marks the start of the current crisis, as well as Cameron's mid-term and the count down to the next general election on 7 May 2015. The second date corresponds to roughly a month before the 2015 general election that saw the advent of a new government. Therefore, the EU has been a hot topic during this time lapse, favouring the assertion of political leaders' stances towards the EU, the necessary reforms and the idea of withdrawal. This limited period of time and the four different political leanings form a relevant framework to investigate the situational nature of the 'red lines'.

As mentioned in the overall methodology in the Introduction, thematic analysis was performed in order to extract the themes, i.e. the 'red lines', from these speeches. Cameron's speeches were first explored and his 'red lines' were extracted and grouped together in categories of which the names reflect the broader issues. Afterwards, the other

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<sup>257</sup> EUROPEAN PARLIAMENT, 'About Parliament: Previous elections', available at [www.europarl.europa.eu/aboutparliament/en/20150201PVL00021/Previous-elections](http://www.europarl.europa.eu/aboutparliament/en/20150201PVL00021/Previous-elections) [last consulted on August 12<sup>th</sup>, 2015].

leaders' speeches were explored and their 'red lines' were compared and contrasted to those of Cameron. The aim of this analysis was thus not to provide a linguistic close reading of the speeches, or a study of accompanying behavioural features, but rather to offer an in-depth analysis of the themes present in these speeches. In this regard, the analysis begins with a quick exploration of a recurrent theme in the speeches, but which is not a 'red line', i.e. the idea of withdrawal and of an 'in/out' referendum.

In addition, the 2015 party manifestoes constitute an interesting, though limited, source of information as to the political parties' European agenda. These manifestoes most often deal with the party leaders' 'red lines' because it is necessary to appear consistent in the electorate's eyes. These manifestoes were explored and used to check if an argument which is absent in a party leader's speeches does not appear in his party manifesto, and to support some of the party leaders' says.

At the end of this analysis, a summary table encompassing Cameron's and the three other party leaders' 'red lines', both explicit (represented by a cross) and implicit (represented by a cross between brackets), is provided. This is why attention was also paid to the party leaders' ways of communicating and communication strategies because these convey information on the strength and the explicit/implicit nature of the 'red lines'. It should be noted that in Farage's case, the term 'red line' does not refer to demanded reforms but to the arguments he adduces in favour of withdrawal. However, as these arguments epitomise criticisms towards the EU like the other party leaders' 'red lines', they are labelled as 'red lines'. Nonetheless, for the sake of accuracy, Farage's 'red lines' are represented by a circle rather than a cross like the other party leaders' 'red lines'.

## **1. On the idea of Brexit and an 'in/out' referendum**

Before exploring the party leaders' 'red lines', it is interesting to consider their respective opinion as to the idea of Brexit and the need for an 'in/out' referendum.

Cameron announced at the very beginning of his Bloomberg speech that the EU has to address some challenges in order to be successful and that he would negotiate a 'new settlement' with the European partners and then submit the outcomes of the renegotiations, no matter how successful the latter may be, to the British population using

an ‘in/out’ referendum. It could be inferred that Cameron is therefore in favour of a Brexit. However, he clearly defines his position on this issue in his Bloomberg speech:

[i]f we don’t address these challenges, the danger is that Europe will fail and the British people will drift towards the exit. I do *not* want that to happen. I want the European Union to be a success. And I want a relationship between Britain and the EU that keeps us in it.<sup>258</sup>

If the EU does not address some issues so that it can suit the Member States’ interests better, and especially the British ones, Cameron argues that the UK will be forced to withdraw. It is however not the outcome he prefers, he would rather redefine the relationship between the UK and the EU. This is why he decided not to hold the referendum straightaway but rather after the renegotiations so that the British population will be able to decide ‘with cool heads’<sup>259</sup> and after a ‘proper, reasoned debate’<sup>260</sup>. He does not want to hasten the decision and warns that if the British people choose to leave the EU, it will be ‘a one-way ticket, not a return’<sup>261</sup>. In this way, Cameron emphasises the importance of such a decision.

After exposing his ‘red lines’, he ends his Bloomberg speech with a plea to keep Britain in the EU. He especially underlines the legal, political, diplomatic and economic drawbacks that withdrawal from the EU would involve. He insists on the fact that he will give the final say to the British people and that he hopes they will take the right decision. He concludes by sharing his conviction that such a ‘new settlement’ is possible to achieve and that if it is the case, he will support the *status quo* during the referendum:

[a]nd just as I believe that Britain should want to remain in the EU so the EU should want us to stay. [...] I believe we can achieve a new settlement in which Britain can be comfortable and all our countries can thrive. And when the referendum comes let me say now that if we can negotiate such an arrangement, I will campaign for it with all my heart and soul. Because I believe something very deeply. That Britain’s national interest is best served in a flexible, adaptable and open European Union and that such a European Union is best with Britain in it.<sup>262</sup>

At no time Cameron mentions that he is in favour of Brexit. He only argues that reforms have to be carried out in order to fit Britain’s interests and to keep Britain in the

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<sup>258</sup> CAMERON D., ‘Britain and the future of Europe’ / ‘The Bloomberg speech’, *op. cit.*, *emphasis added*.

<sup>259</sup> CAMERON D., ‘Britain and the future of Europe’ / ‘The Bloomberg speech’, *op. cit.*

<sup>260</sup> *Ibid.*

<sup>261</sup> *Ibid.*

<sup>262</sup> *Ibid.*

EU, otherwise the British population will take the country away from the EU. The decision will be the population's choice. His role is limited to the role of a negotiator, a political or diplomatic actor who will negotiate new terms with the European partners and present them to the British population.

Considering this statement, the 'in/out' referendum seems to be more a threat and a way of setting a deadline to meet for the renegotiations than a real wish to exit the EU. In a speech in October 2014, he confirms his vision of his referendum:

these things can be negotiated and we can then hold that in/out referendum and give the British people a proper choice about staying in a reformed European Union or opting not to belong to it. That is a plan; that is a strategy to secure the best future for Britain.<sup>263</sup>

Cameron intends the 'in/out' referendum as a purely strategic threat, a sword of Damocles that hangs over the European leaders' heads. The referendum is intended as a deadline and a way of pushing for fruitful negotiations.

When it comes to the idea of an 'in/out' referendum, Cameron's name thus often comes straight to mind. Yet, he is not the only British party leader who brought this idea up. By announcing a potential referendum, Cameron actually forced the other party leaders to tackle the idea of an 'in/out' referendum and to define their own positions regarding Britain's membership of the EU, which explains why Cameron's stance often serves as a point of reference.

Miliband and Clegg have a similar opinion regarding Britain's membership of the EU: both of them clearly oppose Brexit. Clegg claims without any ambiguity that he is 'a pro-European'<sup>264</sup> and asserts that a withdrawal would drive the British island to real insularity and decline, a negative situation that he attempts to describe by opposing negatively and positively connoted adjectives: 'there is a clear, polarised choice here about the kind of nation we want to be. Open versus closed. Engaged versus detached. Outward-facing versus inward-looking. Great Britain versus Little England. In versus

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<sup>263</sup> CAMERON D., 'The Conservative manifesto in ten minutes', CBI Annual Conference, London, 10 October 2014, speech, available at [www.gov.uk/government/speeches/cbi-annual-conference-2014-prime-ministers-address](http://www.gov.uk/government/speeches/cbi-annual-conference-2014-prime-ministers-address) [last consulted on August 12<sup>th</sup>, 2015].

<sup>264</sup> CLEGG N., 'In Europe for the National Interest', Buhler Group, London, 8 October 2013, speech, available at [www.libdemvoice.org/in-full-nick-cleggs-speech-on-europe-richer-stronger-safer-greener-36603.html](http://www.libdemvoice.org/in-full-nick-cleggs-speech-on-europe-richer-stronger-safer-greener-36603.html) [last consulted on August 12<sup>th</sup>, 2015].

out.<sup>265</sup> Besides, Clegg argues that a withdrawal from the EU would be ‘economic suicide’<sup>266</sup> and would damage Britain’s influence in the world, more specifically the ties with the United States which ‘value their old friend Britain as a bridge to Europe as much as anything else.’<sup>267</sup> Miliband agrees with Clegg on the ‘strategic and economic’<sup>268</sup> loss of influence if the UK left the EU and claims that he is convinced that ‘Britain’s future lies in the EU’<sup>269</sup>.

However, Clegg and Miliband also assert that the EU needs to be reformed in many respects and that these reforms must be dealt with and not avoided.<sup>270</sup> They want a better deal for Britain but they do not believe that such a deal should be negotiated under the pressure of a referendum because it jeopardises Britain’s stability and influence within and outside of Europe.<sup>271</sup> They both believe that Cameron has agreed to an ‘in/out’ referendum under the pressure of his Conservative backbenchers and the rise of UKIP without being persuaded of the merits of a Brexit.<sup>272</sup> However, this does not mean that they reject the idea of consulting the population on a potential withdrawal. In this regard, Clegg argues that

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<sup>265</sup> CLEGG N., ‘Why Liberal Democrats are the only party campaigning to keep Britain IN Europe’, University of Oxford, Oxford, 20 May 2014, speech, available at [www.libdems.org.uk/nick\\_clegg\\_there\\_is\\_nothing\\_more\\_british\\_than\\_standing\\_tall\\_in\\_our\\_own\\_backyard#](http://www.libdems.org.uk/nick_clegg_there_is_nothing_more_british_than_standing_tall_in_our_own_backyard#) [last consulted on August 12<sup>th</sup>, 2015].

<sup>266</sup> CLEGG N., ‘In Europe for the National Interest’, *op. cit.*

<sup>267</sup> *Ibid.*

<sup>268</sup> MILIBAND E., ‘Labour Party’s position on the EU referendum’, London Business School, London, 12 March 2014, speech, available at <http://press.labour.org.uk/post/79351017940/speech-by-ed-miliband-to-the-london-business> [last consulted on August 12<sup>th</sup>, 2015].

<sup>269</sup> MILIBAND E., ‘Labour Party’s position on the EU referendum’, *op. cit.*

<sup>270</sup> CLEGG N., ‘In Europe for the National Interest’, *op. cit.*; CLEGG N., ‘On Business and Britain’s Recovery’, CBI President’s dinner, London, 15 July 2013, speech, available at [www.gov.uk/government/speeches/deputy-prime-ministers-speech-at-the-cbi-presidents-dinner](http://www.gov.uk/government/speeches/deputy-prime-ministers-speech-at-the-cbi-presidents-dinner) [last consulted on August 12<sup>th</sup>, 2015]; CLEGG N., ‘On the future of British businesses’, British Chambers of Commerce 2015 Conference, Westminster, 10 February 2015, speech, available at [www.libdemvoice.org/in-full-nick-cleggs-speech-to-the-british-chambers-of-commerce-conference-today-44632.html#sthash.UCTSzsjd.dpuf](http://www.libdemvoice.org/in-full-nick-cleggs-speech-to-the-british-chambers-of-commerce-conference-today-44632.html#sthash.UCTSzsjd.dpuf) [last consulted on August 12<sup>th</sup>, 2015]; MILIBAND E., ‘Britain’s foreign policy’, Chatham House, London, 24 April 2015, speech, available at <http://labourlist.org/2015/04/full-text-of-ed-milibands-foreign-policy-speech-at-chatham-house/> [last consulted on August 12<sup>th</sup>, 2015]; MILIBAND E., ‘Labour’s business manifesto launch’, Bloomberg, London, 30 March 2015, speech, available at <http://labourlist.org/2015/03/miliband-launches-labours-business-manifesto-full-speech-text/> [last consulted on August 12<sup>th</sup>, 2015].

<sup>271</sup> CLEGG N., ‘In or out of the EU?’, LBC, London, 26 March 2014, debate speech between N. Clegg and N. Farage, available at [www.lbc.co.uk/watch-lbc-leaders-debate-live---26th-march-87667](http://www.lbc.co.uk/watch-lbc-leaders-debate-live---26th-march-87667) [last consulted on August 12<sup>th</sup>, 2015]; CLEGG N., ‘On Business and Britain’s Recovery’, *op. cit.*; CLEGG N., ‘On the future of British businesses’, *op. cit.*; MILIBAND E., ‘Britain’s foreign policy’, *op. cit.*; MILIBAND E., ‘Labour Party’s position on the EU referendum’, *op. cit.*

<sup>272</sup> CLEGG N., ‘On the achievements of the Liberal Democrats in the coalition’, Liberal Democrat Autumn Conference, Glasgow, 8 October 2014, keynote speech, available at [www.britishpoliticalspeech.org/speech-archive.htm?speech=357](http://www.britishpoliticalspeech.org/speech-archive.htm?speech=357) [last consulted on August 12<sup>th</sup>, 2015]; MILIBAND E., ‘Britain’s foreign policy’, *op. cit.*

[t]he parties differ on the timing. The Conservative party want one in 2017, regardless of what's happening in Europe at that time: it's a date chosen for internal party management as much as anything else. The Liberal Democrats believe it will be far better to have the referendum when a serious change to Europe's rules, affecting the UK, next arises. But we all agree that it will happen at some point or another.<sup>273</sup>

Clegg believes that an 'in/out' referendum should be held only the next time a new treaty reform or a serious change affecting the UK is presented.<sup>274</sup> In that case, the British people should be able to decide whether they accept the changes and reforms or whether they would rather leave the EU. There would be no fixed date to hold such a referendum but rather the possibility of voting according to the current situation, as well as a collective awareness that there exists the possibility of holding a referendum. Clegg is in favour of a referendum but he wants it 'when the time is right'<sup>275</sup>, which is opposed to Cameron's preference to avoiding a referendum in an unsettled situation.

Miliband is of the same opinion as Clegg and pleads in favour of a referendum when an important treaty change happens.<sup>276</sup> In March 2013 – barely two months after Cameron's Bloomberg speech – he announced that, once in power, he would legislate for a 'lock' guaranteeing that an 'in/out' referendum would be held in the event of treaty change. This 'lock' would also guarantee that when such a referendum is organised, the results will automatically have to be taken into account.<sup>277</sup>

Farage's vision is quite different. He is not caught between 'in' or 'out' but is clearly in favour of leaving the EU. His Brexit-oriented discourse finds its roots in the project of a Constitution for Europe:

in 2005 when there was a referendum on the Constitution. The French rejected it, the Dutch rejected it, many of the rest of us [if they had been] given the chance would have rejected it. And what did they do in Brussels? They

<sup>273</sup> CLEGG N., 'In Europe for the National Interest', *op. cit.*

<sup>274</sup> CLEGG N., 'In Europe for the National Interest', *op. cit.*; CLEGG N., 'In or out of the EU?', *op. cit.*; CLEGG N., 'On Business and Britain's Recovery', *op. cit.*; CLEGG N., 'On the future of British businesses', *op. cit.*

<sup>275</sup> CLEGG N., 'In Europe for the National Interest', *op. cit.*

<sup>276</sup> MILIBAND E., 'Labour Party's position on the EU referendum', *op. cit.*; MILIBAND E., 'UK economy', CBI Annual Conference, London, 10 November 2014, speech, available at <http://press.labour.org.uk/post/102276146664/ed-milibands-speech-to-the-cbi> [last consulted on August 12<sup>th</sup>, 2015]; MILIBAND E., 'UK's economic goals', Policy Network Inclusive Prosperity Conference, London, 3 July 2014, speech, available at <http://press.labour.org.uk/post/90646112699/ed-milibands-speech-to-the-policy-network> [last consulted on August 12<sup>th</sup>, 2015].

<sup>277</sup> MILIBAND E., 'Small and medium sized firms are the backbone of the British economy', British Chambers of Commerce Annual Conference, Westminster, 14 March 2013, speech, available at <http://archive.labour.org.uk/ed-milibands-speech-to-british-chambers-of-commerce> [last consulted on August 12<sup>th</sup>, 2015].

rebranded it as the Lisbon treaty. [...] Ever since that day I've had no respect for the project at all. I don't just want Britain to leave the European Union, I want Europe to leave the European Union.<sup>278</sup>

Farage justifies his hostility towards the EU on grounds of the lack of democracy surrounding the (political) integration of the EU. His lack of support as to the European project seems to be related to the lack of more democratic processes that would imply greater support from the European population. It is not so much Europe with its common heritage that Farage seems to reject but rather the more recent man-made political construction that resulted in the EU.

However, the question of a referendum is not so much ignored as it could be. Indeed, Farage plans to hold a referendum on Britain's withdrawal from the EU if he comes to power. At the UKIP conference in 2013, he insisted on the fact that '[a] referendum to allow the country to decide this matter will create the greatest opportunity for national renewal'<sup>279</sup>. More recently, in April 2015, he reasserted this necessity for a referendum: 'we want a referendum on our membership of the European Union and we want it as soon as possible'<sup>280</sup>. Farage is clearly in favour of giving the British population a say on EU membership and even seems convinced of the potential result of such a referendum.

The difference with Cameron's position lies in the fact that Farage wants to hold an 'in/out' referendum without renegotiating the treaties and demanding specific reforms. Farage prefers to skip the 'fixit' square and go straight to the 'Brexit' one. Regarding Cameron's pledge for a referendum, he argues that he does not believe that Cameron wants to deliver such a referendum, putting bluntly that '[the parties] all promise a referendum at every General Election and renege on their promises.'<sup>281</sup>

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<sup>278</sup> FARAGE N., 'On UKIP's victory in the European elections', European Parliament, Brussels, 25 May 2014, live link speech, available at [www.youtube.com/watch?v=hkYO6hApXd8](http://www.youtube.com/watch?v=hkYO6hApXd8) [last consulted on August 12<sup>th</sup>, 2015]. The same idea can be found in FARAGE N., 'In or out of the EU?', LBC, London, 26 March 2014, leaders' debate speech between N. Clegg and N. Farage, available at [www.lbc.co.uk/watch-lbc-leaders-debate-live---26th-march-87667](http://www.lbc.co.uk/watch-lbc-leaders-debate-live---26th-march-87667) [last consulted on August 12<sup>th</sup>, 2015].

<sup>279</sup> FARAGE N., 'Let's make May 22<sup>nd</sup> as our referendum on EU membership', UKIP annual conference, London, 20 September 2013, keynote speech, available at <http://blogs.spectator.co.uk/coffeehouse/2013/09/nigel-farages-speech-full-text-and-audio/> [last consulted on August 12<sup>th</sup>, 2015].

<sup>280</sup> FARAGE N., 'Tony Blair can go to hell', UKIP public meeting in Town Hall, Grimsby, 8 April 2015, keynote speech, available at [www.youtube.com/watch?v=Yn4x-4RcGnY](http://www.youtube.com/watch?v=Yn4x-4RcGnY) [last consulted on August 12<sup>th</sup>, 2015].

<sup>281</sup> FARAGE N., 'Let's make May 22<sup>nd</sup> as our referendum on EU membership', *op. cit.*

The four party leaders consider Brexit to be a potential outcome in the future, although only Farage claims that it is the best solution. Indeed, Cameron, Miliband and Clegg measure the repercussions that a withdrawal would have on the British economy. They all three believe that it would be better for Britain to negotiate reforms with the European partners so that Britain will feel more comfortable with its place in the EU. As for the idea of an ‘in/out’ referendum, it is widely accepted among party leaders and covers the whole British political landscape. What differs is the timing and the trigger event for holding such a referendum.

## 2. Party leaders’ ‘red lines’ or what is wrong with the European Union

### 2.1. *The free movement principle: placing limitations*

The right to freedom of movement for workers, enshrined in article 45 TFEU, constitutes a cardinal principle in EU law. This principle gives EU citizens the right to freely move, reside and work in a host Member State, and to be treated equally with the nationals of this host Member State. Each Member State has therefore to abolish discrimination on grounds of nationality between EU nationals, including the access to social and tax advantages<sup>282</sup>, otherwise this right would lose its attractiveness. Accepting and applying this right is part of the *acquis* and is therefore a *sine qua non* condition to EU membership.

In this regard, Cameron insists on the salience of the principle of free movement, which he describes as ‘a necessary part of [the] single market’<sup>283</sup> and a right that many British citizens exercise.<sup>284</sup> Clegg is in line with Cameron and underlines the centrality of this principle for British citizens and the efficiency of the single market:

I want to be unequivocal: freedom of movement between EU member states is a good thing. It’s a cornerstone of European integration; a right currently enjoyed by around one and a half million British citizens who live on the other

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<sup>282</sup> Cf. article 7 § 2 of Regulation 492/2011.

<sup>283</sup> CAMERON D., ‘Immigration and welfare reform’, University Campus Suffolk, Ipswich, 25 March 2013, speech, available at [www.gov.uk/government/speeches/david-camerons-immigration-speech](http://www.gov.uk/government/speeches/david-camerons-immigration-speech) [last consulted on August 12<sup>th</sup>, 2015].

<sup>284</sup> *Ibid.*

side of the Channel. It is necessary in order to be part of the world's biggest Single Market where goods and people can flow between nations.<sup>285</sup>

However, this right has become a bone of contention and can now be found quite high on the British political agenda. At issue is the eastward enlargement after the fall of communism which made the EU increase from 15 to 25 Member States in two waves: 2004 (the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Poland, Slovakia and Slovenia) and 2007 (Bulgaria and Romania). The economies of these countries remained deeply impacted by the effects of the communist regime; the risk was thus quite high to see a sudden influx of economic immigrants, due to the extension of free movement, into Member States with higher living standards.

Seven-year transitional periods restricting free movement were therefore put in place, a time lapse that should enable these new Member States to align their economies on those of the existing Member States. Once these transitional periods came to an end, in 2011 for the 2004 enlargement and in 2014 for the 2007 enlargement, it appeared that these countries had not yet completely caught up with the existing Member States and immigration from these countries (colloquially referred to as 'EU immigration'<sup>286</sup>) became the centre of attention.<sup>287</sup>

Reforming free movement was initially not in Cameron's intentions since it is a necessary condition to free trade and the single market to which the Conservatives have attached great value since the Thatcher era.<sup>288</sup> However, he was forced to give a new orientation to his European priorities due to the British population's preoccupations and the pressure of UKIP's dazzling progress in opinion polls. Indeed, immigration coming from the EU occupies an important place in Farage's discourse. The UKIP leader often emphasises the importance of immigration in British life in order to legitimise the place he gives to this topic:

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<sup>285</sup> CLEGG N., 'On immigration', Redmond Community Centre, London, 5 August 2014, speech, available at [www.libdems.org.uk/nick\\_clegg\\_s\\_immigration\\_speech](http://www.libdems.org.uk/nick_clegg_s_immigration_speech) [last consulted on August 12<sup>th</sup>, 2015].

<sup>286</sup> 'EU immigration' is a phrase used in the British political discourse in order to refer to immigrants coming from within the EU but with the innuendo that these immigrants mainly come from the eastern countries of the fifth enlargement. This phrase is taken up in this dissertation with the purpose of avoiding circumlocutions and is put between quotation marks with a view to partiality.

<sup>287</sup> In November 2014, the population in the UK considered immigration (both from inside and outside the EU) to be the most important issue that the UK had to face (20 percent), before unemployment and health care system problems (11 percent each). See EUROPEAN COMMISSION, 'Public opinion: UK 11/2014 Barometer', available at

[http://ec.europa.eu/public\\_opinion/cf/showchart\\_line.cfm?keyID=2212&nationID=15,&startdate=2014.11&enddate=2014.11](http://ec.europa.eu/public_opinion/cf/showchart_line.cfm?keyID=2212&nationID=15,&startdate=2014.11&enddate=2014.11) [last consulted on August 12<sup>th</sup>, 2015].

<sup>288</sup> SCHNAPPER P., *Le Royaume-Uni doit-il sortir de l'Union européenne ?*, op. cit., pp. 135-136.

[i]t's the biggest single issue facing this country. [...] But the establishment has been closing down the immigration debate for 20 years. UKIP has opened it up. [...] Let's have that debate! Openly. We need to talk about it.<sup>289</sup>

By arguing that the debate on immigration has been reduced to silence and ignored by the establishment for years, Farage managed to make it a number-one issue and give some legitimacy to the necessity of tackling and debating it openly. This strategy worked and the British electorate asked for this topic to be further dealt with by the policy-makers. Consequently, Cameron was forced to rethink his priorities.

Due to this discursive growing importance of 'EU immigration' and despite the centrality of the principle of free movement as well as the benefits attached to it, three reasons for reforming free movement can be found, at different levels, in the party leaders' speeches: (1) because of the influx of immigrants at the end of the transitional controls; (2) because of the pressure that immigration puts on public services and welfare, as well as the feeling of unfairness resulting therefrom; and (3) because of abuse of this principle when it comes to crime.

First, the end of the seven-year transitional measures while the eastern Member States had not yet economically caught up with the existing Member States is an element that pushed Cameron to demand reforms regarding free movement. He makes it clear that adapted transitional measures should always be applied when new countries join the EU.<sup>290</sup> Therefore, he and the Conservatives intend to carry out negotiations with the EU to make sure that 'free movement cannot apply [...] until [the new Member States'] economies have converged much more closely with existing Member States.'<sup>291</sup> A tailored lengthening of the transitional measures is thus a first reform as to free movement that Cameron intends to negotiate with the EU.

Reviewing the terms of the transitional periods with the EU also comes to the fore in Miliband's and Clegg's communication on free movement. Miliband believes that these periods should be lengthened significantly<sup>292</sup>, an idea that also appears in the Labour manifesto<sup>293</sup>. Clegg does not precise exactly in his speeches that he wants these periods

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<sup>289</sup> FARAGE N., 'Let's make May 22<sup>nd</sup> as our referendum on EU membership', *op. cit.*

<sup>290</sup> CAMERON D., 'Immigration and welfare reform', *op. cit.*

<sup>291</sup> CONSERVATIVE PARTY, 'Strong Leadership. A Clear Economic Plan. A Brighter, More Secure Future.' Conservative Party Manifesto 2015, p. 30, available at [www.conservatives.com/manifesto](http://www.conservatives.com/manifesto) [last consulted on August 12<sup>th</sup>, 2015].

<sup>292</sup> MILIBAND E., 'Labour Party's position on the EU referendum', *op. cit.*; MILIBAND E., 'UK economy', *op. cit.*

<sup>293</sup> LABOUR PARTY, *op. cit.*, p. 77.

to be lengthened but this idea can be inferred from his assertion that the EU must be 'stricter and clearer on the transition controls'<sup>294</sup>. Clegg further suggests that existing Member States should retain the right to limit immigration from the new Member States during a time lapse after the end of transitional periods if it is too difficult to cope with the influx of immigrants<sup>295</sup>, a suggestion of reform that he is the only one to put forward.

Consistent with his idea that membership of the EU is a source of problems, Farage does not value free movement, arguing that this principle can simply not work in the EU given the economic discrepancies between Member States.<sup>296</sup> Using figures and statistics, he argues that immigration is in constant augmentation and that the end of the transitional periods will only make the situation worse.<sup>297</sup> Farage does not want to lengthen the transitional periods but argues that only deep changes in the treaties regarding the free movement provisions and border controls could prevent the UK from heading for the exit door.<sup>298</sup> However, he weakens the impact of this suggestion for change in the treaties by saying that he knows there will be no such change<sup>299</sup>; this is why withdrawal from the EU is the best solution to get control back on borders<sup>300</sup>.

Because EU immigrants can access welfare in the same capacity as nationals, a second element that comes under sharp criticism and calls for reform is the access to social welfare. Cameron states that it will not be possible to prevent the transitional periods from coming to an end some day; this is why he is in favour of a controlled immigration system ensuring that immigrants are coming to the UK because they want to contribute to the country and 'not because they're drawn by the attractiveness of [the] benefits system or by the opportunity to use [the] public services'<sup>301</sup>. In a speech in March 2013, he explains how he intends to reform the benefit system to put an end to the 'something for nothing culture':

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<sup>294</sup> CLEGG N., 'On immigration', *op. cit.*

<sup>295</sup> *Ibid.*

<sup>296</sup> FARAGE N., 'Preparations for the European council meeting (19-20 December 2013)', European Parliament, Strasbourg, 11 December 2013, speech, available at [www.youtube.com/watch?v=3kV93cc4tik](http://www.youtube.com/watch?v=3kV93cc4tik) [last consulted on August 12<sup>th</sup>, 2015].

<sup>297</sup> FARAGE N., 'Let's make May 22<sup>nd</sup> as our referendum on EU membership', *op. cit.*

<sup>298</sup> FARAGE N., 'First speech in the new European parliament', European Parliament, Brussels, 2 July 2014, speech, available at [www.youtube.com/watch?v=xNb7pR6BvuE](http://www.youtube.com/watch?v=xNb7pR6BvuE) [last consulted on August 12<sup>th</sup>, 2015].

<sup>299</sup> FARAGE N., 'First speech in the new European parliament', *op. cit.*

<sup>300</sup> FARAGE N., 'There is a growing level of support for UKIP', UKIP Spring Conference, Margate, 27 February 2015, keynote speech, available at [www.youtube.com/watch?v=8R1xZBRSJ\\_8](http://www.youtube.com/watch?v=8R1xZBRSJ_8) [last consulted on August 12<sup>th</sup>, 2015].

<sup>301</sup> CAMERON D., 'Immigration and welfare reform', *op. cit.*

[n]ow, my view is simple. Ending the ‘something for nothing’ culture is something that needs to apply in the immigration system as well as in the welfare system. [...] And we’re going to give migrants from the EEA – from the European Economic Area – a very clear message. Just like British citizens, there is no absolute right to unemployment benefit. The clue is in the title: Jobseeker’s Allowance is only available to those who are genuinely seeking a job.<sup>302</sup>

Cameron wants to make sure that EU immigrants contribute before claiming social and unemployment benefits in order to ensure a ‘sense of fairness’<sup>303</sup> that many British consider lost.<sup>304</sup> Receiving children benefits while the qualifying children stayed in the home country is also in Cameron’s line of sight.<sup>305</sup>

Replacing the ‘something for nothing’ culture by a ‘something-for-something’ culture<sup>306</sup> is also an idea which comes back in the Conservative Party manifesto and which is akin with the rewarding value of hard work present in the Conservative ideology. The Conservative Party manifesto further specifies that ‘[c]hanges to welfare to cut EU migration will be an absolute requirement in the renegotiation’<sup>307</sup>, which makes it a core argument in Cameron’s plan for reforms. In this regard, he asserts that he will negotiate these reforms with ‘like-minded European partners’<sup>308</sup>, a statement that suggests that solutions will be found since he will be efficient at alliance-building.

Miliband also insists on this sense of unfairness that the British people can feel with this system and on the need for fairer rules.<sup>309</sup> In his speeches, emphasis is put on children benefits for children living abroad, and on unemployment benefits given too fast and too easily.<sup>310</sup> Miliband believes, as does Cameron, that EU immigrants should contribute to

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<sup>302</sup> CAMERON D., ‘Immigration and welfare reform’, *op. cit.*

<sup>303</sup> *Ibid.*

<sup>304</sup> *Ibid.*

<sup>305</sup> CAMERON D., ‘Immigration and welfare reform’, *op. cit.*; CONSERVATIVE PARTY, *op. cit.*, p. 30.

<sup>306</sup> *Ibid.*

<sup>307</sup> CONSERVATIVE PARTY, *op. cit.*, p. 30.

<sup>308</sup> CAMERON D., ‘Immigration and welfare reform’, *op. cit.*

<sup>309</sup> MILIBAND E., ‘Controlling immigration fairly’, Town Hall, Great Yarmouth, 15 December 2014, speech, available at <http://press.labour.org.uk/post/105262118234/launch-of-labours-second-election-pledge> [last consulted on August 12<sup>th</sup>, 2015]; MILIBAND E., ‘Labour Party’s position on the EU referendum’, *op. cit.*; MILIBAND E., ‘Labour’s business manifesto launch’, *op. cit.*; MILIBAND E., ‘Launch of election campaign’, Lowry Centre, Salford, 5 January 2015, keynote speech, available at [www.politics.co.uk/comment-analysis/2015/01/05/ed-miliband-election-campaign-launch-speech-in-full](http://www.politics.co.uk/comment-analysis/2015/01/05/ed-miliband-election-campaign-launch-speech-in-full) [last consulted on August 12<sup>th</sup>, 2015].

<sup>310</sup> MILIBAND E., ‘Controlling immigration fairly’, *op. cit.*; MILIBAND E., ‘Labour Party’s position on the EU referendum’, *op. cit.*; MILIBAND E., ‘On immigration’, Airbus, Broughton, 16 May 2014, speech, available at <http://press.labour.org.uk/post/85907661524/ed-miliband-speech-at-airbus> [last consulted on August 12<sup>th</sup>, 2015].

the welfare system before claiming any benefits for themselves<sup>311</sup>: '[f]air rules means that entitlement to benefits needs to be earned. You should contribute before you claim.'<sup>312</sup> In Miliband's opinion, such rules would ensure that immigrants do not come to the UK to live on welfare and would restore British people's faith in the system.

Relying on the 'huge wealth discrepancies'<sup>313</sup> between the Member States, Clegg argues that it has become necessary to 'reflect these realities. It is a right to work. It was never intended as an automatic right to claim benefits, but over time the distinction has been blurred.'<sup>314</sup> He is therefore, like Cameron and Miliband, in favour of conditioning the access to unemployment benefits for EU immigrants and prefers to favour those who come to contribute and share their skills.<sup>315</sup>

In his speeches, Farage vigorously attacks the extension of free movement to the southern and eastern Member States, 'open-door migration'<sup>316</sup> and 'open borders'<sup>317</sup>, which he assumes to have a negative impact on the British economy<sup>318</sup> and quality of life<sup>319</sup>, and to be responsible for the decline in enthusiasm for the European project<sup>320</sup>. Indeed, he believes that free movement is synonymous with free health care, free education and free access to the benefit system for EU immigrants.<sup>321</sup> He especially blames migrants for depriving the British families of places in the schools of their choice, quick GP appointments and proper wages since these last have suffered from a surplus supply of labour.<sup>322</sup>

In order to prevent immigrants from coming to enjoy the British welfare system, Farage considers that an 'ethical'<sup>323</sup> Australian-like points-based immigration system

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<sup>311</sup> MILIBAND E., 'Controlling immigration fairly', *op. cit.*; MILIBAND E., 'Labour Party's position on the EU referendum', *op. cit.*

<sup>312</sup> MILIBAND E., 'Controlling immigration fairly', *op. cit.*

<sup>313</sup> CLEGG N., 'On immigration', *op. cit.*

<sup>314</sup> *Ibid.*

<sup>315</sup> CLEGG N., 'On Business and Britain's Recovery', *op. cit.*

<sup>316</sup> FARAGE N., 'Tony Blair can go to hell', *op. cit.*

<sup>317</sup> FARAGE N., 'In or out of the EU?', *op. cit.*; FARAGE N., 'Let's make May 22<sup>nd</sup> as our referendum on EU membership', *op. cit.* The same idea can be found in FARAGE N., 'The European dream is crumbling', European Parliament, Brussels, 20 July 2014, speech, available at [www.youtube.com/watch?v=0ZmB7atA3N0](http://www.youtube.com/watch?v=0ZmB7atA3N0) [last consulted on August 12<sup>th</sup>, 2015]

<sup>318</sup> FARAGE N., 'Let's make May 22<sup>nd</sup> as our referendum on EU membership', *op. cit.*

<sup>319</sup> FARAGE N., 'Tony Blair can go to hell', *op. cit.*

<sup>320</sup> FARAGE N., 'In or out of the EU?', *op. cit.*; FARAGE N., 'On UKIP's victory in the European elections', *op. cit.*; FARAGE N., 'The European dream is crumbling', *op. cit.*

<sup>321</sup> FARAGE N., 'In or out of the EU?', *op. cit.*; FARAGE N., 'Preparations for the European council meeting (19-20 December 2013)', *op. cit.*

<sup>322</sup> FARAGE N., 'In or out of the EU?', *op. cit.*; FARAGE N., 'Tony Blair can go to hell', *op. cit.*

<sup>323</sup> FARAGE N., 'Launch of general election campaign', Movie Starr Cinema, Canvey Island, 12 February 2015, speech, available at [www.youtube.com/watch?v=KvHSbGRALHI](http://www.youtube.com/watch?v=KvHSbGRALHI) [last consulted on August 12<sup>th</sup>, 2015].

providing work permits<sup>324</sup> would be the best solution since it would enable the British authorities to select which people are allowed to come to the UK or, in his own words, to choose ‘the quantity and the quality’<sup>325</sup> of who comes to the UK. He further argues that such an immigration system would reduce unskilled immigration from the EU and thus allow for people from the Commonwealth with skills to share to come to the UK.<sup>326</sup> However, such a selective system would not be compatible with the free movement principle. It is one of the reasons why Farage argues that the best solution is to leave the EU in order to establish this system and take control back on borders.<sup>327</sup>

The third and last reform to bring to free movement is the deportation of non-national EU citizens who abuse this right by performing criminal activities in their host country. This idea comes back when the party leaders tackle the reforms to bring to the European Convention on Human Rights (see Part 3, 2.9). Although Cameron does not mention it in his speeches, the Conservative manifesto states that there will be renegotiations with the EU in order to deport non-British offenders and prevent them from returning to the UK.<sup>328</sup> Miliband, on the contrary, personally tackles this issue and pleads in favour of ‘greater flexibility for member states to deport them.’<sup>329</sup> As for Clegg, he does not tackle this issue, nor does the Liberal Democrat manifesto.

Since withdrawing from the EU would solve this problem, Farage does not refer to the option of deporting non-British criminals. However, he does allude to criminals who abuse the right to free movement in choosing to emphasise the connection between crime and ‘EU immigration’ on his communication on Europe. He claims, using figures and statistics once again, that Romanians are responsible for most ATM crimes and the augmentation of arrests.<sup>330</sup> By blaming Romanians for the increase of insecurity in the UK, Farage fuels negative feelings towards them in an attempt to show one of the negative aspects of the free movement principle.

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<sup>324</sup> FARAGE N., ‘If you vote UKIP, you will get UKIP’, UKIP Annual Conference, Doncaster, 26 September 2014, keynote speech, available at [www.youtube.com/watch?v=cJ5aEIS\\_0MM](http://www.youtube.com/watch?v=cJ5aEIS_0MM) [last consulted on August 12<sup>th</sup>, 2015]; FARAGE N., ‘Launch of general election campaign’, *op. cit.*; FARAGE N., ‘Tony Blair can go to hell’, *op. cit.*

<sup>325</sup> FARAGE N., ‘If you vote UKIP, you will get UKIP’, *op. cit.*; FARAGE N., ‘Tony Blair can go to hell’, *op. cit.*

<sup>326</sup> FARAGE N., ‘In or out of the EU?’, *op. cit.*

<sup>327</sup> FARAGE N., ‘If you vote UKIP, you will get UKIP’, *op. cit.*; FARAGE N., ‘Tony Blair can go to hell’, *op. cit.*

<sup>328</sup> CONSERVATIVE PARTY, *op. cit.*, p. 30.

<sup>329</sup> MILIBAND E., ‘Labour Party’s position on the EU referendum’, *op. cit.*

<sup>330</sup> FARAGE N., ‘Let’s make May 22<sup>nd</sup> as our referendum on EU membership’, *op. cit.*

This important ‘red line’ which consists in reforming the free movement principle in three aspects is strongly related to the development of the EU. The eastward enlargement has broadened the right to free movement to ten new countries with less thriving economies. By demanding reforms in this principle, the party leaders attack a core, sacrosanct and almost untouchable tenet of the treaties.

The communication on free movement is pretty much the same in Cameron’s, Miliband’s and Clegg’s speeches: they point out the benefits of this principle and its central place in the European integration but they also agree on the need to adapt this principle to the evolution of the EU because a feeling of unfairness has been spreading with the increase of immigration from within the EU. The problem to them is not the idea of enlargement in itself but rather the economic discrepancies between the Member States. Farage’s communication is different in that he would rather get rid of this principle by leaving the EU and select how many and which immigrants can arrive on British soil. His communication relies on figures and statistics and is almost on the verge of xenophobia when he discusses the link between crime and immigration.

## ***2.2. The ‘ever closer union’ principle: intergovernmentalism and flexibility***

In the preamble of the Treaty of Rome, the signatories promised to ‘lay the foundations of an ever closer union among the peoples of Europe’. This principle, freshly moulded after the European continent was wrecked by a war started by two European superpowers, has been subject to many interpretations. Some have seen in it a promise for further political and economic integration to be made by the elites, while others have understood a mere cooperation in order to generate prosperity and peace. In Britain, this principle has been traditionally understood as a will to reduce national sovereignty and unify every single law in the European Union. As D. Charter points out, ‘[t]he UK has never come to terms with a system that requires its sovereignty to be shared and its national interests to be compromised’<sup>331</sup>.

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<sup>331</sup> CHARTER D., *op. cit.*, p. 3.

Cameron embraces this traditional vision and hopes to remove this principle from the treaties.<sup>332</sup> He gives two reasons why this principle is seen as both unpleasant and irrelevant in the UK. He first points out that this principle has often been adduced in order to transfer competences to the EEC/EU, rather than bring the European peoples closer.<sup>333</sup> Cameron emphasises the importance of cooperation between the Member States<sup>334</sup> and even wants to deepen this cooperation in certain areas such as the single market<sup>335</sup> and the fight against organised crime and terrorism, climate change and poverty<sup>336</sup>. However, he refuses to make ‘cooperation’ rhyme with ‘closer integration’, stating that it is not and will never be among Britain’s purposes: ‘Some [Member States] are contemplating much closer economic and political integration. And many others, including Britain, who would never embrace that goal.’<sup>337</sup> It seems that what bothers Cameron is not so much the principle *per se* but rather its interpretation.

Secondly, Cameron considers that this principle has become irrelevant and obsolete nowadays given the diversity-based nature of the EU which is made up of nations of different size, with different traditions and languages<sup>338</sup>, and participating in cooperation projects at different levels<sup>339</sup> (e.g. Schengen, the single currency). He argues that this diversity should be valued and recognised, and should remain present in the EU.<sup>340</sup> Wiping out this diversity will not make the EU countries feel closer to each other; on the contrary, a ‘flexible, willing cooperation is a much stronger glue than compulsion from the centre’<sup>341</sup> that could lead to disconnection. According to Cameron, the ‘ever closer union’ principle should thus give way to the principle of flexibility.

This plea for greater ‘flexibility’ is a recurrent pattern in Cameron’s discourse on Europe. It involves the choice of taking part in some areas of cooperation or not, and the right to decide on national issues or, at least, to decide in cooperation with the other

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<sup>332</sup> CAMERON, D., ‘Britain and the future of Europe’ / ‘The Bloomberg speech’, *op. cit.*; CONSERVATIVE PARTY, *op. cit.*, p. 73.

<sup>333</sup> CAMERON D., ‘Britain and the future of Europe’ / ‘The Bloomberg speech’, *op. cit.*

<sup>334</sup> CAMERON D., ‘The Conservative manifesto in ten minutes’, *op. cit.*

<sup>335</sup> CAMERON, D., ‘Britain and the future of Europe’ / ‘The Bloomberg speech’, *op. cit.*; CAMERON D., ‘The Conservative manifesto in ten minutes’, *op. cit.*

<sup>336</sup> CAMERON D., ‘Britain and the future of Europe’ / ‘The Bloomberg speech’, *op. cit.*

<sup>337</sup> *Ibid.*

<sup>338</sup> *Ibid.*

<sup>339</sup> CAMERON D., ‘EU reform’, n.p., 8 April 2013, speeches to different newspapers, available at [www.gov.uk/government/news/eu-reform-pm-takes-case-to-madrid-paris-and-berlin](http://www.gov.uk/government/news/eu-reform-pm-takes-case-to-madrid-paris-and-berlin) [last consulted on August 12<sup>th</sup>, 2015].

<sup>340</sup> CAMERON D., ‘Britain and the future of Europe’ / ‘The Bloomberg speech’, *op. cit.*; CAMERON D., ‘EU reform’, *op. cit.*

<sup>341</sup> CAMERON D., ‘Britain and the future of Europe’ / ‘The Bloomberg speech’, *op. cit.*, *emphasis added.*

Member States on an intergovernmental basis. In order to sell the idea of flexibility to his audience, Cameron opposes flexibility to rigidity, using linguistic strategies to validate the former: ‘The EU must be able to act with the speed and flexibility of a network, not the *cumbersome rigidity* of a bloc.’<sup>342</sup> In this assertion, ‘flexibility’ refers to the vision of differentiated integration while ‘rigidity’ relates to a deeply and closely integrated EU. The negative connotative value of the term ‘rigidity’ is reinforced by the use of the negatively connoted adjective ‘cumbersome’. In this way, Cameron tends to present flexibility as the sole valid model, while he actually simply puts the case for an alternative among others. The same applies when he links a successful Europe to ‘the strength of flexibility rather than the *weakness* of inflexibility’<sup>343</sup>, suggesting that flexibility – and the notion of differentiated integration that pertains thereto – is a model with no other alternative than the model which will weaken the EU.

On this issue, Miliband is on the same page as Cameron, making it clear that Britain will not take part in an ‘inexorable drive to an ever closer union’<sup>344</sup> under a next Labour government. On the contrary, Clegg does not deal with the principle of ‘ever closer union’ in his speeches. However, it does not mean that he is in favour of an ‘ever closer union’. For instance, he often states that cooperation is needed in some areas such as climate change and cross-border crime<sup>345</sup> but he never mentions that the EU institutions should have more powers to do so. However, the fact that he does not attack this principle directly or make a plea for greater flexibility reflects his more favourable attitude towards the European integration.

As for Farage, he does not mention the principle of ‘ever closer union’. His aim is first and foremost to make the UK withdraw from the EU. Consequently, if the remaining Member States are heading in the direction of an ‘ever closer union’, it will not be Britain’s business anymore. However, his Brexit-oriented discourse and his Thatcher-esque catchphrase ‘Give us our country back’<sup>346</sup> reflect his rejection of the idea of a more closely integrated EU in which the UK would decide on fewer matters.

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<sup>342</sup> CAMERON D., ‘Britain and the future of Europe’ / ‘The Bloomberg speech’, *op. cit.*, *emphasis added*.

<sup>343</sup> CAMERON D., ‘EU reform’, *op. cit.*

<sup>344</sup> MILIBAND E., ‘Labour Party’s position on the EU referendum’, *op. cit.*

<sup>345</sup> CLEGG N., ‘In Europe for the National Interest’, *op. cit.*

<sup>346</sup> FARAGE N., ‘Let’s make May 22<sup>nd</sup> as our referendum on EU membership’, *op. cit.*

The ‘ever closer union’ principle, although one of the oldest principles in the European treaties, has never been very popular in Britain and seems to have lost all credibility due to the supranational objective often associated with it.

Yet, only Cameron tackles this issue with vehemence and makes it an important ‘red line’ in his speeches. However, deleting the words ‘ever closer union’ because they are unpleasant and obsolete seems to come close to being a communication strategy in order to make a plea for flexibility. Indeed, he wants an EU in which the Member States can freely choose which rules they want to follow and which projects they want to take part in, an EU based on a flexible, intergovernmental cooperation where sovereignty is preserved.

Miliband and Clegg do not effusively tackle the issue like Cameron but they do not appear to be in favour of closer integration either. Farage’s communication on this ‘red line’ is almost inexistent since he just wants a Brexit; consequently, flexibility and intergovernmentalism do not constitute a decent alternative to him.

### **2.3. *The eurozone: safeguards and British opt-out***

During the negotiations for the Treaty of Maastricht, Major had managed to secure an opt-out for Britain as to the adoption of the single currency (see Part 2, 4). The European sovereign debt crisis confirms the British in their opinion that keeping their own currency was a good decision. In Britain, the single currency has been since then mostly held responsible by the media and politicians for the poverty increase in the eurozone countries.<sup>347</sup>

Cameron embraces this vision and makes it clear that ‘[Britain] will not join the single currency.’<sup>348</sup> He wants the British opt-out to be respected in the name of flexibility, free-will cooperation and democracy.<sup>349</sup> However, even though Cameron does not intend to abandon the pound sterling, the eurozone has become a burning issue in his communication on Europe. Cameron indeed states that the problems in the eurozone have

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<sup>347</sup> SCHNAPPER P. *Le Royaume-Uni doit-il sortir de l’Union européenne ?*, *op. cit.*, pp. 129-130.

<sup>348</sup> CAMERON, D., ‘Britain and the future of Europe’ / ‘The Bloomberg speech’, *op. cit.*

<sup>349</sup> CAMERON, D., ‘Britain and the future of Europe’ / ‘The Bloomberg speech’, *op. cit.*; CAMERON D., ‘EU reform’, *op. cit.*

implications for all EU Member States and are ‘driving fundamental change in Europe.’<sup>350</sup> Therefore, he would like the eurozone and the single currency to work better by having ‘the right governance and structures’<sup>351</sup>.

However, he insists that should important changes be made within the eurozone, the non-eurozone members would need safeguards in order to protect their interests.<sup>352</sup> He wants the EU and the new arrangements taken by the eurozone members to work fairly and be in *all* the Member States’ interest.<sup>353</sup> Cameron remains quite vague about what these arrangements would involve but the Conservative manifesto gives an idea of what he and his Conservative fellows may fear:

[w]e benefit from the Single Market and do not want to stand in the way of the Eurozone resolving its difficulties. [...] But we will not let the integration of the Eurozone jeopardise the integrity of the Single Market or in any way disadvantage the UK.<sup>354</sup>

The single market is thus at the heart of Cameron’s preoccupations: he does not want that enhanced cooperation within the eurozone impedes on the access to the single market for non-eurozone countries.

Miliband’s position is akin to Cameron’s regarding the importance of protecting non-eurozone members’ interests because he fears the same problem as Cameron: an EU that would only be focused on the eurozone, which would jeopardise non-eurozone members’ access to the single market and compel them to adopt the single currency.<sup>355</sup> He is therefore in favour of safeguards for non-eurozone countries, should significant changes be made within the eurozone. However, while Cameron makes it clear about the British participation in the single currency, Miliband does not tackle this issue explicitly in his speeches but his position in favour of safeguards implies that he does not foresee a future euro changeover.

Just like Miliband, Clegg does not deal with the British opt-out in his speeches but his stance on a potential euro changeover can also be inferred from his plea for safeguards.

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<sup>350</sup> CAMERON, D., ‘Britain and the future of Europe’ / ‘The Bloomberg speech’, *op. cit.*

<sup>351</sup> *Ibid.*

<sup>352</sup> CAMERON, D., ‘Britain and the future of Europe’ / ‘The Bloomberg speech’, *op. cit.*; CAMERON D., ‘The Conservative manifesto in ten minutes’, *op. cit.*

<sup>353</sup> CAMERON, D., ‘Britain and the future of Europe’ / ‘The Bloomberg speech’, *op. cit.*; CAMERON D., ‘EU reform, Ukraine and Northern Ireland’, Downing Street, London, 27 February 2014, joint press conference with Angela Merkel, available at [www.gov.uk/government/speeches/david-cameron-and-angela-merkel-press-conference-february-2014](http://www.gov.uk/government/speeches/david-cameron-and-angela-merkel-press-conference-february-2014) [last consulted on August 12<sup>th</sup>, 2015].

<sup>354</sup> CONSERVATIVE PARTY, *op. cit.*, p. 73.

<sup>355</sup> MILIBAND E., ‘Labour Party’s position on the EU referendum’, *op. cit.*

Indeed, like Cameron and Miliband, he advocates safe-harbour provisions for non-eurozone members since he believes that the forthcoming changes within the eurozone will have implications for all the EU countries.<sup>356</sup> He guarantees that he will ask for legal safeguards for non-eurozone members when there is a new treaty reform.<sup>357</sup> Moreover, he points out that there remain economic and financial tensions within the eurozone which have to be sorted out, and that the ‘Eurozone core will need to tighten further’<sup>358</sup> in order to match up to the weakest economies’ needs as well as the strongest ones’ expectations<sup>359</sup>, which is in line with Cameron’s demand for better structures and governances.

As for Farage, he does not mention the necessity of safeguarding the interests of non-eurozone members or respecting the British opt-out. Since his view of the EU comes down to Brexit, there is no need to deal a lot with these issues. However, he holds the eurozone, alongside the free movement of people, responsible for the decline in enthusiasm for the European project.<sup>360</sup> He also briefly speaks his mind on it in a speech delivered in September 2013: ‘through their mad euro project they have driven tens of millions into poverty.’<sup>361</sup> Farage does not have a high regard for the eurozone that he depicts as being one of the major failure of the European integration project, a project in which Britain should not be involved anymore.

Despite the various opt-outs that cropped up as the European integration went on, the EU remains a whole and an opt-out does not prevent a Member State from being affected by some decisions taken in a cooperation area. The UK is thus not part of the eurozone but it does not mean that the British policy-makers do not care about the decisions that are taken without them and could affect their country.

The party leaders’ communication on this ‘red line’ mainly relies on the negative aspects associated with the eurozone. They emphasise the problems within the eurozone in order to highlight the good decision of having opted out of the single currency, and to point out the need for safeguards for non-eurozone Member States. In addition, Cameron

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<sup>356</sup> CLEGG N., ‘In Europe for the National Interest’, *op. cit.*

<sup>357</sup> *Ibid.*

<sup>358</sup> *Ibid.*

<sup>359</sup> *Ibid.*

<sup>360</sup> FARAGE N., ‘On UKIP’s victory in the European elections’, *op. cit.*; FARAGE N., ‘The European dream is crumbling’, *op. cit.*

<sup>361</sup> FARAGE N., ‘Let’s make May 22<sup>nd</sup> as our referendum on EU membership’, *op. cit.*

emphasises that safeguards are necessary for *all* non-eurozone Member States and not only for Britain.

#### ***2.4. The single market: completion and competition***

Britain has always been a trading nation. It is therefore hardly surprising that the single market became the driving force behind the British involvement when the country joined the EEC. Former Prime Ministers, and especially Thatcher, had already put the single market at the centre of their respective European policy. Even though they (sometimes reluctantly) accepted to take part in other forms of cooperation, the single market remained their priority and the primary reason for British membership.

Cameron reminds this priority in his Bloomberg speech: '[o]ur participation in the single market, and our ability to help set its rules is the principal reason for our membership of the EU.' He therefore insists on the fact that the single market must be the 'essential foundation'<sup>362</sup> of the European integration and that Britain's relationship with the EU after the renegotiations will be 'a relationship with the Single Market at its heart.'<sup>363</sup> The single market has thus mostly been used as *the* argument to keep Britain in the EU since his pledge for an 'in/out' referendum. He uses the importance of the single market for the British economy, jobs, businesses and investments<sup>364</sup> as a counter-argument to the idea of withdrawal. More than any other aspects of the British membership of the EU, he insists on weighing up the pros and cons of exiting such a 'vital'<sup>365</sup> economic area.

Cameron is not the only one to use the single market as a counter-argument to Brexit. Indeed, Miliband puts the emphasis on the benefits of the single market for consumers, businesses and investors.<sup>366</sup> As for Clegg, he puts a lot of emphasis on the defence of the single market. He reminds the importance of the single market for British

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<sup>362</sup> CAMERON D., 'Britain and the future of Europe' / 'The Bloomberg speech', *op. cit.*

<sup>363</sup> *Ibid.*

<sup>364</sup> CAMERON D., 'Britain and the future of Europe' / 'The Bloomberg speech', *op. cit.*; CAMERON D., 'Immigration and welfare reform', *op. cit.*

<sup>365</sup> *Ibid.*

<sup>366</sup> MILIBAND E., 'Labour Party's position on the EU referendum', *op. cit.*; MILIBAND E., 'Small and medium sized firms are the backbone of the British economy', *op. cit.*

jobs, businesses and prosperity.<sup>367</sup> Equally, he frequently underlines that Britain is part of ‘the world’s biggest borderless market place’<sup>368</sup> and that the EU is the world’s largest economy<sup>369</sup> thanks to the single market. By adding superlatives in positive statements, he attempts to make his audience feel proud about being part of such a great and prosperous undertaking and to make them aware of what would be lost with withdrawal from the EU.

Even though they recognise the importance and the benefits of the single market, Cameron, Miliband and Clegg all three acknowledge the need for two reforms which are inseparable from each other: competition and completion. In order to be more competitive, the single market should be further completed in services, digital and energy. If the EU does not take up the competition challenge by adapting the single market to the modern era, it will no longer be able to compete with emerging economic powers.<sup>370</sup> In addition, Cameron estimates that the incompleteness of the single market in these sectors reduces the success of the single market by half and makes it less competitive on the international scene.<sup>371</sup> This ‘red line’ is thus closely related to Britain’s ‘openness’ and the need to conclude more trade deals with the rest of the world (see Part 3, 2.5).

As for Farage, he does not deal with the necessity of improving the single market in his speeches, which is consistent with his Brexit-oriented discourse on Europe. Since the UK should withdraw from the EU, reforming the single market is not among his preoccupations. However, he assures that the UK will continue to trade with the EU in the event of a Brexit but without being constrained by laws and directives associated with this single market: ‘let’s be friendly with Europe, let’s trade with Europe, but let’s not be governed by their institutions’<sup>372</sup>. Implicitly, Farage recognises the importance of the single market and the economic interests in trading with the EU.

The party manifesto gives further precisions on the policy that UKIP wants to follow regarding the single market if the party came to power: ‘we will seek continued

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<sup>367</sup> CLEGG N., ‘In Europe for the National Interest’, *op. cit.*; CLEGG N., ‘In or out of the EU?’, *op. cit.*; CLEGG N., ‘Why Liberal Democrats are the only party campaigning to keep Britain IN Europe’, *op. cit.*

<sup>368</sup> CLEGG N., ‘In Europe for the National Interest’, *op. cit.*; CLEGG N., ‘On the future of British businesses’, *op. cit.* The same idea is expressed in slightly different terms in CLEGG N., ‘Why Liberal Democrats are the only party campaigning to keep Britain IN Europe’, *op. cit.* and CLEGG N., ‘On immigration’, *op. cit.*

<sup>369</sup> CLEGG N., ‘In Europe for the National Interest’, *op. cit.*; CLEGG N., ‘In or out of the EU?’, *op. cit.*

<sup>370</sup> CAMERON D., ‘Britain and the future of Europe’ / ‘The Bloomberg speech’, *op. cit.*; CAMERON D., ‘EU reform, Ukraine and Northern Ireland’, *op. cit.*; MILIBAND E., ‘Labour Party’s position on the EU referendum’, *op. cit.*; MILIBAND E., ‘UK economy’, *op. cit.*; CLEGG N., ‘In Europe for the National Interest’, *op. cit.* This aspect is also present in CONSERVATIVE PARTY, *op. cit.*, p. 73; LABOUR PARTY, *op. cit.*, p. 77; and LIBERAL DEMOCRATS, *op. cit.*, p. 35.

<sup>371</sup> CAMERON D., ‘Britain and the future of Europe’ / ‘The Bloomberg speech’, *op. cit.*

<sup>372</sup> CLEGG N., ‘In or out of the EU?’, *op. cit.*

access on free-trade terms to the EU's single market. Our custom is valuable to the EU now and will continue to be so following Brexit.<sup>373</sup> Farage and his UKIP fellows seem to be persuaded that it will be easy to have access to the single market since the EU needs the British market. They are convinced that simple trade agreements with the EU would be a better deal for independent Britain, an idea which is shared by Cameron's most eurosceptic Conservative fellows.<sup>374</sup> However, Cameron warns against this tempting solution, arguing that countries like Norway and Switzerland have access to the single market but remain external, disadvantaged actors since they do not take part in the creation of its rules.<sup>375</sup>

Due to the importance of the single market for the British economy, Cameron, Miliband and Clegg mainly use it as a counter-argument to withdrawal from the EU by emphasising its advantages in their communication on Europe. As for Farage, he implicitly recognises the benefits of the single market by arguing that Britain will continue to trade with the EU in the event of a Brexit.

At the same time, Cameron, Miliband and Clegg argue that the single market needs to be further completed in order to become more competitive. However, these kinds of reforms do not attack any central tenet of the European integration and are even situated in the logic of closer economic integration. Again, Cameron emphasises the benefits of these reforms for the whole EU and not only for Britain. This 'red line' is thus to be understood as being a way of convincing Britain to stay in the EU rather than as a strong argument for withdrawal if there was no improvement.

## ***2.5. The international trade deals: 'openness' to the rest of the world***

Britain has always paid attention to the rest of the world. Its policy of worldwide expansion began in the 16<sup>th</sup> century with the first settlements and colonies, and then stretched over several centuries. The British Empire was once the largest empire with a trade network and monopolies that made Britain the foremost (commercial) power of the

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<sup>373</sup> UKIP, *op. cit.*, p. 71.

<sup>374</sup> SCHNAPPER P., 'What future is there for the United Kingdom in the European Union?', *European issues of Fondation Robert Schuman*, 2012, 254, p. 2.

<sup>375</sup> CAMERON D., 'Britain and the future of Europe' / 'The Bloomberg speech', *op. cit.*

world.<sup>376</sup> Even after the decolonisation process, the UK retained economic, cultural and linguistic ties with the Commonwealth countries and to a larger extent, with what is sometimes called the ‘Anglosphere’.

Cameron is well aware of this British global reach in the former centuries and proudly presents it as a valuable inherited feature still defining present-day Britain:

[t]hroughout our long history, we have always looked outward, not inward. We have used the seas that surround our shores not to cut ourselves off from the world, but to reach out to it - to carry our trade to the four corners of the earth. And with that trade has come people, companies, jobs and investment. We have always understood that our national greatness is built on our openness.<sup>377</sup>

Cameron associates the idea of an outward-looking and open Britain with trade. The British ‘openness’ encouraged trade around the world, which in turn favoured Britain’s importance, success and ‘greatness’. He links together ‘openness’, trade and ‘national greatness’ in a way that almost borders on British exceptionalism.

In his speeches, Cameron emphasises this British ‘openness’ in a twofold purpose. First, this argument enables him to rebut the criticism that withdrawing from the EU would be an isolationist act. In the aforementioned quote, he presents the seas surrounding the UK not as favouring insularity but as opening paths to the rest of the world. Secondly, and most importantly, he uses this argument to push the EU to develop further international trade deals with the rest of the world. Just like most of his Conservative predecessors, Cameron supports global free trade and implicitly suggests that the EU would be more successful if it followed the example of the British ‘openness’. He makes it essential to ‘expand the horizons of the whole EU’<sup>378</sup>, which will insidiously increase Britain’s global reach.

These trade deals should concern emerging powers such as India, China and Japan<sup>379</sup>, but also the Transatlantic Trade and Investment Partnership (TTIP)<sup>380</sup>, currently

<sup>376</sup> SCHNAPPER P, *Le Royaume-Uni doit-il sortir de l'Europe ?*, *op. cit.*, p. 65.

<sup>377</sup> CAMERON D., ‘On immigration’, *op. cit.*

<sup>378</sup> CAMERON D., ‘On the long term economic plan’, British Chambers of Commerce, London, 10 February 2015, speech, available at [www.gov.uk/government/speeches/british-chambers-of-commerce-pm-speech](http://www.gov.uk/government/speeches/british-chambers-of-commerce-pm-speech) [last consulted on August 12<sup>th</sup>, 2015].

<sup>379</sup> CAMERON D., ‘Britain and the future of Europe’ / ‘The Bloomberg speech’, *op. cit.*; CAMERON D., ‘On the long term economic plan’, *op. cit.*; CONSERVATIVE PARTY, *op. cit.*, p. 76.

<sup>380</sup> CAMERON D., ‘EU reform, Ukraine and Northern Ireland’, *op. cit.*; CAMERON D., ‘G7 priorities, Ebola crisis, Russia and Ukraine, and EU reform’, Downing Street, London, 7 January 2015, joint press conference with Angela Merkel, available at [www.gov.uk/government/speeches/david-cameron-and-angela-merkel-press-conference](http://www.gov.uk/government/speeches/david-cameron-and-angela-merkel-press-conference) [last consulted on August 12<sup>th</sup>, 2015]; CAMERON D., ‘On the long term economic plan’, *op. cit.*; CONSERVATIVE PARTY, *op. cit.*, pp. 73 and 76.

on the negotiating table. Indeed, Cameron hopes to secure and settle quickly this ‘vital’<sup>381</sup> trade deal between the EU and the United States, of which close ties with the UK are obviously not uninvolved in Cameron’s stance. The importance of the ‘special relationship’ is further specified in the Conservative manifesto, alongside close bonds with the Commonwealth: ‘We will uphold our Special Relationship with the USA and further strengthen our ties with our close Commonwealth allies, Australia, Canada and New Zealand’<sup>382</sup>. When Cameron deals with EU trade deals, old imperial habits resurface and determine his vision of EU foreign policy.

Miliband shares the same vision as Cameron as to the importance of the British ‘openness’.<sup>383</sup> He thinks that the EU should strike further trade deals with countries around the world, mentioning Brazil, India and China.<sup>384</sup> Securing the TTIP as soon as possible is also recurrent in his speeches and in the Labour manifesto.<sup>385</sup> Just like Cameron and Miliband, Clegg is in favour of opening trade barriers with emerging powers like China, India and Brazil and concluding trade deals with these countries.<sup>386</sup> The British ‘openness’ is thus implicitly an important feature in his discourse as well, even though he does not explicitly name it.

However, Miliband and Clegg also emphasise the EU’s world credibility and influence that enable the EU to conclude trade deals as an argument against withdrawal, while Cameron only mentions the necessity of concluding other trade deals. Indeed, Miliband is convinced that the UK has more opportunities to enjoy international trade deals by remaining part of the European trading bloc than on its own or halfway out of the EU as it is currently the case with Cameron’s referendum threat.<sup>387</sup> In this regard, Miliband hints at a lesson from the past: ‘Not finding that negotiations about trade happen without Britain in the room.’<sup>388</sup> Due to its belated membership, the British had to accept terms and institutions that had been set up without them (see Part 2, 2) and the various

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<sup>381</sup> CAMERON D., ‘The opportunities of reshoring’, World Economic Forum, Davos, 24 January 2014, speech, available at [www.gov.uk/government/speeches/world-economic-forum-davos-2014-speech-by-david-cameron--2](http://www.gov.uk/government/speeches/world-economic-forum-davos-2014-speech-by-david-cameron--2) [last consulted on August 12<sup>th</sup>, 2015].

<sup>382</sup> CONSERVATIVE PARTY, *op. cit.*, p. 76.

<sup>383</sup> MILIBAND E., ‘UK’s economic goals’, *op. cit.*

<sup>384</sup> MILIBAND E., ‘Labour Party’s position on the EU referendum’, *op. cit.*; MILIBAND E., ‘Small and medium sized firms are the backbone of the British economy’, *op. cit.*

<sup>385</sup> MILIBAND E., ‘Labour Party’s position on the EU referendum’, *op. cit.*; MILIBAND E., ‘UK’s economic goals’, *op. cit.*; LABOUR PARTY, *op. cit.*, p. 34.

<sup>386</sup> CLEGG N., ‘In Europe for the National Interest’, *op. cit.*

<sup>387</sup> MILIBAND E., ‘Britain’s Foreign Policy’, *op. cit.*; MILIBAND E., ‘Labour’s business manifesto launch’, *op. cit.*; MILIBAND E., ‘Labour Party’s position on the EU referendum’, *op. cit.*; MILIBAND E., ‘UK economy’, *op. cit.*

<sup>388</sup> MILIBAND E., ‘Small and medium sized firms are the backbone of the British economy’, *op. cit.*

opt-outs prevent them from deciding on matters that have a certain influence on them (see Part 3, 2.3). Miliband implicitly warns that this situation could recur if Britain is through the crack in the door or leaves the EU.

Clegg, for his part, focuses on existing trade agreements and on the deals that are currently under negotiations, such as the TTIP, in order to show the benefits of EU membership. He warns that these trade deals should be renegotiated from scratch if the UK left the EU and that a positive outcome would not be guaranteed.<sup>389</sup> Just like Miliband, he also believes that concluding international trade deals is easier when being part of the EU. He argues, on grounds of his experience<sup>390</sup>, that if Britain left the EU, the British would not be taken seriously as trade partners and would find themselves in ‘a position of weakness’<sup>391</sup> to negotiate deals.<sup>392</sup> To him, Britain is a much more attractive, serious and reliable partner as being part of the EU.<sup>393</sup>

Although Farage values global free trade as much as the other party leaders do, his position opposes theirs in that he firmly believes that Britain could conclude more international trade deals by leaving the EU: ‘[w]e know that only by leaving the Union can we regain [...] our ability to trade freely with the fastest-growing economies in the world.’<sup>394</sup> He believes that the UK has lost its ability to conclude trade deals of its own volition with the rest of the world.<sup>395</sup> In Farage’s communication on Europe, the British ‘openness’ is thus not used as an old valuable characteristic justifying Britain’s interests in international trade deals but as an argument in favour of withdrawal.

Moreover, Farage especially emphasises the salience of the Commonwealth and the trade opportunities with these countries by leaving the EU:

[o]pen to the world. The opposite of insular. Out there trading with countries that have growth rates of six, seven, ten per cent a year. Not hemmed in by the European Union – but open to the Commonwealth. Not headed by my old pal Herman Achille van Rompuy but by the Queen. Our real friends in the Commonwealth. Because the fact is we just don’t belong in the European Union. Britain is different.<sup>396</sup>

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<sup>389</sup> CLEGG N., ‘In Europe for the National Interest’, *op. cit.*

<sup>390</sup> Before getting into British politics, Clegg worked as an EU policy adviser for the then Trade Commissioner, Leon Brittan. He was part of the team in charge of negotiating trade deals with Russia and China.

<sup>391</sup> CLEGG N., ‘In Europe for the National Interest’, *op. cit.*

<sup>392</sup> *Ibid.*

<sup>393</sup> CLEGG N., ‘In Europe for the National Interest’, *op. cit.*; CLEGG N., ‘In or out of the EU?’, *op. cit.*

<sup>394</sup> FARAGE N., ‘Let’s make May 22<sup>nd</sup> as our referendum on EU membership’, *op. cit.* This idea can also be found in FARAGE N., ‘In or out of the EU?’, *op. cit.*

<sup>395</sup> FARAGE N., ‘In or out of the EU?’, *op. cit.*

<sup>396</sup> FARAGE N., ‘Let’s make May 22<sup>nd</sup> as our referendum on EU membership’, *op. cit.*

According to Farage, Britain should not be constrained by a restrictive union with countries that are different in many respects. Farage uses this ‘us versus them’ strategy and the idea of otherness in an attempt to make his audience feel detached from the other EU Member States. Instead, Britain should be able to turn to its longstanding relations with the Commonwealth on the basis of the historical, cultural and linguistic bonds shared with the Commonwealth people who ‘speak [the English] language and who have common law’<sup>397</sup>. Thanks to these privileged bonds, Farage thinks that the UK does not need the EU and the Commonwealth countries should be the first place where Britain should reinvent its global influence after leaving the EU.<sup>398</sup>

Despite its island geography, the UK is considered to be the opposite of insular by the party leaders. The British ‘openness’ to the world is a recognised characteristic which justifies Britain’s interest in worldwide trade, emerging economies and the Commonwealth.

However, this British ‘openness’ is used to different ends in the party leaders’ communication on Europe. Cameron presents it as a very positive trait that enabled Britain to get a global reach. In order to make the UK stay in the EU as well as to remain in the trend economically, it is important that the EU follows Britain’s example and concludes international trade deals with newly emerging powers. Miliband and Clegg agree with the need to conclude trade deals with these countries but they mainly remind that Britain has more opportunity and is a more attractive partner as being part of the EU rather than on its own. In this way, concluding more international trade deals is not so much a ‘red line’ for them but an anti-withdrawal argument.

On the contrary, Farage’s communication on this topic is completely antagonist: by leaving the EU, Britain would recover its independency in striking trade deals. In this regard, the Commonwealth is of particular interest, just like in Cameron’s communication. However, while Cameron just mentions it, Farage opposes the EU to the Commonwealth by playing on the historical, linguistic and cultural bonds with the Commonwealth in order to create favourable feelings towards the latter and emphasise the EU’s otherness.

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<sup>397</sup> FARAGE N., ‘If you vote UKIP, you will get UKIP’, *op. cit.*

<sup>398</sup> FARAGE N., ‘Launch of general election campaign’, *op. cit.*

## 2.6. *The EU budget: capping expenditures and securing the British rebate*

The first reason that pushed the UK to join the EEC was economic. It is thus not surprising that the financial aspects of the EU are of importance to the British policy-makers. Besides, the UK is the fourth net contributor to the EU budget.

In his Bloomberg speech, Cameron barely tackles the EU budget. He only alludes to budget management by pointing out that it should be better used, e.g. by closing down unsuccessful programmes. This brief treatment of the EU budget does not mean that it is not an important aspect to him; on the contrary, he knew that this issue would be dealt with specifically in two weeks' time at the European Council of 7 and 8 February 2013. Before this European Council, Cameron had three objectives: (1) ensuring a better management of the EU budget; (2) reducing the multiannual financial framework; and (3) making sure that the British rebate remains safe and sound.

First, budget management was an important issue to Cameron. Following the European Council, he announced that he managed to secure the creation of a budget for growth, which will certainly be 'a more modern and effective set of budgets than the ones that preceded it.'<sup>399</sup> This budget should support research and development, help the new members to develop a stronger economy and reduce the budget share devoted to the CAP.<sup>400</sup> Cameron wants the EU to spend its budget efficiently and adapt it to the current needs of the whole EU. Here again, he emphasises the benefits for every Member States, including the more recent ones.

Apart from budget management, budget size was a second concern for Cameron. After the European Council, he announced that he managed to cut the multiannual financial framework (colloquially referred to as the seven-year budget) and specified proudly that it was the first time in history that the EU budget had been reduced rather than increased<sup>401</sup>, an achievement that is also praised in the Conservative manifesto.<sup>402</sup> Finding an agreement on the seven-year budget can sometimes be difficult because it is,

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<sup>399</sup> CAMERON D., 'EU budget agreement', European Council, Brussels, 8 February 2013, press conference speech, available at [www.gov.uk/government/speeches/european-council-press-conference-on-eu-budget-agreement](http://www.gov.uk/government/speeches/european-council-press-conference-on-eu-budget-agreement) [last consulted on August 12<sup>th</sup>, 2015].

<sup>400</sup> CAMERON D., 'EU budget agreement', *op. cit.*

<sup>401</sup> *Ibid.*

<sup>402</sup> CONSERVATIVE PARTY, *op. cit.*, p. 72.

unlike the annual budgets, adopted by unanimity. Therefore, Cameron presents this budgetary negotiation as a first success in his list of reforms.

Before the start of the European Council, Cameron had specified that he wanted to bring about reforms to budget management and size but he had remained quite vague about what he wanted to achieve exactly. This deliberate silence enabled him to introduce the budget negotiations of the European Council as a huge success. In his speeches, he does not focus anymore on the changes that he wanted to make in the EU budget but on his previous achievements.<sup>403</sup> This attitude suggests that his objective was to show his electorate that he was able to make changes in the EU and that the European partners were ready to listen to ‘a major Member State, one of the biggest net contributors to the EU budget’<sup>404</sup>. In this regard, he emphasises that he negotiated the budget deal with ‘like-minded’<sup>405</sup> European leaders, which shows that negotiating better deals and reforms is not impossible when successful alliances are built. By emphasising these reforms, Cameron shows that he really intends, and that he is able, to negotiate a ‘new settlement’ for the UK as promised.

Cameron’s third objective was to secure and preserve the British rebate. As he achieved this goal, he reminds that, despite the pressure of other European rulers, he has hold out and will continue to do so.<sup>406</sup>

Miliband agrees with Cameron when it comes to budget management: reforms are necessary in order to spend the budget more efficiently and sensibly.<sup>407</sup> Like Cameron, he especially points at the too high budget share devoted to the CAP.<sup>408</sup> However, while Cameron stresses the advantages of a budget reform not only in Britain’s interest but in the EU’s interest, Miliband’s request is nationwide-focused. Indeed, he wants a budget management that serves the British interests better, arguing that extra money should be

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<sup>403</sup> CAMERON D., ‘EU reform’, *op. cit.*; CAMERON D., ‘EU reform, Ukraine and Northern Ireland’, *op. cit.*; CAMERON D., ‘G7 priorities, Ebola crisis, Russia and Ukraine, and EU reform’, *op. cit.*; CAMERON D., ‘On immigration’, JCB World Headquarters, Rocester, 28 November 2014, keynote speech, available at [www.bbc.com/news/uk-politics-30250299](http://www.bbc.com/news/uk-politics-30250299) [last consulted on August 12<sup>th</sup>, 2015]; CAMERON D., ‘So Britain: what’s it going to be?’, Conservative Party Annual Conference, Birmingham, 1 October 2014, keynote speech, available at [www.britishpoliticalspeech.org/speech-archive.htm?speech=356](http://www.britishpoliticalspeech.org/speech-archive.htm?speech=356) [last consulted on August 12<sup>th</sup>, 2015]; CAMERON D., ‘We need to finish the job we’ve started’, Conservative Party Annual Conference, Manchester, 2 October 2013, keynote speech, available at [www.telegraph.co.uk/news/politics/david-cameron/10349831/David-Camersons-speech-in-full.html](http://www.telegraph.co.uk/news/politics/david-cameron/10349831/David-Camersons-speech-in-full.html) [last consulted on August 12<sup>th</sup>, 2015].

<sup>404</sup> CAMERON D., ‘On immigration’, *op. cit.*

<sup>405</sup> CAMERON D., ‘EU budget agreement’, *op. cit.*

<sup>406</sup> *Ibid.*

<sup>407</sup> MILIBAND E., ‘Labour’s business manifesto launch’, *op. cit.*; MILIBAND E., ‘Labour Party’s position on the EU referendum’, *op. cit.*; MILIBAND E., ‘UK economy’, *op. cit.*

<sup>408</sup> MILIBAND E., ‘Labour Party’s position on the EU referendum’, *op. cit.*

allocated to Britain in order to support its public services and areas such as energy, infrastructure and innovation.<sup>409</sup>

Clegg is more conciliatory towards the EU budget in his communication on Europe. Indeed, he prefers to remind his audience that the British yearly contribution to the EU budget is roughly the same as what is spent on national health care in less than a month.<sup>410</sup> Yet, he does not say that the EU budget is flawless. As Deputy Prime Minister, he supported Cameron's project to reduce the multiannual financial framework. Equally, he emphasises the importance of maintaining the British rebate and of capping the next EU budgets<sup>411</sup>, an aspect that is also mentioned in the Liberal Democrat manifesto<sup>412</sup>. Regarding the CAP expenditures, he also wants to get reforms in the grants for agricultural production which he calls 'historical subsidies that distort trade.'<sup>413</sup> Clegg thus appears to be less harsh towards EU budgetary issues since he offsets the demands for reforms against the smallness of this budget compared to national expenditures.

Unlike Cameron and Miliband, Clegg also points out the need for management reforms in the CFP which seems to have had negative impacts on the British fisheries: '[i]n Britain we have seen our fish stocks depleted and profits diminished, while our fisherman (*sic*) have been tied up in bureaucratic knots.'<sup>414</sup> Clegg nonetheless applauds the reforms that have already been carried out in this area<sup>415</sup>, which decreases the strength of his criticism.

As for Farage, he does not mention the improvement of budget management and size, or the importance of keeping the British rebate unchanged. Rather, he criticises the amount of the British contributions to the EU and insists on the financial advantages of leaving the EU, arguing that only by leaving the EU, 'we [the British] get our money back'<sup>416</sup>. This 'we get back' formulation is recurrent in his speeches and is consistent with his Brexit-oriented discourse. Three domains of contribution are in Farage's line of sight and come back regularly in his speeches.

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<sup>409</sup> MILIBAND E., 'Labour Party's position on the EU referendum', *op. cit.*

<sup>410</sup> CLEGG N., 'In Europe for the National Interest', *op. cit.*

<sup>411</sup> *Ibid.*

<sup>412</sup> LIBERAL DEMOCRATS, *op. cit.*, p. 149.

<sup>413</sup> CLEGG N., 'In Europe for the National Interest', *op. cit.*

<sup>414</sup> *Ibid.*

<sup>415</sup> *Ibid.*

<sup>416</sup> FARAGE N., 'Let's make May 22<sup>nd</sup> as our referendum on EU membership', *op. cit.*

First, Farage argues that leaving the EU would allow daily savings up to £ 55 million<sup>417</sup> of membership fees and the UKIP manifesto foresees savings up to £ 9 billion a year<sup>418</sup>. It seems that he relies on figures here to emphasise the costly aspect of the EU only since there is no mention of what this money is used for and the way in which the UK can also enjoy it.

While the other party leaders do not mention it, Farage also severely criticises the UK's contribution to the EU foreign aid budget that he believes to be one of the most substantial in the world.<sup>419</sup> In this regard, he argues that withdrawing from the EU would enable Britain to spend less in international aid and to help these countries its own way, e.g. by ending customs duties on African imports, which would 'do more to raise living standards there than any amount of aid.'<sup>420</sup> In other words, Farage would rather favour economic development through trade agreements than through money that could be invested in national areas.

Thirdly and lastly, Farage also criticises the CFP, just like Clegg. However, the latter wants to bring management reforms to it while the former only aspires to get rid of it and renationalise the British fishing industry, a wish that is perceptible in his oft-repeated 'we get our fisheries back' catchphrase<sup>421</sup>. Farage attaches great importance to the British territorial waters and fisheries: 'we have given away our territorial waters, we have given away our fish and perhaps the greatest renewable resource we possess as a country: the fish that swim in our seas'<sup>422</sup>. He assumes that the British fisheries, and consequently the British economy, would be more thriving if the UK could get its territorial waters back.<sup>423</sup>

Due to their fairly significant contribution to the EU budget, the British grant a certain importance to budget size and management, as well as to the British rebate. Consequently, reducing the UK's contribution to the EU budget or the budget in itself is a way of reducing criticisms towards the cost of the EU as well. In this regard, Cameron and Clegg have different communicational strategies in order to transform their demands

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<sup>417</sup> FARAGE N., 'In or out of the EU?', *op. cit.*; FARAGE N., 'There is a growing level of support for UKIP', *op. cit.*

<sup>418</sup> UK INDEPENDENCE PARTY, *op. cit.*, p. 8.

<sup>419</sup> FARAGE N., 'There is a growing level of support for UKIP', *op. cit.*

<sup>420</sup> FARAGE N., 'Let's make May 22<sup>nd</sup> as our referendum on EU membership', *op. cit.*

<sup>421</sup> FARAGE N., 'If you vote UKIP, you will get UKIP', *op. cit.*; FARAGE N., 'Let's make May 22<sup>nd</sup> as our referendum on EU membership', *op. cit.*; FARAGE N., 'Tony Blair can go to hell', *op. cit.*

<sup>422</sup> FARAGE N., 'Tony Blair can go to hell', *op. cit.*

<sup>423</sup> *Ibid.*

for reforms into anti-withdrawal arguments. On the contrary, Miliband and Farage remain quite critical of the EU budget.

The EU budget was first on Cameron's list of reforms. However, as he made some achievements, he decided to use them in order to illustrate his efficiency and the EU's goodwill. Equally, he shows his determination by underlining that he managed to keep the British rebate unchanged. He also emphasises, once again, the necessity for a better management of the EU budget for the sake of all the Member States. Clegg weakens his criticisms towards the EU budget, and logically towards the EU, by pointing out the trivial aspect of the British contribution to the EU budget compared to national expenditures. On the contrary, Miliband criticises the EU budget by implying that the UK does not get a sufficient amount of money out of it. As for Farage, he does not want any reforms but only focuses, using catchphrases and figures, on the fact that the British lose their money because the EU budget is poorly managed.

## 2.7. *EU red tape: from unnecessary bureaucracy to national legitimacy*

Montesquieu once said: 'useless laws weaken the necessary laws.'<sup>424</sup> This assumption seems to be even more prevailing three centuries later when domestic legislation is no longer the sole factor that influences the countries' economies and the nationals' everyday lives. Excessive regulation and unnecessary bureaucracy at EU level, referred to as EU red tape, can put a burden on the Member States' growth, prosperity, businesses and employment. Since a while, EU red tape has come in for sharp criticism in the UK, as well as in other Member States, and the European Commission itself has realised it. Guenther Verheugen, European Commissioner from 1999 to 2010, laid the blame on the fact that

human capacity has its limits. There are 27 commissioners, which means 27 directorate-generals. And 27 directorate-generals means that everyone needs to prove that they are needed by constantly producing new directives, strategies or projects. In any case, the rule is: More and more, more and more, all the time.<sup>425</sup>

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<sup>424</sup> MONTESQUIEU C. L., *De l'esprit des lois*, published in 1748, *free translation from French*.

<sup>425</sup> VERHEUGEN G., 'The EU Has No Vision of Where We are Heading', interview conducted by Hoyng H. and Schlamp H.-J., *Spiegel Online International*, 9 February 2010, available at [www.spiegel.de/international/europe/former-european-commissioner-guenther-verheugen-the-eu-has-no-vision-of-where-we-are-heading-a-676784-3.html](http://www.spiegel.de/international/europe/former-european-commissioner-guenther-verheugen-the-eu-has-no-vision-of-where-we-are-heading-a-676784-3.html) [last consulted on August 12th, 2015].

However, it is not because human nature is not perfect and selfless that the problem cannot be settled. Since 2006, the High Level Group on Administrative Burdens – an independent advisory body of the Commission set up under the former President of the European Commission José Manuel Barroso’s instigation – has been working on cutting red tape, creating smart regulation, and reducing pointless bureaucracy. In 2014, it published a final report with recommendations which encapsulates in a few lines the necessity of cutting ‘red tape’ for the image and the future of the EU:

[u]nnecessary bureaucracy tarnishes the image of the European Union and is a burden for businesses and citizens. It also hampers economic growth and the creation of new job opportunities. In order to change this, Smart Regulation is the key element for the future EU law-making process: Where it is necessary to regulate, legislation must be designed so as to achieve policy objectives most effectively and at lowest cost to society, citizens and business.<sup>426</sup>

In his Bloomberg speech, Cameron identifies two reforms to be carried out in order to tackle the issue of EU red tape: (1) flexibility and (2) competences repatriation. As mentioned before (see Part 3, 2.2), flexibility is a key concept in Cameron’s European policy. The plea for a flexible Europe is equally relevant when it comes to EU excessive regulation. Indeed, Cameron reminds his audience that every Member State has its own national peculiarities. He therefore opposes the view according to which the EU should aim at harmonising every single piece of legislation.<sup>427</sup> In this regard, he pleads in favour of a greater leeway for small entrepreneurial businesses so that they can grow, expand and become more competitive<sup>428</sup>, as well as for temporary workers and expatriate employees.

Secondly, Cameron announces that he wants to negotiate the repatriation of some competences to national parliaments, arguing that in a flexible Europe, national parliaments should get some powers back. The repatriation of some competences would enable the national parliaments to decide about the laws directly impacting on the nationals’ everyday lives, which would be perceived as more democratic since national parliaments remain ‘the true source of real democratic legitimacy and accountability’<sup>429</sup>

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<sup>426</sup> HIGH LEVEL GROUP ON ADMINISTRATIVE BURDENS, ‘Cutting Red Tape in Europe: Legacy and outlook’, Report, July 2014, 59 p., available at [http://ec.europa.eu/smart-regulation/refit/admin\\_burden/docs/08-10web\\_ce-brocuttingredtape\\_en.pdf](http://ec.europa.eu/smart-regulation/refit/admin_burden/docs/08-10web_ce-brocuttingredtape_en.pdf) [last consulted on August 12<sup>th</sup>, 2015].

<sup>427</sup> CAMERON D., ‘Britain and the future of Europe’ / ‘The Bloomberg speech’, *op. cit.*

<sup>428</sup> CAMERON D., ‘Britain and the future of Europe’ / ‘The Bloomberg speech’, *op. cit.*; CAMERON D., ‘EU reform’, *op. cit.*; CONSERVATIVE PARTY, *op. cit.*, pp. 19, 72 and 73.

<sup>429</sup> CAMERON D., ‘Britain and the future of Europe’ / ‘The Bloomberg speech’, *op. cit.*

and since there is no ‘single European demos.’<sup>430</sup> Regarding the impact on the nationals’ everyday lives, he briefly speaks his mind on the Working Time Directive, citing the example of British hospital doctors whose working time is decided in Brussels, ‘irrespective of the views of British parliamentarians and practitioners.’<sup>431</sup> This idea of competences repatriation in Cameron’s communication on Europe is closely related to the respect of the principle of subsidiarity enshrined in article 5 TEU, the preservation of sovereignty, and the intergovernmental development of the EU.

In order to reinforce the need to bring reforms to this area, Cameron argues that EU red tape tarnishes the EU’s image that is now losing support from its citizens because these ‘resent the interference in [the] national life by what they see as unnecessary rules and regulation. And they wonder what the point of it all is.’<sup>432</sup> Cameron relies on the fact that the EU citizens figure out the EU as a bunch of Brussels bureaucrats or technocrats who need to produce rule after rule endlessly, an observation that is alike with G. Verheugen’s aforementioned statement. If EU red tape is cut through more flexible and adaptable rules, as well as through the repatriation of some competences, the EU will regain some legitimacy and support from its citizens.

Like Cameron, Miliband wants to lighten, especially for small businesses, regulations that impede competitiveness rather than improve it.<sup>433</sup> Consistent with Labour values, Miliband also emphasises the need to keep public services, like the health care system, out of the European competition law that forces privatisation<sup>434</sup>, as well as to make the rules on state aids more flexible.<sup>435</sup> Miliband is therefore in favour of the repatriation of some economic powers to national parliaments.<sup>436</sup>

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<sup>430</sup> CAMERON D., ‘Britain and the future of Europe’ / ‘The Bloomberg speech’, *op. cit.* Some thinkers and political leaders have argued that a political community (‘demos’) should coincide with a homogeneous ethnic community (‘ethnos’). Consequently, the EU would not have full democratic legitimacy because its demos does not match its ethnos. The true source of democratic legitimacy would therefore remain national parliaments. For further information, see LIEBERT U., ‘Just cheap talk? Rethinking the “no European demos” thesis in light of discursive representation practices’, *CEuS Working Paper* No. 1, 2012, available at [www.monnet-centre.uni-bremen.de/pdf/2012-1%20Liebert,%20Ulrike.pdf](http://www.monnet-centre.uni-bremen.de/pdf/2012-1%20Liebert,%20Ulrike.pdf) [last consulted on August 12<sup>th</sup>, 2015].

<sup>431</sup> CAMERON D., ‘Britain and the future of Europe’ / ‘The Bloomberg speech’, *op. cit.*

<sup>432</sup> *Ibid.*

<sup>433</sup> MILIBAND E., ‘Labour Party’s position on the EU referendum’, *op. cit.*; MILIBAND E., ‘Small and medium sized firms are the backbone of the British economy’, *op. cit.*; LABOUR PARTY, *op. cit.*, p. 22.

<sup>434</sup> MILIBAND E., ‘On the NHS’, Labour Party conference, Manchester, 12 May 2014, speech, available at <http://press.labour.org.uk/post/85543182554/ed-miliband-speech-on-the-nhs> [last consulted on August 12<sup>th</sup>, 2015]; MILIBAND E., ‘Labour Party’s position on the EU referendum’, *op. cit.*

<sup>435</sup> MILIBAND E., ‘Labour Party’s position on the EU referendum’, *op. cit.*

<sup>436</sup> *Ibid.*

Like Cameron and Miliband, Clegg believes that some powers should come back to national parliaments which should be able to play ‘a much more active role [...] in scrutinising EU decisions and policing the principle of subsidiarity’<sup>437</sup>, especially in certain issues where the Member States would be more efficient than the EU<sup>438</sup>. Equally, he is convinced of the need to lighten and simplify EU regulations.<sup>439</sup>

However, Clegg also has a slightly different approach in that he is the only one to offset the negative aspects on EU red tape by some positive remarks. He reminds that although the Working Time Directive has damaging features, it also provides for vital protections for workers.<sup>440</sup> Moreover, he goes against the clichéd idea that portrays Brussels as the sole left-over lawgiver by reminding his audience that

[b]ritain shapes everything that happens in the EU. Nothing passes into UK law without the input of our MEPs and Government Ministers. Even though there are 28 states in all, we have one in ten of the seats in the Parliament.<sup>441</sup>

By reminding that the system is a representative democracy and that the British ministers and Euro-MPs contribute to all pieces of European legislation transposed in UK law, Clegg weakens the strength of his criticisms towards the EU.

Farage tackles EU red tape with vehemence, arguing that Britain is ‘tied up in the cat’s cradle of EU laws, regulations, directives and treaties.’<sup>442</sup> He does not mention the need to reduce EU red tape, he only criticises it, which is consistent with his Brexit-oriented discourse. He also estimates that 70 or 80 percent of the laws are shaped in Brussels, which impedes production and leadership.<sup>443</sup> Like the three other party leaders, Farage also believes that small businesses suffer from burdensome legislations.<sup>444</sup> In order to escape EU red tape and get powers back, or ‘get our Parliament back’<sup>445</sup> in his words, he can only see one solution: Brexit.

Cutting EU red tape is not a reform peculiar to the British leaders. The EU leaders themselves are aware of what is at stake with excessive legislation and unnecessary

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<sup>437</sup> CLEGG N., ‘In Europe for the National Interest’, *op. cit.*

<sup>438</sup> CLEGG N., ‘Why Liberal Democrats are the only party campaigning to keep Britain IN Europe’, *op. cit.*; CLEGG N., ‘In Europe for the National Interest’, *op. cit.*

<sup>439</sup> CLEGG N., ‘In Europe for the National Interest’, *op. cit.*

<sup>440</sup> *Ibid.*

<sup>441</sup> *Ibid.*

<sup>442</sup> FARAGE N., ‘Let’s make May 22<sup>nd</sup> as our referendum on EU membership’, *op. cit.*

<sup>443</sup> *Ibid.*

<sup>444</sup> FARAGE N., ‘If you vote UKIP, you will get UKIP’, *op. cit.*; FARAGE N., ‘In or out of the EU?’, *op. cit.*

<sup>445</sup> FARAGE N., ‘Let’s make May 22<sup>nd</sup> as our referendum on EU membership’, *op. cit.*

bureaucracy: the whole EU is rendered less efficient and loses its citizens' support little by little. Cameron's message regarding this 'red line' is that it is now essential to go from unnecessary bureaucracy to national legitimacy so that the EU will be more competitive, more thriving and will get the support of its citizens back.

Cameron, Miliband and Clegg use different communication strategies in order to make the case for the reduction of EU red tape. Cameron emphasises the benefits of cutting EU red tape for the EU's competitiveness, growth, legitimacy and popularity among its citizens. Miliband mainly focuses on the reduction of EU regulations and the competences repatriation in order to preserve Labour values. Clegg is in favour of competences repatriation and reduction of EU excessive regulation but also chooses to remind the advantages of some European regulations and directives. Farage is consistent with his plea for Brexit regarding what he considers to be a whole set of cumbersome directives.

## ***2.8. The institutional costs: limiting useless excesses***

Although the EU has been trying to debunk the myth of the huge amount of expenditures related to administrations and buildings<sup>446</sup>, the costs related to the EU institutions are often criticised and characterised as excessive by politicians. The British party leaders are not an exception to the rule although they tackle this 'red line' very briefly.

Cameron criticises the excessive institutional costs by pointing out 'the huge number of expensive peripheral European institutions'<sup>447</sup> in times when each penny and euro cent should be spent sensibly.<sup>448</sup> Moreover, he regrets the lack of focused institutions for central European matters such as the single market: 'why is there an environment council, a transport council, an education council but not a single market council?'<sup>449</sup>

In terms of excessive institutional costs, Clegg and Miliband both condemn the European Parliament building in Strasbourg, which appears to duplicate with the building

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<sup>446</sup> Administrative costs account for around 6 % of the EU budget, which makes it the fifth and the last but one EU budget item (figures in 2013). See EUROPEAN COMMISSION, 'EU expenditure and revenue', available at [http://ec.europa.eu/budget/figures/interactive/index\\_en.cfm](http://ec.europa.eu/budget/figures/interactive/index_en.cfm) [last consulted on August 12<sup>th</sup>, 2015].

<sup>447</sup> CAMERON D., 'Britain and the future of Europe' / 'The Bloomberg speech', *op. cit.*

<sup>448</sup> *Ibid.*

<sup>449</sup> *Ibid.*

in Brussels. The building in Strasbourg and similar redundant buildings, though none of the two leaders gives a concrete example, are seen as ‘plain wasteful’<sup>450</sup> and ‘excesses’<sup>451</sup> that are irrelevant when the European population is still feeling the effects of the recent economic crisis.

It remains unclear whether Cameron intends to negotiate reforms of the budget spent in the institutional facilities but it is quite clear that it will not be at the centre of his renegotiation programme. It seems that Cameron, Miliband and Clegg briefly mention these organisational problems in the EU as a way of indicating that they are aware of them even though other issues have precedence over them. As for Farage, he does not mention the institutional costs at all, and this issue does not appear in the UKIP manifesto either.

### ***2.9. Human rights: freeing the UK from restrictive rulings***

The European Convention on Human Rights (ECHR) entered into force in 1953 and was ratified by the forty-seven Member States of the Council of Europe, an apart body from the EU of which the name often brings confusion with the EU institutions. The ECHR established the European Court of Human Rights (ECtHR), a supranational court based in Strasbourg that enforces the ECHR articles and protocols. Since the EU did not have legal personality before the Treaty of Lisbon<sup>452</sup>, it could not join international organisations or treaties and was thus logically not a contracting party to the ECHR. Now that the EU has acquired legal personality, the Treaty of Lisbon foresees in its article 6 TEU that the EU shall become a member of the ECHR.<sup>453</sup> In the meantime, the ECHR ‘shall constitute general principles of the Union’s law’<sup>454</sup>, which means that the EU already gives a certain status to the ECHR even though the latter will not be directly legally binding until membership.

Like the twenty-seven other EU Member States, the UK is a contracting party to the ECHR and has opted for domestic legislation to implement the principles at national

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<sup>450</sup> CLEGG N., ‘In Europe for the National Interest’, *op. cit.*

<sup>451</sup> MILIBAND E., ‘Labour Party’s position on the EU referendum’, *op. cit.*

<sup>452</sup> Cf. article 47 TEU.

<sup>453</sup> Article 6 § 2 TEU.

<sup>454</sup> Article 6 § 3 TEU.

level, which resulted in the creation of the Human Rights Act in 1998. This Act enables the British citizens to invoke the ECHR principles before the national courts which have to apply these principles and take the case law of the ECtHR into account.<sup>455</sup> This choice for national legislation is in line with the traditional British refusal to alter in any way whatsoever the principle of parliamentary sovereignty, which does not however prevent the ECtHR from having a considerable impact on national matters.<sup>456</sup>

Cameron highlights this considerable impact by pointing out that British people ‘are angered by some legal judgements made in Europe that impact on life in Britain’<sup>457</sup>, a statement that he nonetheless contextualises by adding that ‘some of this antipathy about Europe in general really relates of course to the European Court of Human Rights, rather than the EU.’<sup>458</sup> With this sole sentence, he reminds his audience that the ECtHR and the EU are not to be confused – a fact that Clegg also takes the trouble to remind<sup>459</sup> – and he also moderates the impact of his statement, which can no longer be considered critical of the EU only. This does not however prevent him from adding that Britain is working to address this issue at EU level since the ties between the ECHR and EU law are now much closer than before.<sup>460</sup>

Cameron points out three implications in particular that inconvenience him and his Conservative fellows:

[w]hen that charter<sup>461</sup> was written, in the aftermath of the Second World War, it set out the basic rights we should respect. But since then, interpretations of that charter have led to a whole lot of things that are frankly wrong. Rulings to stop us deporting suspected terrorists. The suggestion that you’ve got to apply the human rights convention even on the battle-fields of Helmand. And now – they want to give prisoners the vote. I’m sorry, I just don’t agree. Our Parliament – the British Parliament – decided they shouldn’t have that right.<sup>462</sup>

This speech excerpt enlightens Cameron’s position. What bothers him is not the human rights *per se* but rather the various interpretations of these rights that have been made by the ECtHR. The three issues he spots are not explicitly stated in the ECHR but can be

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<sup>455</sup> ARNELL P., ‘The European Human Rights Influence upon UK Extradition: Myth Debunked’, *European Journal of Crime, Criminal Law and Criminal Justice*, 2013, 21, p. 320.

<sup>456</sup> *Ibid.*

<sup>457</sup> CAMERON D., ‘Britain and the future of Europe’ / ‘The Bloomberg speech’, *op. cit.*

<sup>458</sup> *Ibid.*

<sup>459</sup> CLEGG N., ‘In or out of the EU?’, *op. cit.*

<sup>460</sup> CAMERON D., ‘Britain and the future of Europe’ / ‘The Bloomberg speech’, *op. cit.*

<sup>461</sup> It is interesting to notice that Cameron uses the term ‘charter’ to refer to the Convention, which increases the confusion already present with the Charter of Fundamental Rights of the European Union, Charter for which the UK, alongside Poland, has secured a partial opt-out.

<sup>462</sup> CAMERON D., ‘So Britain: what’s it going to be?’, *op. cit.*

found in the case law of the ECtHR. And since this case law must be taken into account by the national courts, such judgements indirectly impact on the way British law is enforced.

In order to thwart these inconvenient judgements, Cameron wants to withdraw the UK from the ECHR, scrap the Human Rights Act and pass a Bill of Rights<sup>463</sup> that will enshrine human rights independently of the ECHR. The Conservative manifesto specifies that this Bill of Rights

will restore common sense to the application of human rights in the UK. The Bill will remain faithful to the basic principles of human rights, which we signed up to in the original European Convention on Human Rights. [...] But it will reverse the mission creep that has meant human rights law being used for more and more purposes, and often with little regard for the rights of wider society.<sup>464</sup>

This manifesto excerpt further explains that the issue lies in the recent pervasiveness of the ECHR, and introduces the Bill as something stable and respectful of the societal needs in terms of human rights.

Nevertheless, this recent pervasiveness is not the only change that occurred in the field of human rights. Indeed, as mentioned above, the ECHR has acquired a certain status in EU law and the EU will even become a signatory to it. The aforementioned project of withdrawal from the ECHR has thus one flaw: it would not be very useful since the ECHR would regain its binding force in the UK through the EU. Consequently, the whole ECHR ‘red line’ is indirectly an EU ‘red line’ due to the planned EU’s membership to the ECHR as well as the significant status of the latter in the European treaties.

Clegg and the Liberal Democrats made it clear that they were opposed to this project of withdrawal.<sup>465</sup> Indeed, Cameron’s coalition partner does not believe in the Conservatives’ promise of making sure basic rights will be respected under the new Bill of Rights and claims that the latter will be a decline in the acquired rights.<sup>466</sup> Unlike

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<sup>463</sup> MAIDMENT N. and YOUNG S., ‘Cameron threatens to ignore European Rights rulings’, *Reuters*, 3 October 2014, UK edition, available at <http://uk.reuters.com/article/2014/10/03/uk-britain-europe-rights-idUKKCN0HS0GQ20141003> [last consulted on August 12<sup>th</sup>, 2015].

<sup>464</sup> CONSERVATIVE PARTY, *op. cit.*, p. 73.

<sup>465</sup> CLEGG N., ‘The story of the next five years must be one of hope’, Liberal Democrat Spring Conference, Glasgow, 15 March 2015, keynote speech, available at [www.libdems.org.uk/nick-clegg-speech-spring-conference-2015](http://www.libdems.org.uk/nick-clegg-speech-spring-conference-2015) [last consulted on August 12<sup>th</sup>, 2015]; MAIDMENT N. and YOUNG S., *op. cit.*

<sup>466</sup> CLEGG N., ‘Keep fighting for what we believe in’, Liberal Democrat Spring Conference, Brighton, 10 March 2013, keynote speech, available at [www.libdems.org.uk/nick\\_clegg\\_speech\\_to\\_spring\\_conference\\_2013](http://www.libdems.org.uk/nick_clegg_speech_to_spring_conference_2013) [last consulted on August 12<sup>th</sup>, 2015].

Cameron, Clegg shows himself as being a strong supporter of the ECHR and defends the values that it represents. He presents the ECHR as a ‘huge success for European cooperation’<sup>467</sup> and does not criticise the ECtHR. Clegg does not want any change in this area and his positive look reflects once again a more favourable acceptance of the non-economic forms of cooperation at EU level.

Although Miliband does not deal with Cameron’s intentions of withdrawing from the ECHR, explicit disapproval of such a project can be found in the Labour manifesto:

[t]he Conservatives want to leave the European Convention of Human Rights, and abolish the Human Rights Act. A Labour Government will stand up for citizens’ individual rights, protecting the Human Rights Act and reforming, rather than walking away from, the European Court of Human Rights.<sup>468</sup>

The Labour party has thus clearly no intention of replacing this Act by a Bill of Rights. Preference is given to a renegotiation of the terms, which implies that the party nonetheless recognises some imperfections in the current system.

As for Farage, he does not address the question in his speeches. However, a project of withdrawal from the ECHR can be found in the UKIP manifesto:

[w]e will remove ourselves from the jurisdiction of the European Court of Human Rights: the Strasbourg Court whose interpretation of the European Convention of Human Rights has been known to put the rights of criminals above those of victims. Our own Supreme Court will act as the final authority on matters of Human Rights.<sup>469</sup>

Just like Cameron, Farage and his fellows disagree with the interpretations made by the ECtHR, and they want to recover full sovereignty in this matter. Just like Cameron, they also want to pass a ‘new, consolidated UK Bill of Rights’<sup>470</sup>.

Despite these criticisms towards the ECtHR, human rights *sensu lato* and the British involvement in their advent are highly praised by the party leaders. While Clegg reminds the significant degree of British contribution to the drafting of the ECHR<sup>471</sup>, Cameron

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<sup>467</sup> CLEGG N., ‘In Europe for the National Interest’, *op. cit.*

<sup>468</sup> LABOUR PARTY, *op. cit.*, p. 67.

<sup>469</sup> UK INDEPENDENCE PARTY, ‘Believe in Britain’, UK Independence Party manifesto 2015, p. 53, available at [www.ukip.org/manifesto2015](http://www.ukip.org/manifesto2015) [last consulted on August 12<sup>th</sup>, 2015].

<sup>470</sup> *Ibid.*

<sup>471</sup> CLEGG N., ‘I love Britain’, Liberal Democrat Spring Conference, York, 9 March 2014, keynote speech, available at [www.libdems.org.uk/watch\\_nick\\_clegg\\_s\\_speech\\_to\\_spring\\_conference\\_2014](http://www.libdems.org.uk/watch_nick_clegg_s_speech_to_spring_conference_2014) [last consulted on August 12<sup>th</sup>, 2015]; CLEGG N., ‘In or out of the EU?’, *op. cit.*; CLEGG N., ‘The story of the next five years must be one of hope’, *op. cit.*

and Farage put the emphasis on the eight-century-old Magna Carta<sup>472</sup> that introduced *inter alia* the right to individual freedom and to the challenging of unlawful imprisonment. The UKIP manifesto also refers to the Magna Carta as a turning point in the history of human rights: '[the new UK Bill of Rights] will encapsulate all the human and civil rights that UK citizens have acquired under UK law since Magna Carta'<sup>473</sup>. Cameron also likes to remind that Britain has always fought for human rights, citing the British contribution in the defeat of fascism on the European continent.<sup>474</sup> These close ties with human rights resulted in a self-esteem that seems to manifest itself in the refusal to see other actors meddling in an area in which Britain has been a pioneer and a long-time defender. As Cameron puts it bluntly, '[w]e [the British] do not require instructions on this from judges in Strasbourg.'<sup>475</sup> History seems to play a capital role in the articulation of the British discourse on human rights, especially when it comes to the interference of other instances in this area.

Because of the broad interpretations that the ECtHR has made of the human rights enshrined in the ECHR, the latter has become a bone of contention in the UK. Cameron's communication on this issue is divided between Britain's historical ties with human rights, their importance and the rejection of external instances limiting leeway in this area. He is the only one to foresee a withdrawal from it in order to implement an independent legislation for human rights at national level. However, it would not solve the problem since the EU has conferred a special status to the ECHR pending to join it. Consequently, this ECHR 'red line' has become an indirect EU 'red line'. Miliband and Clegg do not share Cameron's stance but Miliband nevertheless recognises that reforms are needed while Clegg only reminds the social progress acquired thanks to the ECHR. As for Farage, he also wants to withdraw the UK from the ECHR and pass a Bill of Rights, and a Brexit would dissolve the remaining ties with the ECHR.

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<sup>472</sup> CAMERON D., 'So Britain: what's it going to be?', *op. cit.*; FARAGE N., 'Let's make May 22<sup>nd</sup> as our referendum on EU membership', *op. cit.*

<sup>473</sup> UK INDEPENDENCE PARTY, *op. cit.*, p. 53.

<sup>474</sup> CAMERON D., 'So Britain: what's it going to be?', *op. cit.*

<sup>475</sup> *Ibid.*

### **3. Party leaders' 'red lines' in the current crisis: which conclusions?**

This analysis of the current crisis aimed at bringing out Cameron's 'red lines' and exploring the 'red lines' adduced by his three main election challengers so as to observe whether some of Cameron's 'red lines' bear relation to the current situation by being adduced by contemporaries of different political ideologies. It also glanced at the idea of withdrawal and the possibility of Brexit in these four party leaders' communication, as well as at their communication strategies. Several conclusions can be drawn from this analysis and answers to the third set of questions can be brought forward.

First, it appears that the project of a future 'in/out' referendum is well accepted among the party leaders. They all four tackle the possibility of such a referendum in their communication on the EU. However, they disagree on the moment when such a referendum should be held. Cameron's prospective referendum mainly results from the pressure put by radical Conservative eurosceptics in his government and is thus intended as a not too distant deadline for his renegotiation plan. Cameron opted for the democratic but reasonable channel by favouring a referendum after the EU has had the chance of improving its relationship with the UK through a renegotiation of the terms. Moreover, it gives the British people time to think about and assess the renegotiations, as well as a potential withdrawal from the EU. Miliband and Clegg believe that such a referendum creates a climate of uncertainty that is detrimental to the UK, which is why they want to hold a referendum when there is an important treaty change affecting the UK. As for Farage, he wants to organise Britain's withdrawal with the help of a referendum so that this withdrawal will be fully legitimised.

Regarding the nature of the 'red lines', it first appears that Miliband and Clegg, as well as Farage to a lesser extent, mostly deal with the same type of 'red lines' as Cameron and only add a few of their own. This shows the cross-ideology aspect of these 'red lines' and their potential link with the current situation but it also illustrates the fact that the three election challengers were forced to react to Cameron's 'red lines' and define their own 'red lines' in relation to Cameron's demands. Furthermore, Clegg and the Liberal Democrats were compelled, as they were part of the coalition, to accept a major part of Cameron's renegotiation plan and delimit a common political line as to the government's

European policy. Nonetheless, Clegg was able to differentiate his 'red lines' from Cameron's by being more temperate in his criticisms towards the EU (see below).

What are the most adduced 'red lines' in the party leaders' communication (*Table 4*)? Five 'red lines' are tackled by Cameron and his three election challengers: the lengthening of transitional periods for new Member States, the rejection of the principle of 'ever closer union', the importance of the British opt-out, the reduction of EU red tape and the repatriation of competences. Moreover, six 'red lines' features are tackled by Cameron, Miliband and Clegg: the conditional access to welfare for immigrants, the necessity for safeguards for non-eurozone members, the competitiveness and completion of the single market, the importance of trade deals with emerging countries, the TTIP with the United States, and the reform of the CAP share.

These 'red lines' seem to be important to Cameron and to most of his election challengers. In this sense, these 'red lines' can result from current circumstances that are of concern to the British electorate, which creates the need to tackle them in electoral speeches. However, they could also be well-established issues that come back regularly on the political scene. The nature of these 'red lines' will be investigated on the basis of a comparison with the former Prime Ministers' 'red lines' at the end of this dissertation.

Finally, it is equally interesting to look at the party leaders' communication strategies because the latter tell something about the leaders' broader positions on Europe and the critical strength of their 'red lines'.

A first communication strategy can be found in Cameron's communication. As mentioned above, he is convinced that the UK should remain in the EU but he wants to reform the EU for Britain's sake and he has to succeed in this project before the 'in/out' referendum that he announced reluctantly. In order to speed up the renegotiations, he uses what can be called a 'good reforms for all'-strategy which emphasises the benefits of the demanded reforms for Britain *and* the EU in its entirety. He argues that the 'red lines' he tackles in his communication are good for Britain and for the other Member States since they will enable the EU to work better. This communication strategy mainly appears in his speeches that deal exclusively with EU issues, like his Bloomberg speech, which is not surprising given their larger and more European audience.

		PARTY LEADERS			
		D. Cameron (Conservative)	E. Miliband (Labour)	N. Clegg (Liberal Democrat)	N. Farage (UKIP)
[1] Principle of free movement	Lengthening transitional periods	x	x	(x)	o
	Limiting immigration after trans. periods			x	
	Conditional access to welfare	x	x	x	
	Deportation of free movement abusers	x	x		o
	Points-based immigration system				x
[2] Political integration	Removal / non-application of 'ever closer union'	x	x	(x)	o
	Flexibility and differentiated integration	x			
[3] Monetary integration	Securing the British opt-out	x	(x)	(x)	o
	Sorting out the problems in the eurozone	x		x	o
	Safeguards for non-eurozone members	x	x	x	
[4] Economic integration	Completion/competitiveness of the single market	x	x	x	
	Importance of internal free trade	x	x	x	
[5] Rest of the world	Trade deals with the Commonwealth	x			o
	Trade deals with emerging economies	x	x	x	o
	Trade with the United States (TTIP)	x	x	(x)	
[6] EU budget	Better management	x	x		
	Reducing the size	x		x	
	Securing the British rebate	x		x	
	Reforming the CAP share	x	x	x	
	Reforming the CFP share			x	o
	Savings on membership fees				o
[7] EU red tape	Better use of foreign aid budget				o
	Reduction/simplification/flexibility	x	x	x	o
[8] Institutional costs	Competences repatriation	x	x	x	o
	Closing redundant places		x	x	
[9] Human rights	Creating focused institutions	x			
	National alternative to ECHR	x			o
	Renegotiations of the terms		x		

Table 4. Party leaders' 'red lines' by categories

**Code explanation**

- x explicitly stated 'red lines'
- (x) implicitly stated 'red lines'
- o 'red lines' used as arguments for withdrawal

Secondly, Cameron, Miliband and especially Clegg slip positive comments on the EU into some of their ‘red lines’ (*Table 5*) in order to thwart or weaken their criticisms towards the EU, as well as to show that some positive aspects are worth to be taken into consideration when thinking about withdrawal. Indeed, the three party leaders recognise the benefits of the free movement principle despite their plea for some reforms, and the single market is mainly used as an anti-withdrawal argument. Equally, Miliband and Clegg remind the benefits of being part of a trade bloc like the EU as to international trade agreements. Clegg also puts his plea for reforms into perspective when it comes to EU red tape and human rights since he emphasises the positive sides of some directives and the success of the ECHR for European cooperation. The use of this second type of communication strategy illustrates the broad position adopted by the party leaders. The more pro-European and favourable to the EU a leader is, the more arguments to counterbalance and weaken the strength of his ‘red lines’ he uses.

		PARTY LEADERS		
		Cameron	Miliband	Clegg
RED LINES	Free movement	x	x	x
	Single market	x	x	x
	Trade deals		x	x
	EU regulations			x
	ECHR			x

*Table 5. ‘Red lines’ of which positive sides are (also) emphasised*

A third communication strategy can be found in Farage’s communication. This strategy, unlike the two previous ones, does not aim at weakening the strength of the criticisms but rather at reinforcing it. Indeed, Farage slips figures and statistics in his speeches in order to support and justify his criticisms towards the EU. Figures and statistics add a sense of objectivity to a discourse, be they correct or not. In addition, Farage never compares these figures with other similar facts or other countries, which gives these figures a sense of disproportion and hugeness. This strategy is completely in line with his Brexit-oriented discourse and illustrates quite well his stance towards the EU.

A last communication strategy was also discovered in Farage’s communication. In his speeches, he sometimes invokes cultural difference and geographical distance to justify the alleged British non-involvement in the European project. This is reminiscent

of Greenland which had also adduced cultural and geographical discrepancies with the continent among its withdrawal arguments. This type of strategy is especially efficient in politics since there is no definition of what is a European country in cultural and geographical terms in the treaties. Moreover, this strategy associates a sense of otherness with the rejected geographical area, which may favour negative feelings towards this area.



## DISCUSSION AND CONCLUSION

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‘Thou and I are too wise to woo peaceably.’

~ Shakespeare, *Much Ado about Nothing*, Act 5, Scene 2

As the substantial number of crises shows, the UK-EEC/EU relationship has been far from peaceful and harmonious. Cameron’s pledge for an ‘in/out’ referendum, as well as his re-election in May 2015, dealt a new blow to this relationship and endangered Britain’s continued membership of the EU. The exploration of this complex, though fascinating, relationship is drawing to an end, and it is consequently time to discuss the various observations that have been made throughout the three Parts in order to provide for an answer to the central research question: *is the current crisis surrounding Cameron’s prospective ‘in/out’ referendum a structural or a situational phenomenon?*

Within this framework, it was determined that a fact is deemed structural if it occurs regularly throughout the relationship and independently of the circumstances or changes in the society. Therefore a fact has to be observed throughout a substantial time lapse for its structural nature to be assessed. The whole UK-EEC/EU relationship represents such a substantial time lapse.

Conversely, a fact is deemed situational if it pertains to specific circumstances regardless of the political leanings and during a limited period of time, or to a specific political tendency on a longer time lapse. A situational fact can become structural in the future if it tends to repeat itself throughout a longer time lapse despite some changes in the circumstances. In this sense, every structural fact was at first situational since every time lapse has a beginning.

In this regard, the following axioms were set: if the prospective referendum is surrounded by ‘red lines’ of structural nature, it is most likely a structural phenomenon, which makes the current crisis structural as well; if it relies on ‘red lines’ of situational nature, it is rather a situational phenomenon, which makes the current crisis situational as well.

In order to answer to the research question, this dissertation was divided into three Parts.

Part 1 dealt with the issue of withdrawal from a legal and practical perspective in order to determine whether a Brexit is within the realms of possibility. From a purely legal perspective, the legal grounds for unilateral withdrawal are enshrined in article 50 TEU but it was nonetheless concluded that this article is more a political and symbolic deed, conveying a message of freedom about membership of the EU, than a legal article due to the many imprecisions and uncertainties that it contains. Greenland's withdrawal from the EEC was then studied as it has been the only withdrawal case since the advent of the European integration. It was nonetheless noticed that this case took on very unique features and cannot therefore inspire a future withdrawal from the EU. Nevertheless, it offers a practical illustration of withdrawal and displays a few factual similarities with a potential Brexit.

Part 2 took the form of a journey into the past UK-EEC/EU relationship from Britain's accession to Cameron's pledge for an 'in/out' referendum with a focus on crises of various natures – disagreements, vetoes, deadlock acts and referenda – that occurred in the successive legislatures. This specific focus on the crises aimed at bringing out the former Prime Ministers' 'red lines' revolving around these crises so as to observe whether these 'red lines' are recurrent in the relationship. It was discovered that crises of various intensities frequently occur in the relationship although withdrawal threats – the most serious type of crisis – remain relatively rare. This diachronic exploration provided for a summary table of the 'red lines' adduced by Prime Ministers which constitutes an important tool for the analysis hereafter.

Part 3 focused on the current crisis which has started with Cameron's pledge for an 'in/out' referendum. It started with the exploration of the idea of withdrawal and the possibility of an 'in/out' referendum. It appeared that the four party leaders are not against a referendum but they differ on the timing, and that Farage is the only one to be in favour of withdrawal without any renegotiations. Then, Cameron's communication on the EU was explored in order to bring out his 'red lines' and compare them to those of his three main election challengers in order to determine whether they all four deal with the same 'red lines', which would highlight their possible link with the current situation. A comparative analysis, taking Cameron as reference point, was then carried out. The intensity of the 'red lines' was also inquired in the party leaders' communication strategies. This synchronic analysis provided for a summary table of the 'red lines'

adduced by Cameron and his election challengers which constitutes an important tool for the analysis hereafter.

The thematic analyses carried out in the second and third Parts provide for an overview of the past and present ‘red lines’ once they are grouped together in a summary table (*Table 6*). With the help of this summary table, it is now possible to assess the structural or situational nature of Cameron’s ‘red lines’. By looking back at the past ‘red lines’, it is possible to observe whether Cameron’s ‘red lines’ were already adduced in the past and thus display a structural aspect; and by exploring Cameron’s election challengers’ ‘red lines’, it is possible to determine if he is the only one to adduce these ‘red lines’ or if these are related to new events and current circumstances, thus displaying a situational nature. In the discussion below, Cameron’s structural ‘red lines’ are dealt with first and his situational ‘red lines’ are then analysed.

Cameron puts forward several ‘red lines’ that have also been adduced by most of the former Prime Ministers. Two ‘red lines’ appear in all the legislatures but one: the importance of intergovernmentalism and sovereignty, and the rejection of the common currency. Other ‘red lines’ that often come back in other legislatures are the choice of a flexible Europe and differentiated integration, the importance of internal free trade, the importance of the economic and military ties with the United States, and the reform of the CAP. The recurrence of these ‘red lines’ suggests that they have become well-established issues or ideas in Britain’s vision of Europe. Interestingly, two of these six top ‘red lines’, i.e. the importance of sovereignty and the ties with the United States, were already present in the pre-membership era, which reinforces their established, structural nature. Since they are independent of the circumstances and of the ideological leanings of the ruling political party, the six aforementioned ‘red lines’ seem to pertain to the relationship and are consequently of structural nature.

Other ‘red lines’ put forward by Cameron display a situational aspect. Among these, the situational nature of some ‘red lines’ is directly obvious since these bear relation to recent events and changes in the EU and are thus absent from the previous legislatures. Indeed, the reforms demanded in the free movement principle are related to the influx of immigrants from the new, less economically developed Member States that occurred after the end of the seven-year transitional periods applied to these countries. Consequently, it is a brand-new type of ‘red lines’ which did not exist before the Cameron era. Equally, the issues related to human rights are linked to the advent of the Treaty of Lisbon which has conferred a special status upon the ECHR and made mandatory an EU membership

to the Convention. Finally, the two ‘red lines’ which bear relation to the eurozone could not have been dealt with before the euro changeover.

The situational nature of Cameron’s ‘red lines’ relative to the reduction of EU red tape and institutional costs is less straightforward. Indeed, these ‘red lines’ are strongly related to the fast development of European integration of these last years which saw the advent of additional laws and institutional organs. However, the European integration was already gaining in importance before the Cameron era and these two ‘red lines’ could also have been adduced by former Prime Ministers, though to a lesser degree. Nonetheless, these ‘red lines’ are inexistent in the former Prime Ministers’ communication and only appear in the 2015 general election party leaders’ discourse. It can thus be assumed that these two ‘red lines’ pertain to the current state of the EU and its development, which makes them situational.

The structural or situational nature is far less obvious in a few ‘red lines’, and these need thus to be looked at in more details. Securing the British rebate is such a type of ‘red line’. The economic and financial crisis recreated the need to secure the British rebate, which is why this ‘red line’ is tackled by Cameron and his coalition partner, Clegg. Yet, Wilson and Thatcher adduced this ‘red line’ as well but it was also purely related to the circumstances of the time. Indeed, during Wilson’s premiership, the British contribution to the EEC budget was controversial since it had been accepted in order to join the EEC. As for Thatcher, the difficult economic and social context of her first incumbency accelerated the necessity of reducing the British contribution. Consequently, this ‘red line’ does not take its roots in the former legislatures but rather in the current circumstances, and is thus situational.

Another confusing ‘red line’ is the necessity of capping the yearly and multiannual EU budgets, a ‘red line’ which appeared in Cameron’s and Clegg’s discourses exclusively. The fact that this ‘red line’ is absent from the two other party leaders’ communication can make this ‘red line’ appear as a personal wish of Cameron and Clegg. In reality, the last years’ delicate economic context, still affected by austerity measures, demanded the adoption of budgetary restrictions at EU level as well. Cameron and Clegg worked together, as coalition partners, to bring reforms in the EU budget size. This ‘red line’ consequently displays a situational nature.

CATEGORIES OF RED LINES		PRIME MINISTERS						PARTY LEADERS			
		Wilson (Labour)	Callaghan (Labour)	Thatcher (Cons.)	Major (Cons.)	Blair (Labour)	Brown (Labour)	Cameron (Cons.)	Miliband (Labour)	Clegg (Lib. Dem.)	Farage (UKIP)
Political integration	Importance of sovereignty / rejection of 'ever closer union'	x		x	x	x	x	x	x	(x)	o
	Differentiated integration, flexibility, opt-outs			x	x	x	x	x			
Monetary integration	Rejection of EMU / single currency	x	x	x	x		x	x	(x)	(x)	o
	Sorting out problems in the eurozone							x		x	o
	Safeguards for non-eurozone members							x	x	x	
Economic integration	Importance of internal free trade			x		x	x	x	x	x	
	Completion and competitiveness of the single market			x				x	x	x	
Rest of the world	Ties/trade with the Commonwealth	x				x		x			o
	Trade with emerging economies			x				x	x	x	o
	Ties/trade with the US (NATO / TTIP)		x	x	x	x		x	x	(x)	
EEC/EU budget	Securing the British rebate	x		x				x		x	
	Better management							x	x		
	Capping the size							x		x	
	Reforming the CAP budget	x		x		x		x	x	x	
	Reforming the CFP budget	x								x	o
	Membership fees										o
	Foreign aid budget										o
Social integration	Social Chapter			x	x						
Free movement	Lengthening transitional periods							x	x	(x)	o
	Limiting immigration after trans. Periods									x	
	Conditional access to welfare							x	x	x	
	Deportation of free movement abusers							x	x		o
	Points-based immigration system										o
EU red tape	Reduction/simplification/flexibility							x	x	x	o
	Competences repatriation							x	x	x	o
Institutional costs	Closing redundant places								x	x	
	Creating focused institutions							x			
Human rights	National alternative to ECHR							x			o
	Renegotiations of the terms								x		

Table 6. Past and present 'red lines' surrounding Cameron's 'red lines'

**Code explanation**

x explicitly stated 'red lines'

(x) implicitly stated 'red lines'

o 'red lines' used as arguments for withdrawal

Two other ambiguous ‘red lines’ are the need to complete the single market and the importance of developing trade with emerging economies. These ‘red lines’ are put forward by Cameron and his election challengers, but also by Thatcher, which casts doubts upon their situational nature. Nonetheless, there exists a common feature between the Conservative Prime Ministers Thatcher and Cameron: global free trade and liberalism are very important features of the Conservative ideology. These ‘red lines’ are thus related to a specific type of conjuncture, which makes them situational. Moreover, the intensification of globalisation has forced the traditional political parties to embrace the idea of free trade, which is why these ‘red lines’ are also found in Cameron’s contemporaries’ discourse.

If these ‘red lines’ are looked at from a more global perspective, i.e. by looking at the broad categories in which they are classified, it is then possible to assess the nature of these categories of ‘red lines’ (*Table 7*). The category of political integration is clearly structural. The categories of monetary integration, economic integration, the rest of the world and the EU budget contain ‘red lines’ that can be found back in the history of the UK-EEC/EU relationship (e.g. the reform of the CAP) on the one hand, and ‘red lines’ that are linked to the current circumstances (e.g. the British rebate) on the other hand. As for the ‘red lines’ relative to free movement, human rights, EU red tape and institutional costs, they are of situational nature.

	Structural	Situational
Political integration	x	
Monetary integration	x	x
Economic integration	x	x
Rest of the world	x	x
EU budget	x	x
Free movement		x
EU red tape		x
Institutional costs		x
Human rights		x

*Table 7. Distribution of structural and situational categories of ‘red lines’ in Cameron’s discourse*

Consequently, the current crisis revolving around Cameron’s pledge for an in/out referendum can be characterised as a bi-dimensional phenomenon, since it is based on ‘red lines’ of structural and situational nature. This observation implies that the UK-

EEC/EU relationship is encountering a usual, though more serious, crisis that encompasses both deeply-rooted and freshly-cooked demands for reform. In this regard, it seems that the development of the European integration is a decisive factor in the creation of new bones of contention and consequently of new, situational 'red lines'. However, well-established 'red lines' are difficult to settle, which creates a permanent context of tensions propitious for crises. This crisis could well be handled with promptly-led negotiations, but the quite exceptional withdrawal threat relying on the British people's final say through a referendum could also lead Britain to bid farewell to the EU.

It is of course not possible to predict the final result of the referendum planned for 2017. However, some factors, both internal and external, will undoubtedly influence Cameron's campaign around this referendum and the people's voting intentions. These factors fall outside the scope of this research but having a glance at them may be inspiring for further research on this topic.

An influencing factor can be found in the other European Member States' reactions. It remains to see whether the other EU partners will give in and let the UK shape the European future, at least partially. In this regard, it would be interesting to explore the various consequences of a potential Brexit and the UK's importance in Europe because the other Member States' compliance during the negotiations with Cameron will also depend on the importance they grant to the UK in diplomatic, economic and political terms. For instance, the UK is often considered as a bridge which facilitates the relations with the United States thanks to the 'special relationship' between these two countries. A Brexit could perhaps endanger these relations.

It would equally be interesting to investigate the international opinion regarding a potential Brexit. Indeed, the United States, the Commonwealth countries and other powerful economies which have close ties with Britain may exert a certain influence on Britain's final decision. Would the UK keep its entire force of attraction if it was no longer part of the EU? For instance, the UK's bridge status also works the other way round: to the United States, the UK facilitates the relations with the EU. As was the case in the pre-membership era when the United States pushed for the UK to become part of the EU, it is highly possible that the American friends' opinion exerts a certain influence on this issue.

At national level, several factors may also impact on the final outcome of the referendum. The opinions of multinational companies and important financial groups will

be taken over by the media that will in turn influence public opinion. In this regard, the influence of business and financial lobbies is also not to be left aside in the debate on a potential Brexit. Equally, the recent changes in the political landscape of Scotland that occurred following the 2014 Scottish referendum and the excellent results of the Scottish National Party in the 2015 general election will certainly have an influence on the campaign surrounding Cameron's referendum. Indeed, Scotland and the Scottish National Party are known for being mainly favourable to the EU. If the forecast results to the referendum show the possibility of a Brexit, it could lead to tensions within the UK. In other words, a British withdrawal from the EU could well result in a Scottish withdrawal from the UK.

On the occasion of further research in this field, this dissertation brings a first tool to explore the structural or situational nature of a crisis in the UK-EEC/EU relationship. Indeed, the tables provided in Parts 2 and 3, as well as the summary table encompassing all the past and present 'red lines', constitute a reusable tool for the exploration of potential future crises or of other political parties such as Green or the Scottish National Party. In addition, this dissertation provides an overview of the present 'red lines' as they were put forward during the 2015 electoral campaign. This analysis could serve as a basis for the exploration of these same 'red lines' *a posteriori*, i.e. when they will be on the negotiating table, in order to investigate which type of 'red lines' – structural or situational – has been adduced the most.

Nevertheless, this research also entails some limitations due to the academic context in which it takes place. First, the analysis was limited to the four most important parties but could be broadened to other significant parties such as Green or the Scottish National Party within a larger research framework. Secondly, the analysis is limited to relevant literature, speeches and party manifestoes. It could be worth exploring a larger corpus of speeches as to the synchronic analysis, for instance.

*In fine*, never really in, never really out, and only time will tell whether the United Kingdom will bid farewell to the European Union.

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## LIST OF TABLES

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Table 1. Main differences and similarities between Greenland's withdrawal and a potential Brexit .....	13
Table 2. Legislatures and their corresponding crises.....	40
Table 3. Former Prime Ministers' 'red lines' surrounding the past crises by categories	43
Table 4. Party leaders' 'red lines' by categories.....	89
Table 5. 'Red lines' of which positive sides are (also) emphasised .....	90
Table 6. Past and present 'red lines' surrounding Cameron's 'red lines' .....	97
Table 7. Distribution of structural and situational categories of 'red lines' in .....	98

