
THE BRITISH AND THE IRISH IN THE CONTEXT OF EUROPE

GARRET FITZGERALD

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The impact of European Community membership has been quite disparate, of course, in the two states of the United Kingdom and the Republic of Ireland. Even where the aspects of social, economic or political life that have been affected are similar in the two countries the effects of membership seem to me to have been often quite different. And because of the striking divergences between the Irish and British states and societies there are some aspects of life and attitudes in Britain that have been or are beginning to be affected by closer involvement with the rest of the European Community but in respect of which one can trace no similar effect in Ireland. This is because certain aspects of the Irish political structure and culture are, whether for historical reasons or by chance, closer to those of the European Community than in the case of Britain, with the result that in these particular respects Ireland has not experienced the same shock effects as has the neighbouring island. On the other hand in at least one respect Britain is closer than Ireland to our EC partners, viz. its involvement with NATO.

Let me at the outset summarise the matters to which I propose to refer. First both Ireland and Britain have been faced with the need to re-think their attitudes towards national sovereignty. Second both our countries have also faced a substantial psychological reorientation, away from a more familiar external English-speaking environment to which both of us have been informally linked in the past, and towards a continental European environment which for linguistic and cultural reasons is less familiar. Third, the role of our currencies — which is of fundamental political as well as economic importance — has had to be re-thought. And, fourth, at a more speculative level, traditional complexes — of superiority in the case of Britain and of inferiority in the case of Ireland — have been challenged and have in each case, I feel, begun to be modified.

Britain, however, is having to face other adjustments in attitudes from which for one reason Ireland is exempt. These include, first, the realisation that Parliament is no longer sovereign save in the highly theoretical sense of having the legal capacity to denounce the Rome Treaty, but at a political and economic cost that would be so intolerable as to render such an action inconceivable in practice. Second, attention has begun to be directed to the possibility of an important juridical change logically associated with the *de facto* disappearance of parliamentary sovereignty: this is the

concept of individual human rights being protected by the Courts. I believe this makes increasing sense as people in Britain come to be seen and to see themselves legally as citizens rather than as subjects of that constitutional fiction, the Crown in Parliament. Third, there is a growing realisation that the British electoral system is much more of an anachronism than had previously been realised. And finally Conservatives have been faced with the fact that the concept of the Social Charter is common to both the Socialist and Christian Democratic streams of political thought in continental Europe; so that their opposition to it isolates them from all other political forces in Europe. None of these latter problems of adjustment affect Ireland which is, however, faced with the need in the light of membership of a rapidly developing Community to re-assess popular attachment to military neutrality.

This list of ways in which Community membership has affected our two societies is not, of course, exhaustive; it is, however, sufficiently long, and some of the items in it sufficiently important, to indicate that for both countries, although perhaps for Britain more than for Ireland, membership of the Community involves a number of fundamental adjustments in political concepts and attitudes, some at least of which are potentially divisive within our national polities.

The national sovereignty issue

Transfers of sovereignty required by membership of the Community have posed potentially greater problems for Britain and for Ireland than was the case with the original members of the Community or with the new member states of the 1980s.

For Ireland this problem derived from her sovereignty being so newly acquired. Ireland became an independent State in 1922 but did not secure recognition of its sovereign independence until the Statute of Westminster in 1931. Moreover, because for historical reasons Commonwealth membership continued even after that time to carry with it for many Irish people an implication of continued dependence on Britain — however unwarranted this may have been — it was not until 1949 that most Irish people felt that they had achieved sovereignty in the form in which it had originally been sought: as a Republic outside the Commonwealth.

Countries that have recently acquired sovereignty naturally attach a special value to it. It is scarcely a coincidence that the only country which negotiated membership of the Community but was finally forced by its own public opinion to withdraw its application was Norway, which with Ireland is the only Western European State to have achieved independence in the current century — albeit with much less trauma than in the case of Ireland!

Britain's sovereignty problem is in a sense the opposite one: a feeling that British sovereignty has such deep roots in the past that anything impinging upon it challenges, almost denies, history itself. It is relevant in this connection that whereas Ireland had never found that its insular situation offered much protection

against external invasion or conquest, Britain's insularity is deeply rooted in a conviction that being an island has given to its sovereignty an important additional dimension of security. This has been believed despite the fact that Danish, Norman, Welsh and Dutch dynasties were installed at different periods as a result of successful invasions of Britain — not to speak of a fifth invasion that led to the installation of the House of Lancaster in 1399!

Moreover, despite the frequency and cost in terms of blood as well as money of Britain's historical interaction with continental Europe, this involvement has always been seen in Britain as action at a distance. The loss of considerable British territory on the Continent — whatever effect it may have had on the heart of Queen Mary I of England — was never seen as impinging on the sovereignty of England itself.

The ways in which Ireland and Britain have handled the psychological problem of the post-1973 sharing of sovereignty have differed significantly. In Ireland, partly because the economic benefits of membership of the Community have been so obvious, sharing of sovereignty came to be accepted with much greater equanimity than might have been expected in view of the historic strength of Irish nationalist feeling. What may perhaps have facilitated this has been a practical realisation that the sovereignty of a small country like Ireland has severe limitations: so that in terms of Irish interests, the acquisition of a role, however small, in the exercise of power by its European partners could bring far more benefits than could have been secured by the maintenance of a theoretical hut in the external forum largely unexercisable, Irish sovereignty.

Nevertheless, I think it is fair to add that what has happened in the Irish case has involved something much more positive than a reluctant acquiescence in an inevitable process. There was at the outset of Irish membership not merely an unambiguous intellectual decision that Irish interests could best be served by not merely accepting with reluctance the sovereignty-sharing involved in membership, but by going well beyond this to *advocate* more and more rapid economic integration within the Community as being in the long-term interest of a small country like Ireland.

This positive support for European integration derived from two separate considerations. One was a belief that the interests of a small country are best protected by a more fully integrated Community with a strong institutional structure capable of inhibiting possible abuse by larger member States of their greater economic and political strength. The other has been a realistic calculation that for a country that was bound to be a major beneficiary of membership, but would not be contributing to the defence of the Community it was joining, a positive approach to integration would provide a safeguard — a safeguard against possible recrimination by countries contributing to Ireland through the Community budget but who see no return in terms of a contribution to European defence.

The reason why Ireland was bound to be a major beneficiary of membership is that alone among member States it benefits *both* from the Common Agricultural Policy, designed to assist the farming communities of Northern European countries, and *also* from the social and regional policies, designed primarily to assist the poorer peripheral areas which are otherwise all in the southern part of the Community.

The Referendum in 1972 on entry to the EC elicited a vote of five to one in favour of membership in a 70 per cent poll. That result was, however, secured on the basis of almost exclusively economic arguments, particularly relating to the agricultural sector. Far from extolling the merits of European integration in its own right, those arguing for membership — myself included — tended in presenting the economic arguments to leave this issue on one side — in some instances even expressing a minimalist view of the implications of membership for national sovereignty. Moreover, although Ireland's original application for membership in 1961 had clearly assumed a willingness to accept ultimate political union and eventual participation in European defence, during this referendum campaign stress tended to be laid rather on the fact that membership of the Community involved no obligation to join NATO or WEU and that European defence was unlikely to arise as a practical issue for a long time to come. Thus support for Irish membership on the striking scale shown in this Referendum carried with it no implications as to public attitudes with regard to further economic and political integration of the Community.

The decision immediately after entry to pursue an integrationist policy within the Community was not, therefore, a logical corollary of the support given to Irish membership in the recently-held referendum; rather it represented a rational decision at Government level to set on one side in the perceived national interest the instinctive emotional attachment to sovereignty. The capacity to take such a decision in this way and to carry it through effectively derived from the coherence of the decision-making process in the small Irish Government structure. This has always seemed to me to contrast with the relative incoherence of the much larger British political and administrative machine.

Was this key policy decision contested within the Irish political system? There was certainly a measure of criticism from the political Opposition in the mid-1970s but this tended to be concentrated upon one limited aspect of the policy pursued by the Government: its stated attitude to the desirability of moving from decision-making by unanimity to qualified majority decision-making — with the consequent loss of the so-called veto exercisable by the Irish Government. But this Opposition argument was not very strongly pressed because of a realisation, at least in political circles if not in popular opinion, that the 'veto' had a very limited potential application in the case of a small country. If attempts had been made by Ireland, as a major net beneficiary of membership of the Community, to block progress in key areas where unanimity was required, the penalty in terms of negative reactions to future Irish

needs could have been highly dangerous to the national interest. In practice, therefore, it was only in a small number of cases where a genuine major Irish national interest was at stake, such as the Community fishery regime in the mid-1970s or the milk super-levy in the early 1980s, that threats to veto progress could in practice be plausible and usable.

The contrast with the situation in Britain with regard to the impact of European integration on national sovereignty has, therefore, been marked. Because in Britain's case the net economic and political advantages of membership were less clear-cut, the sovereignty issue tended from the outset to loom much larger. The opening up of new markets on the Continent to British exporters was less clearly advantageous than in the Irish case because the competitiveness of British industry *vis-a-vis* Continental producers was doubtful, and in terms of the Community Budget Britain would be a net contributor on a scale that almost from the outset caused deep concern in that country. The concept of the proceeds of customs and excise revenue as Community Own Resources never received easy acceptance in Britain where the allocation of these funds to the Community budget was represented as taking resources from Britain. This complaint made little sense on the Continent where many of the imports reaching, say, Germany came through Dutch or Belgian ports. The effective extension of the customs frontier of Germany to Rotterdam and Antwerp, involving the collection of tariffs and levies on goods for Germany at these ports rather than at the frontier of the German State, could not readily be accepted by Germans as entitling the Dutch or Belgians to reward this revenue as thenceforth belonging to them — nor would the Dutch or Belgians so claim it.

Moreover, the purpose to which a very large proportion of the Community Budget was put, that is support for the Common Agricultural Policy, had little attraction for a country like Britain in which barely 3 per cent of the population — the lowest in Europe — were engaged in agriculture. Thus contributions to the Community Budget were bound to be more resented in Britain. The greater part of the first decade of British membership was in fact devoted to two attempts to renegotiate the financial arrangements of membership so as to minimise the proportion of the Community's Budget derived from the United Kingdom. This prolonged argument contributed simultaneously to the growing unpopularity of Britain among its EC partners and to the growing unpopularity of the Community with British voters.

More surprising, perhaps, was the clear failure of British politicians as well as of British public opinion to appreciate and take advantage of the political role that membership of the Community made possible. Britain's refusal to join the Community at the outset and the attempt made at that time by British diplomacy to persuade Germany against joining, led to the development of a purely continental Community with France and Germany as clearly the leading powers. Thereafter these two States could not have been dislodged from this position without difficulty, but it was open

to British diplomacy, after the United Kingdom's eventual adherence to the Rome Treaty, to secure a share in this Community leadership. From time to time there were opportunities to exploit differences between France and Germany. No serious attempt ever seems to have been made to undertake sustained diplomatic action of this kind, however. This was at least partly because the single-minded pre-occupation of the British government with reducing its financial contribution — marginal though that was to the United Kingdom budget as a whole — effectively deprived that government of any capacity to operate a positive diplomacy during the first ten or eleven years of membership.

Even more fundamental, perhaps, was the fact that British governments, both Conservative and Labour, notably failed to make the psychological leap from thinking of Britain as being still a great power to seeing the opportunity for Britain to play once again a leading role in world affairs *through* the European Community. French governments have consistently sought to do just this while at the same time preserving and exercising their autonomy of action in sectors of particular interest to them. Throughout much of this century there would appear to have been a paralysis of British policy-making deriving from a deep-seated reluctance, particularly amongst politicians, to face the realities of changing power relationships. That this was complicated by a remarkable capacity for self-delusion, as for instance in the manner in which the essentially humiliating dependent relationship of Britain on the United States — which Britain could have broken out of to some degree at least by means of an active participation in a dynamic Europe — was transmuted in the British mind during the post-war period into a 'special' relationship; something regarded as so valuable as to be hung onto at all costs.

What seems most striking about this post-War period has been the persistent failure of the British political system to carry through successfully the process of objective analysis of the character of British interests and of the optimal means of pursuing them. I am aware that at the administrative level of the British Government the capacity to undertake this task certainly exists and has, within certain limits, been effectively deployed. But little encouragement to this kind of exercise has been given by the British political elite, unwilling to face realities and apparently incapable of a coherent 're-think' of underlying British interests. They have frustrated such efforts as have been made by the civil service to initiate such a process.

An outsider can only be struck, indeed bemused, by the contrast throughout this period between, on the one hand, the scale of the British policy-making structure and the personal capacity and commitment of many of those involved in it and, on the other hand, the dismal results of the political direction of British policy towards the achievement of Britain's essential interests.

Re-orientation of trade and other external links

Now let me turn to several other ways in which the European Community has had a profound effect on the orientation of the trade and external links of both the United Kingdom and Ireland. In the case of both our states, the expansion of trade with other European Community countries at the expense of more traditional links has been striking, but it has certainly been more dramatic in the case of Ireland than in the case of the United Kingdom. (Nevertheless the share of UK exports going to traditional Commonwealth markets has fallen by over three-quarters in the past three decades, while the EC share of the UK exports has more than doubled.)

For historical reasons Ireland's export trade was traditionally dominated by Britain. As late as 1958 almost 80 per cent of Irish exports went to the British market and barely 5 per cent to the other countries that now form the European Community. During the thirty-odd years since that time total Irish exports have grown about thirteen times in volume terms, but the rate of growth has been very disparate as between the United Kingdom, the rest of the EC and other countries. During this period exports to Britain have risen about five-and-a-half times; exports to the world outside the EC over twenty times; and exports to continental EC countries almost one hundred times! As a result Irish exports to continental European countries now constitute well over two-fifths of total Irish exports, with barely one-third going to the United Kingdom.

Much of this trade diversification, of course, reflects the export pattern of newly-established foreign-owned firms in Ireland which now account for almost 45 per cent of employment and well over half of the total net output of Irish manufacturing industry. However, even the domestically-owned manufacturing sector now exports over half of its output to countries other than the UK, although it is still the case that only a minority of these non-UK exports by domestic Irish firms go to Continental European countries.

It is, incidentally, worth commenting that the dynamic that membership of the European Community provided for the Irish economy and the resulting attraction of many foreign enterprises to Ireland as a manufacturing centre have made Ireland today the most export-orientated economy in the industrialised world. Last year the ratio of Irish exports to GNP at just under 70 per cent exceeded for the first time the Belgian figure — Belgium having always been the most open and export-orientated economy in Europe. (Most of the more open industrialised economies have export ratios of 20-30 per cent of GNP, with figures as low as 12-17 per cent in the case of the more protectionist economies such as France, Italy and Spain.)

This far greater change in Ireland's external orientation compared to Britain's is not, however, confined to the area of exports. To a striking degree Brussels has replaced London as *the* external centre towards which Ireland looks, although in part at least

this reflects the relative importance of agriculture, and therefore the CAP, in the life of Ireland as against Britain. Even today following the thirty-fold expansion of Irish industrial exports in the last three decades, agricultural exports represent one-sixth of the Irish export total.

The greater relative importance of resources from the regional and social funds in the case of Ireland than in the case of Britain is, of course, another factor directing Irish attention towards Brussels. The fact that almost since the time Ireland joined the Community the net flow of resources under these various headings from the Community Budget to the Irish Exchequer has been the equivalent of more than 5 per cent of Irish GNP, is alone sufficient to explain the extent to which Brussels has come to loom large in the Irish psyche.

The currency issue

Currency is another aspect of economic life which has significantly affected Britain and Ireland in quite different ways. Ireland joined the Exchange Rate Mechanism of the EMS when this system was launched. The benefits that were expected to derive from the *de facto* linkage of the Irish pound to the Deutschmark rather than with sterling were, however, a little slow to emerge. The early period of the EMS was in any event a somewhat disturbed one with a number of significant currency realignments involving devaluations of the French franc in particular, especially in the immediate aftermath of a socialist government coming to power in France in 1981. These events coincided with a period in Ireland when inflationary pressures were allowed to get out of control, fuelled by massive increases in public spending, an increase of over 50 per cent between 1977 and 1982. Nevertheless during the years from 1983 onwards when a greater measure of stability was secured within the EMS, Ireland's participation in it provided an important additional incentive to bring these inflationary pressures under control; during the years 1982 and 1987 inflation was in fact reduced from over 20 per cent to 3 per cent.

Throughout these first eight years of membership of the EMS the Irish currency remained in the centre of the band during several realignments, although twice it moved down with the French franc. On only one occasion was it unilaterally devalued. This was in 1986 at the end of the period of domestic adjustment when, as the country approached at last a period of low inflation, high growth, and reasonably balanced budgets, I judged that a single unilateral devaluation of 8 per cent would place the Irish pound in a position to withstand any likely future pressures and so thereafter be able to remain firmly linked to the Deutschmark. As a result Irish interest rates have since 1986 been much closer to the German than the British level. Moreover the Irish pound has during the past four years been one of the hardest currencies in Europe.

The prolonged economic difficulties in Ireland of the period 1980 to 1986 means that there has as yet been only a relatively short experience of the full benefits of linkage with the continental EC rather than Britain in terms of currency as well as trade; but there are already signs that this realignment may be contributing to an acceleration of the underlying growth rate. During the past four years the Irish growth rate has in fact exceeded that of the rest of the European Community.

Despite the fact that the beneficial effects of EMS membership and participation in the ERM were slow to emerge in Ireland because of problems of domestic mismanagement in the late 1970s, historians will, I think, see the 1979 shift from parity with sterling to something very close to parity with the Deutschmark as an event of fundamental importance in the economic history of Ireland. The maintenance of sterling parity for almost sixty years after Irish independence both reflected and in part contributed to an excessively close linkage with what has been throughout the twentieth century the slowest growing economy in Europe, the United Kingdom. This relationship clearly inhibited the development of the Irish economy in the aftermath of political independence.

One cannot but be struck by the contrast between the beneficial manner in which EMS membership has, after a period, affected Ireland and the manner in which Britain has seemed to refuse to accept the potential benefits of participation in the ERM during these years. Here, as in other aspects of its relationship with the EC, Britain has seemed to have persistent difficulty in identifying clearly its own interests and in making the necessary clear-cut decisions to pursue these interests. This is, of course, a value judgement and there will be those who will defend the eleven-year delay in British membership of the ERM; but I doubt if such a defence will be validated by the judgement of history.

Moreover, very strikingly, Britain's recent belated decision to join the ERM has yet to be accompanied by a recognition of the vital importance to Britain of full participation in the impending Economic and Monetary Union. Once again to the outsider this reticence is difficult to understand on rational grounds. Here, as in so many other key decisions, emotion has seemed to replace reason as the determining factor in decision-making. It appears to me, indeed, that British reticence about participation in Economic and Monetary Union is rationally explicable only on the basis of a belief that such a Union will not in fact come into existence: the same kind of belief that led Britain to opt out of participation in the European Community itself in 1955 to 1956. For if, as to most people now seems inevitable (however uncertain the time-scale), a full Economic and Monetary Union including a single currency is going to take place at some point during the 1990s. British self-exclusion from such a union would strike at what appears to be one of Britain's most crucial national interests — some would say its biggest single national interest at least in the economic sphere: the preservation and enhancement of the City of London as Europe's major financial centre.

Countries sometimes fail, usually for reasons of irrelevant emotion and more rarely for idealistic motives, to pursue in a clear-sighted way their national interests. But it must be almost unique for a government to select one of its major national interests as an object effectively to be undermined rather than preserved.

There can be, and will be, many arguments as to *how* the Community should move towards its goal of a single currency, but this is now the self-evident and clear-cut objective of almost all EC member governments, and of industrial, financial and public opinion within the European Community. With such a degree of unanimity as to the objective to be achieved, only the time-scale and the technical details of how we are to arrive at that point now seem to be seriously in doubt. Whatever the explanation for the current resistance in Britain to the idea of a single European currency, it seems to me that no British government could survive an attempt to keep Britain outside such a structure as and when it emerges. The visible damage to Britain through such self-exclusion as the City of London's key activities moved to Frankfurt would simply not be tolerated by public and political opinion.

Thus while both governments during the period subsequent to the establishment of the EMS can be criticised for the manner in which they managed their economic affairs, there is a striking contrast between the manner in which they have handled their long-term currency strategies.

Impact on self-esteem

Another quite different area in which the Community has impinged differently on both countries is that of their individual self-esteem. Traditionally Britain, seen from outside at any rate, has seemed to have something of a superiority complex, deriving from its remarkably successful history until this century. As the leading manufacturing country and the dominant imperial power at the beginning of the century it would have been surprising if the British did not at that time have a high degree of self-esteem — an inclination to consider their country's performance and their own role in the world as superior in many respects to those of other States.

By contrast Ireland, after many centuries of incomplete colonisation, and placed in what seemed to be a permanently inferior role *vis-a-vis* its larger neighbour, had little on which to base self-esteem, save for some memories of a millennially distant past of high cultural attainment and the exercise in those Dark Ages of a significant role in the re-Christianising of north-western Europe after the barbarian invasions — as well, of course, as the conversion of Scotland to the Christian faith!

For many centuries divergent psychological attitudes have bedevilled the practical relationships between the two peoples and, after 1922, between the two States. A superiority complex usually carries with it a certain incapacity to understand and empathise with others. And an inferiority complex frequently carries with it an enduring sense of paranoia and a deep-seated belief that failures of understanding,

or of incompetence in handling relationships, by the dominant neighbour actually reflect Machiavellianism and malevolence. The resultant misunderstandings can make relations between peoples and States extremely difficult.

To what extent have these attitudes — which I recognise of course to be stereotypes inapplicable to very many people in both countries — been modified by the joint experience of our two States within the European Community? I cannot judge the extent to which traditional British attitudes have been modified by its European experience — although I suspect that a process of readjustment is under way which will lead in time to a more realistic assessment of Britain's role in Europe and the world and of its relationship with its European partners.

A perceptible change in Irish attitudes has, I think, taken place during the past two decades. Despite the deep tensions created between our two States and peoples by the situation in Northern Ireland, the multi-lateralisation of Ireland's external relationships during this period has, I believe, had beneficial effects on Irish attitudes towards Britain. It can never be healthy for any country to feel itself dominated in economic or political or cultural terms by one larger neighbour, and the anglo-centrism of Ireland in the post revolutionary period — compounded of a large dose of anglophobia and a smaller dose of anglophilia! — was clearly unhealthy.

Another aspect of Anglo-Irish relations that merits consideration in this context is the extent to which after 1931 the scale and frequency of contacts between Irish and British governments was much reduced. And this was even more the case in the post-War period, apart from limited and occasional contacts at Foreign Minister level at the United Nations or at the Council of Europe. Thus a succession of British governments between 1949 and 1965 found no occasion for any significant direct contacts with Irish governments; these were the governments of Churchill, Eden, Macmillan and Douglas-Home.

Following the two countries' joint adherence to the European Community in 1973, however, Irish and British ministers began to find themselves once again meeting together often, this time in the relative intimacy of the different formats of the Council of Ministers. And in these councils they were no longer engaged in an over-intense and inherently unbalanced bilateral relationship, but found themselves working with others, sometimes for common objectives but often pursuing different interests. In this more relaxed atmosphere both sides became able to make a more objective evaluation of each other and to shed preconceptions inherited from a receding past. On the Irish side these close contacts contributed to the disappearance of elements of paranoia and inferiority complex which had afflicted Irish attitudes towards Britain for so long.

Hitherto I have been discussing ways in which Ireland and Britain have reacted differently to aspects of their relationship with the European Community that were

basically common to both. But part of the reason for Britain's greater difficulty in adjusting to membership has lain in the fact that in several respects Britain has faced problems which Ireland, for one reason or another, has been fortunate enough to avoid.

The sovereignty of the British parliament

Perhaps the most fundamental of these is the problem posed by Britain's unwritten constitution based upon the theory of the sovereignty of the Crown in Parliament, in relation to which the people of the United Kingdom are subjects rather than citizens. No other European country has a constitution of this type. This has influenced profoundly the psychology of both politicians and people in Britain, although perhaps somewhat more in England than in Scotland where for some people the Treaty of 1707 must represent in certain respects an approach to a written constitution — although whether this is recognised in England is another matter.

The contrast between Britain and Ireland could not be more striking. For while all other members of the European Community have written constitutions into the framework of which the written constitution of the treaties of the European Community have been fitted in ways appropriate to each country's constitutional tradition and laws, it is in Ireland more than in any other member State that such a written constitution most tightly limits through the courts the power of the legislature and executive.

The Irish courts can strike down any law or part of any law which is regarded by the judges as infringing the constitution — most often as infringing aspects of the constitution designed to protect individual human rights. The Irish constitutional system could indeed be described as a conventional European parliamentary democracy incorporating, however, an American-type supreme court. In Ireland the idea of parliamentary sovereignty is more often seen as a potential threat to individual rights than as something to be admired or extolled. Irish people value the power of the courts to protect their rights against what in practice have been unintentional — but not infrequent — intrusions by the executive or legislature. (The role of the Irish courts is, then, in contrast to Britain, essentially an anti-Establishment one.)

The courts can, of course, interpret these rights in ways that may sometimes be unpopular with a majority of the population. An instance of this occurred some fifteen years ago when a Supreme Court decision about the rights of a natural mother in relation to a child who had been legally adopted some years earlier was rejected by public opinion. The decision was shortly afterwards overturned by a referendum of the people initiated by the executive in parliament.

Thus once the Irish people had accepted the idea of a sharing of sovereignty with other states and the role of the European institutions, by an overwhelming majority

in a constitutional referendum, the concept of regulations enacted by the Council of Ministers having *direct* effect and superseding Irish law created no serious psychological problems. When such issues were brought to the European Court in Luxembourg and decided there, against Ireland in certain instances, this was taken as quite normal, being in line with the Irish experience of the role of the Irish Supreme Court in relation to domestic legislation.

In other words, the sharing of sovereignty with other states was accepted as involving not merely the joint actions of governments in the Council of Ministers and of elected members in the European Parliament, but also of the European Court of Justice.

In Britain by contrast the relationship between the theoretically sovereign national parliament and the European institutions established by the Paris and Rome treaties has clearly posed immense psychological problems, particularly for some politicians. Although there have already been many instances in which decisions at European level, including decisions of the European Court, have effectively by-passed or even overturned decisions of the British parliament, there has been an extraordinary unwillingness to accept that these events have in fact occurred. The reaction to the recent case in which the European Court held that not only *its* decisions but also decisions of *British courts applying European law* over-turned British parliamentary legislation has demonstrated the extent of the incomprehension that seems to exist on this subject. There was something rather ironic, I felt, about the fact that concern for parliamentary sovereignty in Britain seemed to involve even greater objections to British courts over-turning parliament than to the European Court doing so!

Judicial protection of human rights

There is another aspect of this problem. No direct protection for human rights exists in Britain when parliament implements legislation proposed by the executive, except to the extent that the courts might on occasion find that through some legislative defect action taken infringing upon some human right was inadequately backed by the relevant legislation and was consequently *ultra vires*. It is, however, now arguable that a small start may have been made with the introduction of judicial protection of human rights in Britain by virtue of the fact that in deciding cases involving European Community law, the European Court of the Community in Luxembourg has regard to the European Code of Human Rights of the Council of Europe. Thus paradoxically a British citizen may find his rights protected where the law impinging upon him is a European one rather than a British one!

There has, however, been a growing interest in recent years in the concept of introducing direct protection of human rights by the courts in Britain, possibly through the enactment into British law of the European Code of Human Rights —

even if support for this still seems to come only from a minority of public and parliamentary opinion. Earlier this year I found myself discussing this matter with a senior member of the British cabinet. I found that *my* incomprehension of his resistance to the idea of human rights being protected by the courts was matched by *his* incomprehension as to how such a system could conceivably work without creating political chaos! The example he gave to me was an interesting one. What, he asked, would have happened if in the immediate post-war period the courts had struck down as involving unconstitutional interference with property rights some of the 1945-51 socialist government's legislation, e.g. on nationalisation? Would this not have created an intolerable conflict between the courts and the democratic political system in Britain?

Such a conflict had never previously struck me as possible and when I came to reflect on why this was a problem in Britain but had never occurred to me, or, I think, to anyone in Ireland, as being a possible difficulty, I could only come to the conclusion that this difference reflects the exceptional strength of ideological attitudes in British politics. This ideological divide may, I believe, be intensified and preserved both by the British electoral system and by the shape of the House of Commons. There is a striking contrast between the adversarial British approach and the more consensual approach to politics that is characteristic not merely of Ireland but many other EC countries.

The British electoral system

The British first-past-the-post electoral system is another aspect of the system which may require reconsideration as a result of membership of the European Community. So long as Britain remained apart from Europe and felt itself closer to the United States and its former overseas dominions, which for reasons specific to their own political structures, a number of which are federal in character, had retained the British first-past-the-post electoral system, it was possible for people in Britain to feel that this system was almost divinely ordained. If it was good enough for most other English-speaking people, apart from the eccentric Irish, why should Britain not retain it? It has certainly been widely felt that this system contrasts favourably with various forms of PR practised by other European countries which are known as a result to end up frequently with coalition governments — something generally seen in Britain as being inherently undesirable. But now that Britain is part of the European Community, and has drifted much further away from its former colonies overseas (including the United States!), the proposition that the first-past-the-post system is inherently better than PR is, perhaps, less self-evident.

There is, I think, a growing realisation in Britain that during this century the countries in Europe which operate some form of proportional representation have in fact been strikingly more successful economically than Britain — by a margin of

about 1 per cent per annum cumulative, which over such a long period amounts to quite a lot! (Forms of PR seem to have been introduced in most Western European countries during the first quarter of this century as part of the movement towards universal suffrage.) A case can certainly be made that these two features of most Western European countries — PR and economic success — are not entirely coincidental but may to some degree be related to each other. For societies within which the electoral system requires an accommodation of views, mitigating the asperities of ideological conflict, may well provide a political climate more conducive to economic growth than ones in which ideological conflict is politically elevated and ritualised. Such ideological conflicts can lead to alternating governments operating reversals of policy that create conditions of uncertainty and discourage investment and innovation.

Of course there is no proof of this proposition; but the contrast in economic performance between Britain and its continental neighbours in this century has been sufficiently striking to put in question the traditional British thesis that strongly marked alternations in the ideological composition of governments are good for growth.

There are, of course, arguments other than ones based on economic performance in favour of different electoral systems. And to put it mildly, not all of these other arguments point clearly to the superiority of the first-past-the-post system. Thus, for example, where, as in the case of Britain, a smaller third political party exists, and at certain times secures significant minority support from the electorate, the operation of the first-past-the-post system may bring into office not infrequently a party to which the electorate would, if given the real choice, prefer *not* to give its consent.

However, the real point that I wish to make is simply that the growth of support for changes in the British electoral system may at some level owe a certain amount to a greater recognition of the possible merits of other electoral systems, and that this has come about through the closer involvement with the other democracies of the EC.

The European Social Charter

The European Social Charter is another area where British participation in the EC is bringing that country face to face with new concepts potentially important for its social and economic life. The unique British opposition to this Charter has highlighted for the first time the extent to which the political right in Britain and the political right in other EC countries have quite different perceptions of the most appropriate relationship between what are known in many countries as the 'social partners'. Of course, there is a very clear political divide in other EC countries between the two main streams, Christian Democrats and Social Democrats, although in some

countries, including my own, the two parties have at times co-existed in government reasonably comfortably. But while these two parties differ in important respects in their approach to social issues, and can place a different emphasis upon the relative importance in politics of encouraging enterprise or ensuring social equity, they have one belief in common: that the relationship between management and workers should as far as possible be organised constructively as a partnership rather than adversarially.

Germany provides a good model of this. The tension between Christian Democrats and Social Democrats is probably more acute in Germany than elsewhere. Many Christian Democrats, not to speak of members of the Christian Social Union in Bavaria, are bitterly anti-socialist. But both favour a partnership of management and workers in supervisory boards of companies — to give but one example. Such, indeed, is the relationship between management and workers and such is the social climate there in terms of various welfare provisions, that it is the German CDU who have been most concerned to secure a European Charter that would require other countries to make similar social provisions. For without this some of these countries might, in the German view, be unfairly competitive with German industry. The contrast between this approach and that of the British Conservative government, seeking to minimise social provisions, could hardly be more striking.

These differences in attitudes between the British Conservative government on the one hand and European Christian Democrats on the other, explain the remarkable political isolation of the British Conservatives within the European Parliament. Their views on issues of social partnership make them unacceptable to many Christian Democrats and this, rather than any British Conservative hang-ups about the Christian element in Christian democracy, seems to explain why they have not been admitted to the Christian Democratic Group at Strasbourg. By contrast, in the Irish case my own Party, Fine Gael, fits reasonably comfortably within the Christian Democratic framework in the European Parliament because, like the other political parties in Ireland and most of those in Continental Europe, we accept and advocate the idea of social partnership. Fine Gael tends, however, to find itself on the left wing of the Christian Democratic movement, closer to the Belgians, Dutch, Luxembourgers and some at least of the French than to the Germans and the majority of the Italians.

Irish neutrality

Thus the European experience impinges in a number of ways upon British political ideas and practices in a way that has not been the case with Ireland. By contrast there is one way in which involvement in Europe impinges on Irish politics in a manner that does not apply in the case of Britain. This, of course, is the issue of neutrality. Ireland is the only member state of the Community that is not a member of a military alliance — either NATO or the WEU. The reasons for this are historical and

need not detain us here. However, it was made clear to the Irish government at the time when Ireland first sought membership of the EC in 1961 that while membership did not involve any commitment to join either of these two military alliances, it *did* imply a willingness to accept the 'finality' or expressed goal of the Community: the creation of a political, economic and monetary union which in time would have a common foreign policy and a common defence policy. This was accepted in the White Paper on membership published at that time and the point has been reiterated by the leader of every Irish government since that time.

Until recently, however, the Community had made little progress in the direction of a common foreign or defence policy. For many member states a European defence concept was one that for long seemed to carry a risk of weakening NATO. It might suggest to the United States that Europe was becoming self-sufficient and might no longer need the participation of American forces on the European continent or the benefit of the American nuclear umbrella. Britain, Germany and Denmark have been among the countries which were the most concerned about these possible negative implications of European defence. Accordingly the issue of Irish neutrality has not been of great significance during the first seventeen years of Irish membership of the Community.

Recently, however, there have been signs of a change. The radical transformation of the European security scene within the last twelve months, combined since August last with the emergence of a major security problem in the Middle East demanding a coherent European response, has raised in a much more concrete way than in the past the issue of a possible common European foreign and defence policy.

It is clearly too soon to say what shape any such development may take. However, very recently there have been signs of the Irish government starting to recognise that the calling of a conference on political union in parallel to the conference on economic and monetary union necessitates further reflection on the Irish position with regard to neutrality. From comments made in the latter part of 1990 by the Taoiseach, Charles J. Haughey and the Minister for Foreign Affairs, Gerard Collins, it would appear that, while rejecting participation in the WEU, the Irish Government is not prepared to consider participation in the formulation of foreign and security policy, and possibly at a later stage in defence policy within the framework of the EC. Thus Ireland, like Britain, has been forced to reconsider an important aspect of traditional policy which, whatever its roots in past history, is no longer relevant to the conditions in which Europe finds itself in the closing decade of the twentieth century.

Garret Fitzgerald was Minister of Foreign Affairs, then Taoiseach, of the Republic of Ireland, Leader of Fine Gael, and author of 'Towards a New Ireland', inter alia.

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