

EDITORIAL COMMENTS

Labour's Love's Lost

The anti-marketeer bandwagon within the British Labour Movement is seemingly unstoppable. On 27 July 1981 the National Executive Committee of the Labour Party published a policy statement entitled "Withdrawal from the EEC". This was endorsed by an overwhelming majority at the Labour Party's recent Annual Conference at Brighton. On 1 October 1981 delegates united against Europe by agreeing that a future Labour Government should take Britain out of the European Community without a referendum. Thus it has become a distinct possibility that in a few years' time the Community will have to devote its energy not only to restructuring and developing common policies and to phase in new Member States, but also to work for a new relationship with the United Kingdom.

The NEC's statement on withdrawal does not credit the Community with any redeeming features. Membership provides Britain with the complete antithesis of her needs. It has made inflation worse, weakened the economy, undermined industry and jobs, exacted unfair budgetary contributions, deprived Parliament of its sovereignty, and so on. Britain must again take its destiny into its own hands. What it needs is a coherent socialist strategy for economic and industrial regeneration. Since this requires government control over the level of imports and capital movements, the regulation of the flow of direct investment overseas, the granting of selective aids to industry and other interventions which run counter to EEC obligations or are subject to Community restraints, withdrawal is a necessary condition for solving Britain's problems. As the Community is unwilling and unable to accommodate the Labour Party's ideology, that Party considers any attempt to renegotiate the terms of Britain's continued membership as a waste of time.

The document on withdrawal is extremely hazy, if not bankrupt, on what Britain will do about its trade after severing membership links. Elaborate lip-service is paid to the need for international co-operation and a future Labour Government is pledged to work for a widening and deepening of Britain's international relations. It will seek favourable alternative trading arrangements with its erstwhile partners, although it should be realized that "in the short term there might be some uneasiness between ourselves and the other member States at all levels". In order to reflate spending and trade, on a planned basis, it is further proposed to work within assorted bodies such as OECD, the UN Economic Commission for Europe, EFTA and with Commonwealth countries.

There is no need to comment extensively on the Labour Party's insular views and on its misleading representation of economic and political facts. Obviously, there is bound to be something of a credibility gap where the policy statement asserts that in seeking new arrangements with its former EEC partners, Britain will be negotiating from a position of considerable strength (because the EEC needs Britain's oil and its market as an essential outlet for its products), nor is much consideration given to the facts where it is stated that there is no evidence that withdrawal from the EEC would have any adverse effects on British industry and on the location of investment.

The notion that the Community Treaties do not contain provisions on termination of membership and that the only legally acceptable manner to terminate a country's membership would presumably consist in amending the Treaties in accordance with the procedure laid down in the revision clauses (Article 236 of the EEC Treaty, Article 204 of the Euratom Treaty, Article 96 of the ECSC Treaty), does not worry the Labour anti-Europeans. International law, they wrongly argue, allows a State to terminate any agreement after having given due notice. Moreover, it is asserted, entry into the Community has not affected the basic principle of the Constitution that no Parliament can bind its successors. Nevertheless, it is admitted that the arrangements which will be involved in securing withdrawal are of such complexity that it is necessary to negotiate an orderly withdrawal on the basis of a clear and sensible timetable. Shortly after Labour's return to power preliminary negotiations will have to be opened to establish the necessary timetable. This would be published as a White Paper within weeks of taking office. As soon as the House assembles, a Bill will be introduced to amend the European Community Act 1972. Once enacted this will end completely "the power of the Community to make and implement law in the UK and abolish the power of the European Court over British Courts". In this Bill, provision will also be made for "the repeal, possibly by Statutory instrument, of those sections of Community Law which have been imposed on the UK and which we do not find acceptable". Immediately after the publication of the White Paper the main negotiations should begin. At this stage the UK would not withdraw from the Council of Ministers or other institutions. However, it should be clearly understood that "our representation on these bodies would be there solely to discuss matters relating to our withdrawal". In order to minimise any possible disruption there will have to be a period of transition during which Britain can be disentangled from the mass of Community secondary legislation and alternative domestic arrangements can be phased in. As the final stage in the withdrawal process, it is planned to repeal the 1972 European Communities Act. This could have the effect of

breaking all the formal membership links with the Community. The representation of the UK in the various institutions would then come to a definite end.

The Labour Party refuses to have the question of continued British membership put to a referendum, as was the case in 1975. The verdict of the electorate at a general election will now be considered to be a decisive mandate on which a future Labour Government can negotiate Britain's withdrawal.

A new referendum is clearly not in Labour's interest. In a general election campaign, the EEC membership question could easily become submerged in a flow of other issues on which the electorate could return Labour to power. But a referendum would involve a national campaign in which many of the anti-marketeers' allegations about Europe would be closely examined and would often be found to be grossly unjust or exaggerated. Although the European Community is not popular in Britain, if the facts about Britain's economic interdependence with the other Member States and about the Community's achievements and further potentialities became understood, the British people in a referendum would almost certainly choose to remain within the Community.

It may be hoped that the above scenario for disentangling Britain from the Community will never become reality. The Labour Party should rethink its European policy and other political parties in Britain would be well-advised to make efforts for commending the Community to public opinion. The Community itself should step up its efforts to develop the common policies needed for combatting a crisis which we share in common and which can only be aggravated by unilateral initiatives and extremist brinkmanship.