

## FCO 30/1048

### “Sovereignty and the European Community” 1971

Selected and annotated excerpts:

#### Parliament controlled

*11. Membership of the Communities will involve us in extensive limitations upon our freedom of action. For the first time. Parliament is binding its successors.*

#### Increasing loss of sovereignty

*The loss of external sovereignty will however increase as the Community develops, according to the intention of the preamble to the Treaty of Rome "to establish the foundations of an even closer union among the European peoples".*

#### Our law subservient

*12. (ii) The power of the European Court to consider the extent to which a UK statute is compatible with Community Law will indirectly involve an innovation for us, as the European Court's decisions will be binding on our courts which might then have to rule on the validity or applicability of the United Kingdom statute.*

#### Predicting monetary and military union

*18..but it will be in the British interest after accession to encourage the development of the Community toward an effectively harmonised economic, fiscal and monetary system and a fairly closely coordinated and consistent foreign and defence policy. If it came to do so then essential aspects of sovereignty both internal and external would indeed increasingly be transferred to the Community itself.*

#### No withdrawal, sovereignty diminished

*22. Even with the most dramatic development of the Community the major member states can hardly lose the "last resort" ability to withdraw in much less than three decades. The Community's development could produce before then a period in which the political practicability of withdrawal was doubtful. If the point should ever be reached at which inability to renounce the Treaty (and with it the degeneration of the national institutions which could opt for such a policy) was clear, then sovereignty, external, parliamentary and practical would indeed be diminished.*

#### Disinformation

*After entry (to EEC, 1972) there would be a major responsibility on HMG and on all political parties not to exacerbate public concern by attributing unpopular measures or unfavourable economic developments to the remote and unmanageable workings of the Community.*

#### Transfer of the Executive

*24 (ii) The transfer of major executive responsibilities to the bureaucratic Commission in Brussels will exacerbate popular feeling of alienation from government.*

## **Erosion of sovereignty**

**24 (v) ...The more the Community is developed ... the more Parliamentary sovereignty will be eroded. ...The right ... to withdraw will remain for a very considerable time. ...The sovereignty of the State will surely remain unchallenged for this century at least.**

## **The EU Bureaucracy will rule**

**25. The impact of entry upon sovereignty is closely related to the blurring of distinctions between domestic political and foreign affairs, to the greater political responsibility of the bureaucracy of the Community and the lack of effective democratic control.**

**(After: David Noakes)**