# Britain and Europe

edited by
Roger Broad, Michael D. Kandiah and Gillian Staerck

ICBH Witness Seminar Programme

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**at the European Parliament Office, 2 Queen Anne's Gate,**
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**Chaired by David Butler, Andrew**
**Crozier, James Ellison, John W. Young**
**Introduction by John W. Young**
**Seminars edited by Roger Broad, Michael D. Kandiah**
**and Gillian Staerck**

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**Institute of Contemporary British History**

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# Citation Guidance

**References to this and other witness seminars should take the following form:**

> **Witness name, in 'Witness Seminar Title', held [date of seminar], (Institute of Contemporary British History, [date of publication], [full internet address of seminar]), page number of reference [use the number given in the header at the top of the page referenced].**

**For example, referring to Sir Roy Denman's comments on relations with the French over the GATT negotiations:**

> **Sir Roy Denman, in 'Britain and Europe', seminar held 5 May 1998 (Institute of Contemporary British History, 2002, http://www.icbh.ac.uk/icbh/brussels/), p.26.**

**For Harvard reference style, use (ICBH Witness Seminar, date of publication) in the text, and the following style in the bibliography:**

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# Introduction

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This volume reproduces four 'witness seminars', carried out under the auspices of the Institute of Contemporary British History, and looking at the experience of British participants in dealing with European Community (EC) institutions from the inside, on a day-to-day basis. The focus is not therefore on the 'high politics' of Britain's relationship with Brussels, the twists and turns in government policy towards the Community from Macmillan to Blair, which many academic works focus upon.[1] Nor is this book intended to be a help in producing audits of what Britain has gained and compromised through membership of the EC.[2] Rather, it is an attempt to shed light on the experience of those, especially civil servants and Members of the European Parliament (MEPs), who have to represent the country in Brussels and Strasbourg. How did they adapt to the European institutional environment? What particular challenges did they face? And how did the need to operate within European institutions impact, in turn, on the doings of Whitehall and Westminster? There have been some studies, by both historians and political scientists, of the inter-play between civil servants and European policy and of the impact of the European Parliament on Westminster.[3] But it is still an understudied area and this attempt to provide easily-available, first-hand evidence from those involved in the continuous interplay with European institutions may help stimulate new research.

There is, of course, a wealth of published 'primary' research available on Britain's relations with Europe, both contemporary and historical. Indeed, those who work in the reams of documents available from the European Commission, Parliament, Court and other institutions, made available through numerous 'European Documentation Centres' up and down the country, may argue that there is too much. Even moving beyond the dry world of European Parliamentary debates and Commission policy documents, there is a wealth of sources, from certain volumes of the series *Documents on British Policy Overseas*,[4] to more numerous memoirs and diaries by politicians and officials.[5] Yet published collections of oral history evidence on the subject are more difficult to find. It is true that various accounts of Britain's relationship with Europe have made use of inter-

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1 See for example, Stephen George, *An Awkward Partner: Britain in the European Community* (third edition, 1998); David Gowland and Arthur Turner, *Reluctant Europeans: Britain and European Integration, 1945-98* (2000); or John W Young, *Britain and European Unity, 1945-99* (second edition, 2000).

2 But for 'audit' type approaches see C. D. Cohen, ed., *The Common Market: ten years after* (1983); Simon Bulmer, Stephen George and Andrew Scott, eds., *The United Kingdom and EC Membership Evaluated* (1992); Colin Pilkington, *Britain in the European Union Today* (1995)

3 Anne Deighton, ed., *Building Post-war Europe: national decision-makers and European institutions, 1945-63* (1995) ; Philip Giddings and Gavin Drewry, *Westminster and Europe: the impact of the European Union on the Westminster Parliament* (1996).

4 Notably *DBPO, Series II, volume 1: the Schuman Plan, the Council of Europe and European Integration, 1950-52* (1986).

5 Virtually all British political memoirs on the 1960s and after discuss the interplay with the EC on some level, but for particularly full accounts see: Roy Jenkins, *European Diary, 1977-81* (1991), for his time as President of the European Commission; Nigel Lawson, *The View from Number Eleven: memoirs of a Tory radical* (1992), very full on the debates surrounding the Exchange Rate Mechanism under Margaret Thatcher; or John Major, *John Major: the autobiography* (1999), focussing on a premiership racked by party disagreements on Europe.

view material, notably Hugo Young's fascinating study, *This Blessed Plot: Britain and Europe from Churchill to Blair* (1998), as well as a trio of recent studies of Britain's role in the Maastricht Treaty negotiations.[6] But the only widely-used published collection of oral history interviews on the Britain and Europe theme is Michael Charlton's The Price of Victory (1983), which only covered the period down to the first application for membership and, being linked to a radio series, was a series of extracts from interviews with key figures, rather than a full reproduction of the original interviews. It was also organised so as to tell its story in a particular way, rather than to let the participants roam around various possibilities.

The potential problems with oral history evidence are well known. Those interviewed have often forgotten much. What they do remember has been filtered through later events and reinterpreted, to suggest greater prescience or consistency of purpose from the interviewee than was actually the case. Particular events may become jumbled in the memory, placed out of context and even reversed in order. Often what emerges may be opinionated, self-centred or romanticised. And of course, the longer academics take to interview the participants, the worse the problems become. Yet, in some ways interviews may be no worse a form of evidence – certainly in terms of personal bias for example – than memoirs. When used alongside other, perhaps better documented evidence, they need not lead the interviewer into serious error; and they can certainly shed light on issues that the written record may not reveal. Unique anecdotes, a sense of the atmosphere of events, and of the personalities involved, can emerge from interviews, which would otherwise be lost with the death of the interviewee. 'Witness Seminars', where several participants in events are brought together, may lose some of the intimacy of a one-to-one interview, but they can be particularly valuable for allowing participants to 'correct' each other, to generate different viewpoints on the issues addressed and provide a range of evidence on a single problem, especially if the participants are from a range of backgrounds and hold differing opinions. Simply by having several individuals, rather than one, to question, the interviewer can find the discussion going off in unforeseen, but enlightening directions. Most individual researchers would lack the resources, time and ability to hold such seminars, making the Institute of Contemporary British History's endeavours in this field particularly valuable.

There is a relatively small number of individuals represented here, perhaps, but they have a wide range of experience in Brussels and Strasbourg over many years and some have acted as both British and 'European' representatives. The first three seminars, which concentrate on Britain and Brussels include, for example: Sir David Elliott, who served for nearly a decade as Deputy UK Permanent Representative before becoming Director-General for the Internal Market in the General Secretariat of the EC Council; Roy Denman who, after serving on the team which negotiated British entry in the early 1970s went on to become the Commission's Director-general for External Affairs; and Peter Pooley, who has worked as both an official of the British Ministry of Agriculture and a special adviser to the Commission. These three started their European endeavours with very different outlooks. Whereas Roy Denman admits to having been 'a fanatic from the start' on European integration (and has written a book-length study that reflects this[7]), Peter Pooley was 'a Commonwealth enthusiast' at the start of his career and Sir David Elliott's early attitude to Brussels 'was hostile, because it seemed to me an interference with the valuable work I was doing in my Whitehall career.' All came to view the 'building of Europe' as a positive experience, but Denman's fervour clearly remained the greatest (pp.28-30) and the seminars draw out their differences of opinion on a number of issues. As to the MEPs, they include members of all three

6 Alasdair Blair, *Dealing with Europe: Britain and the negotiation of the Maastricht Treaty* (1999), Kenneth Dyson and Kevin Featherstone, *The Road to Maastricht: negotiating European Monetary Union* (1999); and Anthony Forster, *Britain and the Maastricht Negotiations* (1999).

7 Roy Denman, *Missed Chances* (1996).

main parties (many of them 'original' members of the 1979 elected Parliament) alongside Roger Broad, former head of the European Parliament's London office. Broad also appears in the third seminar reproduced here, along with Robert Jarrett: neither of them ever worked as a British civil servant, but both have long service in European institutions.

The first three witness seminars are very much a unified group, having been conducted on the same day in 1998 with approximately the same membership throughout, predominantly of civil servants. The first session concentrated on issues of 'legislating for Europe', including the work of the UK Permanent Representatives Office, the problems of multilateral diplomacy in Brussels and liaison with London. (It was originally hoped to discuss liaison with MEPs and Westminster as well, but this was not actually covered in any depth because of the way the debate unfolded.) The second session focussed on the Whitehall end of officials' experience, addressing such questions as how EC membership impacted upon the British government's central machinery and how that machinery adapted to the challenge; and the third focussed on the Brussels end, looking at what it was like to work in Brussels as a British civil servant. The three sessions therefore provide quite a comprehensive look at officials' experience. Even apart from its make-up of MEPs and its focus on the parliamentary side of things, the final seminar was rather different, being held more than three years earlier, in early 1995, and covering a considerable amount of ground in a single session. It looks at the nature of the MEP's job in relation to constituents, the British government and European institutions, seeking to draw out how it has evolved over time and differences between the political parties. More so than the first three seminars, the final one betrays the fact that it was written in the aftermath of the divisions on European policy under John Major.

The value of witness seminars for generating debate among the participants is apparent immediately in the first seminar presented here, with the question of British negotiators in Brussels coming to feel a common sense of identity with their colleagues from other member states. The early stage of this discussion seems set to justify Euro-sceptic fears of British officials 'going native' and selling out British interests in European institutions. Peter Pooley not only comments that 'group feeling quickly develops in Brussels' but also that 'you begin to speak of the UK government as "them" rather than "us"' (p.32).

Linked to his astonishment at 'discovering the deviousness and other wickedness of Commission officials…' (p.25) this could easily conjure up images of hapless Whitehall civil servants being led into unwelcome concessions by cunning foreigners. Euro-sceptics might be reassured by the counter-argument from Sir David Elliott, that he 'never really felt' the pressure to 'surrender…your national interest' (p.23) and David Hadley's assertion that 'a negotiation is a battle and you aim to be victorious, if you can' (p.25). However it is also evident, quite soon, that the interplay between the British and their partners in the European Community, or Union, is far more complex than can be explained by a one-dimensional debate about officials either 'going native' or 'doing battle' for Britain.

For one thing, as David Elliott points out, working with Brussels in a positive fashion and protecting the national interest are not necessarily contradictory: 'The essential element was the personal relationship that you establish, which enables you to pursue your national interests more effectively' (p.23). In a similar vein, Peter Pooley later adds that, if you were someone who was asked to work in a Community institution like the Commission, there was a strong motive to appear objective in order to carry any weight, 'because I found out that, if somebody got known to be under instructions from their government, that was the quickest way to lose credibility and standing…' (p.27). Such points can be seen as paralleling the complaint, often made about policy under Margaret Thatcher, that taking a negative approach meant that Britain got less, not more, of what it wanted in European negotiations. Another vitally important point, made by William Nicoll, is that the issue may differ over time and according to the particular level on which officials operate. 'In the early days', as Britain entered the Community, he recalls, 'I don't think there was any particular sense of identity with my European Community co-negotiators…Our job was to

represent our national interest on the basis of the instructions we were given.' Once inside the EC, he then points out, there is a world of difference between, say, the negotiators in the Committee of Permanent Representatives who (despite developing a certain club spirit) 'do what they were being paid to do, that is to stand up for their national interest', and those officials who are asked to staff the Council Secretariat, where the aim is 'to get a result, without necessarily being concerned about what the result is' (pp.24-25). Some discussants also point out that 'deviousness' was not a preserve of foreigners: 'if you were working for the Commission', remarks Raymond Le Goy, 'you would find out about the deviousness of British officials' (p.26).

This debate reappears from time to time. It becomes clear in the first seminar for example that officials of the UK Permanent Representative's office in Brussels are constantly caught between two pressures. On one hand, they are aware of the need to report home on a daily basis, relating how they have faired in carrying out their instructions. On the other hand, they know that in virtually all their negotiations, simply through the Community/Union being made up of so many member states, 'the end result is bound to be some kind of compromise' (p.34) so that all instructions must be elastic. The message again is that British officials are involved in a permanent negotiation, with a web of partners, in which rigidity achieves nothing but where, nonetheless, national positions must be defended. It is also the case that European negotiations are very much seen, by participants in these seminars, as being the business of governments, each of which is trying to achieve its own aims. The image of Brussels as some 'foreign power', a single monolith against which Britain has to pit itself, has no place here. Neither does the idea that there is a kind of conspiracy between Euro-officials to subvert democracy and undermine national independence. Instead there is a complex, continuous interplay between government negotiators on a range of issues, themselves forever changing, in which the Commission has to respond to the requests of the members.

There are frequent comments in the first three seminars about Britain's own problems in dealing with Europe. William Nicoll who, as Director-General of the EC Council in the 1980s, saw the British from 'the other side' as it were, comments that they were the 'most difficult of all nationalities to deal with' (p.28), not merely because of a general lukewarm attitude towards the Community at that time but also because of 'a certain lack of professionalism' in understanding how the Community worked, a tendency to rehearse arguments in Whitehall without reference to their likely impact in Brussels and an 'unnecessary rigidity' when Britain did not want to reach agreement. A number of participants note that British ministers seemed to find it hard to grasp Community methods, which were different to political traditions at home. There is a perception that Britain has had a more uneasy experience at certain times rather than others. Roy Denman notes that Harold Wilson, as Prime Minister in 1974-6, found it difficult to work in an environment where technical grasp was required, clear statements of British demands were unwelcome and difficulties could not be overcome by some well-timed witticism (p.37). In Margaret Thatcher's later years, and under John Major, Peter Pooley remarks, the process of 'negotiation and deals and bargains' in Brussels became very difficult because 'nobody owed the British anything.' It is a point with which other participants agree, although there is some debate about precisely when the problem became serious (pp.39, 95-96). But, as Pooley also notes, it is very difficult to generalise about any 'poor performance' by Britain due to ministerial distaste for the ways of Europe. Even under Wilson, the agriculture minister, Fred Peart, proved quite successful in European negotiations (p.38) and, even under Thatcher, Sir David Elliott found that 'very little filtered down which made my life…more difficult' in working on technical issues in Brussels.

Roy Denman is also critical of the 'depressing…English insularity' that he feels pervaded Whitehall ministries before Britain entered the Community, noting their fear of a competitor influence on policy and identifying the Treasury as the key problem (pp.47-48 and see also p.93). Other participants generally agree that Whitehall did little to adapt itself to European ways before membership in 1973, and that Britain was slow to get its own officials placed in influential posi-

tions in Brussels (on that point see pp.93-94), even if the situation gradually changed. In fact, it becomes clear in the second seminar that, whatever the criticisms of a failure to adapt to European realities, there were profound changes in the power structure, responsibilities and experience of Whitehall thanks to EC membership. The Foreign Office in particular benefited from membership because, as a kind of co-ordinator department for Community policy, its role in Whitehall was boosted – which evidently provoked some tension between it and the home departments (pp.51-54). Other ministries, not least the Ministry of Agriculture, found themselves having to familiarise with the EC policy and to negotiate in a European context. Yet the same seminar reveals that parts of Whitehall were slow to educate themselves about how to negotiate in Brussels effectively, a problem made worse by the fact that the Community gradually extended its areas of activity, so that it was essential for British government departments to participate in European matters actively, however much this was resented. The third seminar contributes other points, for example, that civil servants in the mid-1970s were reluctant to serve in European institutions because of a belief that Whitehall was a superior, more efficient bureaucracy, that one needed good French to get by in Brussels and that, on a more mundane level, London was better paid (pp.73-74).

It is not clear from a discussion that principally involves British participants, of course, whether this reluctance to embrace Europe was a specific, national phenomenon to Britain or whether all member governments and civil services underwent a similar experience. The suspicion must be that others shared the experience to some extent, and the historian Piers Ludlow presents some archival evidence to this effect regarding the French experience (p.95). But discovering whether this was a general phenomenon and whether it was on the same scale (or lesser or greater one) would require a witness seminar, or an oral history project, on a European scale. Richard Genocchio makes the interesting point, based on his experience in the oil industry, that multinational companies also took time to react to the growing power of the Community, eventually seeking to influence EC policy by lobbying in Brussels directly (pp.64-65). This leads on to a discussion about the reactions of British industry in which, again, it becomes clear that it is impossible to generalise. Just as the Ministry of Agriculture was ahead of other sections of Whitehall in reacting to Community membership, so the Common Agricultural Policy (the main area of EC expenditure in the 1970s) also ensured that Britain's farmers and food processing companies were quick to see the need for lobbyists in Brussels (pp.66-7).

That practices in Brussels were very different to those in Whitehall emerges quite forcefully and, whatever their sense of culture shock, British officials clearly had to adapt to alien practices quickly in order to have an influence. Based on the first seminar here, examples of such alien practice included: the rapid, almost chaotic way in which legislation could emerge in the Commission, compared to the slower, more careful process in London; the need for officials to participate in press conferences, when they had little experience of this at home; and the need to work through a Commissioner's continental-style *cabinet* rather than the strictly 'official' hierarchy that pervades Whitehall (pp.31-33, but on the *cabinet* system see also 78-9, 81-2, 84). A few others emerge from the third seminar, including: the poor state of the Commission archives, a result in part of officials wishing to keep information to themselves in the belief that 'knowledge is power' (pp.75, 78, 86-7); the reduced sense of 'teamwork' compared to Whitehall and the confusing sense of hierarchy - formally rigid, yet in reality flexible – both of which helped to create a 'jungle' atmosphere (pp.73-76, 80-1); and the different legal tradition of continental systems (pp.85-6). Nonetheless the participants seem agreed that there was one way in which British practice soon had a positive impact on Brussels: the atmosphere became rather less formal because of the Whitehall practice of addressing colleagues on a first-name basis (pp.76-7). This may seem a minor point given the high expectations that greeted British entry (on which see pp.81, 82-4), but it does suggest that there was an interplay between different traditions rather than a case of one simply burying the other. Furthermore, as Sir Michael Franklin indicates, some British officials welcomed the differences

with Whitehall: 'Not only were you much more open…in terms of being able to talk to other people and dealing with the media…but you were in a much more buccaneering environment in general' (p.87).

In the final seminar, when MEPs become the focus, the issues discussed inevitably differ from the civil servants. Perhaps inevitably, the disappointingly low turn-out in Euro-elections and the unhelpfully large size of Euro-constituencies are two points explored early in the proceedings. Although there is evidence that, over time, MEPs have had increased correspondence from their constituents on European matters (pp.104-6), they do not feel that many constituents know their name (pp.109-10). Rivalries with local Westminster MPs are discussed but are evidently not seen as a serious problem (pp.106-8). More serious is the perception that little is being done to make MEPs genuinely represent Britain in Europe. The MEPs make little use of Westminster facilities and institutional links with the national parliament have failed to evolve far, however desirable it may seem. Proposals to improve the situation exist but none seems to arouse particular enthusiasm (pp.110-14). Relationships with ministers in the Thatcher and Major governments were, the former Conservative MEP Bill Newton Dunn suggests, 'much better…than with backbenchers', even if the perception was that ministers were 'concerned we could cause trouble unless they kept an eye on us' (p.115). But Richard Balfe, perhaps because he was a Labour member, found relationships with ministers to be dependent on personal chemistry, with at least one Foreign Office minister having 'no time for us Labour MEPs at all' (p.115). The Liberals' Russell Johnston even states that, partly because of his party affiliation, he could 'find things out more easily from the German than the British Foreign Office, which seems absurd' (p.116-7). There is a feeling that MEPs from other member states find it easier to network with their national governments (pp.120-1). Turning to relationships with their national parties, until the 1990s at least, both Conservative and Labour MPs feel the relationship was less than close, though there were some attempts to improve matters around 1994, just before the seminar was held (pp.115-6).

Where the concerns of civil servants do overlap is on the issue of representing Britain in Europe. Here there seems a surprising degree of optimism. Balfe's immediate comment is 'I don't think it is Brits against the rest. Each country has its national characteristics…' (p.118). English is deemed to have become the second language of the other nationalities present and therefore widely used in conversation, even if French remains a serious rival. That does not mean that the British contingent have failed to learn other languages, although there is a difference of view about how good a linguist the average British member is (pp.119-20). Conservative and Labour MEPs evidently feel that they fit quite well into the wider European parliamentary groups, Socialist and Christian Democrat; and whilst there is some evidence of voting as a national group (especially on agriculture) the British MEPs do not hold meetings as a 'national' delegation (pp.120-25). Some of the interviewees feel a greater satisfaction with the job of being an MEP than there was when the European Parliament was elected in 1979, because of the increasing powers given to the body, for example through the 'co-decision' procedure, introduced after Maastricht (pp.125-6). But Bill Newton Dunn makes the interesting point that, in the early years, 'There was an excitement in trying to create something new…' whereas more recently, 'it has been hard work and responsibility with legislation' (p.126). The closing thought of the participants suggest, however, that the European Parliament is still in its infancy, not yet able to close the 'democratic deficit' in the European Union and uncertain how its powers will develop in future (pp.126-7). Which suggests that, despite Euro-sceptic fears of blueprints for a 'super-state', the EC/EU actually develop in a more fitful, evolutionary manner – arguably rather like the history of the Mother of Parliaments at home.

# Britain and Brussels:
# Session I

**This witness seminar was held on 5 May 1998 at the European Parliament Office, 2 Queen Anne's Gate, London SW1, and was chaired by Dr Andrew Crozier of Queen Mary, University of London. The participants were as follows:**

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| SIR ROY DENMAN, KCB | Member of British negotiating delegation with EC, 1970-72; Director General for External Affairs, EEC Commission 1972-82; Ambassador of the EC in Washington 1982-89. |
| SIR DAVID ELLIOTT, KCMG | Counsellor at UK Representation to European Communities (EC), 1975-78; Under-Secretary, European Secretariat, Cabinet Office, 1978-82; Minister and Deputy UK Permanent Representative to the EC 1982-91; Director General (Internal Market), General Secretariat of the Council of European Community/Union, 1991-95. |
| DAVID A. HADLEY, CB | Under Secretary, Ministry of Agriculture, Fisheries and Food (MAFF) 1981-87; Deputy Secretary, MAFF 1987-89; Deputy Secretary, Cabinet Office 1989-93; Deputy Secretary (Agricultural Commodities, Trade and Food Production) MAFF 1993-96. |
| RAYMOND E. M. LE GOY, FCIT | Director General, Commission of the European Union. |
| R. KEITH MIDDLEMAS | Formerly Professor of Politics, University of Sussex. |
| SIR WILLIAM NICOLL, KCMG | Deputy UK Permanent Representative to EEC, 1977-82; Director General, Council of EC, 1982-91. |
| PETER POOLEY, CMG | Office of Permanent Representative to EEC, 1977-79; Under Secretary, 1979, Fisheries Secretary 1982, Ministry of Agriculture, Fisheries and Food; Deputy Director General, Agriculture, EEC 1983-89; Deputy Director General, 1989-92 and Acting Director General, 1993-94; Hon. Director General and Special Adviser, European Commission since 1995. |

**ANDREW CROZIER**

UKREP: United Kingdom Permanent Representative to the European Communities, staffed from various Whitehall ministries. It negotiates in the Council of Ministers at civil service level, setting up ministerial agreements.

This first session is devoted to the theme of legislating for Europe, and what we would like to investigate are issues such as liaison between UK Representative to European Union (UKREP)* and British Members of the European Parliament (MEPs), liaison between both and government and Parliament in London, and problems relating to multilateral diplomacy. I will start off with this question: Did any of you come to feel a sense of identity with your European co-negotiators, and if so, how long did this take?

**SIR ROY DENMAN**

Can I make one introductory point, Chairman. We talk about legislating for Europe, drafting the regulations and directives. Of course a good deal more than that is involved, in trade policy especially, for example, what policy we should pursue, and agricultural price levels. The remit, therefore, is a good deal wider than federal legislation.

I think it would depend partly on the background of the people involved. If I am going to speak for the trade field, the answer is, 'Yes'. We have dealt from the Department of Trade with people involved in the [European] Commission over a number of years. We got to know each other. I am sure in agriculture Freddie Kearns* and his opposite numbers had the same experience. And this certainly helped.

Sir Frederick Kearns (1921-83), civil servant. Second Permanent Secretary, Ministry of Agriculture, Fisheries and Food (MAFF), 1973-78.

**PETER POOLEY**

COREPER (Committee of Permanent Representatives): an informal body where national representatives could sift out problems in advance of Council (of Ministers) meetings. The Permanent Representatives are the Brussels-based Ambassadors of the member states of the European Union.

I want to say two things first. The group feeling very quickly develops in Brussels. This is especially so if you are in the UK Representation, rather than visiting, and you are regularly attending a group, whether it is COREPER,* a working group, or the Special Committee on Agriculture. It is strange how you develop a fellow feeling with your co-negotiators. Sometimes the need for the group to succeed overrides a little the need for yourself to succeed. It is quite surprising, and [the national] capitals sometimes become the common enemy. The other thing I would say, but that is speaking from the UK Representation, I found that, on joining the Commission, it is astonishing how quickly the UK becomes 'one of the member states'. You know more about it. You have a great deal more contact. You have a background which perhaps unconsciously leads you to adopt British attitudes. But, nevertheless, very quickly you begin to speak of the UK government as 'them' rather than 'us'. This surprises a lot of your former colleagues, who say, 'The chap has gone native'. Gone native? *Moi?* I vividly remember when I was about to be appointed to the Commission the then Minister of Agriculture, Peter Walker,* tapping my knee when we were on a small plane coming back from Luxembourg and saying, 'I am very pleased you are getting that job. We need somebody tough there, who will stand firm'. And I thought, 'Well, he has probably got the wrong man, if that is what he thinks'. But within three weeks he was on the telephone, insisting on a point which I could not yield on, because I was a member of the Commission and he was one of 'them'. I found to my surprise that I was the strong

Peter Walker (Lord Walker of Worcester), Conservative politician. Secretary of State for Trade and Industry, 1972-4; Minister of Agriculture, Fisheries and Food, 1979-83.

man, for that moment at least, that he had thought I was, rather to his surprise and to mine.

**SIR DAVID ELLIOTT**

I agree with most of that. I would distinguish, from my own experience, which is largely with groups and COREPERs, between on the one hand a personal liking and the sense of complicity which you develop with the constant practice of meeting these people, and their families and their wives, and on the other hand the feeling that you can surrender, you ought to under pressure to surrender, your national interest. I never really felt that. The essential element was the personal relationship that you establish, which enables you to pursue your national interests rather more effectively. I can remember occasions when, I suppose it still exists, the COREPER technique of meetings in the corner was used. I had to ask my colleagues on one occasion, for example, to meet in the corner because we had been discussing a particular directive (I think it was the lawn mower noise directive, a big deal years ago), on which it was quite clear that there was a qualified majority already emerging in COREPER in favour of the draft as it then stood. But the draft as it then stood would have put two or three hundred people out of work in the UK. This was because the Commission in its wisdom had not taken account of the fact that in the UK, almost uniquely at that stage, we cultivated smooth lawns with cylinder mowers. However, the noise limits were set for the rotary mowers, which were much more common on the continent of Europe, so they did not take account of what is apparently a need to make more noise if you had a cylinder mower. So in the corner meeting which I asked for my colleagues gathered round, and I had then been a member of COCOM* for some years, and I simply pleaded the UK cause. I knew broadly their instructions and I knew that their instructions were such that I would lose if the matter were pressed officially to a vote. But they listened carefully and sympathetically, and they found ways of accommodating the British interest.

Co-ordinating Committee on Export Controls: a body of Western countries which limited trade with the Soviet Union and the Eastern *bloc*.

You could call that a success, if you like. But, of course, I paid for it subsequently, because the same complicity was used against me on other occasions when other corner meetings took place at the request of other colleagues. It did not happen often but, when it did happen, a response would be expected from me and of course I gave it, in so far as I could, if necessary renegotiating my instructions. So I would simply say that this group feeling does develop, I suppose in all institutions, but certainly in Brussels, because you suffer the same hardships and you enjoy the same privileges. But I don't think it necessarily operates, certainly in the groups that I was part of, against the national interest.

**DENMAN**

I think there is a distinction, and you wouldn't disagree, between dealing for your nationality inside COREPER or other groups and working inside a Community institution. When I joined in 1977 there was a very exhilarating atmosphere. Heath* had just gone, but

Sir Edward Heath Conservative politician. Prime Minister, 1970-4.

Harold Wilson (Lord Wilson of Rievaulx), Labour politician. Prime Minister 1964-70 and 1974-6.

James Callaghan (Lord Callaghan of Cardiff), Labour politician. Prime Minister 1976-9.

we felt, despite a rather curmudgeonly Wilson* and Callaghan,* that the British were trying to make a success of Europe, and there was an agreeable complicity, indeed it was. We were all 10 per cent more cynical about our countries and above all we wanted to make the thing work. And it was far more lively and exhilarating in that sense than working in a national administration.

**SIR WILLIAM NICOLL**

I would like to distinguish between three different identities, I suppose they are, although I confess I never know what the word identity means. In the very early days, indeed before we joined because we had an interim year, I was then working in the working groups. I don't think there was any particular sense of identity with my European Community (EC) co-negotiators at that point. We knew each other and particularly in things like the Article 113 Committee,* deputies, not the august Titulaires, we did our job. Our job was to represent our national interests on the basis of the instructions we were given. I suppose the fact that we had some acquaintance with each other helped, but I would not have rated that sense of identity as particularly high or particularly important or particularly necessary in the sum of things.

Article 113 Committee, a committee of national officials who prepare decisions of the Council of Ministers in the field of external trade policy, under Article 113 of the Treaty of Rome.

Now I distinguish that from the higher echelon, and particularly the COREPER that David [Elliott] was talking about, because here there is a quite deliberate attempt to cultivate what they call *l'esprit du club*. The whole idea is that you not only worked with these people, but you knew them and 'liked them'. You also had social occasions, of which I suppose the most dramatic was the bi-annual jolly to the Presidency country, with much feasting and folklore and the odd souvenir to take away and so on. That I suppose induced a sense of identity, but I would very much oppose the view that that sense of identity in any way detracted from the resolution of those present to do what they were being paid to do, that is to stand up for their national interest, They might of course, as David [Elliott] said, because the man they were talking to was somebody they knew and perhaps trusted, be prepared to be just a little bit indulgent.

The third context is the one Roy [Denman] was speaking about, that is actually being inside a Community institution, in my case the Council. Now the Council is a remarkable organisation, because of course it has no agenda of its own. It doesn't have any spirit, it is not there to be particularly integrationist, although I suppose a Eurosceptic there would feel a little uncomfortable to say the least. There I don't think I had any particular sense of identity, except with the immediate people that I was working with. And our only sense of identity there was that we were doing what the Council Secretariat tries to do, that is, to get a result, without necessarily being concerned about what that result is. In other words, the end product is a result, not a particular result.

So I think that the expression 'sense of identity' needs to be related to the context or group or task that you are working on, and the

only area in which I was personally aware of something approximating to it was in the COREPER Part I.

**DAVID HADLEY**

I think that some of these comments, if I may say so, are a little bit mealy-mouthed. Of course it makes sense, admirable sense, to get on as best personal terms as possible with one's opposite numbers in other member states and within the Commission. It is also sometimes the case that there exists an agreed objective and the issue for discussion is how best to achieve that objective, in which case there can be room for any amount of fellow-feeling. This typically arises on relations between the Community and the outside world, most obviously in trade negotiations, as Roy Denman has mentioned at the outset. But for the rest it is a matter not only of the United Kingdom but of other member states pursuing what they conceive to be the national interest, or what their ministers tell their negotiators is the national interest, and getting on with it. And, in that sense, a negotiation is a battle and you aim to be victorious, if you can.

To be even more provocative, I would say that the most important rule is never to underestimate the deviousness and potential bad faith of your co-negotiators. Now that may sound a bit tough. It took us some time after joining, in my experience, for this to be thoroughly brought home. So you need to draw a very clear distinction, as I think Bill Nicoll and David Elliott have drawn, between acting in one's official capacity in a negotiation, and developing personal relations with others in the Commission and in other member states.

**DENMAN**

But you are talking, aren't you, of people representing member states, not of work inside the Commission?

**HADLEY**

No, I am not talking about work inside the Commission at all.

**POOLEY**

Sir Michael Franklin, civil servant. Under-Secretary (EEC Gp.) MAFF 1968-73; Deputy Director General for Agriculture, European Community (EC) Brussels 1973-7; Deputy Secretary and Head of European Secretariat, Cabinet Office 1977-81; Permanent Secretary, Department of Trade, 1982-3; Permanent Secretary, MAFF 1983-7.

I think that is a good point actually. One thing that astonished me was discovering the deviousness and other wickedness of Commission officials when I was working for the British, including British Commission officials, and finding that people like Michael Franklin* (who is not here yet) and David Williamson* could be just as devious as others.

**RAYMOND LE GOY**

David Williamson, (Lord Williamson of Horton), civil servant. Under-Secretary General Agricultural Policy Gp 1974-6; Deputy Director General, Agriculture, European Commission 1977-83, Deputy Secretary, Cabinet Office 1983-7; Secretary-General, European Commission 1987-97.

Or even it might be particularly!

**POOLEY**

I have to acknowledge that conflicts did sometimes arise with people of one's own nationality.

**LE GOY**

And you would acknowledge similarly that, if you were working for the Commission, you would find out about the deviousness of British officials.

**POOLEY**

They were not too bad, actually.

**KEITH MIDDLEMAS**

Committee of Central Bankers (CCB). In 1988-9, chaired by Jacques Delors, the CCB had settled details of European Monetary Union, what the new currency should be, its praxis, the rules of membership, the constitution of the forthcoming European central bank (ECB), and the method of transition to the new currency.

Jacques Delors, French politician. President of European Commission, 1985-94.

Robin Leigh-Pemberton (Lord Kingsdown of Pemberton), civil servant. Governor of Bank of England, 1983-93.

Can I put this as a question – it is really a suggestion: that the greatest degree of common identity or collegiality is likely to be where there is more expertise and more of an arcane language. The area which seems to me to have been, over the last 10 or 15 years, most collegiate is the Committee of Central Bankers.* If you think of the operations of the Delors* Committee, for example, where Robin Leigh-Pemberton* was able to sign the same report and Karl-Otto Pöhl* was able to sign the same report. They speak a language which is difficult for most people to understand. They live with an ethos where one is very like to another, and the representatives are often much better than the country they represent. The governor of the Bank of Greece is highly regarded by his colleagues, which is not to be said of many Greek ministers. Does that seem a reasonable proposition?

**NICOLL**

Karl Otto-Pöhl, German official. Chairman, EEC Monetary Committee, 1976-7; Deputies of Group of Ten, 1983-9; Committee of Governors of Central Banks of EC member states 1990-1; Governor of Deutsche Bank and German Governor International Monetary Fund and for International Settlements 1980-91.

I don't think it can be generalised. I can think of many groups where those present were highly expert, and they spoke the language of their subject, and yet they were quite bitterly divided. And not only because their governments had told them to be divided, but because they thought they knew the subject so well that they judged the other fellow was talking rubbish. I heard quite a lot of that. For example, you could think about things like the approach to the future of the MFA, a multi-fibre agreement (for those not up in the jargon) – a highly recondite subject, and you have to know a lot about it. But that, in itself, did not help those concerned to get any closer to agreement over what they were going to do about it.

**DENMAN**

I would say I am rather more attracted by Professor Middlemas's proposition. Certainly I can report that, in the international trade field, preparing say a General Agreement on Tariffs and Trade (GATT) negotiation, we had all known each other a long time in Geneva, and I think people played really pretty fair. The French were the most single-minded. They would telephone Paris, but they told me what they were doing. They would say, 'Look, what they will say in Paris is this and this. I think we ought to go there next week and have this out, and try and get Commissioner X to pass the word at ministerial level when he is back in Paris'. We were working for a common success in the negotiations. The Germans and Italians, again, would tell us all how things would be viewed in

Bonn and in Rome. And I think that worked very well, because we did regard ourselves, not perhaps as arcane as central bankers, but as pursuing a difficult and specialised subject, in which we had spent years of training in Geneva.

**POOLEY** Can I just go back to a previous point, on the objectivity of Commission officials. There is motivation here for appearing to be objective, because I found that, if somebody got known to be under instructions from their government, that was the quickest way to lose credibility and standing inside the councils of the house. People stopped listening to the Italian, who was clearly speaking for his government: if they wanted to hear what his government thought they would hear it through Rome. I say give the appearance of objectivity. This was a valuable asset, in terms again of standing inside the Commission, for people to have the very strong impression that you seldom, if ever, took instruction from your government.

**CROZIER** My feeling from the comment that has been made so far is that most of you feel that, where a sense of collegiality develops with your colleagues, this would have developed very quickly if it developed. Is that the case? If it was going to develop, it developed very quickly.

**NICOLL** Sorry to be negative, but I don't think you can put any timescale on these things. It is very much to do with interaction of personalities.

**POOLEY** I don't think there is any special phenomenon. It happens with other groups. The only special thing about Brussels is that the groups meet much more often and get to know one another very much better, so it is quicker in that sense than say a negotiating group in Geneva.

**DENMAN** And you must distinguish again between the various identity groups – working in the Commission or working for the member states in groups.

**CROZIER** I would like to move on then to another question, which seems to emerge from the foregoing discussion, and that is this: were some nationalities easier to deal with than others, and if so, was this a political or a cultural matter?

**DENMAN** I found in the trade field that the key people were the French. They sent some of their best people to Brussels and they were the people that had to be reckoned with. In preparing for a trade round, you would say to the Germans, 'What do you want?' 'Free trade, free trade, free trade', they would intone. Ask the British and they would say, 'A bit of free trade old boy, but not too much'. You would

approach the Italians, and they would say, 'Well look, let's go and have a coffee. My Minister has a very important constituent. He makes a certain type of goods. Now if you could go easy on this...?' The French were the only people with a strategy, thought out very carefully. They still thought they were a big power. They never forgot or forgave having been rescued by the British and the Americans at the end of the Second World War. So you had to spend immense time, going to see them in Paris, talking with them. They knew they wouldn't get all they asked for, but they wanted to be taken seriously. In a way the French are like a cat: stroke it the right way and it purrs, stroke it the wrong way and it will bite you. When I left to go to Washington in 1982 my last words to my successor were, 'Keep stroking them'.

**NICOLL** The most difficult of all nationalities to deal with were the British, I think, and that for two broad reasons. For much of the period, after all, the Community was in disfavour, but I think it was deeper than that. I am now talking about the totality of the British, not just the British who were in Brussels. I think there were two reasons. One is, I'll be rather brutal, a certain lack of professionalism, i.e. actual knowledge of the treaties, which I put as a basic requirement if you are going to work there. The other is, how shall I put it, straying all round the wavelengths: producing arguments that may have sounded very persuasive when rehearsed in an office overlooking Whitehall, but just fell flat when presented in the environment of Brussels. I would sum it up in this way: there are a number of imperatives about the work in Brussels and none of them are contradictory, but one of them is to get a result, to get an agreement. The British were not always playing the game to that rule. In other words, they were frequently playing not to get a result. And that tended to show up, I think, by unnecessary rigidity. And, I don't wish to speak personally about ministers, but a certain incompetence in handling Council meetings, for example.

**POOLEY** In terms of nationalities which are difficult, I found the Greeks very difficult, and have continued to find the Greeks very difficult. They are less dishonest than they used to be, but still very difficult to deal with. I found the Portuguese at first difficult to deal with, because below top levels they were simply not competent. There has been a marked improvement there. I think most difficult of all for me were the Spanish. This was because I didn't understand, leastways I had to make a special study of it, their culture and particularly the way ministers related to civil servants in Spain and the way the political networks function, and nature of the networks. There is a very special culture in Spain, which I think a lot of us didn't understand. Very, very difficult to negotiate with them and to have the feeling that I understood what they were after.

**ELLIOTT** I agree with what has been said, so there is not much more left. In

terms of the original six you felt they were operating by the same rules. Of course the French were, and they were difficult for the reasons Roy has explained. But you did feel that they would come to you if they had a problem. And you would go to them if you had a problem. There was a common affinity, which would enable at least understanding to exist so there was some hope of getting through it. And that certainly applied to the Italians, and the Benelux countries. There is a language issue here too, of course. It is always easier to deal with people who speak your own language or a language which you feel comfortable in; and that helped with the Danes, for example.

But after the accession of Spain and Portugal I did notice a distinct difference in the atmosphere, in character. For a long time, as Peter [Pooley] said, the Portuguese didn't really know what they were doing. The poor, deadly dull representative would sit there flanked by people flown in from Lisbon and he would be almost unable to speak until he consulted these people beside him and behind him. I think it was the British Presidency then, and I had to take him to one side after a while and ask him to behave, in polite terms, and gradually he did. But I understood his problems. But then for the Spaniards, they clearly had done a great deal of homework. They were extremely competent and very professional, but had decided to take a line which was different from that of their predecessors in the late acceders, like the United Kingdom. For example, on a subject like the injection of their nationalities into the institutions of the European Community, as it then was, the Brits were very anxious to do this, for all the obvious reasons. We had some minor successes, but we played by what we thought were the rules. The Spaniards, from the very beginning, ignored those rules and just simply insisted, and blocked this, and blocked that, and blocked anything they could until they got large battalions of Spaniards inside the Council Secretariat, the Commission and the other bodies of the Union. And I found it extremely difficult to deal with. It was rare for my Spanish colleague to come to me and say, 'Look, I have a problem, can you help me', because, perhaps, he knew he couldn't help others if they had problems. He had very firm instructions. I sometimes thought that he developed the instructions himself. He was a strong personality, and his successor seems to be much the same nowadays.

Of course there are benefits of this too. Let it be remembered that, when Spain entered the Community, we had these three main languages, English, French and German, but there was every risk that the accession of Spain would change this system. It would be perfectly reasonable for the Spanish to insist that Spanish became one of the three main languages. Well, thanks to the individual concerned, he persuaded Madrid that this should not be the case. So the strength did have some advantages too.

Later on, I think that the Portuguese woke up to the fact that the system worked the same for them, since most of their national interests were Iberian rather than particularly Portuguese. So they

would sit quiet and say, 'Me too' after the Spaniards had won their point. And so they are very quiet and have this reputation of extreme niceness, while the Spaniards still have this reputation of extreme toughness.

**CROZIER** Can I ask for your impression of your German colleagues?

**ELLIOTT** On a personal level they were all extremely agreeable. The problem I found with most of my German colleagues was that their co-ordination back home was extremely weak and you could not rely on their word. If you were in the chair and you said, 'Look, I need you to make up my qualified majority, can I be sure that you will back me on it?', they might say, 'Yes', but it wouldn't happen. Again, if we were in negotiation with the UK as a member of the Council and not in the chair, the German position very rarely stood: it started out extremely firm and at the very end they would back off. Especially if there was conflict to be seen, as quite recently, between Paris and Bonn. So at the personal level there was no problem at all. They were very open, at least those who were based in Brussels. I should perhaps draw a distinction between those who were based in Brussels and those who came in for Council meetings, whom I found rather more rigid and difficult to deal with. But they had a problem themselves, of weak co-ordination back in Bonn and the inability, quite often, to deliver.

**NICOLL** Yes, I think that catches it. I think that the hallmark of the Germans that I dealt with was that they were very capable men. Most of them were lawyers, and if they weren't lawyers they were economists. As lawyers they had the particular advantage of working within what has been called the French legalism of Brussels. As economists they had prior understanding of many of the things that they were doing. Most were approachable and friendly and, within the limits of what they were doing, they were helpful. Their great weakness, as David [Elliott] says, is the quite inadequate co-ordination in Bonn and the inability of the State Secretaries' Committee to deliver: the contradiction between their professed industrial objectives and their agricultural protectionism. And so this frequently produced irreconcilable conflict. In fact, I remember once in the Council the German minister had said something that, if followed up, would have overcome a lot of problems that we were having. I saw my German colleague afterwards and said, 'That eases things a bit, we can move on now'. And he said, 'What do you mean?' I said, 'Well, he said he agreed'. And he replied, 'No, no, no, that was just the Foreign Minister speaking'. But I felt that individual quality was very high and, despite the handicaps that they had, handicaps which sometimes gave the British a very strong negotiating advantage, they usually put in a very good performance in the things that they were doing.

**POOLEY**

My experience coincides, strictly on drafting legislation. I thought I had a good view from entry negotiations and from UKREP before I joined the Commission, where at the time my little outfit was responsible for around 75 per cent of all Community legislation in agriculture. I was very surprised to find how different it was, and the lack of any training as well.

But the legalism of it. The different style of legality, and the importance of the 'whereases', I was not prepared for at all. I was not prepared for the complexity and the speed of the deals and the bargaining process that went on, within the Commission, before a draft was prepared, nor the speed with which events could move – quite extraordinary. A Council could be blocked, unable to see where to go, adjourning at midnight, and someone has a bright idea during the course of the rest of the evening or driving home, puts it on paper, in a very amateur way, and the Council has a look at it. 'That's the way through', and by lunchtime it is law! That was absolutely terrifying, just suppose you got it wrong. As compared with the legislative process in the UK it seemed mesmerising and chaotic. And it took a long time for me before I learned how it was done and could play an active part myself.

**DENMAN**

We are coming onto questions of the differences between the Commission and Whitehall. The first thing that struck me was the shortage of staff. I reckon we made out, certainly in DGI,* with about a third of the senior staff in a Whitehall department. A few months after I arrived we got an angry letter to our Commissioner from the American trade representative. Now in Whitehall as a Permanent Secretary you would have a draft served up to you. You might alter a paragraph or so, but it would be a very skilled draft. I had a Dutch deputy on that side of the house, who was notoriously incompetent, and a very good French director. But this was drafting in English, which would be difficult for anybody to have done with complete accuracy in another language. So I set the alarm clock for 5 o'clock and drafted a letter by the start of play. So the idea that the Commission is generously staffed for all its functions is really quite wrong.

DGI: Directorate General I: responsible for protection of the environment and of consumers. There are 20 Directorate Generals (main administrative units) within the European Commission and each Commissioner is responsible for one or more DGs, dedicated to the pursuit of particular areas of policy.

Secondly, I thought that the exposure was strong. Here a Permanent Secretary never gives press conferences. At the end of my first week we decided something. The Commissioner as usual was away, shopping, and they said, 'There is a press conference at midday'. So I said, 'Yes. Interesting. I am going for lunch now'. 'No, no', they said, 'you'd better go there.' It was not an attempt to see journalists, but no-one else would do it. And that meant you had to give press conferences, otherwise the Commission's side of the case would not be given, and of course that is political exposure to, at times, a dangerous degree.

**POOLEY**

And exposure to Parliament, as well.

**DENMAN**

Yes, I found them much less troublesome than the occasional reaction of the press briefing. Thirdly, I thought the *cabinet* system was a shock for anyone from Whitehall. You could prepare a paper, clear it with everyone, send it up to the Commissioner, and some young sprig straight out of university would say he didn't agree with that. This is not quite what we are used to in Whitehall and not very efficient. It is the equivalent of an army being run by a general who will say, 'I don't care what the brigade commanders think, some young *aide de camp* (ADC) has come up with a bright idea, so there'.
Those are the three big differences that I felt in operational terms, though we knew the people and knew the subject.

**NICOLL**

I just want to make two small points, that don't in any way clash with anything that has been said. I think that, among the first things that you had to learn, was that, whatever the starting position was, it wasn't going to be the finishing position. There was going to be the famous compromise, and the whole of your approach had to be in terms of the upcoming compromise. Your task was, therefore, to try to influence what that compromise was going to be. That involved learning the little stratagems of drafting these things. No self-respecting compromise is worthwhile if it doesn't contain somewhere the phrase *'sans préjudice de'*. Another phrase that has to appear is *'dans le respect des dispositions du traité'*. That has got to be there, and it doesn't matter if the rest of it is a violation of the treaty, as long as that is included. These are stupid little things, but there is a way of approaching those and you must never ever be scornful of that, because it is all part of the lubrication of the way the system works.
The other thing that came as something of a surprise to the process was that there was no tradition or desire or practice of 'putting in papers'. In the Whitehall environment, if you have got something to say, your department puts in a paper. I remember some people from the British Civil Service arriving in Brussels who wanted to put in papers. But the organisation doesn't know what to do with papers that are put in by delegations. Moreover, putting in a paper is slightly prejudicial, because it obliges you to take some kind of position. And the great secret of this is – I am told you are not allowed to use Latin tags in Whitehall anymore, but I will use one – *verba volant litera scripta manet*. Once you have written something down, some unkind person may look back at it later and say, 'Well, that's what you said'. Whereas few people are capable of remembering what you say, just as I am sure this group isn't going to remember anything I said in the course of today.

**CROZIER**

I am sure that we will remember a great deal of what you said!

**POOLEY**

That is a big difference in the administration generally of the Commission and some other European civil services. It was a great shock to find how very little was written down, and Whitehall does

have an appetite for writing things down. It is not common in Europe and certainly doesn't reign in the Commission.

**DENMAN** Though you had papers inside the Commission, of course, written for various Commissioners. I think you are talking more about the negotiation groups and others.

**CROZIER** Could I ask you to give us your impression of the degree of power that you have to determine the detail of legislation within the European Community legislative process, in comparison with the domestic situation?

**NICOLL** Could I speak on this, because it is a subject on which I hold quite strong views, views which have been, in fact, provoked by what others have said about this subject. There is a view around that the Brussels scene is one of legislative capture, in which officialdom has taken over the political process. It is one in which the discussions which go on in Brussels are an area of complicity among bureaucrats, who determine what is going to happen and, by the use of their very considerable skills, manipulate the political part of the process. I can only say that, in my experience, that could not be a more wrong appreciation than it is. If you are working in UKREP, for example, your personal exposure is far greater than if you were working on a desk at Whitehall, for the simple reason that David [Elliott] gave, which is that, every night, you report back in a series of telegrams the things that happen. These telegrams are circulated quite widely throughout Whitehall, including in ministerial red boxes, and there is a fairly acid test of whether what you report yourself as having done in these meetings corresponds to what you were told to do.

Now a lot of people point to the fact that a large number of decisions, and numerically the largest number of decisions, are not taken at the end of a Council discussion but in the first part of the Council agenda, known as the A Points. These A Points, which never get ministerial discussion, are, therefore, often said to be the final proof that the bureaucrats have taken over. That, of course, is also nonsense, because the A Points are matters which the bureaucrats discussed in accordance with the instructions that had come to them. The outcome that they reported is to be measured against the instructions given and the results obtained, and there is full domestic control over what these people in Brussels were doing.

Am I, therefore, saying that the people who are speaking for the national interests in Brussels are pure automata? No, I am not. I am saying that their professional task is to absorb the instructions which they are given, which pour into them in great volume, and to try, in the course of discussion, to develop the kind of arguments rooted in these instructions, which may win the day. But, when they find that the discussion is in fact going against them, that there isn't a hope, they should try to see what their fall-back position might

be, if indeed they hadn't already been given one, and to suggest to their instructing authorities what might be obtained by such a fall-back position. If the authorities don't agree with that fall-back position, if they say 'that doesn't meet our objective', then that is an end of it, another one will have to be found. But since everybody should, as I think I said earlier, have in mind that the end result is bound to be some kind of compromise, then the starting position as given in the instructions ought to have some kind of room for manoeuvre in it which will enable the result to be obtained. I don't mean that, from the very first appreciation of a Commission document, there has to be a fall-back position, obviously not. But, as David [Elliott] said, some of the discussions go on quite a long time: the context changes, the sharpness of the issues is modulated, and matters that didn't seem very important at one point suddenly, or perhaps not suddenly but progressively, become more important and a certain amount of rethink is necessary.

My answer to the question as stated is: not really, except that the task of representing the national interest in Brussels, perhaps, puts a particular strain on those who are trying to do it, as they strive to satisfy the two imperatives. One is: stay within policy as given; and the other is: try to get a result which is as close to the policy as given as it can get, and to recommend that result to the home authorities. If they don't like it, then they won't buy it, and the discussion will continue.

**ELLIOTT** I agree one hundred per cent. I would only add one thing, and that is that there is another disincentive, if you like, to civil servants in Brussels trying to subvert the democratic process by legislating themselves, instead of getting it through some more legitimate means. That is that, in Whitehall, at whatever level, you tend to be something of a specialist. Within your department and the division in your department you only deal with your area of speciality. In Brussels that can't be and isn't, so that you do find yourself being an expert for twenty minutes. As the COREPER agenda or the Council agenda proceeds, even the working group agenda, you are dealing with a far wider range of separate issues, a far wider variety of issues, on the same agenda than would ever come your way in Whitehall, short perhaps of the Cabinet Office anyway. So it is not likely that you will develop, in this variegated process, a determination to proceed on your own wishes rather than listening to the instructions from those who really do know their stuff back home.

**POOLEY** I disagree, actually.

**DENMAN** I would like to add a nuance to that, again making the distinction between national representatives and the Commission. In the Commission, if you have as a Director-General a very weak Commissioner, you did have more authority to decide things than sitting in London. You wouldn't have to consult Ministers of State

and Parliamentary Secretaries and co-ordinate with other departments. But that didn't mean to say you could get away with it. Once a week you had to go up before the COREPER and spend Thursday morning being cross-examined, very closely. What was the Commission meaning by this? Had we simply talked to the Chinese, or had we dared to open negotiations? And of course again, it came down to, beyond the COREPER, the Council. So there was full control by elected governments. But the fact remains that you could have more chance of getting your own way than you could as a Permanent Secretary in Whitehall.

**POOLEY** That is one of the comments I was going to make. But also, looking from inside the Commission, I found that personalities count for so much more in the Commission than in Whitehall. And certainly personality and personal impact counts for so much more than rank or standing. I found that, compared with Whitehall an individual's capacity to influence the content of draft legislation was very much higher, partly on account of the fact that there are so few people, as we were saying before. Also there was no concept of group working. Then if you look at the later stage of the legislative process, which is a very confused, complex and secret negotiation, there again the clever man or woman with a bright idea could have a personal impact beyond anything you can imagine in national legislation. I am not just talking about people in the Commission, but in the Presidency, in the Council Secretariat, in national delegations. People coming up with the right bright idea at the right moment could see their idea transformed into legislation very quickly and precisely, and I had quite a lot of experience to that effect. I don't know whether David Hadley would follow this?

**HADLEY** I think that is absolutely right.

**POOLEY** That is not undemocratic.

**HADLEY** But it should be stressed that the area with which Peter [Pooley] and I are most familiar, namely agriculture, is one which the Community has taken over in its entirety from national governments. There is a vast amount of detailed technical legislation, some of it adopted by the Council and some of it made by the Commission under its delegated powers. This legislation has to be constantly updated in the light of changes in product markets and in order to control expenditure. The number of people thoroughly familiar with the legislation on a given agricultural sector may be quite small and, in these circumstances, it is certainly possible for an individual to have a major impact on the legislative outcome. This is less likely in other areas, whose legislation is not so detailed or technical and where drafts wind their way in a more leisurely fashion through COREPER to the Council. Reverting to what Bill Nicoll and David Elliott have said, I think they are entirely correct. If either of them

had tried to pursue his own agenda in a negotiation, he would very quickly be found out and called to order. It just wouldn't work.
But you can see how the idea gets abroad, especially as all these meetings take place in secret. Recently, Councils have started to hold some open sessions, although the result has tended to be to shift the real negotiation to the corridors. But COREPER and other meetings of officials are not open and so the impression gets around that officials are pursuing their own agendas, wrapping things up without anybody keeping a check on what they are doing. The secretiveness of the Community's legislative process is a defect, which will some time have to be sorted out, if it is not going to be a problem forever.

**NICOLL** If, on the role of the individual, I could just tell a little anecdote. There used to be, and the agriculturalists present will know more about this than I do, a thing called the *'produits mixtes'*, which were subject both to levy and to tariff. They were things like sausage skins. Now there was only one man ever living who knew about these things. He was an A3 in the Commission whom I will call Monsieur M. Whenever there was a negotiation on tariffs, Monsieur M had to be brought in to explain how this worked on *'produits mixtes'*, and nobody ever understood a word Monsieur M said! But he had to be listened to reverentially, precisely because they didn't understand what he was talking about. *Ergo* there must be something terribly deep here. He had done this all his life, as it were, and he had a wealth of examples. I can't even remember what these products were, they were so exotic. But, if Monsieur M said that this was how it had to be, then right up and through the final text that was how it had to be. Whether it made any sense or not was beyond most of us. Monsieur M then went back to French government service, and at that point *'produits mixtes'* were never heard of again – they disappeared completely from the lexicon! And no problems ever arose over them as far as I know, somehow or other it all worked out alright.

**DENMAN** The idea of tyrannical power in Brussels by bureaucrats is very much promoted by member states. You must remember the curved cucumber fracas: how absurd for the Commission to draft a regulation about the curves of cucumbers. The *Libre Belgique* in Belgium investigated this, and found this had been done at the instigation of the Danish cucumber growers, passed on to the Danish government, who then requested the Commission to draft a regulation or a directive, which the Commission did. It went to COREPER and then to ministers who approved it.

**POOLEY** The same with straight bananas.

**DENMAN** Yes. A member government is pressed by somebody to do something. It goes to Brussels, and if it works it is, of course, the

member state which insisted on this. If it turns out to be unpopular, then it is the evil bureaucrats unchecked by the Commission.

**LE GOY**

The significant difference, I think, in the experience of a British official in the British system or in Brussels, was that of relations with the [European] Parliament. Of course, the Parliament doesn't count for as much in the political scheme of things, but it was a totally different situation. One went along, as an official, to meetings of committees of the Parliament, and one was treated as though a member of that committee. You had the right to initiate things. You took part in the discussion. They were well-staffed, of course, themselves, in the Parliament, and therefore had some capabilities of taking part in discussion. A quite different experience to that of officials hauled before a Parliamentary Committee here, where they are sat down and, in general, asked, 'When did you last see your father?'

**CROZIER**

I would like to ask one further major question. We have heard something about the incompetency of ministers. I wonder if you could turn to the attitudes of British ministers. Did any of their attitudes make life more difficult for you?

**DENMAN**

Yes. I think what I remember most was working in the Cabinet Office, when Harold Wilson was Prime Minister the second time round. We went to a summit meeting in Paris and, at the end, Giscard d'Estaing* came up to him – they hated each other, but affected a certain glacial politeness – and said, 'I hope Mr Wilson that the English translation on Channel 4 was satisfactory'. Wilson took great pride in telling me, 'And I told him I prefer the channel with music myself.' This would have provoked gales of laughter in Huddersfield. But Giscard [d'Estaing], the French told me, was mortally offended.

Giscard d'Estaing, French politician. President, 1974-81.

Throughout, with hardly an exception, British ministers felt a complete culture shock and alienation from the continental culture. And you could see it when they arrived. They would settle into their places around the Council table. People would be exchanging quick gossip, in French or German. The Dutch would be there with the *Financial Times* sticking out of their briefcases and talking all languages. They [the British ministers] would be annoyed by this. Then the discussion would start, and it would be far too technical for British ministers, who like a broad political line. Then they would make a joke. I remember sitting in the official box in the House of Commons, a very junior private secretary, when Churchill* was answering questions. One was, 'Should not the Ministry of Agriculture be split into Agriculture and Fisheries?' After the standard reply, the questioner persisted. Churchill then said, 'I am sure the British public are very attached to fish and chips'. This produced an immense uproar of laughter and the discussion was ended. You make a joke in Brussels and, as we all know, people will

Sir Winston Churchill (1874-1965), Conservative politician. Prime Minister 1940-5 and 1951-5.

say, 'Yes, very witty. Now, what about Section 13 para. 4?' Ministers are annoyed by this and then they say, getting irritated, 'Well, let's get to the essentials. What Britain needs is...'. And again, that is a great mistake. The French have developed a technique whereby people simply say, 'Here is a proposal of immense value to all member states'. Now anyone knows what the French game is, but not to play it is like turning up on a lacrosse field and playing rugger. So British ministers will go back, thoroughly dissatisfied and talking about Brussels bureaucracy. I have seen many examples and, from the press and conversations with friends in Brussels, it continues. Of course, there have been exceptions but broadly there is a profound alienation with the continental culture, both language and background. Here you have the Prime Minister going on about the German social model. You would think that someone might give him a biography of Bismarck,* flagged at the social relations chapter, or an account of the Popular Front in Paris in the 1930s.* Too many British ministers give the impression that they don't want to be there. They dislike it.

Prince Otto von Bismarck (1815-98), German statesman. Chancellor 1862-90.

The Popular Front Governments in the 1930s, formed by an alliance of French Marxists, socialists and moderates against the right in general.

**POOLEY**

I think Roy [Denman] is a little bit cruel. We have seen some very good ministers. If one is in the business, in UKREP or in Whitehall, of preparing the hand for the minister to play, it is devastating, when you have given him a good hand, if he muddles it away. But there have been several occasions when ministers have played hands very much better than I could have dreamt of them being played. I suppose agriculture is a special experience, but the minister who is an instinctive dealer can do very well in Brussels, though he might not do at all well in Whitehall. You do come across these people who may not understand the substance, may not have much sympathy with the cultures of their fellow ministers, but have a nose for a deal. Fred Peart* was a good example David [Elliott]. He didn't understand the issues. He didn't understand any language – even English sometimes was beyond him, especially after dinner – but he had a way of sussing out what other people wanted, and what he could give that would result in a deal to his advantage. I could cite other examples of more intellectual ministers, who found the Brussels operating negotiating arena very congenial and were successful. So I don't think it is a universal rule by any means.

Frederick Peart (Lord Peart of Workington, 1914-88), Labour politician. Minister of Agriculture, Fisheries and Food, 1964-8 and 1974-6; Vice President of the Council of Europe 1973-4.

**DENMAN**

On the special point of the contribution to the budget, yes, we did get a rebate. But the argument at the time, I think, was that she [Margaret Thatcher] could have got a good deal of that with much less damage. And at the end of her time, and at the end of John Major's* time, we were getting very near being thrown out of the Community.

John Major, Conservative politician. Prime Minister, 1990-7.

**POOLEY**

It was very uncomfortable being British and working in the Commission in the early 1990s, because the whole place is a place of negotiation and deals and bargains: you scratch my back and I

scratch yours. During the later Thatcher* and during the Major years, nobody owed the British anything. Nobody was going to scratch a British back. There was not antagonism at a personal level, but it was not a comfortable place to be and it was very difficult to forward one's ideas and forward one's career if one were British. I understand, Bill [Nicoll], that that has changed inside the Commission. But whether it is a blip as a result of the goodwill engendered on May 1 last year [1997] and things will revert to normal anti-British attitudes, we shall have to wait and see.*

Margaret Thatcher (Baroness Thatcher of Kesteven), Conservative politician. Prime Minister, 1979-90.

Tony Blair was elected Prime Minister of a Labour Government on 1 May 1997, that had the intention of adopting a different approach to the EU. However, in practice Britain's relations with the EU are still at times unsatisfactory.

**DENMAN** Right, we are on probation.

**NICOLL** If you think back, you tend to remember the awful duds, and not all of them British. In the other nationalities there are many ministers who are just quite useless.

**POOLEY** The Danish!

**NICOLL** The Danes are very clever. They always bring their Civil Servants in under guise of 'State Secretaries'.

**POOLEY** Yes, exactly. The Civil Servants are very good. The Ministers are not.

**NICOLL** They know that their Ministers are not up to it. Likewise, thinking back about the British, one tends to think of the real duds who at times, as I think Roy [Denman] said, tried to transform the place into either a House of Commons or a Labour Party meeting or something. It just didn't wash. It wasn't the right approach. I think, if there was one pervading fault, it was that small feeling, which may be part of being a minister, that they always thought they knew best. They knew better than the others around the table that this was the way forward or something. Maybe that kind of assertiveness is part of having a successful ministerial career and when pursued to extremes it can get results. The downside of it is that it tended to make British ministers, in particular, less capable of pursuing the debate, because they tended to be rather fixed on this imagined superior position that they had already adopted.

Some of this, of course, was tactical, because the result that most of the people around the table were trying to get was not one that the British government collectively was trying to get. I remember, for example, a meeting on indirect taxation, which, with the exception of Value Added Tax (VAT), is one of the great undone things in the Union, although there is an Article of the Treaty that says that all these things should be harmonised. This was a meeting run by the late Jock Bruce-Gardyne,* who was very much an anti, but he played it extraordinarily skilfully by leading the ministerial colleagues around the table to disagree with almost everything, so that,

Jock Bruce-Gardyne (Lord Bruce-Gardyne of Kirkden, 1930-90), Conservative politician. Minister of State, Treasury 1981; Economic Secretary to Treasury 1981-3.

at the end of the day, he had a wonderful checklist, saying, 'Well, we have discussed 36 items and we have disagreed on 35 of them, so I really don't think we can go much further' – great triumph. That was not a dud performance, that was a bravura performance. It didn't actually help the Community particularly, but then that wasn't his objective.

There were others, and I bite my tongue to name them, who just were not up to pursuing the kind of cross-table discussion that was happening. They were unable to get outside this initial, purportedly superior position, that they had taken. But perhaps I am just getting old and cynical.

**ELLIOTT**

The question is: did their political attitudes make my work more difficult? I think the answer to that is, 'No. It didn't'. Because, on the whole, I didn't have problems with the policy. It wasn't my role, in any event, to have an opinion on policy. I was a spokesman. A representative. But the physical circumstances were so designed as to ease this problem. A minister would arrive: if he was a good minister and his department was well-organised he would come the night before, and we would have a briefing session, usually over dinner. If it is in Luxembourg we still do that. That was extremely important, because with the minister would come his entourage of Whitehall advisers, with whom, of course, we had been in touch. It wasn't a totally strange confrontation, and he would have his briefs. He had already been briefed, no doubt, the day before in his office in Whitehall. We would also have those briefs by then and we would have been through them. We would wish to advise the minister on the order of events in the agenda, on the personalities around the table, on nuances. I don't think we would ever think it right for us to say, 'That's a policy issue, and we don't agree with it'. We would do our very best to point the minister in the best direction for the debate the following morning: on tactics, on nuances, on atmosphere, on cultures, on personalities. Personally I did not find any minister who was unreceptive to that, nor the officials who came with him. It is not really an exaggeration to say, I think, that leaving aside the occasional conflict, this was a complementary process. The briefing in Whitehall, written and oral briefing there, and the oral briefing from Brussels, were both necessary and, for most ministers, were both appreciated. Therefore, when he went into the Council, he would have the benefit of such advice as we were able to give, as well as his own policy line already determined back home.

I didn't have a problem with my own work and, perhaps, this is a feature of COREPER I, as distinct from COREPER II. But even during the Thatcher handbag-wielding years, when the most acute political controversies were occurring in COREPER II, it seemed to have very little effect on the relationships in COREPER I, and very little filtered down which made my life on the technical issues with which we were concerned in COREPER I more difficult.

Back to the minister. The problem, which Roy [Denman] has so well identified, was that we could, in many cases, have done so much better. Whether we were winning or losing, and this doesn't apply to all ministers – some were excellent, their political skills were converted to the Brussels scene and put to good use – but there were too many who found it impossible to extract themselves from the Westminster scene, the Westminster context and rhetoric. They did not adapt themselves to follow the debate in the Council and chip in at the right moment. When we were losing, we could have lost more gracefully. When we were winning, we could have won much more. I hope that that is changing over the years. I do see the problems for ministers, who are immured in their constituency life, which doesn't apply to many ministers of other member states, and their Westminster life. It is a tremendous leap to make, and some of them have tried. And some of them didn't try hard enough.

**POOLEY**

I saw a minister once, a junior minister, from Scotland and the House of Lords, who had so little understanding of the difference between Brussels and Westminster that, when he got up to leave the room or entered, he solemnly bowed towards the chairman! Nobody dared tell him that it was not necessary.

**DENMAN**

Another worry, I think, was that, as my colleagues in the Commission Secretariat would call it, British ministers usually have an atmosphere of undisguised contempt for Commission and Council Secretariat: 'They are bureaucrats, and hostile to our point of view'. This was, of course, very stupid, because the Commission and the Council Secretariat could be valuable allies. Someone who would give very sane advice would have been very helpful. But with few exceptions that was the general line they took.

**HADLEY**

I very much agree with what has been said, particularly Peter [Pooley]'s remark that one can't generalise. But I think it is instructive to consider, when the performance of British ministers has been bad, why it has been bad and what the symptoms are. One symptom certainly is a sheer distaste for the whole process of Brussels negotiations. Some ministers just retreated into their shell and involved themselves as little as possible. Even those who had a reputation for being Europhiles, for want of a better word, are not blameless. For example, in the last government Mr Heseltine* was regarded as being on the Europhile wing. He was Secretary of State for the Environment for quite some time. But, did he actually attend meetings of the Environment Council? Well, I am not sure – once perhaps? For the rest of the time he sent a junior minister to go along and represent him. Now if he took that attitude to the legislative process in Brussels, what about ministers who were on the more sceptical wing? There have been ministers who would not go to Brussels at all if they could avoid it. If they had to attend a Coun-

Michael Heseltine, Conservative politician. Senior member of the Conservative governments through the 1980s and 1990s.

cil meeting, they would arrive late, would go early, would not go and talk to people; and, between meetings, they were very reluctant to make contact with their opposite numbers or with the relevant Commissioner by telephone or otherwise. This was the most serious symptom of this particular disease. But, equally, there were other ministers who quickly got into the swing of it and did all that was necessary to maximise their negotiating influence.

But let's see why it happens. It is because our ministers are brought up in a political tradition that is more adversarial than in almost any other member state. When a new British government takes office, it has been elected on a programme. The government reckons to be able to carry out its programme, more or less, and, if the electorate doesn't like it, after five years it chucks them out and tries the other lot. In most other states you either have actual coalitions, or you have a more consensual style of government. Ministers of other member states have to become adept at coalition-building, consensus-building, within their national governments, and so it is much easier for them to transfer these same attitudes to negotiations at Community level. Whereas, for our ministers, it is a complete culture change to which some, unfortunately, have reacted in quite the wrong way. They are brought up, as I say, in a completely different atmosphere and they need an educational process. Sometimes it works. Sometimes it doesn't.

**DENMAN**

There was, I think, a generally pervading feeling that, throughout, the British political class didn't understand what was going on in Europe, did not want the same as the rest of the Union, which is, as Schuman* said on 9 May 1950, the establishment of a federation. It was only the Brits and the Danes who prevented the word federal going into the Maastricht Treaty.* And you have that feeling throughout: these people, they are strange, they come here, they don't like us, they don't speak our languages, they don't want the same kind of things that we do. And had it not been for Tony Blair* getting in a year ago, we would have faced I think expulsion. Now we are on probation.

Robert Schuman (1886-1983) French politician. Prime Minister 1947-8, Foreign Minister 1948-53. Advocated European integration. May 1950 launched the Schuman Plan recommending establishment of the European Coal and Steel Community, which was set up in 1952.

Maastricht Treaty, Dec. 1991, EU Treaty providing for a single European currency, common citizenship, common foreign and security policy, a more effective European Parliament, and a common labour policy.

**CROZIER**

Can I ask what your attitudes were to the, to me it is a historical phenomenon now, European integration before you went to Brussels? And did your experience in Brussels change your attitude towards the integration or unification of Europe?

Tony Blair, Labour politician. Prime Minister, 1997-.

**ELLIOTT**

I can be quite brief, just to lead off. To the extent I knew anything about it, I was hostile, because it seemed to me an interference with the valuable work I was doing in my Whitehall career. When I went to Brussels it was, therefore, certainly with no ideological bias in favour of the work of constructing Europe, in which I suppose in a small way I was then engaged. But over the years that changed: not to the kind of visionary enthusiasm which some of my colleagues out there shared, but to an absolute conviction, from the work I

was doing, that there was no alternative. There simply was no alternative for the United Kingdom. I found this a very comfortable posture, because it enabled me, throughout most of my tenure over there, to pursue British objectives with which I sympathised, whilst also participating in the process of building a European Community in which, for whatever reason, I found I could believe.

**NICOLL**

Britain's first application to join the European Economic Community was officially rejected in Jan. 1963.

Douglas Jay (Lord Jay, 1907-96), Labour politician.

My previous attitude was pretty blank. In other words, I thought about other things. My previous experience could not have been more salutary. It was the very first ministerial contact after the failure of the 1961-63 negotiations* in December 1964, when the President of the Board of Trade paid a visit to the Commission, then in the Avenue de la Joyeuse Entrée, and had many useful discussions. The President of the Board of Trade was Mr Douglas Jay,* who was an inveterate Europhobe of the deepest dye. The agriculturalists will be happy to know that in the group that accompanied him was Freddie Kearns, who visibly groaned and rolled his eyes as Mr Jay said things about British agriculture. That was quite salutary, because it made me wonder who was right in the story.

Later, I don't think you can work in Brussels without, as David [Elliott] says, coming to the view that it is all worthwhile. And that, despite all the petty frustrations and irritations and so on, something is happening. And that there has been change in the trend of international relations in Europe: a change for the good. I don't want to become lyrical, but the two pieces of 'evidence' that I offer for this are the fact that one of my best friends was a former member of the Waffen SS.* I could actually understand why he was a member of the Waffen SS. The other was the kind of feelings that you have if you ever go to Ypres* and look at the war cemeteries. I am not becoming lachrymose or anything, but the very fact of being in Brussels in the cockpit of Europe tells you something about what is going on, and it is much better that there should be arguments about the curvature of bananas and so on.

Waffen SS, armed fighting force SS, who swore undying fealty to Hitler and whose name is associated with many of the atrocities committed by the Third Reich.

A town in Belgium near where some of the most internecine fighting of the First World War took place.

**POOLEY**

I began my career as a Commonwealth enthusiast, as were most of my friends, and as an idealist, as most of the young were. I lost some of my idealism in 1961-62 in Brussels. And, when I saw how the Australians and the Canadians (I am making a small exception for the New Zealanders), but certainly the Canadians and the Australians, behaved when I attended as a minute-writer the Commonwealth Heads of Government meeting in 1962 and saw all these greedy faces around the table, I was converted away from the Commonwealth ideal, and I have been a European ever since.

It does give me a great thrill, just to take another example that is not lachrymose at all, to move, as I still frequently do, across frontiers in Europe at 180 kilometres an hour. That gives me a very great feeling of rather more than 'there is no alternative'. But this works, and it works well for the UK. And it can be made to work

even better. And it could have been made to work better by cleverer negotiation in the past.

**NICOLL** You are breaking the speed limit substantially there Peter [Pooley]!

**DENMAN** I will be very brief. I was a fanatic from the start for two reasons. I trained as a modern linguist. I thought of spending my life teaching German. And I was involved in the last war. I did not want to see that happening again.

# Britain and Brussels
# Session II

**This witness seminar was held on 5 May 1998 at the European Parliament Office, 2 Queen Anne's Gate, London SW1, and was chaired by Professor John Young of the University of Leicester.[1] The participants were as follows:**

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| SIR ROY DENMAN, KCB | Member of British negotiating delegation with European Communities, 1970-72; Director General for External Affairs, EEC Commission 1972-82; Ambassador of the European Communities in Washington 1982-89. |
| SIR DAVID ELLIOTT, KCMG | Counsellor at UK Representation to European Communities (EC), 1975-78; Under-Secretary, European Secretariat, Cabinet Office, 1978-82; Minister and Deputy UK Permanent Representative to the EC 1982-91; Director General (Internal Market), General Secretariat of the Council of European Community/Union, 1991-95. |
| ROBERT ELPHICK | EEC/EU official, 1977-95. Spokesman for the EEC German Commission, Energy and Education; Spokesman, Sir Christopher Tugendhat, British Commissioner, Brussels; European Commission Representation, London. |
| A. D. F. FINDLAY | First Secretary (Agriculture & Food), The Hague 1975-78; Fisheries Division 1982-85 and Livestock Products Division 1985-88, Dept. of Agriculture and Fisheries for Scotland, Fisheries Secretary Scottish Office Agriculture and Fisheries Dept. 1993-95 |
| SIR MICHAEL FRANKLIN, KCB | Under-Secretary (EEC Gp.) MAFF 1968-73; Deputy Director General for Agriculture, European Community (EC) Brussels 1973-77; Deputy Secretary and Head of European Secretariat, Cabinet Office 1977-81; Permanent Secretary, Department of Trade, 1982-83; Permanent Secretary, MAFF 1983-87. |
| R. C. H. GENOCCHIO | Private Secretary to the Permanent Under-Secretary (Industry and Energy), DTI 1972-73; Principal, North Sea Oil Division, DTI/Department of Energy, 1973-77; Principal Administrator, DGXVII (Energy) EEC Commission, 1977-80; Manager, European Government Affairs, British Petroleum (London, 1980-87); Vice President, Government and Public Affairs, BP North America (New York), 1984-87; Manager, External Affairs, BP Exploration International, 1987-90; General Manager, Government and Public Affairs, Texaco, 1990-91. |

1 Since 2000, at the University of Nottingham.

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| DAVID A. HADLEY, CB | Under Secretary, Ministry of Agriculture, Fisheries and Food (MAFF) 1981-87; Deputy Secretary, MAFF 1987-89; Deputy Secretary, Cabinet Office 1989-93; Deputy Secretary (Agricultural Commodities, Trade and Food Production) MAFF 1993-96. |
| ROBERT J. JARRETT | Executive Secretary, Common Market Campaign, Britain in Europe, and Labour Committee for Europe, 1961-66. European Commission, 1966-96, various positions, latterly Head of Division, External Information. |
| KEITH KYLE | Formerly Professor of Politics at the University of Ulster. |
| SIR WILLIAM NICOLL, KCMG | Deputy UK Permanent Representative to EEC, 1977-82; Director General, Council of EC, 1982-91. |
| R. KEITH MIDDLEMAS | Formerly Professor of Politics at the University of Sussex. |
| PETER POOLEY, CMG | Office of Permanent Representative to EEC, 1977-79; Under Secretary, 1979, Fisheries Secretary 1982, Ministry of Agriculture, Fisheries and Food; Deputy Director General, Agriculture, EEC 1983-89; Deputy Director General, 1989-92 and Acting Director General, 1993-94; Hon. Director General and Special Adviser, European Commission since 1995. |

**JOHN YOUNG**

This morning we discussed what it was like for British representatives working in Europe, within Brussels, and some of the problems with different nationalities there to work with. This afternoon the focus is more on the London end of things, how membership of the European Community impacted on Whitehall, and how Whitehall adapted to the changes.

Harold Wilson (Lord Wilson of Rievaulx), Labour politician. Prime Minister 1964-70; 1974-6.

Douglas Jay 1907-96 (Lord Jay), Labour politician.

I was interested in what was said about Harold Wilson* and Douglas Jay* this morning. How far was Whitehall being changed by European Community membership before we actually went in? I know certainly from looking at Foreign Office machinery, which changed an awful lot in the 1950s and 1960s because of having to deal with Europe. But what about changes in general across Whitehall? Were things changing even before we went into the Community?

**SIR ROY DENMAN**

I can only speak for the time up to 1977, when I went to Brussels. I think the big change in the Foreign Office took place, certainly in direction, about 1960. Before that the Foreign Office view was that Europe was a place to deal with at arm's length. The idea of a unified Europe was nowhere. I went out in 1957 as a young sprig, sent out by the Board of Trade, to the Embassy in Bonn. A message arrived from London, almost like a message from the Pope, saying that rumours had appeared in the press that Britain might join this newfangled European Community (EC); Her Majesty's representatives were told to take all possible steps to disabuse people of the idea. A meeting was held in the Embassy, and despite some misgivings expressed there, I was sent round to see the German press. I went around explaining how we couldn't join the EC, because of our relationship with the Commonwealth, our special relationship with the US and our links with Switzerland and Scandinavia. The Germans pointed out that the Commonwealth was disappearing as a political force, and the US would go where power was, which would be with a big continental *bloc*. This gradually convinced me. I was foolish enough to go back and tell the Ambassador* this and he rose to his feet like a great Edwardian stage actor and said, 'Her Majesty's Government could never possibly join this continental rag, tag and bobtail, but it was damned impertinent of these fellows to go it on their own'. Up to 1960 that was the Foreign Office attitude. Then it began to change.

Sir Christopher Steel became Ambassador during 1957.

It is common misconception that the UK's 1961 application was not a formal application but, instead, was a discussion to see if an application could be made. Recent research, however, suggests that the 1961 was in fact a full and formal application to join the Common Market and this misconception appears to have arisen as a result of way the application was handled. See, for instance, N. Piers Ludlow, *Dealing With Britain: The Six and the UK's First Application to Join the EEC* (Cambridge: Cambridge University Press, 1997).

Sir Edward Heath Conservative politician. Prime Minister, 1970-74, who achieved British entry into the European Community in 1973.

In Whitehall it was obviously very much slower. The barons of the Treasury and the Board of Trade believed strongly that the way forward was a multilateral way, tariff negotiations with the Americans – no discrimination against Uncle Sam. They thought the idea of the Europeans getting together was folly. So that was the atmosphere in Whitehall up to the early 1970s, even when Britain had made an application in 1961. It wasn't an application to join the Community, it was an attempt to have negotiations from which the possibility of an application could be judged.* Then Heath* went to Paris in 1961 to make his speech, which sounded very good

because Heath believed in it, but Macmillan* didn't. Once he had read the speech Deniau,* that brilliant Frenchman, said it was like inviting the Community to join the Commonwealth.

Harold Macmillan (Earl of Stockton, 1894-1986), Conservative politician. Prime Minister, 1957-63.

Jean-Francois Deniau, EEC Commission official.

For the rest of Whitehall, the atmosphere was one of hostility and contempt for the most part. The Treasury and the Board of Trade detested the whole thing and, more importantly when it came to staffing the Brussels institutions, later on after we joined, the influence of the Treasury was predominant. Who would want to go and work in the Community institutions? The Foreign Office did not want to go, with some distinguished exceptions like Christopher Audland,* for understandable reasons. If you join the Foreign Service you disrupt your life every three years, serve in very remote places, have trouble with your children coming out to see you, but at the end you get the well-deserved plum of being Ambassador and a very settled social position. And that is the contract. To go and work as some anonymous bureaucrat in a building in Brussels is not quite the deal. So most of the Foreign Office don't want to come. And, as for home civil servants wanting to serve in the Commission, they won't have anything to do with it. The tone is set by the Treasury, as it normally is. The Treasury hated the idea of a rival power appearing, and therefore their attitude was, and still is so I gather, that the Commission are a kind of Fred Karno's army, to be regarded with some contempt. So that explains not only our attitude to staffing the Commission, but also the general attitude of the departments.

Sir Christopher Audland, civil servant. Seconded to European Commission 1973, where served as Deputy Secretary-General 1973-81, Director General for Energy 1981-6.

Agriculture perhaps was no great problem, because they were involved in the process from the start. There was a very distinguished man, Freddy Kearns,* who understood the Europeans and the Common Agricultural Policy, and was enormously effective in Brussels. Far-flung departments like Transport and the Home Office were much more difficult. Someone rang me up once at the Department of Trade as it was then, and said, 'Do you mean to say we have been doing this for the last three hundred years, and we have got to push it because of some bloody foreigners?' I said, 'Of course'. So he said, 'You are mad'. I said, 'Since 1973, you are the one who is mad'.

Sir Frederick Kearns (1921-83), civil servant. 2nd Permanent Secretary, Ministry of Agriculture, Fisheries and Food (MAFF), 1973-8.

So the picture in Whitehall generally, it may have changed from what people tell me but not that much, has been a depressing case of English insularity, allied to a fear of a menace department.

**R. C. H. GENOCCHIO**

Before 1973 I worked in the Board of Trade and the Department of Trade and Industry. After 1973 I worked in the Department of Energy. The attitude within the Department of Energy was very similar to the attitude in the Department of Energy about European affairs before 1973 – nothing actually changed. The attitude in the Department of Energy was predominantly one of paranoia about North Sea oil from the EEC. This is very parochial, but I approach this from a somewhat less lofty position than Sir Roy [Denman]. North Sea oil at that stage was a new subject, terribly

exciting and very important, apparently, to our nation's future. There was seen to be a great threat to North Sea oil. To the extent that Europe reared its head at all in the Department of Trade and Industry (DTI) – the Department of Energy at that time – it was simply to ensure that North Sea oil was kept off the Community agenda. I remember successive Secretaries of State having to beat successive Commissioners of Energy about the head on this issue. One most notable occasion was when Wedgwood Benn* had what was billed as a friendly dinner with Guido Brunner* of recent memory, and simply took him apart on the subject, being very, very brutal, as Benn can of course be. The subject seemed to go away, and I think that, as the years passed, the Department of Energy breathed several sighs of relief.

Tony Benn, Labour politician. President, EEC Council of Energy Ministers, 1977.

Guido Brunner, German diplomat and politician. EC Commissioner, 1974-80.

The other manifestation of Europe, this tiny issue on the great horizons of the Department of Energy, were little noises that were beginning to come out of the Commission in the middle 1970s about the financial regimes for the nationalised industries. Because you must remember that the Department of Energy was primarily not concerned with energy. It was concerned with running public corporations: nationalised industries that happened to be in the energy sector. And Brussels was daring to question the availability of privileged finance for state corporations. This, of course, alarmed the orthodox view hugely. The problem seemed to go away. But it definitively went away of course when the nationalised industries were privatised.

But to sum up this intervention I would say that, so far as that little department was concerned, the EEC was somewhere on the horizon, it was somewhat threatening, and it was just wished to go away.

**DAVID HADLEY**

I do not have any such dramatic tales. I was in the Ministry of Agriculture at the time and Roy Denman has already referred to us. I think that, following the breakdown of the first negotiations, we all assumed that there was a strong chance that these would be resumed in due course. Our first task was therefore to inform ourselves as to what was going on exactly. Which was quite difficult, because what was going on was the construction of a fully-fledged farm support policy at Community level that would entirely replace national policies. This policy was highly complicated and rested on a huge number of legal instruments. We needed to find this out for the benefit of our clients in the world outside: the food industry, the commodity trade, as well as farmers themselves. We also needed to start working out how we would operate such a system if we were called upon to do so. I hope that this question was approached with reasonable professionalism.

Of course, the policy itself was not one that we found attractive or thought economically beneficial. I can't recall any, except a few wilder spirits, assuming that we could make any serious change to this policy if and when the United Kingdom (UK) joined. At least

we couldn't do it in the act of acceding to the Community, though we hoped to be able to influence it in a better direction subsequently. So I think it was not a matter of taking up striking attitudes for or against. It was a matter of carrying out a professional job.

**A. D. F. FINDLAY**

I joined the Department of Agriculture and Fisheries for Scotland in 1966, so in a sense my Civil Service career, and I left the Civil Service three years ago, always had Europe as part of the agenda. I had been conscious as a student, as I travelled around Europe on summer vacations, that there was quite a lot that could unite us in terms of culture and so on. I think a Scottish perspective may have been helpful in all this because, in the Scottish Office, we were used to the idea of power lying elsewhere. However, in Whitehall, and particularly in the Treasury, people were not so used to the concept of power lying elsewhere. We were also used to the concept of lobbying a greater power in order to get money, which I think the Scots have been quite good at over the years, as the various public expenditure figures have tended to show. So in that sense, while there was a change of focus in relation to a move from power in London to a move to power in Brussels, I think it was that rather than anything more radical.

Of course Scots, rightly or wrongly, as part of their culture like to think that they have always been close to the Europeans. For example, there was trade with the Low Countries a few hundred years ago and the 'auld alliance' with the French and so on. And in many ways I suppose the Scottish system of law is closer to Roman law and some aspects of European law than it is to English law. So culturally there were all these factors, which made me as a youngster entering the Civil Service quite keen on the idea of a European Community.

Being in Agriculture and Fisheries also, as David Hadley has indicated and as Peter [Pooley] indicated this morning, we may have looked upon ourselves as having a more central role, particularly in the early days. And, of course, still now a large amount of the European Community budget is spent on agriculture. Fisheries has always been a particularly Scottish issue. The 1970s followed, and soon after we had joined the European Community the fishing limits were extended at the beginning of 1976, after the Cod Wars with Iceland. Therefore, the centre of gravity of the fishing industry moved northwards within Britain, and Humberside and the other English ports diminished in importance. So there were these issues, and oil has been referred to in relation to the fact that the Norwegians didn't join. Oil was very much a Scottish issue. it was made an issue by the Scottish Nationalists, as people will recall, in the 1970s. All these factors, I think, went together to show that there was a consciousness of Europe within the Scottish administration.

On agriculture itself, the view was very radical in terms of seeing a move from, I suppose, a policy which more or less had lasted since the repeal of the Corn Laws, where the British looked for food

where it was cheapest throughout the world, particularly from the Commonwealth countries, to a more high-priced protectionist system which was there to look after small farms, farms which are much poorer in basic structure than the farms we had. So in that sense there was a real challenge in moving towards getting into Europe. Now these may sound rather random thoughts, but I think that is sufficient for an opening contribution.

**YOUNG**

Once Britain entered the Community, did that lead to a change in the balance of power within Whitehall? Did those ministries that had to deal with Europe, that had a familiarity with dealing with Europe, become more important than they had been in the past? Did this add to the powers of the Ministry of Agriculture, Fisheries and Food (MAFF) within Whitehall in any sense, or did things stay the same?

**DENMAN**

Certain things changed from that particular moment. To give one example in the 1960s, you wanted to find out in the Department of Trade what the Germans thought about the trade policy, so you would write a telegram, hand it to the Foreign Office who sent it across to the Embassy in Bonn, and some young fellow would go and see the *Wirtschaft Ministerium*, come back and send a telegram back, which would reach the Board of Trade the next morning. Then after we joined it changed, and it changed not only for trade but for countless other sectors. If the chap dealing with trade in the Department of Trade wanted to know what his German opposite number thought, he would ring him up, direct, and would say, 'Look, we met at the 113 Committee last week and we had a discussion. Has it changed at all, we want to know'. And this happened increasingly – energy; agriculture of course was always separate, a fief which Freddie Kearns brilliantly exploited ... So I think there was, in regional policy again, a change in the sense that, whereas the Foreign Office were quite naturally up to a certain point in charge of relations, once it got on to the economic and social integration of Europe other departments began to develop their own methods.

**SIR WILLIAM NICOLL**

There was a very big change in the Foreign Office. I don't mean in the way the Foreign Office worked. I mean that the Foreign Office found a role. In 1964 it was given a role by the Plowden Committee,* but it wasn't a very interesting one because it was all about trade promotion. But when we joined the Community, although central co-ordination was placed in the Cabinet Office, what you might call the implementation of co-ordination devolved to the Foreign Office. Indeed it became almost a parallel co-ordinator, which has its strengths and its weaknesses. But it also meant that Foreign Office staff began to have to be knowledgeable about things that previously had not really concerned them very much. For all the things that the Community was doing then, there had to be some desk officer in the Foreign Office who knew about them:

Plowden Committee on Public Expenditure 1961.

knew about energy; knew something about agriculture; knew about the internal market; knew about fisheries, for example. I think that this represented for the Foreign Office a kind of resurrection, which, if it had not happened, would have left us with a very different Foreign Office from the one we have today.

**HADLEY**

Yes, Bill Nicoll is absolutely right, and I was going to make the same point. To put it crudely, our accession enabled the Foreign Office to have a say in a range of policies which had hitherto been treated purely as domestic matters, in which they would not have had a say. Henceforth they were to be decided at Community level and were thus treated as matters of international negotiations. Therefore, the ability of the Foreign Office to play a part in the formulation of the UK line was much enhanced. So that was a major change.

I think there was a corresponding, or rather an obverse, change for the Treasury, because they saw issues with financial and expenditure implications escaping from the firm grasp which they had up to that point been able to apply. A portion of the government's expenditure, most obviously in agriculture but also in other areas, began to be decided in Brussels and there was not much the Treasury could do about it except attempt to screw down public expenditure in some other area in order to compensate. So those were the two things that I would pick out.

**GENOCCHIO**

Can I just pick up another non-Foreign Office point, going back to my beloved Department of Energy. You must remember that in 1973/74 the Department of Energy was really the unreconstructed Ministry of Fuel and Power. It wasn't very good at abroad, and suddenly we had to be, for two reasons. First of all Europe happened. And secondly the oil crisis happened. So we had to be suddenly good at European energy issues and we had to be good at international oil negotiations. I don't think the old Ministry of Fuel and Power was very good at either, and you are absolutely right, the Foreign Office filled a very necessary gap there. It had to do so.

Gradually, although by that stage I had left to go to work in the EEC Commission, the Department of Energy had come a little bit more up to speed, but it took a while. I remember that, when I arrived in Brussels, working then in the Commission in the late 1970s, people in UKREP were telling me that, if they wanted things done on European or international energy issues, they tended to go to the Foreign Office, because that was probably the best port of call. This is actually quite a chilling comment, after three or four years, on the then Department of Energy.

**DENMAN**

Could I add a note of disagreement there? I don't agree with the idea that the Foreign Office began to be more informed about these issues. In Brussels, for example, when I was there from 1977 to 1982, we would have a meeting on what the member states

would say on certain trade issues, and, in our team, I don't think anyone was trying to double-cross anyone else because we knew each other too well for that. After a first exchange of views I would say, 'Okay, it's 10 o'clock. Let everyone talk with their friends and then let us meet at 12'. The idea of ringing up the Foreign Office on this would strike me as quite bizarre. I would ring up the Department of Trade and the Cabinet Office, and they would tell me what the thinking was. And I am sure, for agriculture MAFF would be the network, run by Freddy Kearns, to find out about that on these issues. The Foreign Office wouldn't know Christmas from Easter. So where I quite agree that the Foreign Office began to spread out and began to talk about these things, if you were in the Commission and wanted to know what the capitals were thinking, you went to your fellows in that particular sphere, trade or agriculture or whatever.

**PETER POOLEY**

I think I would agree. I noticed tension developing in Whitehall between the Foreign Office and the home departments. Although, as David Hadley said, the Foreign Office were absolutely necessarily now involved in issues that heretofore had been regarded as the preserve of the home departments, it was still home department ministers who answered in Parliament for what was going on in Brussels. The Foreign Office are not very good at grasping the idea of accountability to Parliament, and this could lead to a certain tension.

There is a different reality, and incidentally David Hadley agrees, which has to do with the social history of Whitehall and the effect of us joining the Community. In the Ministry of Agriculture this led to a very profound change, now being reversed. When David Hadley and I joined the Ministry of Agriculture in 1959 it was a backwater and we were sent there kicking and screaming. But with accession the responsibilities at all levels of civil servants in the department were greatly increased. You had young men and women of 27/28 years old going to management committees in Brussels and having to vote and having to do it five times during the afternoon. No question of referring to higher authority or putting off the vote. This then became a very exciting department and the people recruited in the next wave, after Hadley and Pooley, were a very remarkable set of young men and women. I noticed this, and I can document it, from the Inquiry in the Civil Service Department of blessed memory, where I found myself at the end of the 1970s. When looking at the returns of departments and staff reports on the quality of staff, the Ministry of Agriculture by the end of the 1970s was at the top of all the league tables. Sir Ian Bancroft, Head of the Civil Service, said, 'Well, this can't be right', asking enquiry to be made as to why MAFF's standards of reporting were so low. After a discreet but very thorough inquiry the answer came back: 'No, it is objectively the case; at the middle level of Principal, Senior Principal, Junior Assistant Secretary, these

people are bloody good'. It was not because they were born beautiful, but because they had tremendous exposure to international negotiations, to economic issues. They had a hearing in Whitehall and an importance in Whitehall, which other departments did not have as they hadn't grown into the role. Now that generation has passed, mostly through early retirement, and the situation at the Ministry of Agriculture is rather sad. But for that period, from the mid-1970s to, say, the end of the 1980s, the Ministry of Agriculture was a very highly performing department indeed, which nobody would have expected in 1959.

**FINDLAY** The point I was going to make is in relation to a perspective on any changes in the Foreign Office. I was First Secretary (Agriculture and Food) in the British Embassy in The Hague from 1975 to 1978, covering all three Benelux countries. So this was soon after we joined the Community, and I began to see what I am sure has evolved from there, that there was a bypassing to a certain extent of the bilateral work with Embassies, because of the shortening lines of communication. There was UKREP; there were links between functional departments, between ministries of agriculture around Europe. Perhaps the exception to that was in relation to Paris and Bonn, whereas I think in the smaller European countries one saw a short-circuiting. The informational and lobbying roles became perhaps less important, with the result that maybe two or three turns after my spell doing that particular job, the post that I had occupied then was wound up, which I think is a pity, because these links between departments by way of secondment are very good ones.

**HADLEY** To come back to the Foreign Office just for a moment, of course I agree that you would not normally go to the Foreign Office to find out what the policy was on x or y or z. But it is worth bringing out the impact of the machinery for policy co-ordination. The co-ordination of European policy was an obvious necessity, both during the accession negotiations themselves and subsequently. At official level, responsibility was located in the Cabinet Office. At ministerial level, a committee of the Cabinet was set up. The Foreign Secretary was the obvious choice to chair it. He was bound to insist that he had staff of his own who were able to brief him across the whole range of European issues and who were involved in the process by which those issues reach ministerial level. I believe there is no doubt that, as a result, the Foreign Office did get involved to a much greater extent in questions which it would not otherwise have got involved in, as a result of entry.

**DENMAN** To enliven the discussion, if you take the first British Presidency, in the first half of 1977, that was something that the Europeans thought would be promising. The UK had joined late, but now the Brits with an efficient Civil Service would want to make a success of this challenge. In fact everything came to disaster at a meeting of

the Agricultural Council in Luxembourg, I think it was in March 1977, when John Silkin* was authorised to accept a proposal. He asked, 'Is this within my instructions?' He was told by Brian Hayes,* the Permanent Secretary, 'Yes' – unfortunately adding the phrase 'just about'. Silkin was not concerned with the national interest, he was a left-wing Labour politician who wanted the leadership of the Labour Party, and so to gain credit on the Left he said, 'No'. This created havoc. It had to be repaired inside about five weeks, when we accepted mostly everything that had been on the table, having caused immense ill-will for no good effect. And no Foreign Office representative was present at this meeting.

John Silkin (1923-87) Labour politician. Minister of Agriculture, Fisheries and Food, 1976-9. Consultant on EEC politics and administration.

Sir Brian Hayes, civil servant. Permanent Secretary, MAFF, 1979-83; Joint Permanent Secretary, 1982-85, and Permanent Secretary, 1985-89, Department of Trade and Industry.

If you take the celebrated meeting in Bath of Norman Lamont* and the finance ministers, when he tried to bully them with all means and got a flea in his ear – we had to exit from the Exchange Rate Mechanism (ERM) while the Germans gave us no support – where was the Foreign Office? Not there, it was a Treasury meeting. So this shows that, while the Foreign Office tried to make itself informed about these things, when it came to the crucial moments of departmental dispute, it wasn't there.

Norman Lamont (Lord Lamont of Lerwick), Conservative politician. Chancellor of the Exchequer 1990-3. Subsequently, Vice-President, Bruges Group.

**KEITH MIDDLEMAS**

Can I raise a question, I think probably to Mr Findlay. This may be the only time to raise the issue of sub-national organisation and regional organisation. The context is that, somewhere in the late 1970s up to the late 1980s, regionality becomes an important part of the brokerage of the Community. This was particularly so with the entry of Spain, for obvious reasons, Catalonia, and particularly after the 1976 elections in Italy, which made regional government something of importance. Now the Scottish Office, as I understand it, had achieved by the 1960s a very effective brokerage with the Treasury. It got consistently higher volumes of money per capita for Scotland. It had, not a cosy relationship, but a good bargaining relationship. My impression is that the Scottish Office was jealous of that. It did not like the emergence of phenomena later on like Scotland Europa* and the way that the Scottish Development Agency began to probe, particularly Scottish Financial Enterprise – I am now jumping almost to the 1990s with this. My question is: did the Scottish Office see its duty as representing Scotland to London? Or did it see it as beginning, at the same time, to develop Scotland as a region within the continental concept of regionality?

Scotland Europa exists to promote Scotland's interests to the institutions of the European Union and to the Regions of Europe. It was launched by the Secretary of State for Scotland in May 1992.

**FINDLAY**

One point I would take issue with was that actually the Scottish Office set up the Scottish Development Agency and subsequently set up Scotland Europa. I was involved in that when I was in the Industry Department in the Scottish Office. One can always say that, had the 1978 Act (to create a Scottish Assembly) come out differently, then Scotland would have been a region for longer. The present devolution scheme will put that in place in a certain way.

I think that the system has worked reasonably well. Fisheries is one subject where the Scots have thought, because of the increasing rel-

ative size of the Scottish industry, that Scotland should be in the lead. But I am not sure that that has ever been a realistic ambition. Scotland has always had its own Secretary of State in Cabinet, but had to realise that, on any particular subject, there will be a Whitehall ministry that is in the lead. I think that the Cabinet committee system has led to the Scottish Office having a fair voice. Where European Councils have had particularly Scottish issues to deal with there has generally been a Scottish Minister there, at the Council, giving advice, sometimes even at certain crucial stages being the spokesman on certain matters. So I think Scotland has carved out a proper place for itself.

The whole field of European regional policy is also a matter where I think Scotland has had really quite a good deal, in terms of regional funding: European Regional Development Fund (ERDF) and so on, and Objective One funds,* where the Highland area where I now live managed to retain its place under various reviews. Whether it will still be in under the next review is maybe an open matter, given some of the other demands further east and south on European Community funds. Within Europe as I perceive it, people looked on Scotland as a region within a community of regions. And, of course, we have had some fairly kenspeckle ( conspicuous, easily recognised) figures in terms of members of the European Parliament, such as Madame Ecosse,* to name but one. We have had in recent years a prominent Chairman of the European Parliament's Environment Committee in the shape of Ken Collins MEP,* so that there has been a Scottish identity within the European Parliament.

I don't know if these various strands answer your question, but I feel that the system has served Scotland well rather than the reverse, if I can put it that way.

Objective One Funds: one of three programmes set up to help reduce differences in social and economic conditions within the European Union. (These three funding programmes are the biggest area of European spending after the Common Agricultural Policy.)

Mrs Winifred Ewing, Scottish Nationalist politician. Known as Madame Ecosse. MEP for Highlands and Islands 1979-99.

Ken Collins, Labour politician. MEP for Strathclyde, 1979-99.

**MIDDLEMAS** It does answer it to a large degree. But did the ethos of the Scottish Office change at some occasion during those ten years, so that as well as the primary responsibility to London, you and your colleagues began to get some feeling of a responsibility on behalf of Scotland to Brussels?

**FINDLAY** I think we did, because it is the kind of process that Peter Pooley was talking about. Various Scots travelled to management committees, on the agriculture side and on the fisheries side. They sat there, and they took part in the debate which led to the making of European decisions. We had a number of secondments to UKREP on the part of Scottish Office officials. So there was a spreading of expertise, if you like, and we were linked-in in a very real way.

**SIR DAVID ELLIOTT** I think the MAFF are being unduly modest. My recollection of those early years of our membership, partly in Brussels, partly in the Cabinet Office, is that, at the most critical point of MAFF policy, namely the annual price-fixing negotiations, they always came to

the Cabinet Office because they couldn't be agreed without co-ordination. They constituted a massive set of proposals, highly complex, highly difficult to understand, usually produced rather late. Most of the departments that regularly attended the Co-ordination Committee in the Cabinet Office had no very obvious interest in all this and it became, pretty early on, almost a dialogue. The Welsh and the Scottish departments had something to say about it, though usually they were bought off beforehand. That left the Foreign Office who, though they tried to develop an expertise in the minutiae of agricultural policy, failed and the Cabinet Office, who never really tried and, therefore, could not offer very much in the way of searching analysis or criticism, and the Treasury. So in the end it was Treasury versus the MAFF. The thing that struck me in those early years, at least ten years after our membership, was that the man from the Treasury who was most critical and most competent in analysing and demolishing the MAFF case was always a man from the MAFF on secondment! How long this procedure lasted I don't know, maybe it still goes on now.

**HADLEY** No. They tried it twice, and then the Treasury had had enough of this experiment and decided it must have one of its own people.

**ROBERT ELPHICK** There was a big change at exactly this point, during the budget debate. The big change was when the ministers in economy were allowed to overrule and sit with the ministers of agriculture, to deal with price fixing. That was, I think, the big seminal change. And they had the biggest word. They had the veto didn't they? I am talking about the budget debate, when the agriculture ministers were spending too much money and the Treasury and the others all decided that they ought to sit in with the agriculture minister on the final debate, to settle the whole problem.

**FINDLAY** The lines were drawn, first by the earlier version of budgetary discipline with its maximum growth package, and then by the financial perspectives. And they were certainly created by the finance ministers, not the budget ministers, and the agriculture budget had to comply with them. But they would sit together to discuss it.

**HADLEY** There were one or two joint meetings of agriculture and finance ministers. I don't think they ever worked. I suspect the finance ministers around the Community said, 'Oh heavens, do we really have to do this'. Probably their officials told them that it was very important and that they should go. But, in fact, they did what I said earlier, they sent their juniors or they came late and left early. And, therefore, although in theory this was a good idea, to stop the agriculture ministers spending more and more money, it didn't actually operate as intended. And it was not until the Community got a strong grip on the budget as a whole that agriculture ministers were effectively restrained.

**YOUNG**

Can we move on now to look at European Community legislation. The first question there is: Was there resentment of those who were seen as being responsible for imposing European Community legislation on their colleagues within Whitehall? Was this viewed as something alien, foreign?

**DENMAN**

I would put the question differently. There was not so much a resentment about people imposing legislation on Whitehall. The feeling in Whitehall about those who worked in UKREP was that they were respectable. They were loyal servants of the Queen. Those, however, who had gone to the Commission or the Community institutions were viewed in rather a darker light. To put it in American terms: if you had been born in Tennessee and went north to work for the Yankees, and came back to Tennessee, then you faced hostility. This mirrors the kind of insularity and hostility to the idea of Europe coalescing which has always been present in Whitehall. There have been people on the Commission who deservedly were appointed to high positions in the Civil Service. They were headhunted in Whitehall: Michael Franklin and David Williamson.* But on the whole, I agree. Home departments have a very insular attitude towards posting overseas.

David Williamson (Baron Williamson of Horton), civil servant. Under-Secretary General Agricultural Policy Gp 1974-6; Deputy Director General, Agriculture, European Commission 1977-83, Deputy Secretary, Cabinet Office 1983-7; Secretary-General, EU Commission 1987-97.

The Foreign Office will always look after their own, understandably. They have got a very sensible personnel policy. They run a network throughout the world, where they aim to keep people happy in their circumstances, and contrary to popular belief it is a tough trade. You uproot yourself every three or four years. You have problems with the children coming out to see you; different climates; schooling problems. At the end of it you hope for the prize of an Embassy and a show of your own. The home departments take the view on the whole that, if you leave them, they won't support you, like the Foreign Office do. You were on your own if you decided to go abroad: living and dining on caviar and champagne, instead of a shepherd's pie and a glass of water in the Treasury canteen. You really merit no consideration. They will not raise a finger to help you. So it is partly a feeling of insular hostility to anything happening that is abroad.

**HADLEY**

Going back to legislation as such, I don't think there was any sort of personal resentment. After all civil servants get rather used to having to implement things that they personally might not agree with. But having said that, there are particular problems about implementing pieces of legislation which you feel have not been well adapted to your own national circumstances, or indeed have not even been competently and clearly drafted. Peter Pooley touched this morning on the fact that the actual process of producing pieces of Community law is a very ramshackle and haphazard one. It ends in a negotiation where different forms of words may be tossed around and put into the text, without any of the sort of careful and legal consideration that would be given to it in a

national legislative process, or at least in the British process. The text is sent straight off to be printed in the *Official Journal** and becomes the law throughout the Community. So the actual business of translating some of these into national practice is difficult.

Another problem, I must say, is that, in a national government, for the most part, those who are involved in drawing up legislation are also those who have to implement it. That is not universal, of course, because legislation can be drawn up by central government and implemented by local government. But at least in those cases there is a pretty close process of consultation and co-ordination. Now the Commission, of course, does not have to implement legislation nationally. It can't do, obviously. It says, 'Right. Here is a law. Now you go and implement this at national level.' So, when problems of practicality and manpower and cost are raised in a negotiation on a Commission text, they are liable to say, 'Oh well, you are just raising these supposed difficulties because you disagree with the objective.' That may indeed sometimes be so. But, in many cases, these problems are very real. It is very difficult for a department in Whitehall to be faced with a decision, which was taken in the management committee the previous day, and which means you somehow have to re-deploy sixty people. Ideally, one would like to recruit sixty people, but that is impossible because the funds are not available.

So leaving aside all questions of pro- and anti-European feeling, from a purely practical point of view, it is not easy to cope with a lot of the law that comes out of this process.

The *Official Journal of the European Communities* (OJ) published daily throughout the year in all official languages and in three series (Legislation, 'C' – minutes of sittings of European Parliament – and 'S' – supplement concerning public works).

**FINDLAY**

If I could talk a little bit regarding this question in relation to my experience with fisheries policy. I was a minor player in the team that looked after the British interests leading up to the striking of the deal on the Common Fisheries Policy in 1983. The team was led by Peter Walker,* who was then Minister of Agriculture and Fisheries. I then had to go back home and make sure that this policy was carried out in Scotland. So, if I had been resentful, I would have been resentful of myself or other members of the team and that does not really arise. So I was not imposing something on somebody else in that sense.

What were we doing there? We were working out new rules for the conduct of an industry. The industry itself, strangely, uniquely amongst industries in Europe, always insisted on sitting in an outer room at every fisheries negotiation. And they were consulted throughout the negotiations by the ministers. It used to be a case of, 'Here is a lull. Here is a break in proceedings. Let's go and talk to the industry'. So the industry were taken along with the whole process and had been from the start. I arrived in 1982, about a year before the agreement in that area of policy. The industry had been following this through since about 1970, before we had even entered the Community, during the accession negotiations. And I think they still are following the same practice. In that sense, they

Peter Walker (Lord Walker of Worcester), Conservative politician. Secretary of State for Trade and Industry, 1972-4; Minister of Agriculture, Fisheries and Food, 1979-83.

may not have liked what was imposed on them and they may have been resentful about certain aspects. But they actually agreed the policy, and they were there in Luxembourg when the final agreement was made. So I don't think, in the fields with which I have dealt, a question of resentment has easily arisen in a valid sense.

**POOLEY** I think there was. I was there as MAFF Fisheries Secretary at the time. It was very dramatic. Peter Walker sent the industry off in the middle of the night to a room, saying, 'This is the deal. I have written it down for you. You have got a couple of hours. Come back and tell me whether you agree – and I insist on unanimity, not a majority vote'. They came back after three hours and said, 'Okay'. Walker said, 'By unanimity?' – 'Yes'.

**FINDLAY** With one abstention.

**POOLEY** You may be right. Nevertheless, after the event the fishing industry felt perfectly at ease in saying, 'Well, yes, we did agree. We did give our acceptance of the deal, but we were unfairly pushed into it. We couldn't really do anything else'. And, 'It wasn't fair. It wasn't right. Walker exerted undue pressure. And, if you were in the same situation, what could you do'? So there continued to be resentment after the event, despite this enormous effort of consultation. But that, I think Mr Findlay is absolutely right, is a quite exceptional procedure. And to my mind, the important thing about it is that it still did not work in terms of reducing the amount of resentment that would be shown.

**YOUNG** Do you have a comment from Energy's point of view?

**GENOCCHIO** In the Department of Energy I never had to implement any European Union (EU) legislation. Indeed, in my own experience, there is nothing worse than implementing one's own UK legislation. It is only when you implement your own UK legislation that you realise how flawed it is in concept, and how appalling it is in detail! But no, I have nothing really to say about implementation in the UK of EU legislation.

**ELLIOTT** To go against the trend, I think there was rather a vast amount of resentment actually in the early years of our membership. I think it was almost instinctive in almost all departments that were not directly concerned with the day-to-day negotiations in Brussels. I think the people at the lower end of the chain did resent the fact that they were getting guidance, instructions, directives or whatever from some foreign source, that they were having to change the habits of a lifetime, that the reasons for many of these changes were not apparent. And indeed, in some cases, they had some justice on their side. Because the process was often one in which

Britain and some of the older members of the Community had already solved problems to a certain satisfaction maybe a century ago, and were having to resolve them now to satisfy the needs of other countries which had faced different problems. But I think that passed, and anyway it did not matter very much, because the weight of opinion in Whitehall and the weight of authority in Whitehall were such that no resentment ever showed itself in obstructiveness, shall we say.

What it left was a tremendous need for education. I wonder whether this is the time to say a word about that, because inevitably, where there was not resentment, among those who did not travel weekly to Brussels or were posted to Brussels, there was bewilderment and puzzlement and ignorance. Unlike, as Bill [Nicoll] was saying this morning, the process which is going on now through the Know-how Fund* and the Phare Fund* to prepare the ten associated countries for their membership, which ought to be of immense value to them. We had nothing, absolutely nothing like that at all. I can well understand the problems which most departments faced, particularly those that were not at the centre of activities involving the European Union.

Know-how Fund, set up in 1989, is Britain's programme of bilateral technical assistance to the countries of Central and Eastern Europe and Central Asia, aiming to support the process of transition to pluralist democracy and a market economy.

Phare Fund, administered by the Commission and set up in 1989 to channel aid from industrialised world to Poland and Hungary, later extended to Bulgaria former East Germany, former Czechoslovakia and now covers Albania, Romania, Slovenia and Baltic States.

So a big burden fell upon all departments and I think particularly on the Cabinet Office. I do recall around the 1980s, perhaps before, perhaps in Roy [Denman]'s time too, I don't know about that, perhaps afterwards also, a stream of guidance papers that went out from the Cabinet Office, trying to explain to departments as well as the Cabinet Office could some of the strange jargon, which was what it involved. What were the implications of Community competence, for example, papers on that? How do you conduct an overseas negotiation? What is the Article 113 Committee*? I remember that there was a very small team of dedicated, in both senses of the word, lawyers attached to the Cabinet Office. It was the European Secretariat in those days. There could not have been more than two or three of them, led by Karl Newman* in the early days. Their task was to write these papers, at any rate to draft them, to try to understand the intricacies of Community law as they were presenting themselves and to make them understood throughout Whitehall. Very, very gradually there also began to be an involvement of Permanent Secretaries in this, led by the Secretary to the Cabinet and by senior officials in the Foreign Office. Very, very gradually they were persuaded that the process which Roy [Denman] was describing earlier, under which you if you were involved in Community affairs and still more if you actually went to Brussels you were pulling the chain on your career, was changed. Letters went out from John Hunt,* from the Cabinet Office, saying this was not right: we should seek from now on to get the better people involved. I think, at first, lip-service was paid to this and gradually, I hope by now, it began to mean something and service in Brussels is counted at least unto righteousness as much as service anywhere else.

Article 113 Committee: a committee of national officials who prepare decisions of the Council of Ministers in the field of external trade policy, under Article 113 of the Treaty of Rome.

Karl Newman, lawyer and civil servant. Part time Legal Adviser to European Unit of Cabinet Office, 1972-81; Head of Delegation negotiating UK accession to EEC Convention of Jurisdiction and Judgments 1972-8; Member of EEC expert committees 1972-82; Second Counsel to Chairman of Committees and Legal Adviser to the European Communities Committee, House of Lords 1982-7.

Sir John Hunt, diplomat. UK Representative at Council of Europe and Western European Union 1973-7.

**DENMAN**

Sir Raymond Bell, civil servant. Vice President European Investment Bank 1973-8, Member UK delegation to Brussels negotiating conferences 1961-2 and 1970-2.

I can underline partly what David [Elliott] has said by going back to the accession negotiations in 1970-72. There was a kind of civil war in the departments. Freddie Kearns from MAFF and I, from the Department of Trade and Industry (DTI), and Raymond Bell* at the Treasury, had to face, I wouldn't say it was exaggerated to describe as almost united hostility. They didn't like you. They didn't see why we had to get involved, why we had to change all our ways. The Permanent Secretaries were not enthusiastic. So you felt constantly at war, and there were people hoping, with great anticipation, that you would fall into a large hole in the ground. Now this was going to change, but it was a slow and painful change, certainly before I left for Brussels in 1977.

**NICOLL**

I am sure that everything that has been said is true. I was very slightly involved with the Civil Service College in training for the upcoming Presidency, as in the current one, and I was amazed and disappointed at the low level of knowledge among the people I was speaking to. Maybe they had been hand picked to have low knowledge so that I could speak to them, but they were people who, for example, were going to be chairing working groups. Some of them had even, apparently, been members of working groups, and yet they seemed to have no conceptual understanding of how the thing worked and what their role was. I would like to think that, after I had spoken to them, they were not more confused than they were at the beginning! But when you think that there are civil servants, who are now in the final third of their career, who have known nothing but membership of the European Union, it is slightly alarming that the level of knowledge throughout is still way short of what it needs to be to be effective.

**HADLEY**

I must say I am surprised at that.

**NICOLL**

It was the MAFF that I was addressing, David [Elliott]!

**HADLEY**

Of course there has had to be an ongoing process of education, because people get old, they retire, others come along – that is one reason. Another reason is that the ambit of the Community has continually increased and has brought into its net government departments which previously were entirely outside it. I think that the nature of Community legislation, and how it is produced, is the easier bit for people to grasp. What is less easy for them to grasp is the precise role and powers of the Commission, and, perhaps, above all, the role and powers and procedures of the European Court, which unfortunately is still, I think, a closed book to a lot of people and it shouldn't be. But just to give one example. During my time in the Cabinet Office we had the judgement of the European Court that, to people's surprise, ruled rather obscurely that the provision of the Treaty about equal pay for men and women also applied to occupational pensions. Occupational pensions are a

matter for the Department of Social Security (DSS), and the DSS did not, up to that point, have any great contact with Europe. This was reasonable enough, because the Community had barely involved itself in questions touching on social security. So this came as a bolt from the blue. I remember in the Cabinet Office being summoned by Robin Butler,* Head of the Civil Service, saying, 'Look, the European Court has just done this. What do we do to stop it?'. I had to say, 'Well look, I am sorry, but they have interpreted the Treaty and there is no appeal process. You can't get it changed by raising it in a Community meeting. You can't do it by getting the Commission to propose a new piece of law'. I said that, in theory, you could request the European Court to clarify its judgement. But the result would be unpredictable – although in practice there was clarification because of some subsequent cases on the same issue. I had to explain that the only real solution was to get the Treaty changed, which in the end we did, in a modest way, in the Maastricht* negotiations. But to get these points across to the Head of the Civil Service, and indeed the department involved, was actually very difficult.

Sir Robin Butler (Lord Butler of Brockwell), civil servant. Private Secretary to Conservative Prime Minister Edward Heath, 1972-4, and to Labour Prime Minister Harold Wilson 1974-5. Principal Private Secretary to Prime Minister Margaret Thatcher, 1982-85, 2nd Permanent Secretary, Public Expenditure, Treasury, 1985-87, and Cabinet Secretary and Head of Home Civil Service 1988-98.

Maastricht Treaty, Dec. 1991, European Union (EU) Treaty providing for a single European currency, common citizenship, common foreign and security policy, a more effective European Parliament, and a common labour policy.

**YOUNG** There was mention earlier of the fishing industry. How far was there resistance from people outside Whitehall that you had to deal with – from industry, from the farming community, from others? And did that create problems for you?

**NICOLL** Yes, is the answer.

**HADLEY** Obviously, because any domestic interest, if it is threatened by governmental decisions or legislation, thinks it knows where to place its lobbying power. It succeeds, or not, according to how good it is and how receptive the government of the day is to that particular interest. When the decisions are going to be taken in Brussels, it is far more difficult for them. Where should they go? They go to the people they know: the government. Should they try the Commission directly? Should they try the European Parliament? It is a whole new ball game, more diffuse, more difficult to grasp, and it was natural that domestic interests should be thrown by this at the start. Of course, they improved, and finally grasped that, if they wanted to have an effect, what they needed was a single European voice and that they needed to work with their counterparts in the other member states, and in European associations where they existed. I think that lesson took quite some time to sink in, but it did in the long run.

**POOLEY** I think they learnt one of the basic lessons of lobbying: that it is very important to get hold, at the earliest possible stage, of the man who is doing the first draft, or the man who is approving the first draft. So they started to wear a European hat, because that was the only way to get entrée to the Commission and talk to the people

who were producing the first drafts. Getting hold of the people who did the second draft was not so effective. And waiting for the draft to go to the Council was leaving things far too late.

**GENOCCHIO**

I entirely agree with that last comment. Can I now make a comment from the point of view of my later career, which was in the oil industry? I gave you a little snapshot of how things looked in the early 1970s from the Department of Energy. I would like to give a snapshot of the early 1980s and the early 1990s, and it is all to do with this question of interaction between the legislative process, industry's response and industry's input.

In the early 1980s I was asked by British Petroleum (BP) to take on their European affairs. It never occurred to me, or indeed to BP, that I should sit anywhere but in London! It was quite clearly decided that it was much more valuable, more authoritative, for Brussels to have a visitor from BP's head office in London from time to time, than to have somebody permanently in Brussels. That was the view. Okay, there were certain specialist groups set up within BP to deal with certain issues. Some of those experts within BP travelled over occasionally to working groups within Brussels. There they intermingled with like-minded, but not always like-minded, experts from national civil services, the Commission and other oil companies. Coming back to this morning's point, although these were very expert groups, who spoke a very specialist common language, they did not always share the same intellectual baggage. They all brought their own national assumptions in with them about how to run an oil policy or an energy policy. It was not that they had to be instructed by their governments, because it was the baggage they brought with them, the assumptions were there in place already.

BP's response to European affairs, at that stage, was very much opportunistic. It was somewhat defensive. For example, we were running a defensive campaign on various aspects of employment law and social law which were coming out of Brussels at that time. There were various items on the agenda at that time, and it was essentially a negative campaign. There was also a strong interaction amongst the oil industry companies (and I suppose this also applied to companies in other industries that operated on a pan-European basis), defensively, you could say, by special pleading on competition law, where mergers, rationalisations and closures were going ahead. We went to see what we thought were the right people at the right time, but we didn't always succeed.

Fast forward to the early 1990s. I had been away in the meantime. I went to America and government affairs over there. A completely changed scene. Several things had happened. People had woken up to the fact that a large proportion of the legislation that affected the oil industry was actually no longer emanating from national governments but was emanating from Brussels. Secondly, the environment had happened as a major across-the-board influence.

And, of course, so much environmental legislation, by its nature, needs to be multinational in origin, and therefore, it emanates from Brussels rather than from national capitals. And so much environmental law actually affects the oil companies in a very, very serious way. To its credit, although rather slowly, the oil industry did actually change its habits. By the early 1990s I was working for Texaco and one of my first charges was to set up a pan-European (how grand it sounds) working group of all the Texaco subsidiaries to deal with European issues and European legislation. It doesn't sound very radical now, does it, but this was in 1990.

I think, although I may be wrong, that Texaco was the first oil company to get such a group going, not to deal defensively with the awful consequences of implementing anything coming out of Brussels, but to work positively at the input stage. To try, as you said, to capture the man writing the first draft, to try and come up with a coherent position, that made sense. That spoke the right language. That actually could make a contribution to the legislative process. What a change of tune in ten years! It really was a completely different way of doing things. So there were corporate responses to that. The trade associations all changed their ways, because gradually the penny dropped that busy people in Brussels did not want to speak to 15 different trade associations. They wanted to speak to one. And so you found most major industries coalescing their trade associations at the European level, and quite right too.

There are other corporate responses as well. Lo and behold, with Texaco having struck out in 1990, BP quickly leapfrogged and actually set up its corporate office in Brussels, dealing with European affairs. They realised, ten years late, that that is where you should run your European affairs from: Brussels. That was an enormous change. I welcomed it. It was in the right direction, and I think that there is much more of a constructive relationship going on now. All the initial shockwaves are in the past. The early awkwardness and difficulties, which arose from various spiky bits of legislation, have now gone. There will always be issues of disagreement. But, at least I think, so far as the oil industry is concerned, people are pointing in the right direction so far as their participation in the process is concerned.

**MIDDLEMAS**

Can I generalise a little from that by suggesting that you cannot generalise? That the key factors in the corporate relationships tend to be in the nature of the industry. Some of these European bodies are very effective: pharmaceuticals, chemicals, for example. Some have not been effective: like the car industry and the electrical consumer goods industries. From within each firm, there are various factors that would give you the right direction to take on a particular stage. One of the things is to play all possibilities with the Commission: with the right DG3 or whatever, where the draft is being made; on the working party, where industrial representatives are appointed to the committee because that is the easiest way of

drawing the teeth of opposition very early on. It works both ways: the Commission benefits. The industry benefits. The best industrial organisations, like chemicals, are ones which don't have a monopoly, but they do have a very powerful negotiating committee. In the car industry, back in about the middle 1980s, the Commission actually remade the trade association. It was they, finally, who created the body that exists now, facing up to Japanese competition and the voluntary export restraints. So you have a fragmented industrial picture.

It depends also on the degree of involvement of the Department of Trade and Industry (DTI), because the DTI was forbidden to have an industrial policy for most of the 1980s, and British firms, and indeed the CBI, had to make their way much more strongly than they had to do, say, in France or Germany. So that again is a factor that will determine the way it works. There are many paths for any particular firm. It is able to play the national line, through the government and out to UKREP, just as it is able to play the European line via the trade organisation or, if they are very big, directly themselves. If Shell wishes to be listened to, Shell is listened to, directly. I actually disagree with an earlier remark: I don't think the important thing here is just to maintain an office in Brussels. It is the quality of your representation: whether you have an office, or a lobbyist, or a lawyer, or whether you only come in once a month.

**GENOCCHIO** Yes, fair point.

**SIR MICHAEL FRANKLIN** I am sorry to get here so late and I certainly will have misunderstood some of what I have just heard, but, in terms of industry recognition of where they had to lobby, in my experience, the agriculture industry were very early on the scene, for obvious reasons. We hit the ground running in 1973, with a Common Agricultural Policy (CAP) already in existence, and the National Farmers Union would have been extremely lax, and they certainly weren't that, if they had not realised that they had to get in there. It was certainly my experience that they were quite effective from the very outset. They put a man in Brussels. By the mid-1970s there was a British President of the European Farmers Union, and even individual corporates – one case I have in mind, Tate & Lyle, did the same. Now it is quite expensive, as you will confirm, to put a man in Brussels. Actually it is a very expensive process. You don't do that very lightly. Tate & Lyle had a man in Brussels from, I think, the middle of the 1970s, simply because the future of the UK refining industry depended essentially not merely on collective big decisions in the Council of Ministers, but management decisions by the Commission. I was the chap in the Commission with whom they dealt, so they thought it was a good idea to be there. I think that probably served them well. There seemed to me to be an impression given that industry was not there.

The other point I wanted to make is this. It is not an either/or situ-

ation. The good lobbyist lobbies in every way he can. And that is one of the secrets of the EC, that you need to lobby even the Economic and Social Committee, if I can put it that way. You certainly need to lobby the European Parliament. You need to lobby nationally. You need to lobby in the Commission.

**POOLEY**

It is not in my biography here, but I spent a short period as the Secretary-General of the farming lobby in Brussels, so I looked at this from both sides of the fence. I think that you will find that, in terms of individual firms' offices in Brussels, as compared with the pan-European organisation, the firm's office by and large tends to be the listening post and the centre of co-ordination of intelligence, and then the lobbying is done preferably through the European organisation. There are exceptions, for firms which are very large or have a dominant position in a particular sector. Tate & Lyle is one of the rare firms in the agriculture sector that has such a large part to play, that it will be listened to by the Commission despite the fact that it is just an individual firm. Shell, of course, is another. But these are exceptions, and even Imperial Chemical Industries (ICI) and Zeneca tend to do direct lobbying through their European organisation, which happened to be good. I can confirm from my experience that some are better than others. In the agriculture sector you have the feed industry, which has always been very well represented. But the best, the most expert, the most professional lobby of all at European level is the chemical industry. In my experience, there is no doubt about that at all. And so even the biggest trans-national chemical firm will do its lobbying through the European organisation, rather than directly, because it works. But this is a matter of day-to-day decision. As Michael Franklin says, you have to decide where to lobby and how to lobby and orchestrate it. And you find out which avenue of lobbying works and which doesn't.

**ROBERT JARRETT**

I came across a number of occasions, while I was at the Commission, dealing with outside lobbies – not so much individual companies, rather trade associations and, in particular, trade unions – where there was a tendency of people to do their bit of lobbying, effectively or not, at the European level with the Commission and the Parliament. These were seen as essentially two places to go and lobby. Then they would come back home to their national capitals and get so totally bogged down in their day-to-day affairs that they would not do what seemed to me to be the crucial thing, which is to lobby the decision-makers, of whom their government is one. There was an assumption that Brussels somehow took its decisions up in the air and that is was not necessary, once you had made sure that the Eurocrats knew what was going on, to do your lobbying nationally.

**YOUNG**

There is one last question I would like to ask. What has Whitehall learned from other countries' administrative experiences and prac-

tices since Britain joined the Community? And looking the other way, what has Whitehall taught to others? I know that is a big question, but if we could have very short answers to it?

**FRANKLIN**

It is always said, and it is true, that we are better at co-ordinating than most other member states. That is something the Europeans have learnt from us. I think what Whitehall, which I have looked at from the outside for a long time now, has learned from the Brussels process, not so much from other administrations, is the capacity to accelerate. Sometimes, in the experience I had in Brussels, matters which have been long-debated come to a crunch, sometimes unexpectedly, but very often with a need for matters to be decided very, very quickly. Whitehall traditionally had a single pace and it was difficult to get Whitehall into top gear. I was thinking about this earlier, when we were talking about the resentment of departments and their process of becoming habituated to the Brussels process, and noticing in the 1970s/1980s how the Ministry of Agriculture, geared up as it was, was able to take a piece of legislation, which they saw in a non-English language on Monday, and have a position developed by Thursday. This was not the habit of other departments. Now all departments can do it, and the co-ordination machinery, if necessary, works extremely quickly on occasions. It can work on Saturdays and Sundays. It can work at 3 o'clock in the morning, which was quite alien to the Civil Service that I joined so long ago.

**HADLEY**

I don't think it was quite as bad as you imply. Parts of the government were involved in other sorts of international negotiations, drawing up texts for reaching agreements. And some of those were fairly hairy in their day, so I don't think it is such a complete change. But I agree, in general, with what you are saying.

**ELLIOTT**

I would like to question the question really. The implication is that, in each member state, the administration knows how the other administrations rule. I am very, very doubtful whether, in Whitehall, we know very much at all about the domestic administrations. We know about Brussels. We have gradually learnt about Brussels, and we have no doubt drawn some lessons from it. On co-ordination, yes, because there had been academic studies of that, and because it manifests itself in negotiations in Brussels. But I very much doubt whether departments here know anything worth ...

**YOUNG**

I was thinking about innovations, like there is a political director in the Foreign Office, which had not existed as a post before, but which is on a European model, isn't it? The French and the Germans have used that kind of post.

**ELLIOTT** The Foreign Office post is in an unusually open position, compared to other countries.

**HADLEY** Well yes, but as far as I recall every member state needed to have a political director because of the requirement inserted into the Treaty by means of the Single European Act.*

Single European Act 1987 revised previous Treaties in response to member states' demands for institutional reform, following Cockfield White Paper and Dooge Committee report, and sanctioned extension of qualified majority voting.

**YOUNG** I am just trying to understand how Whitehall has had to adapt to a European model, or how far they adapted to us.

**DENMAN** One striking thing occurred to the Germans at one point, which fits in with what you were saying this morning about the quickness of reporting from UKREP. The number two in the British Embassy in Bonn would go and see a friend of mine in the German Foreign Office on the Wednesday morning, after a Council on Tuesday, and ask some questions about what had gone on. Of course, he had received a telegram the previous night from UKREP. The German counterpart told me that he wouldn't have received that information until about five days later.

**KEITH KYLE** There is one question I would like to ask, which is down here but has not been dealt with. Is there anything in the accusation, often made in public in this country, that the Civil Service gold-plates regulations and directives from Brussels, whereas the civil services in other member countries take a more relaxed view of their implementation?

**HADLEY** I think we need to be clear what we mean. Implementation in this context is transposing European directives into national law. Beyond that, of course, is the whole question of enforcement. A lot of the criticism is made in the rather facile manner which says, 'Oh, here is this directive. It is five pages long. Whitehall has turned this into 15 pages long, therefore, it must have put in a whole lot of stuff that was never intended by the legislators.' Now that is not a fair way of looking at it, because all sorts of things need to be in a typical piece of domestic legislation which are not in a piece of European legislation. To begin with, you probably have to embody it into an existing corpus of British law. That is one point. Secondly, you have to provide for all the mechanisms for enforcement and for ensuring, if it is a financial matter, financial controls and all sorts of things like that. If it is a matter of paying money to somebody, you need to say how the person entitled to it is to apply. You may need provisions for arbitration for the resolving of disagreements and so on. So there are an awful lot of things that do need to go in.

But I think there is probably some truth in the criticism, and that arises from something that was touched on earlier, which is the complete difference between legal traditions. British law – well, let's say English law so that we don't start an argument about Scottish law – English law at least aims to be complete and self-standing and to answer all the questions. Roman law tradition does not aim to do that. It aims to set out principles against which individual cases can be judged by somebody. Now it may well be that, when lawyers come to turn a piece of Community law into English law, say it is about health and safety regulations or something like that, and the European law says, 'Companies in this area must have adequate safeguards' against some threat or order, then the immediate question of a lawyer or an administrator in Whitehall is to say, 'Heavens, how will the chap know what is adequate? How will the person who enforces this know what is adequate. I am going to write it in. This is what is meant by "adequate safeguards".' And there is a good deal of that, I think. And that can enable people to say that the Community law is being gold-plated or things are being added in which were not originally there.

But then, what is the alternative? The alternative is that the person on the receiving end of this piece of legislation does not exactly know where he stands. He doesn't know whether what he is doing or putting in place is an adequate defence against some threat to health and safety. Someone has to decide. Is it the man from Whitehall? Or is it the man from the local authority who comes along and says, 'That's no good. Change it'? Or does it go to the courts for them to decide after an expensive wrangle? It is that sort of concern that results in our transposition process being rather complicated. It is different in many continental countries. The Italians, I have been told, simply take the Community directive, chop off the bottom and the top, and make it into a decree of the appropriate Italian authority and that is that. That has transposed the European law into Italian law. But then all the problems that I have just been trying to describe arise.

# Britain and Brussels
# Session III

**This witness seminar was held on 5 May 1998 at the European Parliament Office, 2 Queen Anne's Gate, London SW1, and was chaired by Dr James R. V. Ellison of Queen Mary, University of London. The participants were as follows:**

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| CHRISTOPHER BOYD | Economic and Financial Affairs Director-General (DGXI), Brussels. |
| ROGER BROAD | European Commission London office 1964-73; Head of the European Parliament UK office, 1973-86. |
| SIR DAVID ELLIOTT, KCMG | Counsellor at UK Representation to European Communities (EC), 1975-78; Under-Secretary, European Secretariat, Cabinet Office, 1978-82; Minister and Deputy UK Permanent Representative to the EC 1982-91; Director General (Internal Market), General Secretariat of the Council of European Union, 1991-95. |
| SIR MICHAEL FRANKLIN | Under-Secretary (EEC Gp.) MAFF 1968-73; Deputy Director General for Agriculture, European Community (EC) Brussels 1973-77; Deputy Secretary and Head of European Secretariat, Cabinet Office 1977-81; Permanent Secretary, Department of Trade, 1982-3; Permanent Secretary, MAFF 1983-87. |
| R. C. H. GENOCHIO | Private Secretary to the Permanent Under-Secretary (Industry and Energy), DTI 1972-73; Principal, North Sea Oil Division, DTI/Department of Energy, 1973-77; Principal Administrator, DGXVII (Energy) EEC Commission, 1977-80; Manager, European Government Affairs, British Petroleum (London, 1980-87); Vice President, Government and Public Affairs, BP North America (New York), 1984-87; Manager, External Affairs, BP Exploration International, 1987-90; General Manager, Government and Public Affairs, Texaco, 1990-91. |
| ROBERT J. JARRETT | Executive Secretary, Common Market Campaign, Britain in Europe, and Labour Committee for Europe, 1961-66. European Commission, 1966-96, various positions, latterly Head of Division, External Information. |
| KEITH KYLE | Formerly at the University of Ulster. |
| RAYMOND E. M. LE GOY, FCIT | Director General, Commission of the European Union. |
| N. PIERS LUDLOW | Balliol College, Oxford.[1] |

1 Since Autumn 1999 at the Department of International History, London School of Economics.

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| SIR WILLIAM NICOLL, KCMG | Deputy UK Permanent Representative to EEC, 1977-82; Director General, Council of EC, 1982-91. |
| SIMON NUTTALL | Office of Clerk of Assembly, Council of Europe, 1971-73. European Commission, 1973-95. |
| PETER POOLEY, CMG | Office of Permanent Representative to EEC, 1977-79; Under Secretary, 1979, Fisheries Secretary 1982, Ministry of Agriculture, Fisheries and Food; Deputy Director General, Agriculture, EEC 1983-89; Deputy Director General, 1989-92 and Acting Director General, 1993-94; Hon. Director General and Special Adviser, European Commission since 1995. |

**JAMES ELLISON**

This third session is going to look at what it is like to work in Brussels as a Brit, or to work in the Commission looking at the Brits, with some historical background.

The following is an instructive anecdote, no more. At the close of the Free Trade area negotiations and Britain trying to link a wider trade roof onto the Common Market in 1958, the Prime Minister's office received a letter from the office of the German Chancellor, Konrad Adenauer.* This letter was discussing the 17-nation negotiating body, and Konrad Adenauer made this point: 'I personally tend to the view that the European Common Market Commission could make an even more useful contribution than it has done in the past.' This caused a little consternation in Number 10 Downing Street and throughout the rest of Whitehall. Even though there had been the forerunner of the European Commission, the High Authority working in the European Coal and Steel Community (ECSC),* and then during the Treaty of Rome negotiations the Brussels Interim Committee, this Common Market Commission was new to Whitehall. The reply from [Philip] de Zulueta,* the Prime Minister's Foreign Office private secretary, to the Paymaster General's office* asking for advice was this: 'In a recent message from Dr Adenauer to the Prime Minister, Dr Adenauer referred to a body called the European Common Market Commission. I should be grateful if you could let us have a short note on this body, explaining what it is and why Dr Adenauer should suddenly have mentioned it.' The reply from the Foreign Office, who were given the job of explaining this, even though the Paymaster General himself was in charge of negotiations, was that the European Commission was this very important body. However, Britain could not negotiate with it at this stage, because in some quarters the European Commission was felt to have too much power already and certainly should not have much more, and moreover, with Walter Hallstein* as President, Whitehall could not be sure that the Free Trade negotiations would benefit from involving the European Commission. So it seems that there was scepticism of the Commission from Whitehall's end at the very beginning of its life.

It struck me, when I was doing a little bit of work in preparation for this seminar, that in 1971 Sir Christopher Soames* said, before he became Vice-President at the Commission, 'I think it is commonly appreciated in the Communities that British entry will help to ensure administrative efficiency'. I was wondering if those of you who worked in the Commission could respond to this. Why should Sir Christopher Soames think that British entry could smooth things up in the Commission? Or was he asking too much?

Konrad Adenauer (1876-1967), German politician. The first Chancellor of the Federal Republic of Germany, 1946-63.

The European Coal and Steel Community was instituted in July 1952.

Sir Philip de Zulueta (1925-89).

Reginald Maudling (1917-79), Conservative politician. Paymaster General, 1957-9.

Walter Hallstein (1901-82), German politician. Adviser to Konrad Adenauer in 1950, Foreign Secretary of the FRG 1951, and first President of the EEC Commission, 1958-67.

Christopher Soames (Lord Soames, 1920-87), Conservative politician and diplomatist. Vice-President of the EC Commission 1973-7.

**SIR MICHAEL FRANKLIN**

I was Christopher Soames's private secretary a long time earlier, at the first entry negotiations. Christopher [Soames] actually had quite a thorough experience, as anybody who has been Minister of Agriculture in the post-war period would have done. I suppose it was a fond hope. Can I say a few words about my own personal involve-

ment and wrap it up in answer to this question. I went to work in the Commission in 1973, along with one or two other people who are here. And I suppose we thought we were a relatively efficient Civil Service – and I think we are, or were. I will come back in a minute to whether we made an impact when we got there. Let me just say, on what you were saying earlier, there was actually quite a degree of reluctance on the part of the British Civil Service to go and work in Brussels. It was partly, I am ashamed to say, because we thought we would be less well paid, a fundamental mistake we made to the benefit of those of us who went, but nevertheless it was a factor. Also there was a sense in which the Commission was thought to be rather a feeble sort of bureaucracy, reflected in the fact that Whitehall did not understand that a Director-General was just as powerful, if not more powerful, than a Permanent Secretary. I was Under-Secretary at the time and I was going to a Deputy Director-General job, an A1 job, and I managed to persuade the powers-that-be to promote me to Deputy Secretary before I went. This was a little negotiation I did with Johnnie Moore* (who was then the number two in the Civil Service Department) principally for my own protection, but also because I actually did genuinely believe that the equivalence needed to be established from the outset. But we were at that time putting the jobs one level down at least, and that was a big mistake. The other big mistake we made, by the way, when we joined was that we concentrated on getting in a few people at the top, and we paid insufficient attention to getting people right down the line, a mistake from which we suffered for many years subsequently.

Sir John Moore, civil servant. Deputy Secretary, Civil Service Department, 1972-8.

Anyway, I went to DGVI, one of the great baronies of course, to a job which had been done by a Dutchman right from the outset. If Mansholt* was, as it were, the architect of the CAP, this chap was the builder of it. He had actually created all these complicated regulations. So that was quite a tough assignment. I was familiar with the subject matter. That was not a problem. I had been dealing with it in the entry negotiations and as UK representative on the Special Agriculture Committee. The set-up in that part of DGVI was not so fundamentally different from the way in which the Ministry of Agriculture was organised. So that was not a problem and I must say everybody treated me extremely well. I did not have any great feeling that I was being deeply resented. They realised that I was going to do the job rather differently from my predecessor. People who know me will know that I am not a great chap for detail anyway. That was a disadvantage, but nevertheless one managed. You mentioned the language. The language was a problem. I was not terribly good at French. I had a crash course before I went, but in 1973 most Commission internal work went on in French. It has obviously changed since. There was an Irishman who came to be Head of the Milk Division, who did not speak a word of French. But he was a very sharp and effective operator and it did not take him long to manage what is, after all, a fairly key section. He is now a Director-General somewhere.

Sicco Mansholt, Dutch politician. Netherlands Minister of Agriculture 1945-58. Subsequently Vice-President and later President of EEC Commission.

**PETER POOLEY** He still does not speak a comprehensible word of French!

**FRANKLIN** It was not only, of course, the language. The whole administration was a French administration basically. The filing system, if you can call it that, was, in fact, a French system. It was not really a filing system. It was just a series of these enormous great folders that got signed as they went up the hierarchy and then they were lost. The archives in the Commission are appalling. They may be better now. I had a Commissioner, a Dutchman who should perhaps be nameless, who was pathologically secretive. He did not want anybody to know what he was doing. He certainly did not want anybody else to record what he was doing. And the result was that very little of what went on in some fairly important negotiations ever got written down. That is unthinkable in Whitehall, but you learned to adapt to that. You lived dangerously, basically, in the Commission, much more so than in Whitehall. You weren't always watching your back in Whitehall as you had to do in the Commission.

**ELLISON** Did you learn this the hard way?

**FRANKLIN** I never got stabbed, I must say. But you had to be conscious of the fact. It was hierarchical, but the sense of teamwork was not there in anything like the same degree that you had in Whitehall. This meant that it was always important – to go back to the lobbying discussion we had earlier – to know who it was who really was calling the shots. It might have been the chap right down the line. It might be the A3. It might be the A2. You just had to know. There were quite a lot of people in the hierarchy who were, to all intents and purposes, bypassed.

It was a much more open administration than Whitehall. People came to see you from all walks of life with much less difficulty than getting to see an official in Whitehall. The other point I wanted to make is that UK ministers had to learn a lot of different tricks. I am not now talking about the Council of Ministers, but about the administration. I will give you one example. In my empire, right down the bottom somewhere, there was a chap who knew about hops. He was probably an A7 or something like that. Nevertheless, the German Minister of Agriculture himself felt it worthwhile to lobby me personally to make sure that the chap who got that job next time round was a German. Now a British minister would have thought it beneath his dignity to actually get involved at that sort of level. So it was all very exciting. But, to return to the question, I do not think that in my time we made it any more efficient. What those of us who went at the beginning were more concerned to establish was that we were actually not working for the Brits, but working for this European Commission. So you bent over backwards in the first six months to kick the Brits as much as you could.

**POOLEY** Can I just ask Michael [Franklin] whether he would agree that the

only change that was made, and has been made, by the entry of the Brits to the practices of the Commission is in terms of manners and courtesies. The informality of the British style, after an initial shock, became very attractive to the extremely formal European civil servant. Even when I was first there, if you called your secretary by her first name it was instantly assumed that you were having an affair with her – there could be no other explanation! And if she called you by your first name, it was utterly clear you were living with her! But all that has changed. I did just want to say also that absolutely all of what Michael [Franklin] said was my experience a while later, with one small difference. I went there, for the same job, as an Under-Secretary of some seniority. And, when I had accumulated more seniority, I wrote to the Permanent Secretary of the day to say, 'I really think this is a rather heavyweight job as compared to most Under-Secretary jobs. I wonder if there is any possibility of promotion to Deputy Secretary in absentia?' And the Permanent Secretary, Michael Franklin, wrote back and said, 'No'!

**N. PIERS LUDLOW** Can I say two things very briefly. The first is, just to be fair to Christopher Soames, that it was not only the British who thought that they would change the administrative culture. If you look at some of the arguments for and against British entry that were being bandied about in the 1960s, one recurrent theme, particularly in the later 1960s – and you find this a lot in German papers – is that, 'We must get the Brits in because this will change the way that Brussels is run and change it for the better'. So the expectation existed on both sides of the Channel, not exclusively in London.
Secondly, as a user of those Community and Commission archives I can testify that they are as useless as Michael [Franklin] implied.

**ELLISON** We are lucky enough to have two people who worked in the Commission with us: Bob Jarrett and Roger Broad. I don't know if you were around at that time, but could you comment on what it was like to be in the Commission and having these Brits coming in?

**ROBERT JARRETT** Roger [Broad] and I are in the odd position, very different from all of you. First of all, neither of us were British civil servants before we went on the Commission, and both of us actually worked for the Commission for seven or eight years before 1973. Nevertheless, even though I had not been a British civil servant but had worked in the Commission's London office, it was only in 1973 that I actually went to Brussels on a full-time basis. Even if it was not quite as much of a culture shock for me as for others, it was to a certain extent. Although I had never been a civil servant here, obviously my knowledge of a big public administration was of a British one rather than anything else, so I was nevertheless rather surprised.
What struck me above all was that this was such a different body. And I found it a refreshing body, partly because it was made up of a vast array of people among whom former national civil servants –

British, French, or whatever – were certainly the biggest contingent, the biggest minority if you like. But I don't think they were the majority, because you had people who had come from industry, from academia, from journalism, from everywhere, which gave it a very different sort of atmosphere from a traditional civil service. This was fascinating also because, at that early time, all these people felt they were enthusiastic pioneers and so on, and because they were from such different backgrounds, nationally, professionally, but also politically. Do remember that European civil servants, such as the French or Italians, are accepted as having the right to be politically committed, involved and so on. I suppose it is inevitable then that, for somebody coming from the British Civil Service, the culture shock was fairly considerable. A lot of people found this a challenge certainly, but a motivating challenge rather than something that put them off.

I must admit I found it personally an absolutely fascinating though complicated atmosphere. I was lucky, in a sense, that I came in at a rather lower level in the hierarchy than a lot of you gentlemen, which meant that I did not at that stage have any responsibility to try and make the machine work. I saw it from a different angle. I have to admit that, even fifteen, twenty years later, when I found myself in a position where I did have a certain responsibility for making certain parts of the machine work, it was still extremely difficult to do so.

**ROGER BROAD**

On that aspect I will leave it to Bob [Jarrett]. I just want to say that, in 1973, I left the Commission and moved over to set up the office here for the European Parliament. That was a culture shock of a very different kind. Compared with the Commission it was extremely incoherent and extraordinarily casual. In its disposition of public monies it was casual for a very long time; and maybe, given the size of the parliament building in Brussels, perhaps it is still the case.

**SIR ROY DENMAN**

In answer to the question, Did we make it better or worse? In my case, I don't think really any better or really any worse. I went to DGI to run it in 1977. And I was lucky, because I had been dealing with most of the people there since 1960 off and on, and they were a very skilful team. We got on very well, were friends. We fought various battles together, and the fact that we had been on other sides made no difference. We got on really very well. But two points I would just mention quickly. I agree very much with Peter Pooley's point on the informality we brought in. It struck many with a certain shock. Instead of saying, *'Monsieur le Directeur'*, we would say, 'Well, come in Jacques [Delors*] and have a large scotch'. Anyone who came to a meeting in my office after 6 o'clock would get a drink. Meetings became very popular after 6 o'clock! And I think that was appreciated. People thought, 'Well, these English are human after all'.

Jacques Delors, French politician. President of European Commission, 1985-94.

The other point is that it was very much a French style bureaucracy. We had to negotiate a deal with the Yugoslavs once, who quarrelled among themselves almost as much as the EC does. We got a deal, after sitting up for two nights. We sang a Yugoslav song and had a glass of vodka, and then I went off to an Organisation of Economic Co-operation and Development (OECD) meeting in Paris. Roy Jenkins* was going to Belgrade as President of the Commission the next week. Crispin Tickell,* his *Chef de Cabinet*, asked the Yugoslav desk reasonably enough for a steering brief. That, in civil service parlance, is a paper of about five or six pages, saying, 'The President is going to Belgrade. Why is he going? What does he hope to get out of it? What do the Yugoslavs want? What are the problems? What are the main points of the annexes? Do you wrap it up with a press conference?' I got back from Paris to find Crispin [Tickell] in a state of suppressed rage, because, instead of writing a steering brief, the girl on the Yugoslav desk had dumped on his desk a copy of the treaty. And the idea of a steering brief written by the lower orders was absolutely strange. In the French system, the cabinet would write that. Mere officials are hewers of wood and drawers of water.

Roy Jenkins (Lord Jenkins of Hillhead), Labour politician. Chancellor of the Exchequer 1967-70, President of European Commission 1977-81.

Sir Crispin Tickell, civil servant. Private Secretary to successive ministers responsible for British entry into the European Community 1970-72. *Chef de Cabinet* to President of EC Commission 1977-81.

That was combined with another point that was made, in terms of personal files. I found that I had to establish my own filing system, in several large cupboards, to find anything in five minutes. The reason is basically one of philosophy. In the continental system, knowledge is power: the more secret files you have locked in your desk, the more powerful you are. The archives I found were impossible to reform.

But that led on to a broader point, and I think that was the biggest shock I got. The power of the cabinets, in a sense, again reflects Emile Noël's* background in the French system. If you regard the *fonctionnaires* as the lower orders, then anything with inspiration or drive or imagination comes from the bright young men who are in the cabinets. To produce, as I did a month after I got there, a paper on what we should do in the next General Agreement on Tariffs and Trade (GATT) negotiation got a reaction from some young man in a cabinet saying, 'That is entirely wrong' and you would feel suppressed rage. This has got worse in the Commission since Delors came in. Of course the cabinet, like any private secretaries, could say, 'Well, I am not sure that the Commissioner would like that'. In which case, one should take account of it. But now you had the meetings of the *chefs du cabinet* before any ministerial Commission meeting. In effect, imagine a British Cabinet, with some of the issues decided by private secretaries the day before. The press would go into uncontrolled hysteria. Emile [Noël] kept it that way, because it gave him more power himself. But I think this is not a very good system of public administration. To use the example I mentioned this morning, it is like an army being run on the basis of, 'To hell with what the divisional commander or brigade commanders thought'. The commander-in-chief would listen to a young *aide-de-camp* (ADC) whom he had met at a cocktail party the previous

Emile Noël, European civil servant. Secretary-General of EEC Commission, 1958-87.

evening.

That was under control when I was there, but because of Jacques Delors it got very much worse. We have a situation now where pretty well nobody over the rank of what we call in England Assistant Secretary can say anything with any authority without being countermanded by a cabinet. The reason, partly, for this is not just the French system. It is very attractive to Commissioners or ministers. A Commissioner will come into the office in the morning and say, 'I have a brilliant idea'. Now, if he says this to an experienced official, he will probably reply, 'Well Commissioner, we tried that ten years ago and it wasn't very appealing. Perhaps we want to go in that direction, but modify it this or this way'. But instead of that he finds some young sprig straight out of university, saying, 'Commissioner, what a wonderful idea. It is the biggest idea since the wheel.' And he will feel gratified. There is one case of a Commissioner at the moment, though I won't mention the Commissioner, where there is a feeling, my friends tell me, of 'Them' and 'Us'. The cabinet counts because they are loyal. The *fonctionnaires* are unpleasant, difficult people, who quarrel with what the Commissioner is saying and won't carry out his instructions. And that has led to considerable loss of morale and efficiency. So there was that problem from the outset, given not a continental system but a French system. And it has now got, I am afraid, very much worse.

**R. C. H. GENOCHIO**

Sir Leonard Williams, civil servant. Director-General for Energy, EC Commission 1976-81.

Just a little follow-up anecdote, which may or may not make a point, but I will try. I was recruited into DGXVII in 1977 by Leonard Williams,* who was an British ex-civil servant put in as Director-General. He called me into his office on the very first day I was in Brussels and said, 'Genochio, there are some people in DGXVII who know a little bit about oil and there are some people in DGXVII who know a little bit about gas or coal. But there are no proper civil servants here who can brief. That will be part of your duties'. 'Yes sir', I said, and that indeed was part of my duties. Whether, in fact, what I churned out day in, day out was any better than what the locals would have produced, I don't know. But the brief did go upstairs to the thirteenth floor of the Berlaymont* relatively uninterfered with. Bob [Jarrett] , you were part of that process. I didn't detect that there were huge barriers. There were occasional superblitzes involving one particular member of the Commissioner's cabinet. But, on the whole, things had not reached that pass in that DG at that time, which was in the late 1970s.

The Berlaymont was a building in Brussels which was used until 1990 as the headquarters of the European Commission.

**POOLEY**

I would differ a little from Roy [Denman]. Perhaps it depends upon the complexity of the subject. But my experience, I don't know what Michael [Franklin]'s was, was that, as compared with the youngsters and the amateurs in the cabinet, who had to cover quite a lot of ground, the capacity that I have and Michael [Franklin] had to explain in three paragraphs the problem with the tobacco regime (which is immensely complicated) or an issue of monetary compen-

satory amounts, gave one a great deal of power and influence. This had the Commissioner looking to the senior civil servants for information and advice. It was simply because his cabinet could never master the complexities of the milk regime, for instance, and why cheese was so much more valuable than butter, although it might have the same constituents.

**FRANKLIN**

Pierre Lardinois, Dutch Commissioner for Agriculture 1973-7.

I think Roy [Denman] is right to draw attention to the fact that the cabinet system was a big difference for us. I didn't actually have any real problem with it, and there were some very bright people in the Lardinois* *cabinet*, one of whom is now Secretary-General of the Commission. So it wasn't that they were not bright young things. They tend to be bright young things. But you had to make sure that they did not, as it were, usurp the role of the system. I just want to add one point on this question of whether we made the thing more efficient or not. I think, if you ask somebody like Christopher Audland,* who went into the Secretary-General's department and actually was concerned with the running of the Commission, (whereas, as I said earlier, people like me were mainly concerned to establish ourselves in the role we were given) he would probably say that, in one or two areas, we did succeed in making things more efficient.

Sir Christopher Audland, civil servant. Seconded to European Commission 1973, where served as Deputy Secretary-General 1973-81, Director General for Energy 1981-6.

**GENOCHIO**

Christopher Audland went to enormous lengths to lay down in tablets of stone exactly how to write a brief. For example: this is what a speaking brief consists of; this is what a background brief consists of; and so on. This was news to a lot of established *fonctionnaires.* It was not news to me, because it was essentially the British system. I think he was indeed quite successful in getting those simple ideas established down the line in several DGs.

**CHRISTOPHER BOYD**

I joined in 1983, so I came after all these events. I think there is still great respect for Whitehall in Brussels now. It is seen, probably, as the most efficient machine, certainly in terms of co-ordination. But, apart from a few notable exceptions, and many of them are here, we are still suffering from what we, Brussels, inherited from the Brits in 1973. Certainly, judging from the stories from my contemporaries, a lot of people were got rid of to Brussels and I think that is still the case, especially at the lower levels, not so much at the very high levels. But especially at the lower levels we still see that people from UKREP, who cannot find a good place back in London, tend to get tipped off, often at head of unit or director level in the Commission. Why this is? I suppose the European Commission does not count enough in British government terms.

As to this question of the way the Commission works, I don't know how Whitehall works because I have never worked there. But I think the explanation of this kind of jungle-type atmosphere that one sees in Brussels is that it is a multinational institution, all kinds of different traditions. It has, in fact, a very strict hierarchical sys-

tem. Therefore, in order to get round that and make the thing work, because of course a strict hierarchical system does not work very well, you have all kinds of sources of power: the cabinets are one. I have a job now, as the assistant to the Director-General in DGXI, environment. I am a ridiculously junior person and yet can have quite a lot of influence on policy. These mechanisms, in fact, make a very rigid system work. So, in some sense, it is not unreasonable that it becomes a jungle. On the cabinets, having worked myself in the cabinets, having worked myself with Delors in his cabinet, of course, a lot of what you say is right. You get these young people who don't know much, certainly about the history of the things, telling Directors-General what to do. They generally don't last that long in my experience, the ones that do that.

**DENMAN** Is this the Directors-General?

**BOYD** No, the cabinet members. The Directors-General have remarkable longevity. I am working in a system, at the moment, where the cabinet is seen as very much the counterpart, as a conflicting situation with the DG, and the Commissioner wants it thus. It has its advantages, again, because you do not always get the same conventional view coming up. You get an alternative view, which, I think you are right, as a minister or a Commissioner is rather attractive. And certainly Delors wanted that. He did not want just the conventional view. He felt it had not got anywhere and he felt he needed the other views.

**RAYMOND LE GOY** When we came in, at the beginning of the 1970s, I found that the attitude of a lot of the people who were working in the Commission was to say, 'We are looking forward to the British coming in, because we want a wind of refreshment and we want things which we think you can bring in, particularly as to methods of work and organisation'. Secondly, how hierarchical they were? Well, I inherited a service which had had in succession three Italian Directors-General, who were extremely concerned with formal hierarchy. Again, there seemed to be a welcome breaking of ground. And it seemed to be welcome also when you introduced more lateral communication groups at work and that sort of thing, so nobody had to go up and down in that kind of way, and it was not resisted.

What were the culture shocks? I think the position of the cabinets was something alien to us, new to us. I did not suffer from them particularly, because I had three particularly weak Commissioners with weak cabinets, so it did not get in the way of policy much. All they tried to do was get jobs for the boys now and again to pack them off, but they were not a serious problem. On the other hand, the problem was that you depended largely upon the cabinets for much more of what is promoted by way of interdepartmental co-ordination by standing machinery in say the British Civil Service. It was therefore very hit and miss how you came out in concerting

things between different Directors-General. And, generally speaking, Directorates-General had carried on this form of Grand Duchy tradition and they were not awfully interested in exposing their flank before they got something out on the point of coming to the Commission. I think it was a weakness. It was possible to work in this. I did not find it particularly resisted. And certainly informality, Christian names and all the rest of it, seemed to be welcomed by the people, as making them feel more at home.

How welcoming the European Parliament proved? I thought the European Parliament was a great deal more welcoming to officials generally than the British Parliament ever is. The sectoral committee concerned immediately had me to lunch, talked to me a lot and that sort of thing. It was always possible to speak to them if you were a member of the Committee and to get support there. Another thing that was different, in practice, was that we had a lot of people with views and ideas, sometimes awkward to work-in in our services, but wholly committed, which is not normally your experience in a Whitehall situation.

Secondly, that we had a commitment to advance the affairs of the Community. We felt we had to sell the Community and promote it, and yes that did mean that we were positive European. It had a very considerable bearing upon our dealing with outside bodies, because we had an interest in stimulating the interest of central and outside bodies, in order that we got back behind their government to push them into reaching a result. We sometimes created the outside bodies ourselves. We created a committee of ports, for example, in order to have a grasp about ports, in order to have something to seize on. We created the bringing together of the sort of professional organisations, like the Chartered Institute of Transport in this country, and brought in a European organisation for that, which the Commission promoted, indeed helped to staff. Again, because we wanted to get the profession to link up. Now that is not the sort of way you would act in Whitehall at all. You would probably be rapped over the knuckles if you did it. It is unusual for civil servants to go outside and contact media and so on. In my experiences, if you are in the British Civil Service, there is a great difference there in whether you play at home or abroad. You will be jolly careful about doing it at home. But, if you are abroad, it is exactly what you had to do – getting on television, and getting hold of the local journalists and so on if you were negotiating in a foreign country, for the British government, in order to cultivate local opinion – not presentation to your own people. So I think that, in all these respects, there were changes, but I did not find them shocking. I did not find them discouraging, and I thought the general effect was rather stimulating and enjoyable.

**SIMON NUTTALL** I think we ought to be careful not to assume that British is best, and that what we are discussing here is the extent to which we succeeded in transplanting the British system to Brussels. I would like

to suggest three points to illustrate that. I joined the Commission in 1973 and I went to work in the Secretariat General. This made my experience rather different from most of the other people who have spoken, as the Secretariat General had a different job from the line Directorate-General. And what is more, I went to work in the Greffe, which is – supposing the Commission were the British government, then the Greffe is the Cabinet Secretariat as opposed to the Cabinet Office, which made us, we felt, rather special. We were the ones, by the way, who checked Michael [Franklin]'s and Peter Pooley's signatures on the *fiche rose* and the *fiche bleue*, and I can assure you if your signature was in the wrong place you got your *fiche bleue* back!

I had joined the Foreign Office in 1963, and in those days entrants to the Foreign Office were still Northcote-Trevelyan.* They were still very much brought up in the tradition of neutral civil servants without opinions of their own, being mere channels for the political desires of ministers, which were then worked up into policy and sent back to ministers. This, therefore, made it very easy for us when we arrived in Brussels to be absorbed into the local scene, because we had our political instructions in Brussels just like we had had in Whitehall. We therefore, chameleon-like, adapted ourselves to our surroundings. It was only a bit later that I, at any rate, discovered that that was not what you were supposed to do in Brussels. The system there only worked if you had a powerhouse of individuals beavering away on ideas, which got tossed about a bit, and not all of them went straight up, and not all of them were completely abandoned. But out of this what the French call *brassage,** I can't think of an English word for it. You got policy and you got the sort of policies that the European Community needed. So there was one thing: is Northcote-Trevelyan necessarily a good thing for the European Community? And, to what extent did it actually apply anyway? I have the impression that Roy Denman and Michael Franklin and others will confirm, or not, that it did not take long for Northcote-Trevelyan to slip away like a mantle from the shoulders of British officials who went over to Brussels.

The next point is that there was, and this is something that Raymond [Le Goy] has just said, tremendous expectation on the part of our colleagues in the Commission as to what the British were going to achieve, not just in the Commission but in the European Parliament as well. I remember the late and much lamented Peter Kirk* being seen as a saviour of European parliamentary democracy in the European Parliament. In the Commission, Christopher Audland was mentioned. Christopher [Audland]'s job as Deputy Secretary General was to try to introduce modern administration into the Commission. And I remember he told me he got a bit fed up with it, because every time he thought of something new Emile Noël would tell him that they had tried that 15 years previously and it hadn't worked. One thing which I think we did manage to introduce, I personally would give the credit, again, to Sir Christopher Soames in the shape of David Hannay* – it is a pity David [Han-

The *Northcote-Trevelyan Report* of 1854 provided the foundations of modern British Home Civil Service. See Parliamentary Papers, 1854, volume xxvii.

French-English dictionary definition is 'mixing'.

Sir Peter Kirk, politician. Member of UK delegation to Council of Europe 1956-63, 1966-70, Political Affairs Committee, Council of Europe 1969-70 and Leader of Conservative delegation to European Parliament, Strasbourg, 1973-7.

Sir David Hannay (Lord Hannay), diplomatist. First Secretary, British Negotiating Team with European Communities 1970-72; *Chef de Cabinet* to Sir Christopher Soames, Vice-President of EEC 1973-77; Assistant Under-Secretary of State, (EC) FCO, 1979-84; Ambassador and Permanent UK Representative to EC, 1985-90.

nay] is not here, he could have told us – and that was the record of events. Before the British arrived in the Commission, nobody wrote down what happened at meetings. I think it was much more important to introduce that practice than to introduce the practice of steering briefs and background briefs, because this was something which nobody had thought of before and which they were very tickled with when they saw the results. It meant you could nail people down to what they had said at meetings. It was rather like a case report. This was something which David [Hannay] was absolutely brilliant about. He would attend a meeting, take half a dozen notes and then dictate an almost verbatim record of what went on. This was circulated to the DGs and was very much appreciated. It played a great part in reducing the difficulties caused by the existence of the cabinets, which Roy [Denman] has described, because it meant there was a third information.

On the archives, I have to say that I can well believe what Michael [Franklin] and Roy [Denman] have said about the archives of DGVI and DGI. We always suspected that was the case. I have to say that the Secretariat General's archives were admirable in their shape and substance and they could be fully mastered and exploited by the one lady, who has now retired, who knew how the archives worked. But it did mean that there was a lack of organised paper in the Commission, and this was a very severe blow to Whitehall-trained civil servants. They felt lost without it. It has to be said that our colleagues in the Commission did not feel lost without it. They did not feel the need to refer to a piece of paper for intellectual security on each occasion. And I wonder whether, in fact, with the way things are turning out in government offices now, the Commission is not onto a winner there. Because what the Commission has done is to organise informal networks, by which you find out what you need to know without having to rely on getting the right dossier and the right piece of paper in front of you. As we move into a paper-less office – and very little is put down on paper these days compared to what goes over and on the intranet – all of us, in Whitehall or elsewhere, are going to have to live with working out how to organise modern office systems, where you do not have black on white trace of what has been said in the past. So that is my third example of where I really wonder whether the introduction of a nineteenth-century Foreign Office office system (and don't forget that when I joined the Foreign Office we still worked by the orders left by Sir Edward Grey* before the First World War) is in fact the right system to be going for today. So it may be the Commission is like the Mongolians. The Mongolians are in the forefront of modern technology, because they skipped the landline telephone and went straight to mobile. The Commission may have skipped the archive system and moved straight to informal networking.

Sir Edward Grey (Viscount Grey of Fallodon, 1862-1933), Liberal politician. Foreign Secretary, 1906-16.

**BROAD**

One example of different attitudes towards records comes from the European Parliament. Members – as at Westminster – have the

right to check through their speeches and amend them before publication. The most assiduous at this are the British, while the Italians are at the other extreme, and rarely bother. For them the oration is the act.

**ELLISON** Perhaps I could lead on from what you have said and ask those officials who were British officials and found themselves working in Brussels, what it is like to come from a national civil service and then to be immersed in a supranational civil service.

**SIR WILLIAM NICOLL** We have heard quite a lot of things about the Commission, but of course, they all respect it. But it is not the only crowd in Brussels, although it sometimes thinks it is!

**ELLISON** Perhaps you could talk about the Council.

**NICOLL** Yes, but more generally, when you start exchanging with other nationalities or disciplines in Brussels, I think a few things strike you, particularly coming from a British Civil Service background. The first I think has already mentioned: it is the omnipresence of the legal tradition, the much higher profile of lawyers in institutional services than would be typical in a British government department. Part of that is because very many of the staff themselves are lawyers, since the law in many European countries is the path to public administration. But it has a couple of consequences that affect the work that you do. One is that there is a little syllogism which says that, if it is not legally binding, then we are not going to do it. I think David [Hannay] and I had examples of this in things like the famous Joint Declaration of Intent towards the Commonwealth. I remember trying to argue with a very distinguished Commission official, whose name subsequently became a legend, that, because there was this declaration, something had to be done about it. And he told me, 'No, no, no, it is not legally binding'. In other words, he was not going to do anything about it, which came as a bit of a shock. I don't think the man was being deceitful. I don't think he was cheating. He was giving me his view of the consequences of this particular thing.

The other syllogism that is the exact opposite of that, is the view that, if something is legally possible, then it also must be done. So you tended to get from parts of the Commission extraordinary proposals coming forward that were perfectly legally possible; that is to say, the treaty provided for them, but they were just crazy as things to do. Now here I know there were sometimes reasons why bits of craziness came along, like a draft regulation to forbid the present system for the licensing of London taxis, for example. That was done because, at the same time, the Commission were going for something wicked the Germans were doing. They wanted to be able to tell the Germans, 'Well look, we are kicking the British in the teeth as well'. But nevertheless, there was this view that,

because the treaty envisaged that something could happen, then automatically even way-out things must happen. If you argued against, you were told, 'But it is in the treaty'. And, when you said, 'The treaty only says "may",' they said, 'Oh, that doesn't matter. It is in the treaty'. I think this is part of this legalistic framework thing that we hear so much about.

The other thing that struck me, not particularly about the Commission but about nationalities all round, is that the oral expression of many products of particularly the Romance education systems, is much superior to the general level of British oral expression. Now I have said 'um' for example, because my oral expression is not everything it might be. But I used to listen to others speaking, and, although I could see that their arguments were often rubbish, it was done beautifully! They had a command of vocabulary, and particularly of construction of their argument, which must have been something very deeply rooted in their educational system. I grew up in Scotland, where the standing rule was, of course, that children are to be seen and not heard. In other words, you were not encouraged to be vociferous – you see I have changed quite a bit since then!

I think the third thing, which has already been mentioned indirectly, is this business about the records and their absence, with every respect to Simon [Nuttall]. In the Council Secretariat, where I worked, there were records, but they were simply the various acts that had been adopted and signed. They went into a warehouse in Overijs pending being sent to the University Institute in Fiesole. If you wanted to find out why something had happened, as distinct from what had happened, your only recourse was to ask a veteran. Council staff kept their own collections of stuff that did not go into archives: drafts, non-papers, internal memos, and treated them as their personal property. I remember saying to one of my colleagues, when he was being transferred, that he should leave behind for his successor some guidance on what it was all about. He said, 'Certainly not, this is my work' which he was taking with him. He certainly was not going to share it with anybody else. In other words, 'Knowledge is power. I will take my knowledge away with me because I don't want to give my power to anybody else'. The other side of that is, as compared with British Civil Service practice, length of service on the job used to be much more extensive. That is to say, people were in a particular job for a very long time. They even went through grade drift – in other words, what they had been doing as an A6 they were still doing as an A3. This had its positive side in that they were extraordinarily knowledgeable, like Michael [Franklin]'s man on hops for example, much deeper knowledge and much more understanding than you would have found in a typical desk job in the British Civil Service. The other side was, of course, that they were to that extent blinkered. They did not know about other things. That has changed, partly as a result of all the turmoil with new members and new Commissioners and so on, and I don't think it is as marked now as it used to be. Whether that is a gain or

a loss I really don't know. I was always immensely impressed by somebody who seemed to know everything that had ever happened about his particular subject. Of course what he did not tell me was what he didn't know about all the other subjects!

**FRANKLIN**

Can I just have a word on this last point. I am glad Bill [Nicoll] brought it up. There is indeed a difference. We in the British Civil Service were brought up in the belief that, if you stayed in a job more than three years, you were getting stale and you must move around. You thus developed the facility to pick things up very, very quickly and take a new look at things, all of which is to the good. I thought, when I arrived in the Commission, that this was an advantage that we would bring. What I did find, I am speaking now of DGVI, was that the good ones, even if they had been dealing with the same sector for 20 years, were still actually very well capable of having fresh ideas. I was very favourably impressed by that. Of course, there were the old laggards, but they probably would not have been any good even if you moved them around. I don't go quite as far as Simon [Nuttall], I think, in saying that some of our reforms were actually possibly unhelpful, but I would like to put that point in. One became aware that there were virtues in both systems and ours was not necessarily the paragon of virtue that we probably thought it was.

Just in general, what came through from what Ray Le Goy was saying was that he found going to Brussels a rather liberating experience after Whitehall. I had the same feeling, actually. Not only were you much more open, as I said earlier, in terms of being able to talk to other people and dealing with the media and so on, and that was all rather refreshing, but you were in a much more buccaneering environment in general. If you liked that sort of thing, you found it quite stimulating. And, of course, again this is peculiar to DGVI, and to DGIV if you like. But you had real power: running these management committees and taking decisions which would affect the trade and the industry to the tune of tens if not hundreds of millions of ecu. To all intents and purposes you were the one who decided. You never had that kind of role in Whitehall. That was great fun.

**POOLEY**

Can I mention a point on the personal possession of archives, 'That's my property', and 'Knowledge is power'.

Another element, which still persists, I think, in the Commission, although Christopher Boyd may be able to tell us whether or not it is true, is that, in common with a large number of old-fashioned civil services, I think particularly the Belgian, there is a sense that, when you were a post-holder in the Commission, this somehow or other was itself a possession. People speak that way still, and certainly did when I first joined. Mothers in Belgium speak about gaining a position for their son. They don't enter a career, the way you do in the British Civil Service, you apply for a post or a posi-

tion and you get it – and that is yours, it belongs to you. There is no sense in which you have a leasehold on it, it is freehold. And then people begin to behave like peasants and they guard their boundaries very carefully. And they are very jealous of anyone who might intrude on their territory. The way ahead in a career is not to wait for personnel division to ring you up and say, 'We are rather pleased with you. We think we will put you on a promotion board shortly, and this means you may move from fisheries to fuel and power'. No, you apply for another post, a more senior post, a more interesting post, and you get it. And, when you arrive, the previous peasant has left, through death or promotion or something terrible, and he has not left you anything except the bare land. And you don't leave anything but the bare land behind you. That is a well-established tradition in a number of civil services, which has not actually worked here since Northcote-Trevelyan, but as I read history certainly did operate before. And, when your post was abolished by Victorian reforms, you got compensation: not for loss of office, but for abolition of the post. So it is a long tradition and I think it still persists and explains a little more this difference of culture.

**BOYD**

I would totally agree with Peter [Pooley], with one proviso. I think it is slowly changing. Funnily enough, the reason I think is overwork. When I look at the kind of pressure that DGXI, the environment DG, is under and many other DGs – I am not sure it is true for DGVI, because it is still a black box I think to many people in the Commission, but it is certainly true of many of the newer DGs – the amount of work you have is just incredible. We have not had more people. We are still doing the jobs we did before, and a load of new jobs, and we are trying to enlarge the Community and all the rest of it. With that kind of pressure of work, the people who are building their little empires and trying to keep them, in fact, have too much to do. And, I think, for all the right reasons, you are trying to sub-delegate much more within the Commission and get other people to do your work simply because you have too much. That is, as far as I can see, the only thing that is breaking down the barriers to this kind of proprietorial peasantry attitude, because we have no personnel policy in the Commission. I don't know if anybody has ever been advised on what to do, it is entirely up to you in the Commission to develop your own personnel policy.

**LUDLOW**

Could I just briefly say, on the notion of personal possession of archives, that the example was, in a sense, set from the very outset and set from the very top. As an historian, if you want to go and consult the papers of Walter Hallstein you do not go to the Commission archives in Brussels or in Florence, you go to the *Bundesarchiv* in Koblenz, where he left his papers to the German government. So that rule was very set from the absolute outset.

Another idea which struck me fits in both with the notion of civil servants staying in their posts for a very long time and also the lack of formal record-keeping. The early Community, at least in the 1960s, which is the period I know most about, was one in which even at ministerial level there was a great deal of longevity, and a large number of post-holders who remained in similar positions for a very long period of time. This meant, even in the absence of very formal minutes or particularly full and detailed records of what had happened, you have an immense shared culture of what you had been through. So I am constantly impressed, when you go and look at the records such as do exist of Community negotiations, at the degree to which they are incredibly self-referential: people constantly saying, 'As I argued five years ago in such and such a negotiation ...', 'As it was argued by the Dutch delegation prior to the December 15 1964 agreement ...', or whatever. There is very much this sort of shared history. I think is was probably due to the fact that you were dealing with a very small community of civil servants, both within the Commission and within the Council in those periods. And I have no doubt, now that it is a rather larger organisation perhaps, that shared history has diminished. But I think there is perhaps a degree of shared background knowledge, and that leads on to a question, if I may be permitted. Namely, How much did those British civil servants find, when they arrived in the Commission or in the Council or in UKREP, that they were somehow not privy to this previous experience in the Community? There were these landmark episodes that shaped the lives of their counterparts, that they had not been able to share and were not able to appreciate.

**SIR DAVID ELLIOTT** I won't answer that question, though I think it was a slight problem. But I wanted to make one comment about the Council Secretariat and the culture shock which affected me when I joined it, in two forms I think. There were many aspects to it and I won't comment on those. But two unpleasant ones were, one, to discover that, among my staff (quite a small staff of about thirty), there was a history, affecting almost all of them, individual histories, which meant that x would not work with y, and I had to remember the health problems of p. And all this was brought upon me in a way that would never happen, had never happened, in Whitehall. And I found myself, as a Director-General of admittedly a very small empire, having to arbitrate on which secretary should work for which of my A4s. I found that very troublesome and very distracting from the work I wanted to do.

Secondly there was, and I fear still is, a powerful element of joint participation in the Council Secretariat, which may be good or bad, but all I can say is that it was a tremendous shock. As a Director-General, I was unable to determine whom I should accept on transfer into my DG. I could not get rid of anybody whom I wanted to get rid of. I had to consult staff committees on all kinds of matters

that would never enter into that realm in Whitehall, and much of the normal personnel management was hamstrung in this way. What had started out as a, no doubt, worthy intention to consult the staff over a whole range of matters which affect their interest, had, by virtue of weakness in successive administrations, shall we say, Secretaries General or Directors-General of administration, developed into a system where no-one would actually move unless the staff had given a view on this. That, apart from anything else, apart from the quality of their advice, meant that it took you months, months, to change any member of your staff. I don't believe this is the same in the Commission, certainly not to this degree, from discussions I have had with colleagues in the Commission. But it was a real shock to me in the Council Secretariat and in my four years there I never really reconciled myself to that, nor was I able to do very much to change it.

**NUTTALL**

I want to come back for a moment to the question of the ownership of posts. The system was exactly as Peter Pooley has described it. And, by the way, it was identical with that operated by the Indian Civil Service, where you owned your post: even though you were posted on for three or four different promotions, you were still titular Resident in Peshawar or wherever it might be. So there is an excellent precedent for it! There is no doubt that it leads to a degree of sclerosis, which is bad for the Commission administration. Bill will remember the Spierenburg Report* of twenty years ago now, which made a whole series of specific recommendations that would have allowed this to loosen up quite a lot. Under instructions Bill [Nicoll] demolished the report, but that is another matter, in COREPER I.

Report of 24 Sept. 1979 made at the request of the Commission, by a group of five experts chaired by Dirk Spierenburg, under the title 'Proposals for Reform of the Commission of the European Communities and its Services'.

**NICOLL**

Not fair!

**NUTTALL**

Not fair, but true! The point is that, in thinking about ways to change the situation, you must not lose from sight the reasons why the system was introduced in the first place. That was because the people who made the staff regulations were well aware the Commission was not operating under Northcote-Trevelyan rules. If you do not have the possibility for every official to make his or her own career by asking to be considered for any post that is vacant – and that system may not have worked perfectly but it worked to some extent (it is working less well now, here I agree with Roy Denman, the level of personnel appointments at which the cabinets intervene has got very much lower in the last few years, right down to A4, A5) – but if you do not have that, then what you are left with is a politically-governed system. If you have a personnel policy, the risk is that you have a personnel policy run by politicians for political purposes.

**BOYD**

That's a good point.

**NUTTALL** This is something that has got to be borne in mind. I am not saying that, therefore, the system should be preserved as it is, but it has to be borne in mind when any suggestion is being made to change it.

**JARRETT** On the question of staff changes and so on, I think you may be, perhaps, a little too kind to say that it worked better in the Commission than in the Council Secretariat, because staff consultations and procedures are fairly cumbersome. But what I found shocking, I have to admit, in the Commission was the involvement of the cabinets in all staff, except for the period when I served in George Thomson's cabinet, that would be different. But I remain staggered at the extent to which even a Director-General, and I agree that a Director-General should not have to concern himself with minor staff appointments, but very often even the Director-General cannot do it without the say-so of the *cabinet* at a very, very ridiculous level. This is something I think is pernicious, both because it is not efficient, but also of course because it leads to so many of the wrong people being where they should not be.

**BROAD** On the question of political interference in appointments, one would expect the Parliament to be overwhelmingly run on that basis. But, surprisingly enough, it was not. It had, first of all, an extremely strong staff union, which goes back to the days before 1979, when there were no full-time Members of the European Parliament (MEPs). It was the staff that ran the thing almost completely, and there was very little political control, even by Peter Kirk, though he was there for four years, fortunately. Although the senior levels were politico-national appointments, there was not necessarily political interference in the appointment of A3s, let alone below that. In some circumstances, such as the appointment, say, of the head of the London office, and its equivalents, there was a sort of *nihil obstat* from the politicians of that nationality, but not always even in those cases. Another aspect of this is the resistance of the permanent parliamentary staff to the parachuting of the political groups' staff (who are on temporary contracts) into secretariat posts.

**POOLEY** Can I just give an example of what Piers [Ludlow] was saying about longevity, especially in the early years. I was first working in Brussels in the early 1960s as a 26-year old, and the Foreign Minister of Belgium then who came across was a man called [Paul-Henri] Spaak,* who was quite well known. He had spent three or four years as Secretary-General of the North Atlantic Treaty Organisation (NATO) but, apart from that, he had been either Foreign Minister or Prime Minister or both of Belgium since before I was born! One looks at a man like that in a way different from the way we now look at Robin Cook.*

Paul-Henri Spaak (1899 1972) Belgian statesman. Prime Minister of Belgium (1938-39; 1947-50). First President of the United Nations (1946). Secretary General of NATO (1957-61).

Robin Cook, Labour politician. Foreign Secretary, 1997-2001.

**LE GOY** Could we try something which might throw a little light on this?

Would not many of us, if we were to return to the British Civil Service now, have something similar to say about working in Whitehall now. We also would find a great deal had changed from what we expect it to be: one, the creation of agencies produces self-contained, perhaps rather narrow-outlook organisations, rather like some of the parts of Directorates-General in the Commission; two, the creation of proto- or palaeo-cabinets perhaps, with spinners and so on; and three, the change in records and communications, which has affected all sorts of bureaucratic work and company work and so on, where you deal with electronic records and instant availability, but less reliable possibility of retrieval. All these things have completely changed since we were there. Some of the comparisons we are making are on a position which is no longer there in the way that our national Civil Service works. And we have, as we see, been noting changes in successive decades over the way in which, I suppose, the Commission has shown itself. You have got to set it in that sort of time frame.

**ELLISON**

Can I just ask a question based on that development in time. For those of us who are going to be involved in writing about the history of Britain's relations with the Community after the early years, i.e. in the 1970s and 1980s, we are going to have to come across these issues of employment and promotion that you are discussing. So could you tell us what kind of impact that had on Britain's power in the Commission, those of you who were working there: the fact that you were under-represented. Or, as *The Economist* said in the mid-1980s, you did not have enough people in social affairs, in agriculture, and therefore Britain was not getting the money out of the Commission that it might have done. Is that true, did Britain not punch its weight because of under-representation of staff?

**NUTTALL**

There was an event in the mid-1970s which was catastrophic for British interests, and that was a change in the system of counting points for promotion within the Commission. Previously you had been promoted more or less on the recommendation of your immediate superior. Then a system was introduced which placed a great deal of weight on experience. What it meant, in crude terms, was that, unless you had been there for ten years, you could not be promoted to the middle grades, by which I mean A5, A4. UKREP, I have to say, was warned, but failed to stop it. It may properly have thought it was not their business to stop it. The fact remains that nothing happened. This meant that, for a grisly period during the 1980s, there were no British officials coming up at incipient head of division level. And this had a great effect on the ability of, I won't say the United Kingdom government, but the British element in the Commission, to make an impact on middle management questions. Of course, it meant that people had to be brought in from outside and that, subsequently, there were not middle-management to be promoted to senior management.

**LE GOY**

The point was made this morning that, whereas the British government of the day was very keen on filling jobs at the senior level, from A3 to A2 and so on, as I and others in 1973 went in, they had really no interest at all in filling what was below that, which takes you down to A4s, A5s, A6s, A7s and Bs and so on. This had the result that, unless a head of department made an active effort to find people, there was obviously a weakness in that respect. And that, too, had repercussions in the possibilities later on. At some levels, such as that of the secretarial, there was a complete absence of interest amongst prospective British employees in going to Brussels, because it was regarded as an unsexy sort of place.

**DENMAN**

Yes, I very much agree with that point. I think, if you look at the British going to the Commission, it has not worked well. By chance a number of eminent men went there, but the whole attitude of Whitehall, dominated by the Treasury, was one of contempt. The Treasury saw the Commission as a rival in the power game. I remember going to Brussels once with Douglas Wass,* their Permanent Secretary, whose contempt for the Commission could hardly be measured. So you had no systematic attempt to get, in every case, the best sort of crop together, in striking distinction to the French. The idea, for example, now, if a Director-General job became vacant in the Commission and the Brits had a reasonable chance of getting it, then the Cabinet Secretary would, on advice, review the situation. If there were a Brit in the Commission of that calibre, someone who would be, say, a Permanent Secretary in Whitehall, yes, go for him and get him the job. If not, the Permanent Secretary in London of that department should be summoned by Robin Butler* or his successor and told, 'You are out in a week to Brussels'. And, if he or she said no, then fire them. Now this would be regarded as a bit extreme.

Sir Douglas Wass, civil servant. 2nd Permanent Secretary to Treasury 1973-4; Permanent Secretary to Treasury, 1974-83

Sir Robin Butler (Lord Butler of Brockwell), civil servant. Private Secretary to Conservative Prime Minister Edward Heath, 1972-4, and to Labour Prime Minister Harold Wilson 1974-5. Principal Private Secretary to Prime Minister Margaret Thatcher, 1982-85, 2nd Permanent Secretary, Public Expenditure, Treasury, 1985-87, and Cabinet Secretary and Head of Home Civil Service 1988-98.

**POOLEY**

That happens in Paris.

**DENMAN**

The French operate that system, and they have seen the dividends. It is a complete part of the English revulsion for and alienation from the continent.

**POOLEY**

Can I say, for the academics, Virginia Crowe is not here, but the small book that she produced on mismanagement of the initial recruitment of Brits to the Commission is the *locus classicus.** Everyone who was there and has read it says, 'Yes, that's right. That is what went wrong.' But just to elaborate a little, in terms of the question you proposed, you said this means that, because we were poorly placed in terms of positions held by Brits, we did not get as much money out of Brussels as we might have done. I do not think that made a great deal of difference to the amount of money flowing. I could not put my finger on how this happened, but the fact that we were either numerically under-represented, or, where we

See her chapter in Keith Middlemas (ed.), *Orchestrating Europe: The Informal Politics of the European Union, 1973-95* (London : Fontana, 1995).

were not, the people concerned were not the right people in the right places, meant that the British way of thinking about policy was and has been, and probably still is, consistently unrepresented. I don't know how important that is in the eyes of historians, but for me the fact that the British attitude, the British approach, to policy development was under-represented is a very sad fact indeed, and much more important than how much money we did or did not get out of Brussels.

**FRANKLIN** I absolutely agree with that. It was the under-representation at the working level that has been the biggest drawback. You used the old euphemism, 'The country I know best', instead of saying that you are acting for the UK. Nevertheless, the fact that the way of thinking and so on was under-represented, that was a disadvantage. However, one has to say that the other side of this coin is, during the period we have been talking about, or most of it, the British officials working in the Commission were working at a disadvantage given the attitude of successive British governments.

**POOLEY** Especially latterly.

**NICOLL** To be fair, if we are thinking about the cohorts coming up, that is the true titulaires and not these parachutists that we have got here, including myself, recruitment is by competitive entry. Until relatively recently the number of Britons applying for the competition, not those who got it but the number applying, was well down compared with the applications coming from other countries. Likewise, until relatively recently, the percentage of Britons who got through the competition was lower than the percentage getting through of the other nationalities. This was blamed on the recruitment method – the rigorous written examination, possible defects in linguistic skills, the formalism of the whole thing.

**POOLEY** The delays.

**NICOLL** Yes, well, the delays are universal though, Peter [Pooley]. They do not affect the Brits particularly. This has changed a little bit, in that, in the competition that I was involved in, the percentage of Brits who applied was exactly the same as the percentage of Brits who got through at the end. The real difficulty is constructing a recruitment method that does reasonable justice to people with such tremendously different educational backgrounds as you get across the member states of the Union. Almost any system you use has got some bias in it, and enormous efforts are made to try to eliminate bias. The basic bias was against women and efforts were made, with mingled success, partly by dropping any general knowledge questions about sport, to try to make sure that a larger number of women got through the pre-qualification stages. I don't know what

has happened. I know the Commission was trying desperately hard to look at other methods of recruitment, other forms of selection. But it always came down to the fact that whatever they did was liable to be challenged in the court. So everything had to have belt, braces, self-supporting trousers, everything, to make sure that a challenge, which of course ruins the whole system, could not be sustained.

**LUDLOW**

Perhaps I could just reinforce Sir William [Nicoll]'s point about the importance of not just governmental policy but who you parachute in to the top positions and so on. Because, of course, the interesting paradox is that the attitudes that Sir Roy [Denman] described as being typical in Whitehall towards Brussels could exactly be applied to the attitudes you found in Paris towards the European Commission and the European institutions for most of the 1960s. And so, therefore, it ought to be asked, given the fact that you had a pretty damn Eurosceptic French government, you had an attitude on the part of senior civil servants that a posting to Brussels was a demotion or a sign of disgrace; the place to be was in central government, not out in the provinces, out in Brussels. Why didn't the French suffer from similar problems of under-representation and lack of calibre amongst those who were there as the British did? I think part of the answer has to be found in, firstly, the fact that there was a generation of Frenchmen who had got in before de Gaulle* came to power, just, but they had got in, Emile Noël has been mentioned and there were others of his ilk. Secondly, there is amongst a portion of the French political class a European ideal to be kept alive, despite de Gaulle. So perhaps, for some, you did shun the Gaullist administration and you chose the European route as, in effect, almost a statement against the government at the time. And thirdly, at the youngster level, there were Frenchmen who dreamt of applying to take the concours and to join the Commission. But I think it is necessary to avoid focusing too much on government policy alone because, had that been the only thing that mattered, the French would have suffered a similar problem to the Brits.

Charles de Gaulle (1890-1970), French general and statesman. President, 1958-69.

**ELLISON**

True. But having said that, perhaps we could comment on how government policy did affect the way the British officials worked in the Commission. And maybe how the Commission saw British officials, given the development in governmental policy from London.

**BOYD**

Certainly I would like to comment on that, having lived basically throughout a time of Euro-scepticism here in London, having worked in the Commission since 1983. I felt the Brits in Brussels, in the Commission in particular, suffered an awful lot, even though we were not at all part of the British government tradition, from lack of influence because of that. That works in various ways. When a Director-General wants to know what is the British view

on something, they will normally go to a British official – that is why it is so useful to have all the various officials in the DGs. The British position just did not really matter in Brussels, has not mattered until now, I would say, in Brussels. In fact paradoxically it almost got to the stage where it was good to have the Brits against your proposal, because then you would force the others together. Really, that was the way it worked, and that is incredibly debilitating for a kind of A6/5 official, as I am, within the Commission. So Euro-scepticism has been a long-term and great disadvantage to people working in the Commission.

**POOLEY**

I am very pleased to hear Christopher [Boyd] say that, because he was not here this morning and it confirms absolutely what Roy [Denman] and I and others were saying this morning. But we shall see what happens now.

**NICOLL**

Margaret Thatcher (Baroness Thatcher of Kesteven), Conservative politician. Prime Minister 1979-90.

There isn't any doubt that the Thatcher* era was, shall we say, not helpful towards the role played by British officials. To speak from personal experience, there was to be, of course, a great review of the budget and so on, and, all other things being equal in the Council Secretariat, I should have done that, because the budget was my responsibility. But precisely because I was British the work was given to somebody else. This was insisted on by the serving Presidency, who were the Greeks – for which I have never really forgiven them!

**POOLEY**

John Major, Conservative politician. Prime Minister, 1990-7.

Let's get the timing right. Perhaps Bill [Nicoll]'s experience is different from mine, but I did not feel terribly uncomfortable in the Commission during the Thatcher era. Although there was a sense that the British were different and difficult, there was still respect for the British point of view. It was in the Major* era, and especially latterly, when the British Parliament was seen to be dominated by Euro-sceptics and the British press certainly was dominated by Euro-sceptics. That is when it became truly uncomfortable, and not just because there was Euro-scepticism and they felt they could do without the British point of view. There was actual contempt for the British government and its particular aura, and its manoeuvres. Perhaps not on a personal basis. I think John Major remained really rather well-respected. But, at the level of the ordinary formation of the Council of environment or agriculture or transport, whatever it might be, there was quite a different attitude towards the British government and to British officials in the Commission than in the Thatcher era.

**BOYD**

I would put the timing very slightly different though. I think it really started, at least for me, when – Mrs Thatcher signed the Single European Act, no problem at all at that stage, that was 1986 or something like that – she started blocking things that appeared eminently reasonable to virtually everybody else, when Britain

started putting itself really in a minority of one on a lot of issues. Then it started, and that was late-Thatcher, it was not just Major.

**FRANKLIN**

Can I just add one thing. I think it was the persistent denigration of the Commission as an institution which was extremely damaging, on top of all the rest. I agree with all the rest, the general attitude got progressively more difficult. But, certainly, as I worked for her in the Cabinet Office having returned from the Commission (by the way, she had an equally poor view of the European Parliament), it was part of the Thatcher policy to relegate the Commission to the role of being a civil service, which, of course, as we know it is not. And that must have been extremely debilitating.

**DENMAN**

Harold Wilson (Lord Wilson of Rievaulx), Labour politician. Prime Minister 1964-70 and 1974-6.

James Callaghan (Lord Callaghan of Cardiff), Labour politician. Prime Minister, 1976-9.

Tony Benn, Labour politician. President of EEC Council of Energy Ministers 1977.

Lord Carrington, Conservative politician. Foreign Secretary, 1979-82.

It all started back when I served under Wilson* and Callaghan,* who were not men happy in a European environment. You had Tony Benn* boasting at one point that he kept a European Council of Ministers waiting while he was at a meeting with his constituents, and Callaghan writing really quite offensive letters about the Commission to the general secretary of the Labour Party. With Thatcher, as Peter Carrington* once remarked, 'The lady does not want a solution, she wants a grievance.' It got, I think, worse and worse. But, I would agree, it got really very bad under John Major, with a pervading feeling in Brussels of, 'What are the British doing in this setup. Do they want the same things as we do? No, they don't'. As someone once put it, you never wanted a united Europe, all you wanted was a commercial arrangement. There is a period of probation now, but the signs are not very good.

**LE GOY**

A more cheerful moment was that there was a perceptible lift, both in the morale of British staff officials and a better attitude towards them, when we had the result of the 1975 referendum. That was quite a short-lived enjoyment.

**KEITH KYLE**

Can I repeat to Christopher Boyd a question I asked this morning, which is: Has there been a noticeable change in the attitude of our fellow-Europeans in the Commission towards us in the last year, and how much?

**BOYD**

I would certainly say yes. I am not as pessimistic as Sir Roy [Denman]. I think the relations can be repaired very, very quickly. I think it was purely a question of the politics of the government at the time. There are still a few clouds on the horizon. And I think there is still in Whitehall a fundamental lack of comprehension of the role of the Commission, I think, throughout Britain even. It is a very, very odd institution for the Brits. You still see lobbyists going out and going to the [European] Parliament, thinking it is like the British Parliament, and failing and nearly always missing out the Commission.

**BROAD**

Andreas Papandreou, Greek politician. Prime Minister 1981-9 and 1993-6.

Would you say that the change had any parallel in respect of Greece at the end of the Papandreou* government, in the sense that it had made itself extremely unpopular?

**BOYD**

It just does not matter, Greece, to that extent. Britain still does matter. Someone quoted, I think the Germans, as saying, 'We want to get a British way of working.' I think it was probably less on the administrative level than on the more general political level, in terms of free trade and stuff like that.

**DENMAN**

Tony Blair was elected Prime Minister of a Labour Government on 1 May 1997 that had the intention of adopting a different approach to the EU. However, in practice Britain's relations with the EU have retained a confrontational aspect.

In terms of our central role, two points. One in foreign policy, where Mr Blair* in Washington demonstrated to Brussels in January [1998] that he was really a satellite of the United States – the word Europe was never mentioned during those discussions. And the second point is that, in keeping out of European Monetary Union (EMU), we are excluding ourselves for years from the economic governance of Europe. It is on those two points that people are not just being cynical, they are doubting whether we are leaders.

**JARRETT**

What always amazes me is how many of my former colleagues of other nationalities in the Commission, indeed in all the institutions, still despite years of ups and downs – with Britain constantly missing the bus and then perhaps running to catch it up or perhaps not – even today have a feeling, since the change of government, or a hope, that it is going to be alright, a preparedness, in a sense, to forgive our sins of the past or our stupidities of the past, which I have to admit I find quite surprising. If I were a Frenchman or a Dutchman or someone, I don't know that I could be quite so forgiving.

**DENMAN**

There was a leader only about six weeks ago, with the theme, '*Difficile de croire Tony Blair*'.

**LUDLOW**

If I could just get out another historical note to that. I actually find my experience in Brussels remarkably similar to what I have discovered was the case in 1961-63, and I did not expect that. I must confess that, when I started my job five, six, seven years ago, looking at the first British application, I expected the legacy of mistrust and acrimony of the 1950s, which had undoubtedly been very serious and in some ways parallels the mistrust of the 1980s and early 1990s, to have left an enormous legacy of anti-British feeling and hostility. And, in fact, far from being the case, the more I dug the more I discovered that there was a readiness to give the British the benefit of the doubt, almost to the point of ridiculousness. I suspect there is quite a lot of that still about. Perhaps some don't forget, some don't forgive, but there is a surprising degree of readiness to say, 'Okay, the past is the past. Let's look to the future instead'.

**FRANKLIN** Yes, though I think the level of tolerance has declined.

**NUTTALL** Don't you think that part of that is because, why did people in the 1960s and 1970s want the British in? Because they did not want to be run by the French and the Germans. Now they have got the British in and they discover it does not help!

**POOLEY** A very good point.

**ELLISON** I was going to end on a positive note, but I think that is slightly pessimistic!

# Britain and Strasbourg

**This witness seminar was held on 23 February 1995 at the European Parliament Office and was chaired by Dr David Butler of Nuffield College, Oxford. The participants were as follows:**

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| RICHARD BALFE | Labour Member of the European Parliament (MEP) for London South Inner, 1979-99; regional MEP for London 1999-. |
| ROGER BROAD | Head of the European Parliament UK office, 1973-86. |
| WINSTON (WIN) GRIFFITHS | Labour MEP for Wales South, 1979-89, Labour MP for Bridgend, 1987-. |
| CAROLINE JACKSON | Conservative MEP for Wiltshire, 1984-89; regional MEP for South West England 1999-. |
| ROBERT JACKSON | Conservative MEP for Upper Thames, 1979-84, Conservative MP for Wantage, 1987-. |
| SIR RUSSELL JOHNSTON | Liberal MP for Inverness, 1964-83, Inverness, Nairn and Lochaber 1983-, member, UK delegation to the European Parliament, 1973-75, 1976-79. |
| BILL NEWTON DUNN | Conservative MEP for Lincolnshire, 1979-94; regional MEP for East Midlands 1999- (Liberal Democrat, 2000-). |
| PETER PRICE | Conservative MEP for Lancashire West 1979-84, London SouthEast, 1984-94. |

**DAVID BUTLER** Today we are going to get you to talk about the nature of the job of an MEP, the way it has changed, firstly in relation to domestic politics, in relation to the constituency, in relation to the national government, and then move to the Strasbourg-Luxembourg-Brussels scene, and talk about what that has meant. I think it is important that people should be aware of the change of the job over time, insofar as there has been a change, from Russell [Johnston], who goes right back to the beginning or from the elected members who go back to 1979. It is also important to discuss the contrast in the job for Conservative and Labour MEPs, because obviously there are differences, particularly when you come to the Strasbourg end in the group situation and the way the pressure is there. And also the difference between Conservative and Labour in that, insofar as we talk about the elected period, we are talking about the period when a Conservative government was in office in London the whole time. The question is, how far one behaves as a patriot or as a party man when one is there, and how far there are genuine cross-pressures and how far these interface between the parties on a national basis.
If one could start by asking Bill [Newton Dunn], how you got into it first; were you a fanatic and was this an opportunity?

**BILL NEWTON DUNN** I got into it because I wanted to get into politics. I fought two Westminster seats in 1974,* then found I got picked for Europe, rather than for Westminster coming, up to 1979 when selection was underway for both parliaments. In my view, I was picked rather by a selection committee that decided I was more suitable for Europe than one that would have decided that I would be suitable for Westminster. If you look at the profile of, certainly, Conservative MEPs, we have a remarkably high percentage of foreign-born spouses and we have travelled more, it would seem to me, than most MPs. There seems to an innate bias there somewhere which some student may well analyse one day.

*There were two general elections in 1974: in Feb. and Oct.

**WIN GRIFFITHS** In my case it was a question of one door shutting, as it turns out thankfully, and another door opening. I was on the shortlist for the Barry seat in 1976 and I thought I had a reasonable chance. As it turned out I did not win it, but that meant that, when the selections came up for the Euro seat in South Wales in 1979 and they were not done until late 1978/early 1979, one of my friends in the branch of which I was a member said, 'Why don't you have a go for the European Parliament?' I was born in South Africa. I don't know whether that makes me more of a European. I said, 'Yes', and was selected and spent ten very happy years in the European Parliament.

**BUTLER** Russell [Johnston], you weren't an elected member but you were chosen as a candidate, so you're in a sense in that position. If things had gone differently in 1979 you might well have been with them as

an elected member, but you had past experience there. You had always been a Euro-enthusiast.

**SIR RUSSELL JOHNSTON**

Perhaps even more than an enthusiast. It has always amazed me that the arguments that one was deploying in the 1960s are the same arguments fundamentally that would apply to-day. It hasn't changed greatly. But the reason why I became a candidate was I had been, between 1973 and 1979, an appointed member. The Liberal Party was not quite so democratic as it has now become and they used to pick candidates on the basis of their quality rather than on the basis of some voting procedure internally which has been bestowed on us by the blessed Social Democrats, which is frightening in its consequences. I opted to do it because I wanted to do it. I enjoyed doing it. I lost principally because of the dual mandate* argument.

Dual mandate: elected to both the European and a national parliament.

**BUTLER**

If one moves on to the constituency party, how far are Euro-constituencies real entities at all? How far are they ones where just a few activists from each constituency just meet together for the purposes of selecting a candidate and then really if there is any constituency organisation it is the MEPs own set-up?

**GRIFFITHS**

In my case we had a reasonably active constituency. We had a constituency meeting every quarter. Out of the ten constituencies at the beginning, eight of those played a fairly active part.* We also held, during the course of the year, a few social functions as a Euro-constituency. Compared with a Westminster constituency the degree of activity was not anywhere near the same, but there was a feeling of a South Wales identity in my seat.

Between 1979 and 1994 European constituencies consisted on average of 8 House of Commons constituencies. In 1979-84 South Wales comprised 8, in 1984-94 it comprised 10. Throughout this period Highlands and Islands comprised 7 and subsequently 6. The number of UK seats for the 1994 elections rose from 81 to 87 and each averaged 7.5 Westminster seats.

**BUTLER**

Did it change over time?

**GRIFFITHS**

I would say that it got better and more people became involved with the passing of time. The seat has changed a bit now, because they have created an extra seat in South Wales so there will no doubt be an effort to create new identities. I felt fairly happy and, if you look at the election turnout, in 1979 we were virtually the national average. In 1984 we virtually got to the 40 per cent mark, and again subsequently.

**BUTLER**

Bill [Newton Dunn], does that match your experience?

**NEWTON DUNN**

Similar. My Euro-constituency, which was Lincolnshire, just about matched the county itself. Because of this there was a real identity there. Our turnout was always in the mid-30 percentile. However hard one worked, we were always national average. It was very dis-

appointing.
The other thing I would say is that Euro-constituencies do seem very large, and there is of course a parallel with Congressional districts in America, which have roughly the same number of voters. I remember talking to one who represented an area in northern California four times the size of Lincolnshire, with the Sierra Nevada mountains to cross over in between. I do not believe he has much identity in his district either, and I am not sure we can expect much at this stage.

**BUTLER** Russell [Johnston], you live in the largest Euro-constituency in the country.

**JOHNSTON** Yes, it is larger than Belgium. I do not think that it is sensible to have Euro-constituencies, and we are the only country that does. The Parliament and the Commission tend to operate in a functional fashion, dealing with regional problems, tourism or transport, rather than the territorial fashion to which we are used.

**BUTLER** But don't you think there is something about being the representative of the largest-ever constituency? I can think of several MEPs who took pride in representing a real geographic entity.

**GRIFFITHS** My constituency covered the whole of South Glamorgan, a part of Mid-Glamorgan and a part of West Glamorgan, so it was not a natural entity, although it was virtually the City of Cardiff and much of the old Glamorgan. I think it is useful to have a constituency identity. It does help you to make connections in a particular area, although I also favour bringing into our system an element of proportional representation. But I did feel that having a constituency helped me to relate to a particular area.

**JOHNSTON** But the major task of a Westminster MP is to raise matters with the government or other bodies. It does not work the same way in Europe. I have met many MEPs who claim to be able to do things they cannot do at all.

**NEWTON DUNN** I think that is partly true. I value the meetings I went to and my correspondence, but on reflection a lot of the letters were treating MEPs as the last resort, after first approaching councillors and MPs. And you are quite right, often I had to write back long letters explaining why I could not help.

**GRIFFITHS** But I think it also depends on the area you represent and the things you are dealing with. For example, I did have cases of whether steelworkers were being treated fairly or unfairly under ISERBS* in private steel mills. Another issue was opencast mining. Under EC rules opencast miners are eligible for the redundancy re-training

ISERBS: the Iron and Steel Employees Re-adaptation Benefit Scheme financed retraining for redundant steelworkers and ironworkers.

benefits. In Britain, however, because of the way we framed the legislation, they had to be part of the miners' pension fund, (i.e. be involved in deep mining) to gain the benefits. Now I took that right through to the Petitions Committee* of the European Parliament to try and get a ruling in their favour. So there are some individual cases you can have. But quite a lot of my work was also involved in taking cases for local government. For instance, there was a case for changing the boundaries of steel crisis areas to include a part of Mid-Glamorgan. There were no steel mills in Mid-Glamorgan, but a quarter of the steelworkers in Port Talbot came from Mid-Glamorgan. I put the case for the whole of the county and in the end, with the ammunition supplied by the county council, got one of the districts included. So I did have a lot of individual casework to do. There was also a lot of representing businesses. In Baglan Bay I had the chemical works, and they were dead scared about the wine lake being converted into alcohol and being massively subsidised, even though it cost four times as much to make alcohol out of grapes. I was able to take their case and stop it happening.

Petitions Committee: EU citizens have a fundamental right to address petitions or complaints to the European Parliament arising from European legislation, its transposition into national law or improper action by the authority concerned.

**BUTLER** Do you think that your representative role changed over time?

**NEWTON DUNN** Yes. I was getting a lot more letters from constituents. They were beginning to focus on the fact that there was a different area of activity outside of the county council and Westminster. I would anticipate that this growth would continue. There was a lot of rubbish in there as well, but there were cases. In the early days, 1982-83, they all wrote to us about baby seals. More recently, no doubt, they are writing about veal calves.

**BUTLER** Peter [Price], did things change for you?

**PETER PRICE** Yes. With individuals writing in there was a doubling of correspondence over the 15 years. I would say the business element probably quadrupled over that time. Single-issue lobbies probably went up ten times over those years. The volume of work with schools and local authorities, at the same time, probably doubled. The most interesting amongst this list is the single-issue lobbies. I think the first one that hit us, and probably the only one in the first five years, was the seals lobby. That unleashed a whole flood thereafter of animal welfare letters. There is no MEP who will instance any issue on which he has had more correspondence than animal welfare. There have been a series of lobbies on different animal welfare issues. Then there are things like the occasion when Britdoc* got all its members to write in to say that the Commission was proposing to make things difficult for document exchanges. Another example would be the data protection European legislation where all sorts of organisations wrote to us about that directive. But almost all of those had been stimulated by something in the trade press.

Britdoc: the only licensed private competitor to the Post Office for delivering documents.

**ROBERT JACKSON**

Caroline Jackson arrived later.

I think Caroline [Jackson]* is now doing much the same thing; there is just a lot more of it. She had a lot going in Wiltshire. Bath in contrast had been regarded as quite peripheral by the previous member, who was Bristol-based Labour. But there is a lot happening there now.

**BUTLER**

Is there a difference because some constituencies are in development areas? There is a lot more money for some MEPs to be concerned about.

**GRIFFITHS**

That's certainly true. Local authorities would be putting cases about they should get this or that money. Or there was the case of an inn where I enjoy a very nice meal from time to time. They wanted to convert a sixteenth century manor house into a restaurant and the guy had applied for a soft loan, but there seemed to be a hold-up. I rang up Freshfields, the big London law firm who handle a lot of EC-related cases and asked if there was a problem. They pointed me to someone who was sitting on it in Luxembourg. I got onto him and the thing went through. So there are even little things like that.

**BUTLER**

There is this question of efficacy, how much do you feel that you achieve?

**NEWTON DUNN**

I remember a young man from Newark being arrested in Corfu, allegedly carrying drugs. All his friends from his local pub started ringing me at all hours saying, 'You have got to do something'. And I got him legal representation and so on, and he was eventually found guilty. His mother rang me to thank me and said he had been on drugs for years, we were so disappointed you could not get him off this time!

**JOHNSTON**

Mrs Winifred Ewing, Scottish Nationalist politician. Known as Madame Ecosse. MP for Hamilton, 1967-70; Moray and Nairn, 1974-79. Served in the EP delegation, 1974-79. MEP for Highlands and Islands 1979-99. MSP for Highlands and Islands, 1999

I was saying earlier that MEPs claim to do more than they do. Mrs Winifred Ewing,* at both the last two Euro-elections, suddenly published huge lists of all the regional aid within the whole Highland area. She didn't actually say it was entirely a consequence of her efforts, but very clearly implied it.

**BUTLER**

This takes us to a different question. I'd like to ask you about relations with the MPs in your own areas. In some cases this has been very fraught I gather. In other cases there have not been many of the same party in the area. To some MPs you seem a threat, and you are comparatively well-funded. In some cases the MEPs in the Labour Party have, as a consequence, been a major local resource. What was the experience in South London?

**PRICE**

Social Democratic Party MPs led by David Owen after 1987.

In that constituency I had most of the time two Owenite MPs,* no Labour and the rest have been Conservatives. The relations have always been cordial with virtually all of them. The big distinction is between individual relationships between MEPs and MPs in the same party and the collective relationship between Conservative MEPs and Conservative MPs at Westminster. The further you collectivise the two institutions the further apart you become.

The typical meeting with local MPs might be at some constituency social event, spending five to ten minutes having a quick natter, or occasionally having a longer talk over dinner. There is quite a regular exchange on a one-to-one basis, all of those relationships, with very rare exceptions, being cordial and constructive. Then sometimes you see how those same people have voted or acted in the House of Commons and they don't seem the same people. So the relationship that has been struck up on an individual level is not followed through into an institutional understanding between the House of Commons and the European Parliament.

**ROBERT JACKSON**

That's very true. If one looks at Caroline [Jackson], when she started off, she was very much the newcomer. But one of the striking things about her area is the huge turnover of MPs. She is now, I think, probably the senior elected person in the area. That probably affects the relationship a bit.

I have two little anecdotes from my own time in the European Parliament. I remember, after I was chosen and before I was elected, going round to meet the MPs in my patch in Upper Thames Euroconstituency (someone once said to me it should be called M4), and one of them was Michael McNair-Wilson* and he said to me, `I think you are a fast-speed European, Robert. I'm a slow-speed European. In fact, I think you could say I'm a very slow-speed European'. The other anecdote relates to David Stoddart,* the MP for Swindon, the only Labour constituency in my patch. I hadn't met him at all and was looking for an occasion to do so. I feared it might be a bit sticky, but I received an invitation from Swindon Council to attend their Armistice Day parade, and I thought it might be a suitable opportunity. It turned out to be rather unsuitable from David's point of view. He went absolutely white when he saw me. I went over to shake his hand. He put his hand behind his back and said, ' regard you as a member of an alien assembly'. So I said, ' hope we can work together on behalf of our constituents', and he replied, `If I should need to consult you about my constituents I shall do so'. I think this was regarded as rather bad form by various people, and I afterwards had a very interesting conversation with his agent, who told me he was a great European and that he thought the great problem with the EC was that there was not enough majority voting in the Council of Ministers. This brought home to me the complexities of Labour Party policy on Europe at the time.

Sir (Patrick) Michael McNair-Wilson, Conservative politician. MP for Lewisham West, 1964-6; and New Forest, 1968-97.

Lord Stoddard of Swindon, Labour politician. MP for Swindon, 1970-83.

**BUTLER** Russell [Johnston], as an MP are you aware of tensions with MPs fearing MEPs are trespassing or might even be trying to steal their seats.

**JOHNSTON** I am personally not particularly aware of an institutional rivalry. You [Peter Price] said just now how people behave differently on the floor of the House, but you know how polarised the House is now on the whole European question. Consequently there are a lot of sideswipes at the assembly as a lot of people still affect to describe it.

**GRIFFITHS** I ousted a Conservative in winning my Westminster seat. In the Labour Party there undoubtedly was an element of fear of MEPs trying to get a seat in their Euro-constituency area. Of course, our rules on this have changed three times. Now I think we have totally unacceptable rule, that a member of either place can only stand for the other if he or she first resigns the seat that they are holding. I think this is ridiculous. I think it is good to have a bit of cross-fertilisation, so to speak.

On this question of having a cordial relationship with the MPs in your constituency, yes, that was fine. But I can think of one MP, who I won't name, who was a great pro-European, but I know he had immense problems with another MEP who he felt had been straying into Westminster territory. It was like walking on eggshells, and it was wiser to defer to your seniors and betters. If I had something that was really a Westminster complaint, I would pass it on to the MP concerned. Just like now as, an MP, if I get something which is a European matter. For instance, I had a farmer who was concerned about how his sheep were counted for subsidy purposes; I sent it all to the MEP. It is perfectly possible to work well together; but it has been a fraught relationship in these early years, with Westminster regarding themselves as senior.

**ROBERT JACKSON** There would be a difference between the parties here wouldn't there? Labour during that first term of the European Parliament was going through many constitutional changes on selection and so on. Whereas the Conservative Party still has the tradition that basically, once you are in, you stay. The issue did arise in my case in the context of Tom Benyon, who was the MP for Abingdon, which became the seat that I acquired after he was deselected, but it was very unusual. He was always very helpful and welcoming. I don't think he saw me as a threat, and I don't think I was particularly. There was a certain amount of tension around, but it is not so much an issue in the Conservative Party because there is not the same vulnerability for the sitting member.

**PRICE** The first five years were different, because of the people there at the beginning. There were a number whose prime aspirations were for Westminster. Since then, there have been very few such people.

So there was more reason for looking over the shoulder then. Now movement is almost equal. It is a very small trickle in each direction. So I don't think that tension is current; but it was an issue in the first five years.
The other point concerns what Win [Griffiths] was saying just now. I have found that passing of correspondence has gone pretty well over time. This largely reflects the success of the one-to-one relationships I mentioned earlier. The biggest problem has been when people have been remote from each other in their institutions.

**BUTLER**

Before we move on, can I ask if you have a great sense of identification with an electorate? Even MPs know that the recognition factor is very low indeed amongst voters. But it must be far, far less for MEPs, except amongst an elite circle of their own party, local officials and dignitaries and major local industries. I wonder if you think there was any change over time, with MEPs becoming more or less visible locally?

**NEWTON DUNN**

In my opinion very little really. Peter [Price] and I did the full 15 years, and we were still swept away in 1994, despite 15 years hard work. Although you get known over 15 years, the population is always changing. Unless, on the American system, we had millions to spend on television advertising, we are doomed under the present system never to be known at all.

**PRICE**

The people in my patch, and some of the MPs, regularly congratulated me on how much publicity I managed to attain in local newspapers. And some of the MPs asked me, 'How do you manage it?' But when I went out on the doorsteps during the elections it was no surprise to me that hardly anybody had ever heard of me or of anything I had done. Being a realist, I know that very few people actually register things they read in local newspapers where the person concerned is not already known to them, or the locality referred to is outside their experience or irrelevant to them. To most people, the MEP is someone whose whole role is not understood. So, unless he happens to have done something like dish out the prizes at your children's school, you would not have noticed that item on that page of the newspaper, nor any of the others of the whole five years.

Beata Brookes, Conservative politician. MEP for North Wales, 1979-94.

Glenys Kinnock, Labour politician. MEP for South Wales, 1994-.

**BUTLER**

Is it different in Wales?

**GRIFFITHS**

Barbara Castle (Baroness Castle of Blackburn), Labour politician. MP for Blackburn, 1945-50; Blackburn East, 1950-5; Blackburn, 1955-79; MEP for Greater Manchester North, 1979-84; then Greater Manchester West, 1984-94 and Leader of the MEPs' British Labour Group 1979-94.

Not a great deal. Someone like Beata Brookes* was fairly well known over a large swathe of North Wales. Glenys Kinnock* is well known, and Barbara Castle* was very well known, but you needed to have been a personality.

**JOHNSTON**

Of course, our two Liberal Democrat MEPs would not have won in 1994 if they had not, in both cases, over two or three years maintained a continuous campaign based on local government activity and so on. And you can well say that is not the way it should be done, but that is the only way they would win.

**ROBERT JACKSON**:

Margaret Daley, Conservative politician. MP for Somerset and Dorset West, 1984-94.

I am not sure that is quite right, because Margaret Daley* was probably one of the better known of the MEPs. Just one little personal observation; during the last Euro-elections I did quite a lot to help Caroline [Jackson]. One of the main things I did was a lot of telephone canvassing, which I had never done before. I rather enjoyed it and I think this is going to be the big new thing, because you can talk to lots of people and it is quite civilised. It has a pleasant anonymity about it. But I was very struck by the number of people in the villages I was telephoning who had heard of Caroline. Many more than I had expected. I don't know if that was just accident, but there was definite name-recognition.

**BUTLER**

I presume that Winnie Ewing is an extreme case because she has been around a long time.

**JOHNSTON**

She starts off with the fact that ever since she won Hamilton she has been a national name, 'Madame Ecosse'.

**PRICE**

On Russell's point about the two Liberal gains in 1994, since the statistics showed these to be the two Conservative constituencies most likely to fall to the Liberals, it was not a surprise that these went. You may chose to believe that this was because of campaigning, or you may chose it believe it reflected a regional swing.

**BUTLER**

There were certainly Liberal lamentations that they failed to win the two seats of Dorset and East Devon because their candidates were less admirable than the candidates in Cornwall and Somerset.

**ROGER BROAD**

Sir Basil (Boz) di Ferranti, Conservative politician. MP for Morecambe and Lonsdale, 1958-66; MEP for Hampshire West, 1979-84; and Hampshire Central, 1984-7.

Sir James Scott-Hopkins, Conservative politician. MP for North Cornwall, 1959-76; MEP for West Derbyshire, 1976-79; Hereford and Worcester, 1979-84. Leader, European Democratic Group, 1979-82.

Can I just make a more general comment on Westminster and the MEPs. I remember sometime at the end of 1979 or early 1980 there was a meeting of the services committee of the House of Commons that I attended with Barbara Castle and Boz Ferranti.* It related to MEPs' access to the Commons. Ferranti was there in Jim Scott-Hopkins's* place. Now Jim and Barbara had prepared lists of proposals about liaison between MPs and MEPs. Unfortunately, they had not consulted each other, and out of about 15 proposals there were only two or three in common. The attitude of the MPs was that these people had gone off from Parliament to these Elysian Fields in Strasbourg, and they were not going to have access to our precious House of Commons.

**BUTLER** But the extent of access and welcome has changed to some degree over time?

**RICHARD BALFE** I was never bothered about it. It always struck me that it meant a lot to Barbara [Castle] because she had been there. I went three weeks ago to get my pass. This was only the second time I had been in during the ten months since the 1994 election, and I am a London MEP. It doesn't impinge upon me, and quite frankly, if I want to see a member of the House of Commons, I go there. And, if they want to see me, I invite them here, and in the Labour Party they generally come.

**PRICE** I found that at the beginning there were lots of discussions about access to the House of Commons. I always thought that this was a misplaced effort, because in practice very few would make use of these facilities because it wasn't very relevant to the job. This was because MPs chose to ensure this. In the long run the discussions a couple of years ago about select committees showed that the losers were the Commons, because there are not informed debates in the House. They are beginning to wake up to the fact that so much happens which they are uninformed about, and there was an effort to integrate this information more formally into the work of the select committees, but they had missed the boat. If, back at the beginning, the idea put forward by the House of Lords of a grand committee made up of MPs, peers and MEPs had been put in place, it would have established regular attendance at Parliament as part of the duties of an MEP. The institutional links that would have spread from that grand committee would, in my view, have solved many of the problems we have had. Little matters about cards to get in the building would have been very much detail downstream of the great political importance of bringing regular contact between these institutions. Instead people footled over access cards and dining rights.

**BUTLER** This raises the issue of dual mandate. Robert [Jackson] and Win [Griffiths], you had dual mandates for a time. Is there any wistfulness about this, or was it something that was always going to disappear?

**ROBERT JACKSON** The problem in the House of Commons was that it was always seen as an issue concerning the House as a club. These people want to get into the club. It was always very trivial, but there is still rather a flavour of it I am afraid. Peter [Price] is absolutely right that the key is the institutional links and it is now very hard to retrieve it because the institutions have drifted so far apart. The logical device would be to take the European select committee's procedures and work MEPs on a functional specialist basis into that. But how will the Commons persuade an MEP, who has an interest in a particular matter, or who sits on the relevant committee in the European Par-

liament, to come? After all, they cannot make them come. All they can say is that we would value your presence, but they cannot vote though. That would be very helpful.
Dual mandate I think is really dead and gone. The European Parliament is now an elaborate apparatus, much more elaborate than it needs to be. Westminster similarly. I just don't think dual mandate is now possible.

**BALFE** The reform Robert [Jackson] has proposed might be a good thing. But frankly, I can get a much better meal in my club, the Reform, than I can in the House of Commons, and I feel a lot more welcome in it.

**JOHNSTON** It sounds a grand notion, this grand committee concept, but what will it actually achieve? I think remarkably little, like the select committees. There are no Liberals on the select committees, but if we had made a big fuss we could probably have got one on. But the idea of serving endless weeks under Nigel Spearing* gives me the shudders. I have no intention of doing that. So the best way of saying something effective about Europe is during debates, which admittedly are parlously attended, but at least you had a record. But the two institutions are different, and I think there is a lot of hogwash talked about the need for them to interact and so on.

Nigel Spearing, Labour politician. MP for Acton, 1970-4; Newham South, 1974-97. Chairman, Select Committee on European Legislation, 1983-92.

**BALFE** Do you feel you need to come to our institution very often?

**JOHNSTON** I do and I don't. I do because I like to. But I find out what goes on in your institution through the cross-party organisation, which is another issue.

**GRIFFITHS** I think there would be some value if, at the beginning, there had been some framework for representatives of the two bodies to meet. Where it would most definitely be valuable is at the party level. There is a lot to be gained if members of each body in the Labour Party had a better understanding of what was happening, particularly in the European institutions, because there are MPs who just haven't got a clue. Regular meetings would help to dispel myths.

**BUTLER** Is there a failure on the part of the 18 or so MPs who have been MEPs? I remember Robert [Jackson] you once saying that you were so conspicuously a European that you have gone on being a European as an MP. But most of your colleagues have made the transition, gone native, and you hardly remembered that they had ever been to Strasbourg. Is that fair?

**ROBERT JACKSON** Yes, I think it is. On the issue of institutional links, you have to look at where the points of contact are. The first is the party com-

mittees. I think the position now is that all the parties welcome MEPs to these. I don't know whether any steps are taken to inform them of when meetings are taking place. I do know that Caroline goes along from time to time when she is in London. Occasionally she has found that helpful in terms of being able to express her point of view. It would be useful for Westminster to encourage that more. The value for MEPs is a bit dubious. I suppose it depends on the subject.

Draft legislation for the House of Commons is scrutinised by the Select Committee on European Legislation and Standing Committees A and B.

The select committees* form another linkage, but I don't regard them as a major Westminster institution I'm afraid. By their nature they are rather 'select'. People give evidence, but it is hard to see how they could have members who were not MPs.

The bit of the system that I think does create a community of interest is the standing committee. They have a fixed membership, but there is a facility by which people who are not MPs can take part in their deliberations but not vote. That could be extended to MEPs. And these committees do consider specific items of legislation: the kind of legislation which will, typically, be at the same time passing through the European Parliament and being dealt with in its committees. In a sense, the importance to an MEP is that the position of the British government in the Council of Ministers is being influenced by what happens in these committees. On the other hand, the outcome of standing committee deliberations is very predictable, because the party whips operate. I think there could be a way, with willingness on both sides, of making something positive of that. But it would require a lot of work, because probably a Clerk of the Committee would have to have the task of notifying MEPs when particular items are going to be discussed and trying to make it possible for them to come.

**NEWTON DUNN**

I think Win [Griffiths] was right when he said most of what we were trying to achieve by these links was understanding. We really want Westminster to understand and to educate the country, because the MEPs are too few. Now the committee that used to be the most difficult was the Market Committee of the Danish Parliament. If you talk to a Dane now they will say that the Market Committee is no problem at all, because they have all discussed Europe in so much detail that they are the best Europeans in that Parliament and they educate the Ministry.

I would have preferred more links, but I suspect, for Parliament to catch up, they have to find ways of discussing the issues amongst themselves. The fact that there are a few MEPs who may or may not find time to come is really, I fear, irrelevant.

**GRIFFITHS**

I feel that, in some senses, the reverse process needs to take place. Westminster needs to realise that it cannot do the same job as the European Parliament. That job is full-time. Therefore, any links between the two are always going to be difficult to establish. In Westminster, with the two standing committees and the select

committee, there is no way that we can scrutinise legislation in the same way that the European Parliament does.

**PRICE**

Russell [Johnston] asked what a grand committee might do. I want to pick up this theme, that has gone round the table about understanding. This is what is lacking about debates in the Commons. There is a huge gap between the debate going on between the representatives of now 15 countries in the European Parliament and the debate going on in Britain, both in the Commons and in the media, which is as if the rest did not exist. Now the most obvious way of bridging this gap is through the MEPs. There are other ways, if MPs were exposed more first hand to Europe, but I don't see that happening. I think that the most practicable way, therefore, should have been used. I don't think now that it is going to happen. But once a month, near the beginning or end of the week because of the European Parliament timetable, a meeting of the grand committee would have taken place that would have debated a single topic of common interest. Some of those topics would have been big issues, like monetary union. Inevitably in such a debate there would have been so many MEPs coming across and explaining the realities of what was going on in the other countries, it would have brought MPs up to date in a way that would have been hard, though not impossible, to ignore. So some of the debates would have been on issues leading up to an Inter-Governmental Conference (IGC). Others might have been major groups of directives in a given area, or even a particular directive, and of course the Commons would later be faced with the implementation of these directives. I think that from these debates would have flowed other, informal links. As it is, the central thing has been lacking. The only MEPs who get details of the party committees Robert [Jackson] referred to are people like Caroline [Jackson] who either have a home or an office in central London. That represents a small minority of MEPs. Otherwise contacts are sporadic.

**BALFE**

David Clark, Labour politician. MP for South Shields, 1979-; Labour opposition spokesman on Defence

I'm our group spokesman on defence and liaise with David Clark.* That hasn't involved me in going to the Commons often. Indeed, our offices do a lot of the liaising. I feel that if you have a specific job to do it is easier to liaise, because you have a purpose.

Secondly, it took the Commons a long time to take on board the fact that Europe exists. Even now there are MPs who do not realise there is a short code method of dialling Brussels. MPs themselves have got to get to the stage where they trust people to come to Brussels, where they don't say that you can have one trip a year. A more flexible system should be brought into play. There may be some who would abuse it, but I think, if you can show that you are going for a valid meeting, an MP should be able to get a ticket and fly to Brussels. There is a need for it to be made possible for the MPs to come in our direction, as well as for us to go in theirs. It boils down to trusting MPs.

**BUTLER**

Could I move on to relations with government and relations with the party? Taking government first, how far did ministers talk to you, Bill [Newton Dunn] or Peter [Price], about things which were happening? How far were you in any sense part of the government machine whilst you were Conservative MEPs?

**NEWTON DUNN**

Alex Sherlock, Conservative politician. MEP for Essex SouthWest, 1979-89.

Gloria Hooper (Baroness Hooper), Conservative politician. MEP for Liverpool, 1979-84.

Tom King, Conservative politician. MP for Bridgwater, 1970-. Various ministerial posts 1979-92.

I would say that it changed. The first year, in 1979, I was put on the Environment Committee with Alex Sherlock* and Gloria Hooper.* We, the Conservatives on the committee, went to see Tom King,* who was then at the Department of the Environment. We sat in his office round a beautiful table with all these civil servants listening to our discussions, and then, as we were shown the door, I remember one of the civil servants muttering to me, 'What we really want is for you to keep Brussels out of our hair for as long as possible'. That attitude has changed enormously now. Certainly, on the Conservative side, we got quite good at liaising with ministers. Relationships were much better with ministers than with backbenchers.

**PRICE**

In the first five years there was more of this taking-the-whole-committee-team-to-meet-the-minister-once-every-six-months type of formality about the relationship. Later there developed more *ad hoc* contacts because, either they wanted information, or we were concerned about something they were doing or whatever.

**NEWTON DUNN**

They were concerned we could cause trouble unless they kept an eye on us.

**PRICE**

The contact was much more on the telephone or letters: quick contacts between the spokesman and the minister.

**BUTLER**

The Conservative government with Conservative MEPs or with MEPs in general? Matters may not be party political at all. Richard [Balfe] and Win [Griffiths], were you contacted?

**BALFE**

Nigel Lawson (Lord Lawson of Blaby), Conservative politician. MP for Blaby, 1974-92. Chancellor of the Exchequer, 1983-9.

Douglas Hurd (Lord Hurd of Westwell), Conservative politician and diplomat. Foreign Secretary, 1989-95.

Tristan Garel-Jones (Lord Garel-Jones of Watford), Conservative politician. Various government and ministerial posts, 1981-93.

David Davis, Conservative politician. MP for Boothferry, 1987-97; Haltemprice & Howden, 1997-. Held several governmental and ministerial posts, 1989-97.

I think it depended on chemistry. I started off on the Budgets Committee. I found it much easier to get on with Nigel Lawson* than some of his own team did. I think, if the Conservative team went to see the minister, then the one Labour MEP on the committee did as well. But it varied over the years. I always found Douglas Hurd* very easy to deal with. Tristan Garel-Jones* was not only very easy but also very friendly, and always forthcoming. David Davis,* the present minister of state at the Foreign Office, has no time for us Labour MEPs at all, whereas Garel-Jones would make a point of seeing us when he came to Strasbourg and did things like remembering your name, which are very good in building human relationships. So my experience of dealing with the government has been that it has been more a matter of personal chemistry than any sort of formal linkage. As far as my present job on defence goes, we

Malcolm Rifkind, (Lord Rifkind) Conservative politician. MP for Pentlands, 1974-97. Foreign Secretary, 1995-97.

Bryan Cassidy, Conservative politician. MEP for Dorset East and Hampshire West, 1984-94, and Dorset and East Devon, 1994-.

have a cordial relationship with Malcolm Rifkind's* office, but it is frankly more with his civil servants. Certainly the minister could make sure we did not have any contact. However, we have got an all-party defence interest group now, with Bryan Cassidy* and myself in charge. The Ministry of Defence (MoD) has recognised this and offered us facilities, assuring us that, as long as it is all-party, they will continue to facilitate us visiting the North Atlantic Treaty Organisation (NATO), the Rapid Reaction Force, and the like.

**GRIFFITHS**

UKREP: United Kingdom Permanent Representative to the European Communities. It is staffed from various Whitehall ministries and negotiates in the Council of Ministers at civil service level, setting up ministerial agreements.

In the first ten years I particularly specialised on regional policy. But the only time I really had close contacts with ministers was on the run-down of the steel industry. We also, as the British Labour group, had meetings with UKREP* in Strasbourg fairly regularly. But on a Labour MEP to Conservative government basis, apart from these UKREP meetings and good access to the UKREP office in Brussels on any issue in which you might be interested in as a MEP, the rest of it was pretty ad hoc.

**BUTLER**

Robert [Jackson], when you became an MP you became a minister.* Did you exploit your Strasbourg connections in any way, or encourage colleagues to do this?

**ROBERT JACKSON**

Robert Jackson was Parliamentary Under Secretary of State, Department of Education and Science, 1987-90, Parliamentary Under Secretary in the Department of Employment, 1990-94.

Eric Forth, Conservative politician. MEP for Birmingham North, 1979-84; MP for Mid-Worcestershire, 1983-97; MP for Bromley and Chislehurst, 1997-. Parliamentary Private Secretary, Minister of State, Department of Education and Science, 1986-87. Parliamentary Under Secretary of State, Department of Trade and Industry, 1988-90; and Department of Employment, 1990-94.

It didn't really arise in the jobs I was doing. In the higher education job it wasn't really an issue for the European Parliament, although I remember seeing a group of MEPs who wanted to make a point about something. And when I was at the Department of Employment I was carefully placed in a position where I didn't have anything to do with Europe. It was all in the hands of Eric [Forth].* The only thing I would add is that, as the powers of the European Parliament have evolved, so the interest of government in what goes on there has increased. This is an important point. Obviously these powers have developed in different ways in different areas. Caroline [Jackson] has been active in areas where the powers have increased and which are of importance to British governments. And I am conscious of an enormous to-ing and fro-ing between her and ministers and officials. And it is a two-way trade. If anything, it is more them wanting to get her to do things for them.

**BUTLER**

Walworth Road, London SE1 is the site of the Labour Party headquarters.

I want to come back to the powers of the European Parliament in a minute. But first, can we just talk about MEPs' relations with Walworth Road* and Smith Square.*

**JOHNSTON**

Smith Square, London SW1 is the site of the Conservative Party headquarters.

Before that, my experience is now rather dated, but my view is that our government, irrespective of whether it is Conservative or Labour, is less forthcoming than those of many other member states. I can find things out more easily from the German than the British Foreign Office, which seems absurd, but it is one of the

results of these trans-national party links. It is perfectly true that individual ministers may be nice, like Tristan [Garel-Jones]. The problem arises when there is a serious difficulty. So I would think that the MEPs' lines of information are mainly to the Commission rather than to the national government. Certainly that used to be the case.

**BUTLER** Moving on to relations with Central Office. How far were there smooth relations there?

**NEWTON DUNN** Before the 1994 European elections we opened up an office within Central Office. We found that what was valuable wasn't so much the formal as the informal links, the fact that you could wander down the corridor and get to know everybody. I thought that the party machine, the agents and officials, changed enormously and realised that the European Parliament mattered. We actually had a programme of taking them out on quick visits to Strasbourg.

**BUTLER** But what about the previous 13 years?

**NEWTON DUNN** In the previous 13 years we never did have an office there and therefore it was much more difficult.

**GRIFFITHS** You did at one time.

**PRICE** There was a period when we did have an office in Smith Square, but it was a short-lived thing that we gave up for budgetary reasons.*

In 1979-84 Conservative MEPs had office space in Central Office which Caroline Jackson ran before being elected to the European Parliament.

**BUTLER** What about the Labour Party at Walworth Road?

**BALFE** We went through phases. The first phase was the dying days of the Callaghan* leadership. I don't think that he, as party leader, ever accepted we existed, except for the fact that Barbara [Castle] was our leader. He couldn't stand her, and the feeling was reciprocated. Then we had the Michael Foot* years when we were fighting the 1983 general election committed to leaving the Community altogether. I think I have the only collection of the entire papers of what is now the European Parliamentary Labour Party for that period. There is the record of a meeting two or three months before the 1983 election when Barbara [Castle] was missing and our delegation was led by Ken Collins.* The minutes record that Ken Collins and Michael Foot had some areas in common in regard to Europe, but there were some matters where they differed! This is a masterpiece of minuting! But once Kinnock* became leader, there was a conscious effort to bring the party together and the Labour MEPs were part of that. I also think that once Barbara [Castle] had

James Callaghan (Lord Callaghan of Cardiff), Labour politician. Prime Minister, 1976-9.

Michael Foot, Labour politician. MP for Devonport, 1945-55; Ebbw Vale, 1960-83; and Blaenau Gwent, 1983-92. Labour Party Leader, 1980-3.

Ken Collins, Labour politician. MEP for Strathclyde, 1979-99.

Neil Kinnock, Labour politician. MP for Bedwelty, 1970-83; Islwyn 1983-95. Labour Party Leader, 1983-92. European Commissioner, 1995-.

ceased to be leader, and it started to be seen that the group was asserting itself under a succession of different leaders who had not her ties to Westminster, we started to get a much more clear-cut view. Frankly once John Smith* became leader he was absolutely committed to integrating us fully into the party.

John Smith (1938-94), Labour politician. Labour Party Leader, 1992-4.

**BUTLER**

This points up a central theme. The Conservative Party, in some ways, turns anti-European. The Labour Party goes pro-European. And all MEPs tend to be pro-European. There has been a change in the relationship, the Labour Party having been, certainly for the last five years, strongly pro-European.

**GRIFFITHS**

There is another issue. At Westminster, we are used to these three line whips, and you very rarely get anyone breaking a three-line whip, whereas, in the European Parliament, although we had various attempts to introduce a whipping system, it was pretty pathetic compared with Westminster. There weren't any real disciplinary measures, certainly for the first ten years that I was there, for those people who either didn't bother to turn up for a vote or who voted in a different way from the way the group felt that we should.

**PRICE**

It seems to me that there are two crucial elements to the relationship with the party on the Conservative side. The first has been the attitude of the party leader and the stance generally of the party, which it is the duty of the party officials to carry through. This stance colours attitudes more than policy. And secondly, it is the party chairman who heads Central Office and shapes whether things happen or not. There was a conjunction, in the period Bill [Newton Dunn] was talking about, between Norman Fowler's* much more positive attitude, our taking space in Central Office and there being more personal contacts. And at the top, John Major* came to office with very clear commitments on Europe that created a very favourable atmosphere at the time. That led to the best period we had of relations with the party.

Sir Norman Fowler, Conservative politician. MP for Nottingham South, 1970-4, and Sutton Coldfield, 1974-. Conservative Party Chairman 1992-4.

John Major, Conservative politician. Prime Minister, 1990-97.

**BUTLER**

I wonder if we can now jump across the Channel and talk about the differences of multilingual European politics, and the extent to which MEPs going to Strasbourg in 1979 or even 1973 found themselves in a different world? Are the British MEPs very much a class of one against the rest? How far has English become more the lingua franca? How far have British MEPs become more polyglot?

**BALFE**

I don't think it is the Brits versus the rest. Each country has its national characteristics and, funnily enough, some of the legend is borne out in fact. The Germans do tend to be well-organised, rather stolid and not too good at a joke on occasions. But, if you want something sorted out, your German MEP will do it a damn sight quicker and more effectively than some of the others.

The language of the European Parliament is English. This is undoubtedly even more the case now that we have got the Scandinavians in. If you come across two members, neither of whom has English as their first language, talking to each other you will find invariably that they are talking in English. They may speak French. The European Parliament has to an extent realised this. In the Socialist group we increasingly have working parties without translation, if only for the purpose of keeping confidential what is going on. And the accepted rule in the group now is that you can speak in either English or French, which means that there has been a huge drive amongst the British to learn French. This doesn't mean that if you don't know it, particularly as a new member, someone won't translate, but this is now the rule, particularly for the small working parties. And they are the ones that draft the amendments, the ones which really do the work.

Bonn-Paris axis: a 'symbiotic' relationship between Germany and France as *de facto* leaders of the EC, deriving from the Franco-German historic compromise in setting up the ECSC and EEC and symbolised by the Friendship Treaty of 1963.

As a group, the British often do themselves down. The British in the Socialist group are very well respected because we do work hard, we do turn up on time, we do draft reports and we are dependable. As far as the Benelux countries are concerned, and some of the others, they see the Brits as a sort of counterweight to the Bonn-Paris axis.* Not that they want us to be part of an axis, but we do have a role to play.

**NEWTON DUNN** Certainly the Brits are not worse linguists than anybody else. Scratch the average MEP and they all speak several languages and they all go out there and make an effort. I remember being very struck by Barbara Castle making speeches in French and German.

**BUTLER** She read modern languages at Oxford.

**NEWTON DUNN** Any sensible MEP immediately learns another language, because you do not try and act too imperialistically when you approach other MEPs, even if you have to lapse into English later on.

**JOHNSTON** On language, I think the British and French are the worst and the Germans and Dutch the best.

**BUTLER** What about political style? There is a different shape of parliamentary chamber and different traditions.

**PRICE** I think the linguistic differences are minor compared with the cultural differences; and these cultural differences do exist and they are not a matter of Brits against the others. So far as language is concerned, Richard slightly surprised me in talking about English being so dominant. Maybe things have changed with the Scandinavians and the Austrians, but historically French has been slightly uppermost. This is partly because it is usually the lingua franca amongst the staff, and you get much more documentation pro-

duced by the staff that is drafted in French. So it may well be that your small working party discussing a text mostly in English are actually working through a text that is largely in French. But languages are not the big thing, because so many meetings can be held in a mixture of English and French and people are able to cope. The big differences are cultural. The differing nature of national parliaments is probably the biggest single influence on any MEP. In some countries the national parliament is expected to make grand pronouncements but not do detailed work.

**ROBERT JACKSON**

I agree that language is not a major issue, although I have a sense that our general linguistic competence is relatively low. But, on the whole, our MEPs tend to come from the section of the population that has made some effort to learn languages.

I suppose the fundamental cultural difference in the European Union is between North and South. But there is a difference between the British and the others, which I think has to do with networks. One was always aware with continental colleagues that there were all sorts of structures within which they were talking to each other, typically party structures. I don't know if this has changed since I left. I may be reflecting the isolation of the Conservatives from the European Peoples Party (EPP)* in those days. But it wasn't just party links. There were others which linked continental countries into some kind of common European destiny, whereas with this country it is still very much the case that we see our most important links as being with the United States and the Commonwealth. We don't know very much about the continent or their political systems. If you asked me how many prime ministers I could name, I doubt if I could manage more than one or two. We are more likely to know the name of the Prime Minister of New Zealand.

European Peoples Party (EPP), formerly Christian Democrats, which groups parties of the centre-right.

**NEWTON DUNN**

There is one other point. With PR all over the continent but not in the UK, it means that people move easily from being MEPs to going back into their governments. So you find that, on the Council of Ministers and the Commission, there is a network and they all know each other. The British are rarely part of that network.

**ROBERT JACKSON**

And this goes back to the complete isolation of the British political system from Europe. This ease of movement on the continent between the Council, the Commission and the European Parliament was always difficult here and is now becoming impossible.

**BALFE**

Another point is that, within the British delegation, there are English and there are others. With an Irish Catholic background I have always found it much easier to melt in than many of the really English have. That is a distinction more evident in the Conservatives, because they have more English people in it. In certain of its values the European Parliament is Catholic, it is not a Protestant Parlia-

ment. That comes through in the attitudes towards laws, decision-making, implementation and the grand gesture. I can live much more comfortably with the grand gesture than John Tomlinson* can, because he is a very English member of our group, and because I can see what it is worth. A grand gesture is a statement of hope and faith. It is very important to state your faith, but that is much more a Celtic than it is an English tradition.

John Tomlinson (Lord Tomlinson), Labour politician. MP for Meriden, 1974-9; MEP for Birmingham West, 1984-99.

**PRICE**

There is another strand of which that is a part, which is the business of being in a national political scene of coalitions. The British are used to clear-cut confrontational politics. In that, it is difficult to give a lot in order to achieve a compromise. Whereas, for many of our continental partners, you have to put together a coalition of so many different interests that, if you get a part of what you want, that is an achievement. The British in contrast have tended to stand on principle.

**BUTLER**

Can we move on to the rather different stories of the Socialist group and the Conservatives in the European Parliament?

**GRIFFITHS**

I can remember when I was elected in 1979 I had experience in local government, but I only had a sketchy knowledge of how the European Parliament worked. But it had this committee system that was quite akin to local government, and I found that quite comfortable. In terms of how I felt as a British MEP, being in the Socialist group was definitely an advantage. Certainly, in the early days, we made tremendous efforts to make up multi-national groupings to go out for dinner although, as you got to know people better, the need to do that seemed to diminish a little.

**BUTLER**

The Labour delegation has moved from 17 up to its present 62. How has this changed the position of a Labour MEP, now they are the largest force in the Socialist group?

**BALFE**

When we first got there, being so thin on the ground we had to work with our colleagues, which was a great advantage. If we wanted to get anything done in any committee, we had to find allies. One of the things about the Labour delegation is that we have only very rarely gone into the Socialist group with whipped positions. So, one of the things which ameliorates the presence of this large bloc is that the others know that the British and Germans will vote according to their consciences. All the British hands will never go up in unison on one issue as say the Spanish hands will. So, of the 200 or so Socialist MEPs, you have 100 or so voting basically left/right rather than on national interests. I am not saying all the others always vote for their country, they don't. But the fact that the two biggest groups are more likely to split their votes does help, because it is not possible for the others to turn to us and say it

is not fair. Just occasionally we may have a British whip on one amendment, say something to do with agriculture.

**BUTLER** But you do always meet collectively before the Socialist group meeting?

**BALFE** Yes, all the different national delegations do so.

**PRICE** I think 'before' is not quite right. They usually meet at some point in the week, but not just in preparation for group meetings.

**BALFE** It is a preparation for Parliament sessions, and a lot of it is administrative. Last time John Prescott* came and spoke to us, which took up half the meeting. Then we had people to appoint to committees. Then we had the Treasurer's report, and we maybe spent 20 per cent of the time on European Parliament business. By tradition, the only European Parliament (EP) business which is now brought up in the group is where the liaison person feels that we need a group line which may differ from the Socialist group line. But at the end of that, we are never instructed how to vote in the Socialist group.

John Prescott, Labour politician. MP for Hull East, 1970-. European Labour Party delegation, 1976-79. Deputy Labour Party Leader, 1994-7.

**BUTLER** Has it been nice for the Conservatives to turn into Christian Democrats?

**NEWTON DUNN** It depends who you are. For Peter [Price] and me, the answer was categorically 'yes' to joining their alliance. There were some Conservatives who continued to say we should never have joined. But we also found that we could get results that we could never get before.

**BUTLER** You started off with just a couple of Danes, and then the Spaniards came in.

**NEWTON DUNN** Only for a time.

**BUTLER** But essentially you were a British group, with some hangers on.

**NEWTON DUNN** We always felt we gave away too much just to keep them in.

**PRICE** When we had the 17 Spaniards the Danish membership was at its peak of four. This did make it feel more like a multi-national group. We had 45 and we were unquestionably dominant, but the flavour became very different from when it had been just a couple of Danes. And, of course, we reverted back to that in 1989 until we joined the EPP. With just the Danes there was no feeling of a multi-national group, and that was a great lack.

**BUTLER** How much did you feel your power increased or diminished whether you were one of 60 or 32?

**PRICE** It was for the majority of us self-evident that to be part of a larger group and formulating policy on that basis was bound to have more impact. Only those who want nothing to do with the European Union are likely to reject the chance to be part of something bigger and exercising more influence.

**GRIFFITHS** In the Socialist group we used to have informal meetings of the group members on the individual committees. Everybody would speak their own language and we would hope that the Socialist group staff there would be able to cope. But that was also very useful in getting the feel of working in the European Parliament and knowing how other members from other countries thought.

**BUTLER** When you did join the EPP, did you have Conservative group meetings and can you parallel what Richard [Balfe] was saying about going un-whipped into the larger group?

**PRICE** Exactly paralleled. It was rare if we had any sort of whipped position. Occasionally it would be self-evident that there was a national interest, just as there would be for others. In the EPP we from time to time found ourselves in a situation where two or three nationalities would be, almost to a man, on one side and other nationalities on the other side. This was not by organisation. It was a matter of attitudes in common, North-South divisions, or some distinctive national approach to the way things are done. But that would tend to be the basis of divisions in the EPP, not Conservatives versus Christian Democrats.

**BALFE** For over ten years now the Socialists on the foreign affairs committee have always, in the spring and the autumn, had a buffet supper in the house of one of our members who lives in Brussels, and this is a very good icebreaker. To an extent, you actually draw a line and then discuss how to get this line through the rest of the group. Not how are we as Brits or Germans, but we the foreign affairs committee.

**NEWTON DUNN** Peter [Price] is quite right. We didn't have any whips like Westminster at all.

**PRICE** Or internally.

**NEWTON DUNN** No. But there was a consciousness that because, we were in government back home, the potential was there every day that we would create a split or a headline. The responsibility was on the

spokespeople on the committees that, if someone took a position there or in the EPP which was contrary to what London was thinking, we needed to just think for a moment.

**BUTLER** There is the question then of cross-party links. How far did you sometimes act as a British delegation, with understandings of a semi-collective sort?

**BALFE** We never met as a British delegation. The big countries don't. The small countries do. The Danes have a monthly meeting, chaired by their senior member. The Dutch have meetings from time to time. To the best of my knowledge, the Germans have never met as a national group.

**BUTLER** But would you have someone saying, at your groups, that we have talked to Labour or to the Tories?

**NEWTON DUNN** Yes, we wanted to know what they were going to do.

**GRIFFITHS** I think that would tend to happen more at committee level, where there is much easier interchange. In fact, in the European Parliament, on agriculture for instance, you would often find the British members voting as a bloc, just as you would find the French members voting as a bloc in completely the opposite direction.

**NEWTON DUNN** And animal welfare as well.

**JOHNSTON** But the French surely are the worst, voting together from the Communists to the Right.

**BALFE** The French are the worst.

**PRICE** But they had a weekly piece of paper, at the beginning of the week, that was the whip as it were from the Quai d'Orsay,* which was a French whip, not a party political whip.

The Quai d'Orsay is the home of the French Ministry of Foreign Affairs.

**ROBERT JACKSON** I remember, when I was the *rapporteur* on the 1983 budget, set in 1982, I was trying to get to a situation where we made use of the conciliation procedure. To do that, we had to say something specific. To do that, the European Parliament had to abandon its habit of saying everything is a priority, and actually to identify something and argue for it with the Council of Ministers. What I went for was the target of doubling the Social Fund.* Youth unemployment was a big problem. Training was important, and there was a good case for doing this. It was also *communitaire* because it was all in the hands of Brussels. But one of the problems I had was getting the Italians, the great European federalists, to take a non-national view.

The Social Fund is the main financial instrument at EU level, facilitating achievement of the objectives of the European Employment Strategy to protect and promote employment, and combat discrimination, unemployment, and social exclusion.

Their interpretation of this was that I was a typical Brit arguing for the Social Fund because Britain did quite well out of it, whereas, on the regional funds, everything was done in quotas. The Italians did well out of that, because they had poor administration for putting in to the Social Fund, but they could get their quota under the regional fund. I didn't actually win my battle to get the Italians to take a non-national view and put the Social Fund ahead of the regional fund as a priority.

**BUTLER**

I'd like to move on to the change in the powers of the European Parliament, and how far this has affected the nature of life for the MEP? How far do you feel you are part of a more powerful body?

**BALFE**

It's not just been the Treaties, it has also been the Court judgements, and changes in the conciliation procedure.* If, for instance, we want a customs union with Turkey, it has got to be voted through the European Parliament.* The fact that these votes have to go through means that people pay a lot more attention to the European Parliament. When I first stood for selection in 1978, I was asked why I wanted to go to a place with no powers. I said that, if you put all these politicians in an institution, they will find a way of acquiring power for it.

The conciliation procedure was instituted initially under a 1975 amendment to the EC treaties in respect of certain issues involved when the Council of Ministers meant to depart from Parliament's Opinion concerning the annual budget. It now applies additionally in other circumstances.

Parliament approved an agreement with Turkey on a customs union in December 1995 although there had been bitter debate about the Turkish human rights record.

**BUTLER**

Does that mean that it is a more satisfying job now than it was?

**BALFE**

Yes.

**PRICE**

That is quite clear. If you pull out an agenda for a year after the 1979 elections and one for now and compare the two, the first would have been charged with reports, own-initiative reports – meaning there was no legislation involved, the Parliament was merely giving an opinion about something. Paragraph after paragraph after paragraph of hot air that would lead to nothing. The legislative texts were the exception and, of course, the Parliament's changes of rules, where Christopher Prout* has been a great architect. He has had a great impact on getting us to vote on the texts and to refer back to committee where the Commission will not take the Parliament's amendments on board, and so on. So there have been informal changes as well as ones based on treaty that have given us much more legislative power. Combined with that, there has been more legislation going through at a European level and it is has had more impact. An agenda over the last five years – and there are even third readings now – is crammed full of legislative texts, on which the Parliament's resolution is a mere couple of lines saying it is giving its informed opinion. The impact can be measured by the fact that, during the implementation of the Single European Act,* 50 per cent of the Parliament's amendments became law.

Christopher Prout (Lord Kingsland), Conservative politician. MEP for Salop and Stafford, 1979-84; and Shropshire and Stafford, 1984-94. Leader, European Democratic Group, 1987-92; and the British Conservatives; 1987-94.

The Single European Act, 1986, in which each member state of the EU agreed to the setting up of a single market throughout the EU by 1 Jan. 1993. This is the internal market, a unitary (cross-barrier) market governed by a single set of rules, under Article 2 of the Treaty of Rome, before amendment by the 1991 Maastricht Treaty.

**BUTLER**

Caroline [Jackson], do you think you are achieving more now than ten years ago?

**CAROLINE JACKSON**

I think the interesting thing that has happened in the European Parliament is the arrival of the co-decision procedure.* The co-operation procedure* under the Single European Act did not change things all that much since, although it added a second reading, the ball was still mainly in the court of the Council of Ministers. The co-decision procedure, introduced through Maastricht,* however, means for the first time that MEPs can enter into negotiation directly with the Council, with the Commission more as a spectator. I don't think I would entirely agree with Peter [Price] that this has dropped upon the entire Parliament a new sense of responsibility, for the simple reason that the co-decision procedure is only concentrated in a limited number of policy areas. So there is only a minority of committees involved in using these powers. The problem that has arisen is that there is probably a minority of MEPs who actually understand the co-decision procedure, and have helped to operate it. One of the minor tragedies of the arrival of the co-decision procedure is that the Parliament has actually found it very difficult to put together a delegation to go to meet the Council of Ministers. We had to find 12 people. I suppose now we have to find 15, to match the size of the Council. It is difficult for the Parliament sometimes to find MEPs who are prepared to give the time to this.

What is now happening is that, if you look at the Santer* programme for 1995, it is very thin gruel indeed for the Parliament. In fact we may be moving from a period when the Parliament has this rich diet of legislation to a period when it is going to be much more a revising and monitoring chamber: looking at what has happened to legislation, asking about the costs. It is very difficult, because MEPs like legislating. We are going to be monitoring almost as much.

Co-decision procedure relates to the 1992 Maastricht Treaty provision concerning draft legislation under 14 EC treaty articles, that provides for a third reading by Parliament, and for conciliation between Council and Parliament when they do not agree. If that conciliation fails, the Council has to decide what the legislation will be, albeit the Parliament has the power to reject the Council's text.

Co-operation: Ten Articles under the 1987 Single European Act (for example, those relating to the internal market's implementation) can be subjected to a triangular procedure between Parliament, the Commission and Council. In the final resort, a unanimous Council decision can overrule Parliament. (Further details of the co-operation and co-decision procedures can be found in: European Parliament, Directorate-General for Research, *Working Papers, Political Series E1 - The Powers of the European Parliament*).

The Maastricht Treaty of 1992, formally entitled the Treaty of European Union, concerns the procedure of the EU to economic and monetary union and European political union..

Jacques Santer, European statesman. President of the European Commission from 1995-99 when the entire Commission resigned following accusations of corruption.

**NEWTON DUNN**

Caroline [Jackson] has been talking about legislating, but in the first five years it was a case of pioneering and campaigning. We had the Kangaroo Group,* which Boz de Ferranti led, which led onto the Single European Act and the Single Market. No legislation at all, but it was a huge drive to create something new. There was the Spinelli effort,* leading up to the February 1984 draft treaty. Again, no legislation, but an enormous impact. There were campaigns on baby seals and human rights. There was a magnificent debate when Bobby Sands* was about to die, the first of the IRA hunger strikers, and the Irish question was debated. There was an excitement in trying to create something new out of nothing. In the second half it has been the hard work and responsibility with legislation.

Kangaroo Group campaigned for removal of non-tariff barriers to trade within the EC.

Altiero Spinelli, Italian politician. European Commissioner, 1970-76, Communist MEP, 1979-85. The 1983 Spinelli Report was the basis for the Single European Act.

Bobby Sands (1954-81), sent to Maze Prison in 1977 for bombing a factory. With other republican prisoners demanded the rights and status of political prisoners which had been withdrawn a few years previously. He began a hunger strike in protest in March 1981 and died in prison in May.

**ROBERT JACKSON** With the changes after the Single European Act and Maastricht presumably the Parliament is going to have to refocus again?

**PRICE** It seems to me that what we are now going to have is a lot of second generation legislation, and the scrutiny Caroline [Jackson] was talking about will lead to tightening up on things, on sectors of the Single Market, which aren't working and so on.

**BUTLER** Just before we end, do you see a significant change in the role, status, influence and function of an MEP?

**NEWTON DUNN** If there is a general election soon and Tony Blair* wins a big majority and he pushes things through and co-operates with the IGC in 1996, then the Parliament will develop more powers. That is what the Germans are pressing for and I don't think the British could resist that. If John Major hangs on or there is a hung Parliament and Westminster cannot co-operate fully in the next IGC, then I think an inner core is going to develop. This will put the European Parliament in a difficult situation, because it is the Parliament for the whole Community, and in a two-speed Europe, depending if you are a British MEP or a German MEP, it will be a very different type of job.

Tony Blair, Labour politician. Leader of the Labour Party, 1994-. Prime Minister, 1997-.

**JOHNSTON** I doubt if anything dramatic is going to happen before the end of the century. I am in no doubt that trans-national political contacts are going to grow, and it will be a more political community.

**PRICE** Essentially, this tier of government has got to be seen to be democratic. Over Maastricht it was clear that, in a number of member states, people saw European decisions as being taken remotely, and being unaccountable to them. The only way to remedy this is through the enlargement of the powers of the European Parliament, and I am not just talking about another technical change. I think we have got to get to the point where, for legislation to be adopted, it has to be passed by the European Parliament. That is the only understanding the ordinary citizen has about the House of Commons. That simple truth has to exist at a European level for the European tier of government to have credibility. Sooner or later Chancellor Kohl's* view on the need for this has got to prevail. I hope in 1996 he will go a long way towards persuading others for this.

Helmut Kohl, German politician. Chancellor, Federal Republic of Germany, 1982-98.

**CAROLINE JACKSON** I think it is quite conceivable that the IGC will address the question of eastward enlargement. In the long run, as a result of enlargement, we are probably going to have less MEPs from the UK. I think, also, if the British go along with it, there may be a move to abandon the single-reading consultation procedure. I wouldn't go as far as relying exclusively on co-decision as presently organised,

because I think that is so cumbersome.
We should also note that we have been given substantial powers by Maastricht which we are only beginning to explore. And at least one of the powers we were given at Maastricht we have made a complete hash of, which is the appointment of the Ombudsman.* We still haven't managed to find an Ombudsman. Any member state arguing for more powers for the Parliament has a difficult job against the background of this mess.

Proposal for a European Ombudsman was embedded in the Maastricht Treaty, 1991, and introduced a new Article, 138e, into the Treaty of Rome. The Ombudsman's role is to deal with complaints from EC citizens about maladministration of Community institutions or bodies, excepting the Court of Justice and the Court of first instance.

**ROBERT JACKSON** I assume that there will be enlargement to the East, which will bring great changes. There are two questions. The first is, whether the concept of the pillared structure of Maastricht survives, or whether the alternative vision of a series of circles prevails? My feeling is that the pillared concept will hold up. I think we will see a strengthening of the defence and foreign policy sides, but I think that will remain national co-operation territory in which the European Parliament is necessarily peripheral. It is also perfectly possible that the Community pillar may shrink. After all, the thing that drives this pillar is the internal market. I think that is going have to be redefined under the impact both of enlargement and subsidiarity. The big question is the agricultural policy. Will the impact of the eastern countries be to require a repatriation of the Common Agricultural policy (CAP)? I think it does, and should happen, and that would shake the Community pillar considerably.
The other question is what happens to the decision-making procedures within the Community pillar. Enlargement will mean more majority-voting. This may increase the Parliament's role. If the decisions are taken in the Council unanimously, then the Parliament is a bit irrelevant, because the democratic legitimation is coming from the national parliaments represented in the Council.

**BUTLER** Thank you all very much.