Sovereignty in Question. The Case of Britain in Europe.

David Baker (Warwick University)
David Seawright (Leeds University)
(On Behalf of The Members of Parliament Project.)

Paper Presented to the Workshop:

‘THE HISTORY OF POLITICAL CONCEPTS - A NEW PERSPECTIVE ON EUROPEAN POLITICAL CULTURE.’

ECPR JOINT SESSIONS COPENHAGEN
Friday, 14 April to Wednesday, 19 April 2000

[Work in progress: not to be cited without the authors’ permission.]
After a long period of being accepted largely uncritically as the basic building block of modern politics, a renewed interest in the concept of sovereignty among scholars has emerged, especially amongst scholars devoted to the philosophy of international relations and the European Union. It is due in part to the emergence of a new kind of European political system in the guise of the EU. It is also one of the consequences of the collapse of communism, which saw more than twenty new European states emerging, reopening the debate about the meaning of the principle of self-determination, the nature of the role of national identity in international politics and the limits of sovereignty. It is also a response to the perceived process of globalization, which potentially threatens the very foundations and even existence of the modern nation state and its essential sovereignty (\textit{de jure} if not \textit{de facto}).

Sovereignty remains largely uncontested as the foundation of much modern political discourse in most works on the modern state, since it is still widely used in identifying and classifying those properties essential to statehood.\textsuperscript{2} As Anthony Giddens has pointed out, ‘sovereignty simultaneously provides and ordering principle for what is “internal” to states and what is “external” to them.’\textsuperscript{3} But sovereignty remains an emotive and essentially contested concept, associated with power, authority, independence, the nation state, national identity, self-determination and the exercise of will. Above all it has come to be associated in Britain with a particular kind of nationalism – intolerant of other traditions of governance.

Many meanings have attached themselves to sovereignty since the classical theoretical formulations made by early thinkers like Bodin, Hobbs, Montesque and Rousseau.\textsuperscript{4} In this paper we intend to deal with the modern conservative conception of sovereignty in Britain, as they apply to the European Union (EU, formerly European Community EC and European Economic Community EEC) and the way this has

\textsuperscript{2} For a leading critic of this assumption see: Jens Bartelson: \textit{A Genealogy of Sovereignty}, Cambridge, 1996.
\textsuperscript{3} Anthony Giddens: \textit{The Nation State and Violence}, p. 281
intersected and caused problems for the British Conservative party’s vision of national parliamentary sovereignty in recent years.

The European Union and Sovereignty.

There is no wonder that European integration and in particular the move from a European Community to a European Union, has raised objections from many political perspectives against its impact on reducing the political and economic sovereignty of its component nation states. William Wallace has perhaps best summed up the impact that this constitutional transition has had on a European political system which is still founded upon and legitimized by nation states:

No government in Europe remains sovereign in the sense understood by diplomats or constitutional lawyers of half a century ago. Within the fifteen member EU mutual interference in each other’s domestic affairs has become a long accepted practice…[Yet] The legitimate units within these institutions remain states… To a remarkable degree the processes of government in Europe overlap and interlock: among different states, between different levels of governance below and above the old locus of sovereignty in the nation state.5

In effect, since the early 1980s the European Community has been working with a federal system of law. Treaties like the Maastricht Treaty of European Union (TEU) have became quasi-constitutional in nature, and as such subject to negotiated revision through intergovernmental conferences. The Maastricht Treaty of European Union (TEU) committed member states to the Single Currency, managed by a Central European Bank, with strict oversight of common national economic policies. According to Wallace, what has now emerged remains less than a federation, but something more than an institutional governing regime.6

The EU is clearly not yet a federation: though it displays some federal – more accurately confederal – characteristics. In a judgement on the Maastricht TEU, the German Constitutional Court defined it as neither a Bundestaat (federation) nor a Staatenbund (confederation), but rather as a Verstaatenbund (a ‘potential federation’.7

---

It is widely agreed however to constitute at least a nascent political system and a framework for unified governance, with state-like attributes operating above the state level.\(^8\)

However defined, the EU today represent an extraordinary and complex picture of supranational policy and law making, running in parallel to a series of largely autonomous and populist domestic political arenas, based upon national parliaments which have little if any regular or formal contact with each other. Much national economic management is subject to European level regulation, in which those that have joined the ‘first wave’ of monetary union, national monetary sovereignty is giving way to a European Central bank. In addition, internal EU boarders have also largely disappeared.

Much of this sharing of sovereignty has been incremental and has consequently occurred without the European political classes admitting to their respective domestic electorates the extent to which this involved the loss of national autonomy. To the general publics of member states it was sold in terms of adapting European institutions for administrative elites and the European level of governance was viewed as a technical and modernizing process of public administration, leaving political decision making and representation channeled through national governments.\(^9\) In Britain, as we shall see later, this luxury of being able to insulate the impact of European ‘high politics’ from domestic ‘low politics’ is no longer possible.

This is arguably the most problematic dimension of this emerging ‘post-sovereign state’ which the EU appears to be developing into. The new European order which is appearing decouples the old linkages which tie elites and their policies to masses within nation states, undermining political accountability and legitimacy. In spite of gradually democratizing and strengthening the powers of the European Parliament, the EU remains incapable of providing any substantial sense of shared identity, deep representation, or ready accountability at the European level.

---

A leading paradox of the EU political system is that while governance becomes increasingly multi-level, and multi-dimensional, democratic representation, party loyalty and cultural and political identities remain deeply rooted in the nation state. Thus, while much of the substance of European nation state sovereignty has now fallen away under the impact of the EU; the symbols, the sense of national solidarity, the focus of political representation and accountability, remain almost as powerful as ever. This is particularly true for Britain where core sovereign power and authority have been removed to be vested in European institutions, at a time when British parliamentary sovereignty remains the only fully legitimate source of sovereignty to important sections of the political class and citizens alike.¹⁰

**From Classical to Post-Modern European Sovereignty?**

Some argue that this is to miss the point since classical sovereignty long ceased to exist in practice, being replaced by a post modern world. They argue that nation state sovereignty has not always existed in politics and that it really belongs to a particular era in world history – the era of the nation state, which has now outlives its usefulness and is in terminal decline.

Critics point to the fact that the traditional, or classical, view of sovereignty as the distinguishing feature of ‘modern’ politics, limiting the bounds of national and international relations, was preceded by a long period in which the organizing political principle was that of the *respublica Christiana*: the belief that even secular political authorities were subjects of the higher authority of God, as expressed in the precepts of Christianity. As such there was no central focus of authority, as popes, kings and lords vied with each other’s overlapping and varying power and authority.

The symbolic transition to the modern ‘sovereign state’ was, it is commonly agreed, symbolized by the Peace of Westphalia which settled the thirty years war (1618-1648) and this established the principle of *cujus regio ejus religio* which allowed individual rulers to adopt and enforce the Christian religion of choice within his or her sovereign

territory. After this, between 17th and 20th centuries one after another European and ex-colonial states became ‘modern’– self sustaining as nationally and industrially based economies and societies. The modern state was governed by a centrally administered institutional machinery based on the rule of law and growing popular legitimacy. A huge expansion also took place in the state’s regulatory powers and capacities. The modern state was also invariably a nation state – based upon establishing a settled territory around an ethnically and/or historically cohesive nation. As far as external relations were concerned, one of the basic principles of sovereignty was the right to self-determination internally with non-intervention from other sovereign states. By the late nineteenth century Europe had become a plurality of established, territorially-based, political systems each with a supreme secular governing authority.

Internally the sovereign power usually a parliamentary system enjoyed a monopoly of legitimate violence as max Weber pointed out:

[The move towards a necessary monopoly of violence] …becomes more clearly perceptible, when a territorial association is attacked by an external enemy in its traditional domain, and arms are taken up by the members in the manner of a home guard. Increasing rational precautions against such eventualities may engender a political organization enjoying a particular legitimacy…’

The meaning of modern state sovereignty can be encapsulated as: ‘the idea that there is a final and absolute political authority in the political community…and no final and absolute authority exists elsewhere.’ Sovereignty exists therefore in those territories where a government is both supreme internally and independent externally. Internal sovereignty is defined by the supremacy of a governing authority over all other individuals and groups living in the territorial jurisdiction and is subject to its laws and policies. External sovereignty is a ‘fundamental authority relation between states which is defined in international law’.

Thus defined, sovereignty is ‘absolute’ (not in the sense that it is all powerful, since even sovereign states cannot stop dissenting nationalist or terrorist groups from operating) but because it is either present or it is absent - a state either enjoys sovereignty or it does not. Sovereignty is also ‘unitary’ in the sense that within the legal limits of a given territory no other force is entitled to make policies and decision on behalf of the nation or the state. The basic criteria for sovereign statehood consists of a delimited territory, an indigenous population (linguistically or broadly culturally based), and a stable government with the will and capacity to carry out international obligations. To Raymond Aron, sovereignty is ‘historically incontestable’ as the basis of inter-state order’.  

The final version to this theory included the principle of ‘popular sovereignty’, whereby state sovereignty is seen to be derived from and/or transferred to, a national democratic test of opinion.

The question of the exact locus of sovereignty lies beneath every discussion of the modern state and two answers are commonly given. Either sovereignty is indivisible and concentrated in the hands of one entity; or sovereignty is dispersed in the social body (civil society), finding its expression in the indivisible ‘general will’, or the consent of a majority (popular sovereignty). Does this mean that the exercise of sovereignty is now conditional on a commitment to multi-party democracy? Aron gathers together the conceptual and causal links of nationalism, citizenship and sovereignty:

The nation, as the ideal type of the political unit, has a triple characteristic: the participation of all those governed in the state under the double form of conscription and universal suffrage, the coincidence of this political will and of a community of culture, and the total independence of the nation state with regard to the external world. A nation is always a result of history, a work of centuries. It is born through trials, starting from sentiments of men but not without the action of force, the force of the political unit which destroys the pre-existing units, of the force of the state which brings into subjection regions or provinces.

The consolidation of modern states coincides with the emergence of an international sphere, which has since taken on explanatory priority in the modern notion of sovereignty. In this model, the presence of international relations is conditioned by sovereignty:

---

The starting point of international relations is the existence of states, or independent political communities, each of which possesses a government and asserts sovereignty in relation to a particular segment of the human population. On the one hand, states assert, in relation to this territory and population, what may be called internal sovereignty, which means supremacy over all other authorities within that territory and population. On the other hand, they assert what may be called external sovereignty, by which is meant not supremacy but independence of outside authorities.\textsuperscript{16}

But sovereignty as a concept has always had its critics and for some the concept has little remaining meaning in the modern world:

\textit{…. It would appear to be a mistake to treat ‘sovereignty’ as denoting a genus of which the species can be distinguished by suitable adjectives, and there would seem to be a strong case for giving up so protean a word.}\textsuperscript{17}

In International Relations theory, those who reject the concept altogether claim that the state has forfeited its traditional and central role in international politics, becoming just one actor, and often not even the most decisive or significant one, amongst many non-state actors, including global corporations, IGOs and NGOs, who are becoming the lead players in world politics. Some scholars go so far as to envisage a global polity, in which states, if indeed they still exist, will form part of a truly world-wide polity.\textsuperscript{18} Others argue that while recognizing that the modern state has surrendered some of its attributes – such as the ownership and control of the national economy - it has nevertheless retained others including responsibility for the defence and welfare of its citizens.

Georg S\ørensen believes that in Europe at least, the essentially still ‘modern’ states have moved on to a form of ‘postmodern sovereignty’ within the EU. This supranational cooperation was originally promoted by France and Germany after bitter lessons learnt from the terrible rival sovereign confrontations of the two European based World Wars and is:

\textit{… based upon ‘intense cooperation between sovereign states… members of the EU are no longer in a Westphalian form of cooperation – the exemplify a new type of statehood which is not modern is the ways described earlier.’} [and is

\textsuperscript{15} Ibid. p. 299.
characterised by] ‘transnationally integrated, globalised economies, by multi-
level governance; and by identities that are no longer exclusively tied to the
nation state.’

This is also seen as in part a response to the equally post-modern process of market
globalization. Clearly in Europe sovereignty in its modernist guise is now a contested
concept as it is no longer clear where the line of sovereignty should be drawn in
politics involving EU states. Are those state’s still sovereign in the modernist sense?
If not, what will take the place of sovereignty? Clearly, if nation states were no longer
sovereign entities, political life would have to rest on different normative foundations.
Any further move towards a more federal structure in the EU would constitute a
severe blow to nation state sovereignty – ending perhaps with the emergence of a new
form of post-modern federal state – or simply another modern super state like the
existing USA, in which case it would be a multi-national state, enjoying a modernist
form of sovereignty..

**British Sovereignty and Europe.**

The doctrine of internal British sovereignty is amongst the most clearly defined of any
political system. Parliament is ‘sovereign’ facing no substantial internal constitutional
limitations and recognizing no higher power, able to overturn almost any law passed
by previous sovereign parliaments without any special constitution arrangements or
minimum majorities – exceptions include the prolonging of a governing parliamentary
term beyond five years. This, in turn has given rise to a strong belief across the
political spectrum that Parliamentary Sovereignty’ is a symbol of ‘liberty’ and
‘Britishness’. Yet, paradoxically, the chattering classes in politics, academic and the
media are broadly agreed that this is an idealized and outdated notion, with the
executive and PM grabbing most of the de facto sovereignty by the end of the
nineteenth century, and that Britain’s membership of the EU has taken another large
slice out of Parliament’s sovereignty.

British political exceptionalism has also been underlined by many foreigners including
Voltaire Toqueville, and Marx. The idea of ‘Britishness’ (often expressed in distinctly

---

English terms) remains a powerful one, evidenced from the fact that almost 70 per cent of citizens polled in 1988 said that they still took pride in the fact that Britain had once had an Empire. Most significantly such ideas have long been linked to an engrained attachment, by both the political class and its citizens, to British ‘sovereignty’ and a term often used interchangeably with it - ‘independence’. Although both terms have little more than symbolic meaning today the strength and durability of belief in them are extraordinary by modern European standards. In British political discourse therefore, ‘sovereignty’ is an emotive concept with many meanings, including power, authority, influence, independence and exercise of will, but also evoking a sense of superior national self-determination. The notion of national interests highlights British exceptionalism – British national interests were famously described by Lord Palmerston in 1848 as ‘eternal and enduring’, a statement made when Britain was at the height of its global power. His claim that Britain had no permanent allies or enemies, only ‘permanent interests’ has a powerful resonance amongst the British political classes even today. Although by no means entirely restricted to the British, domestic political discourse in Britain does struggle to view the EU as anything other than external to the sovereign British polity.

In this conception the pooling of national sovereignty necessary to create and sustain the EU is often viewed as something of a zero sum game in Britain – with each gain of sovereign powers by the EU representing a loss of sovereignty for Britain. Instead, the concept of ‘interdependence’, or mutual dependence, is far more acceptable to the British with their traditions of Empire and Atlanticism. The legacy of Empire, the special relationship with the US and English speaking world reinforced by the two world wars has sustained British exceptionalism, fusing sovereignty and independence into one concept. Ironically the exercise of Empire had been an exercise in dispersing sovereignty and its end saw Britain readily relinquishing all that it had gained and with undue haste some thought. Indeed, Britain has been in the forefront of promoting interdependence, playing an active part in creating and sustaining organizations such as the Commonwealth, NATO, GATT and the UN. In deed, the interdependence of the British economy with European states is also widely accepted.

---

20 R. Eatwell (ed) *European Political Cultures: Conflict or Convergence*, 1997, p. 52
Within the EU this philosophy is represented by the term ‘intergovernmentalism,’ in contrast to the true ‘supranationalism’ of the Maastricht TEU.22

In contrast the other EU states are traditionally tied together by common geographical, cultural, economic, historical and even psychological links, especially after two catastrophic world wars fought either on or across their combined territories. Even the ‘functional’ methods employed in creating the EU, with one integrated policy area necessitating spill-over into another, matches the original state formation of Germany, which was originally founded in the nineteenth century as a Zollverein or customs union between ostensibly autonomous regions and city states. As Peter Brown-Pappamikail puts it:

Viewed from Europe, Britain’s political and civic culture appears permeated with the convictions of a damaging adversarial bipolar culture….Wayne David, an MEP since 1989 and leader of the British Labour MEPs in the European Parliament comments: “confrontation is a style of politics, a weapon of politics used to achieve objectives. British politics is black and white, them and us, totally wrong or totally right and that encourages a confrontational style that also fits the electoral system.”

It may also be at the heart of Britain’s parliamentary-based understanding of ‘sovereignty’. Whilst most continentals accept sovereignty as being multi-layered, local, regional, national and European, the British often view it as something indivisible, either you have it or you don’t:…..[In].. mainland Europe….one can speak of a ‘national interest’ being forged from the shared views of a wide spectrum of political ideologies……If one looks at countries with a tradition of coalition government, one sees a broader view of national interest, with consequences also for their understanding of shared sovereignty’.23

Given this enduring attachment of national parliamentary and popular sovereignty, from the first unsuccessful application to join the EEC in 1961, British governments sought to reassure the British public and markets that membership would not involve a significant transfer of national sovereignty. In 1971 the Heath government’s successful campaign to join included the statement in a White Paper:

Like any other treaty, the treaty of Rome commits its signatories to support agreed aims, but the commitment represents the voluntary undertaking of a

---


sovereign state to observe policies that it has helped to form. There is no question of any erosion of essential national sovereignty: what is proposed is a sharing and an enlargement of individual national sovereignties in the general interest.\textsuperscript{24}

Since entry in 1971, an overriding concern with preserving sovereignty has played a major role in shaping British governing attitudes towards European integration with a high premium placed upon intergovernmental decision making – EFTA and WEU - rather than supranational forms like the SEA or TEU. Prime Minister Macmillan told the 1962 Conservative Party Conference:

It [the Community] has its political implications; but while closer cooperation is involved there is no question of our being asked or expected to accept any system of a federal character involving sovereignty in the true sense of the word, of the Crown and Government and peoples of this islands.\textsuperscript{25}

Much later in her 1988 Bruges Speech Mrs. Thatcher summed this attitude up succinctly:

My first guideline is this: willing and active cooperation between independent sovereign states is the best way to build a successful European Community. To try to suppress nationhood and concentrate power at the centre of a European conglomerate would be highly damaging and would jeopardise the objectives we seek to achieve. Europe will be stronger precisely because it has France as France, Spain as Spain, Britain as Britain, each with its own customs, traditions and identity. It would be folly to try to fit them into some sort of identikit European personality.\textsuperscript{26}

For many British Conservatives the defence of sovereignty emphasizes the importance of sovereignty \textit{per se} - since it is considered as part of the essence and fabric of British national identity. Enoch Powell stated position this clearly:

Britain is only known to us, and to many, if not most of us as an independent nation, self governing through a sovereign parliament, which for centuries has recognized no overriding authority external to itself. From the beginning, and ever more plainly and irreversibly with the passage of time, Britain as a part of the community will no longer be such a nation.\textsuperscript{27}

\textsuperscript{25} Quoted in Holt, 1992, p. 73
\textsuperscript{27} (E. Powell, 1973, p. 56.)
Of course, such attitudes have not been the exclusive preserve of the Conservatives. The Labour leader Hugh Gaitskell’s 1962 Annual Conference speech has echoed down the years on this subject, as he warned the party of: ‘the dangers of federalism in terms of it meaning the end of Britain as an independent nation state… the end of a thousand years of history.’ But in the case of Labour, British sovereignty has seldom been defended as a good in itself, but rather to enable the party to carry out socialist policies in a Europe perceived as something of a ‘capitalist club’ Thus, in 1977 the official party statement on Europe at the annual Party Conference read:

Our objective is to work towards the erection of a wider but much loser grouping of European states – one in which each country is able to realise its own economic and social objectives under the sovereignty of its own parliament..

Since the mid nineteen eighties, some highly significant tactical and ideological shifts have taken place in both parties, as significant elements in the British Conservative party (once the ‘party of Europe’ under Edward Heath) became increasingly obsessed with the loss of national sovereignty to Europe, while an increasingly ‘New’ Labour party moved in the opposite direction, from principled opposition to membership (advocating withdrawal in 1983) to strong support.

This ideological crossover has been due to several common factors. Labour’s move towards becoming Britain’s new ‘party of Europe’ was fueled partly by electoral considerations (the need to appear moderate and occupy the centre ground after the catastrophic 1987 defeat when the party had been punished again for being anti-European) and by the subsequent defeat of the anti-European left of the party by the ‘modernizing’ right (ending the left’s dream of ‘socialism in one country’). This genuine move from collectivist socialism to mild social democracy (some say one nation conservatism) has placed the Labour party at the mildly sceptical end of the orthodox European social democratic spectrum as concerns for sovereignty has not completely disappeared on issues like taxation, defence and foreign policy. But there is little resistance to the Euro, or an independent European central bank.

The Conservatives move towards ‘Euroscepticism’ entered on the back of the victory of the New Right and Thatcherism, which combined hostility towards Europe as a hindrance to free market policies, and its over-centralised and corporate structure,
with an increasing stress on an ultra-nationalism of national-self determination and fears for a ‘great nation’ and its culture. For some like Nicholas Ridley, the age old fear of German domination also lay close to the surface.

The second lever of change was the changing structure and direction of the EC/EU. For Labour the addition of a European ‘social dimension’ aimed at improving worker’s rights and trade union recognition undermined the left’s ‘capitalist club’ attitudes, especially against the backdrop of the Thatcher government’s domestic onslaught on such values.\footnote{Ben Rosamond: ‘British Trade Unions and Europe’, in Baker and Seawright, 1997.} Henceforth, Europe was recognized as a potential ally against Thatcherism, and Mrs. Thatcher’s attacks upon it as exactly that reinforced this impression. For the Thatcherite Conservatives themselves these developments had exactly the opposite effect, convincing them Europe was increasingly becoming a dangerous threat to the Thatcherite project to modernize and de-corporatize Britain.

The third source of change, linked to the second, was the advent of Jacques Delors (former French Socialist Finance Minister) as President of the Commission in 1985. His open adoption of a centre-left agenda for Europe convinced many remaining Labour doubters that Europe was now an ally, an impression reinforced by the mid 1990s Centre-Left majority on the Council, the College of Commissioners, and the European Parliament. By 1996, Robin Cook, shadow Foreign and Defence Secretary stated that: ‘losing some of that sovereign power might be in the interests of the people….It might be necessary to trade part of national sovereignty if it is in the national interest. Sovereignty is not total but relative.’\footnote{Guardian, 14 June 1996.} For the Eurosceptic end of the Conservative party these changes in the balance of European power have increased their defence of sovereignty for its own sake. There was a renewed attack on the ‘Brussels bureaucracy’ and wastefulness, linked to the general distrust of corporatism and state-centred instigated policy making. Europe appeared from this perspective as something of a ‘socialist club’, an attitude best seen in Mrs. Thatcher’s 1988 Bruges Speech:

‘…we have not successfully rolled back the frontiers of the state in Britain, only to see them re-imposed at a European Level, with a European Super-State exercising a new dominance from Brussels.’.
National sovereignty has, of course, long been central to the Conservative politics of nationhood. But since the mid 1980s Britain’s loss of sovereignty to the EC/EU has become a central issue of Conservative domestic politics, with a significant number of conservatives, both inside and outside the party, concluding that EU integration was incompatible with Britain’s nation state status and national identity and had to be halted or reversed. (Baker and Seawright, 1998, passim.)

**British Conservatives and Sovereignty.**

British Conservatives have long given primacy to the nation state. Linda Colley’s fascinating study of the formation of British national identity traces this back to an eighteenth century fear that Catholic France posed a credible threat to the distinctive, mainly Protestant, traditions and institutions of British national life. The creation of nation symbols like John Bull and Britannia, and slogans like the ‘free born Englishman’ were developed in reaction to such fears. Although often largely English, and London based, the British political class resisted the dangerous temptation to indulge in English nationalism and triumphalism, and instead poured their patriotism into Empire and an extravagant reverence for Parliamentary institutions, including sovereignty and independence.

Conservative accounts of the nation stressed the common values of national culture – common institutions, a shared history and common values – constructing an idealized ‘imagined community’. Reverence for Parliamentary sovereignty was the lynchpin of this grand edifice, depicted as developing not from any abstract first principles, but evolving organically over past centuries, out of the very best of national traditions and moral character. This was, as ever, contrasted highly favourably with French nationalism based upon Roman law, Catholicism and intolerant feudalism.

---

This view was endorsed and promoted in Edmund Burke’s conception of the ‘conservative nation’ as an ordered and integrative community. As Lynch sees it:

This notion of a state based patriotism is a limited one, shunning ideological nationalism and universalistic prescriptions in favour of empiricism, parochialism (including nostalgia and mythology) and philosophical scepticism. The enduring hold of this ideology has been largely due to its intuitive philosophy and because it has not been static, but has developed over time, adapting or reacting to change, and even proving capable of gradually absorbing some of the themes espoused by its rivals…. [including ideological nationalism, racism and even democratic populism.]

Sovereignty is therefore of both real and symbolic importance in Conservative politics of nationhood, since at the heart of Conservative statecraft is the defence of executive autonomy – expressed as parliamentary sovereignty – representing the ability to govern in the sphere of ‘high politics’ relatively insulated from both domestic and external pressures. British Conservatives tend to locate both democracy and legitimacy in the nation state, for them the basic unit of all politics. In concrete policy terms this means either reverting to a more intergovernmentalist and decentralized EU, or, as many Conservative Eurosceptics argue, seeking a wholesale reestablishment of Parliamentary sovereignty and British political independence through complete withdrawal from the EU.

The defence of the Union with Scotland, Wales and Ireland was another cornerstone of the developing conservative nation accepted by Thatcher. Central to Conservative unionism was the defence of Union and Empire, the protection of the constitution and parliamentary sovereignty. Bulpitt’s influential thesis suggests that this unionism was designed to unite the nation in ‘low politics’ matters and free-up the ‘high politics’ of conservative statecraft and executive autonomy. Bulpitt sees this as leading to the development of a ‘dual polity’ in which sub-national and national politics existed in different arenas. In many ways this was a highly successful strategy which played a vital role in helping the Conservatives to maintain a populist cross class electoral appeal for over 100 years and in spite of its deep commitment to the forces of the global market place, Thatcherism also placed the Conservative politics of national

---

sovereignty at its heart. But the relationship between Conservative politics and nationhood was running into difficulties by the late 1950s, as the foundations of state patriotism were undermined by relative economic decline, the retreat from Empire, and the perceived economic necessity of re-orientating Britain towards to Europe. As a result leading conservatives like Enoch Powell began a search for a new conservative politics of nationhood located in a post Imperial conception of sovereign Britishness.

**British Conservatives and Europe.**

European Integration offered a severe challenge to the concept of nationhood and national sovereignty offered by British Conservatism, organized as it is around British constitutionalism and English cultural values. It was also a severe test for Thatcherism, since this was based upon an unstable blend of free-market globalism and instinctive patriotism. This contradiction which were to emerge are perhaps best exemplified in Mrs. Thatcher’s Bruges Speech For while claiming that Britain’s destiny was in Europe, she nevertheless continued to stress the distinctiveness (hinting at the superiority) of Anglo-Saxon culture and British nationhood, plus Britain’s close Anglo-American links. She also referred to the unique early development of parliamentary sovereignty, and Britain’s historic role as a bastion and guarantor of liberty in Europe, her traditions of free trade and individual liberty, and also her island status. She further claimed that nationhood represented the very glue that held nation states together and that only a Europe of independent sovereign nation states was compatible with notions of nationhood.\[^{36}\] Later, when publicly advising her successor John Major on how to manage Europe, she said:

\[\ldots\text{it is the character of a people which determines the institutions which govern them, and not the institutions which give people their character. Yes, it is about being British and it is about what we feel for our country, our Parliament, our traditions and our liberties. Because of our history that feeling is perhaps stronger here than elsewhere in Europe and it must determine the way in which our government approaches such fundamental matters.}\[^{37}\]\]

\[^{36}\text{M. Thatcher, }Britain in Europe,\text{ Text of a speech delivered by the Prime Minister on 20 September 1988, London: Conservative Political Centre, 1988.}\]
\[^{37}\text{Hansard, Vol 199, Col 292, 20 November, 1991.}\]
It should be noted that there is on single Eurosceptic position with the Conservative party thus, her former chancellor Nigel Lawson, himself something of a Euro-doubter, later attacked her ‘salon bar xenophobia’ over Europe. Philip Lynch claims that the Thatcherite view of Britishness is a form of ‘authoritarian individualism’, focussing on strong centralized state authority and individual liberty and free enterprise, protecting and protected by a constitutional settlement built upon sovereignty of parliament.  

**Conclusion: Sovereignty as Autonomy.**

Given the normative and empirical difficulties it is, of course, impossible to establish a single authoritative and verifiable definition of sovereignty. The defence of national sovereignty is a central theme of the Conservative politics of nationhood and its discourse on Europe. But what exactly is meant here by sovereignty – there is, in fact, some confusion on this issue. In modern British Conservative thought a defence of the nation state often sits uneasily alongside a globalist free trade philosophy. One authority quotes an unnamed colleague of Thatcher on her veto of ERM in 1985: ‘she stood out on the grounds of sovereignty, a concept she had read about somewhere but could never tell you where’.  

Thus, while the defence of national sovereignty is an abiding theme of British Conservative thought, some stick narrowly to the ultimate decision making power of parliament, while others relate it to national self-government, others still to British cultural identity. Mrs. Thatcher variously equated it with the constitutional supremacy of parliament, the independence of the policy making executive, the expression of democratic consent, and with British nationhood and self-governance. For some economic sovereignty is highly significant since: ‘the ability to run monetary, economic and fiscal policy lies at the very heart of what constitutes a sovereign state.’

The Pound Stirling is therefore seen as an expression of British sovereignty, its loss representing the death knell for British political sovereignty (the Germans have had a similar problem with the Deutsch Mark.) But broadly speaking

---

38 op cit. 1999.  
sovereignty is understood in three senses – in constitutional terms as parliament’s right to make and unmake laws; in neo-liberal terms as the executive’s right to set the goals of national economic policy; and in populist terms as national self-determination.\footnote{Philip Lynch identifies three strands to conservative views on sovereignty: state sovereignty constitutional sovereignty; and popular sovereignty. State sovereignty locates sovereignty in the era of the nation state, which recognized the supreme authority of the state over its own territories and citizens and enjoyed a monopoly of legitimate force and was capable of joining with other sovereign states to create international laws mutually binding on all. But within Conservative discourse this is linked to nationhood – since the nation is seen as the supreme form of self-governing community. Constitutional sovereignty concerns the location of sovereign power within the state – the supremacy of parliament is a cornerstone of the British system – the right to make or unmake any law etc etc. The rhetoric and reality are, of course, far removed – de jure parliamentary sovereignty has long been constrained by external forces to create de facto sovereignty, but this remains a potent force in Conservative discourse. Popular sovereignty concerns the relationship between nation state and society – claiming that both state and constitutional sovereignty are dependent upon the legitimacy bestowed by the popular vote. All forms are evident in Conservative Eurosceptic thought. 1999, Ch 4 passim.}{41}

But for Britain’s beleaguered pro-European Conservatives, sovereignty is dealt with in very familiar continental terms. Thus, for Jeffrey Howe: ‘sovereignty is not some pre-defined absolute, but it is a flexible, adaptable, organic notion that evolves and adjusts to circumstances.’\footnote{J. Howe: ‘Sovereignty and Interdependence: Britain’s Place in the World.’, \textit{International Affairs}, 66, (1990), pp. 675-95}{42} For him British parliamentary attempts to locate a single source of sovereignty is fundamentally flawed since political authority is dispersed within the modern state, and sovereignty is divisible. As with many continental conservatives Howe believes that states can actually \textit{increase} their sovereignty by pooling political, cultural economic even military resources. Thus, while the nation state undoubtedly remains the leading international actor, and the chief focus for democratic consent, it must manage interdependence by sharing its sovereign authority. In a sense most Conservative politicians recognize this fact. Mrs. Thatcher famously branded the pro-European Tories as espousing ‘No Nation Conservatism.’\footnote{Margaret Thatcher: \textit{The Keith Joseph Memorial Lecture: Liberty and Limited Government}, London, 1996.}{43} But despite this heated rhetoric, in negotiations for completing the Single European Act, she herself gave ground on the issue of the British national veto in order to get the free market elements of the agreement passed and thus treated British sovereignty as a resource to be traded for other benefits.