

Britain's Future

THE MEANING OF THE MAASTRICHT TREATY

by
Stephen and Gill Bush

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1 Introduction to the form of the European Treaties

To understand the Maastricht Treaty it is necessary to realize that it is made up of a set of Common Provisions, which announce the formation of the “European Union” (Articles A-F), plus a complex series of amendments to existing Treaties (Rome, Coal & Steel and Euratom, as amended by the Single European Act of 1986) (Articles G, H, I) plus 16 entirely new articles (J-S), 33 declarations and 17 protocols. Copies of all Treaties are needed to understand the Maastricht Treaty, since the latter refers to articles in the other Treaties which are not reproduced in the text supplied by the Government. The Treaty of Rome thus amended by the Maastricht Treaty becomes the Treaty on European Union and its layout is as follows:

Preamble plus Articles, numbered 1 to 248 and grouped into parts as follows:

Part 1 – Principles – Articles 1-7c

Part 2 – Citizenship of the Union – Articles 8-8e

Part 3 – Community Policies – Articles 9-130y

Part 4 – Association of the overseas countries and territories – Articles 131-136a

Part 5 – Institutions – Articles 137-209a

Part 6 – General Provisions – Articles 210-248

In addition there are four annexes and a number of protocols, the most important of which define the Statutes for the European Investment Bank and the Court of Justice for the EEC.

The Articles in Parts 2, 3 and 5, by virtue of their length and complexity, are further grouped into “Titles” which themselves may be further split into “Chapters”.

The Maastricht Treaty itself is a massive and highly complex affair of 306 pages and has a structure of Titles and Articles to which are appended the 17 protocols and 33 declarations. The Articles of the Maastricht Treaty are labelled A to A. Title I (Articles A-F) contains new Common Provisions relating to European Union, Title II (Article G) consists of amendments to the Rome Treaty Articles, Title III (Article H) consists of amendments to the Treaty establishing the European Coal and Steel Community and Title IV (Article I) consists of amendments to the Treaty establishing the European Atomic Energy Community. Title V (Articles J to J.11) and Title VI (Articles K to K.9) add entirely new material, extending the Community’s competence into the fields of Foreign and Security policy, and Justice and Home Affairs. Title VII (Articles L-S) sets out Final Provisions, the most important of which (Article O) sets out the procedure for enlargement of the European Union.

Of the 17 Protocols, the two most important are number 3 – defining the European System of Central Banks and the European Central Bank, which has 53 Articles grouped in 9 Chapters; and number 10 – on certain provisions relating to the United Kingdom – which is the opt out from the third Stage of Monetary Union.

Of the 33 declaration, the most important is that on Western European Union which is thereby incorporated into the European Union (also by Article J.4).

It is doubtful if more than a handful of our legislators devoted enough time to be able to digest this Treaty before they voted on it. Certainly our representative at Maastricht did not: “Now we’ve signed it – we had better read it, “as our Foreign Secretary reportedly said on February 7 1992 – a frivolous remark – but tragically for us, all too true. What also needs to be understood is that the Bill to ratify the Maastricht Treaty which the Government has asked Parliament to approve and which it intends to have passed into Law does not include *Articles J and K* which represent huge changes in Britain’s ability to act independently in Foreign Affairs, Defence and Immigration. Not only are the

British people to be denied a vote on the Treaty, Parliament itself will not be able to vote on key parts of it.

To help readers get an overview of the scope of the merged Treaties (Rome, Single European Act and Maastricht) the headings of each section of the merged Treaties are listed in article order, grouped by part, title and chapter in the appendix to this paper. This listing, which alone runs to 220 entries, indicates the scope of Britain's obligations which ratification will assume on our behalf. No sane individual could possibly agree to sign a contract of such magnitude and detail in their private life in the few days allotted by the British Government for studying and debating it before the Second Reading in May 1992. Accordingly in the next sections of this paper we have abstracted only what we believe to be the most important provisions.

2 The most threatening provisions for Britain

These are the provisions for:

- 1 Imposition of a foreign citizenship on British citizens;
- 2 Economic and Monetary Union;
- 3 Removal of our right to identify travellers at our borders, control immigration, asylum and the issue of visas to non EC visitors;
- 4 The establishment of a common Foreign and Defence policy;
- 5 The extended use of qualified majority voting, based on an enormous over-weighting of the smaller EC-7 countries (Luxembourg, Ireland, Belgium, Denmark, Greece, Portugal and Holland) all but one of whom (Belgium) is a net beneficiary of the EC budget;
- 6 Increased centralization, planning and surveillance of our national life;
- 7 Establishment of the Economic and Social Cohesion Fund
- 8 A huge extension of the Commission's remit to pry into "every nook and cranny" of our nation.

The relevant articles, protocols and declarations are summarized in sections 2.1 to 2.8.

2.1 Imposition of a Foreign Citizenship

Without the slightest attempt at consulting the British people, the leaderships of the main political parties want Parliament to ratify:

Art 8 "Citizenship of the Union is hereby established. Every person holding the nationality of a Member State shall be a citizen of the Union. Citizens of the Union shall enjoy the rights conferred by this Treaty and *shall be subject to the duties imposed thereby.*

Art 8b(1) “Every citizen of the Union residing in a Member State of which he is not a national shall have the right to vote and to stand as a candidate in elections to the European Parliament in the Member State in which he resides, under the same conditions as nationals of that State...”

Art 8b(2) “... every citizen of the Union residing in a Member State of which he is not a national shall have the right to vote and to stand as a candidate in elections to the European Parliament in the Member State in which he resides, under the same conditions as nationals of that State...”

This is an entirely new right conferred on foreigners. Its real reason is largely symbolic, not practical, although it could backfire on Luxembourg which has a large Portuguese population. In Britain it means that non-English speaking immigrants from French overseas territories will have the same rights of voting in municipal and Euro elections as native Britons. It is demeaning to hand out to all and sundry a voting right which so many have fought and died to protect.

2.2 Economic and Monetary Union (Articles 2, 102a-109m) and the Protocol on the European Central Bank and European System of Central Banks

Art 2 “The Community shall have as its task by establishing a common market and an Economic and Monetary Union (*EMU*) ... to promote ... the social cohesion and solidarity of Member States”.

The following provisions, which in the main are humiliating for any self-respecting country to endure (more intrusive than the International Monetary Fund applies to a Third-world debtor, for instance) begin in 1994 with Stage 2 and among those from which Britain has not exempted herself:

Art 102a “Member States shall conduct their policies with a view to the achievement of the objective” as defined in Article 2 (*i.e. EMU*).

Art 103(1) “Member States shall regard their economic policies as a matter of common concern and shall coordinate them”.

2.2.1 Detailed surveillance of our national accounts:

Art 103(2) “The Council shall acting by a qualified majority ... formulate a draft for the broad guidelines of the economic policies of the Member States and of the Community, and shall report its findings to the European Council.

Art 103(3) “In order to ensure closer co-ordination of economic policies and sustained convergence of the economic performances of the Member States, the Council shall ... monitor the economic developments in each of the Member States and in the Community as well as consistency of economic policies ... and regularly carry out an overall assessment.

“For the purpose of this multilateral surveillance Member States shall forward information to the Commission about important measures taken in the field of their economic policy and such other information as they deem necessary.”

2.2.2 Convergence preparations for Monetary Union beginning on 1 January 1994

This date marks the beginning of Stage 2 of Economic and Monetary Union (EMU). A European Monetary Institute (EMI) is to be set up to prepare for Stage 3. Britain is not exempted from its requirements.

Art 109f(2) The EMI (*European Monetary Institute*) shall be set up at the start of the 2nd Stage on 1 January 1994 (*Article 109f(1)*) and “shall strengthen the coordination of the monetary policies of Member States with the aim of ensuring price stability”.

Art 109f(3) “The EMI shall supervise the preparation of ECU banknotes.”

Art 109j “The Commission and the EMI (European Monetary Institute) shall report to the Council on the progress made in the fulfilment by the Member States of their obligations regarding the achievement of economic and monetary union. These reports shall include an examination of the compatibility between a Member State’s national legislation, including the Statutes of its national central bank and Articles 107 and 108(2) of this Treaty and the Statute of the ESCB (European System of Central Banks) ...

On the basis of these reports, the Council will assess whether a majority of the Member States fulfils the necessary conditions for the adoption of a single currency. If by the end of 1997 the date for the beginning of Stage 3 (i.e. Single Currency) has not been set, it will in any case start on 1 January 1999.

Art 109m Until the beginning of the Third Stage (*EMU*) on 1 January 1999 at the latest “each Member State shall treat its exchange rate policy as a matter of common interest”.

Despite the Prime Minister’s protestations to the contrary, it is clear that if the bulk of the Member states are in the ERM, as they are, Article 109m requires Britain to coordinate its exchange rate with the ERM – i.e. to join. In fact the Chancellor of the Exchequer said at the EC Finance Minister’s Meeting on May 21 1993, that while not imminent, re-entry “could be in two to three years’ time”.

2.2.3 Capital payment to the new European Central Bank on 1 January 1999

Pr(10) “... The Bank of England shall pay up its subscription to the capital of the ECB (European Central Bank) to cover its operational costs on the same basis as national central banks of Member States with a derogation.”

Article 28 of Protocol (3) sets the working capital of the European Central Bank at 5,000 million ECU. An estimate based on the calculations set out in Article 29 of Protocol (3), would make us one of the highest contributors, as with the European Investment Bank, paying about a fifth, i.e. £700 million.

The above provisions apply even if Britain does not join in Stage 3 of Economic and Monetary Union. But the requirements of Stage 2 of EMU, which the Government has not opted out of, will make it virtually impossible to exercise the much vaunted opt-out of Stage 3 which abolishes the Pound Sterling. The full force of articles 102 to 109 apply in Stage 3. These will leave Britain with the financial authority of a charge-capped borough council as Protocol (3) makes clear:

Pr(3) "... the basic tasks to be carried out through the ESCB shall be:

- "to define and implement the monetary policy of the Community;
- "to conduct foreign exchange operations ...
- "to hold and manage the official foreign reserves of the Member States;
- "to promote the smooth operation of payment systems."

Pr(3) "... the President, the Vice-President and the other Members of the Executive Board (*of the Art 11.2 European Central Bank*) shall be appointed from among persons of recognized standing and professional experience in monetary or banking matters ..."

Pr(3) "... when exercising the powers and carrying out the tasks and duties conferred upon them by **Art 7** this Treaty and this Statute, neither the ECB, nor a national central bank, nor any member of their decision-making bodies shall seek or take instructions from Community institutions or bodies, from any government of a Member State or from any other body. The Community institutions and bodies and the Governments of the Member States undertake to respect this principle and not to seek to influence the members of the decision-making bodies of the ECB and of the national central banks in the performance of their tasks."

Should Britain be unwilling to conform to the economic and monetary straitjacket imposed by the European Central Bank (ECB), there are plenty of coercive powers to ensure that she does (Art 104c):

Art 104c "As long as a Member State fails to comply with a decision taken in accordance with paragraph 9 the Council may decide to apply or ... intensify one or more of the following measures:

- "to require that the Member State shall publish additional information to be specified by the Council before issuing bonds and securities;
- "to require the Member State to make a non-interest bearing deposit ...
- "to impose fines of a suitable size."

That a great and noble nation such as ours should even contemplate subjecting itself to being treated like a recalcitrant schoolboy ought to bring a hot flush of shame to any legislator. That the punishment for transgressing would be a massive dose of deflation at the behest of an unelected group of bankers, moves the matter on from folly to insanity. Despite these provisions and despite the collapse of its policy of maintaining the pound in the ERM, the Government is clearly committed to rejoining the ERM at the earliest opportunity.

2.3 Immigration, Border Controls, Visas and Asylum

2.3.1 Visas, Asylum and Immigration

Control of immigration and monetary control are the two most fundamental attributes of an independent state, which is why the EC has always aimed to control these two matters.

Art 100c (1) “The Council acting ... on a proposal by the Commission ... shall determine the third countries whose nationals must be in possession of a visa when crossing the external borders of the Member States ...”

From 1 January 1996 this matter will be decided by qualified majority voting. Identity cards and the obligation to carry them will surely not be far behind. It will also be open to the Council to prevent Britain from admitting its own kith and kin, should an emergency in one of the overseas countries of British settlement occur. Moreover, to really rub in our subordination to the Commission in this most vital of matters, proposals on visas cannot be made by Member States, only by the Commission.

Art 100c (2) “However, in the event of an emergency situation in a third country posing a threat of a sudden inflow of nationals from that country, the Council may, acting by a qualified majority ... introduce a visa requirement for nationals from the country in question.”

Art K9 (6) “The Council ... may decide to apply Article 100c ... in areas referred to in Article K.1(1) to (6)” (*asylum, controls at external borders, legal and illegal immigration from third countries*).

Under this provision, Britain could well be allocated a quota of asylum seeking refugees on a regular basis and have no option but to accept them. Its present rules on immigration could also be set aside.

2.3.2 Border Controls

The Commission claims that:

Art 8a “Every citizen of the Union shall have the right to move and reside freely within the territory of the Member States, ...”

obliges Britain to dismantle its controls at seaports and airports for travellers from EC countries. The British government is resisting this claim, which is clearly motivated by symbolism rather than any genuine fear that trade will be held up. While we retain our controls, we will clearly be a separate country and this sticks in the Commission’s gullet. As it is however under Article 8a we will have to admit for settlement any immigrant to other EC countries, to whom those countries have given national status as the following Declaration makes clear:

“The Conference declares that, wherever in the Treaty establishing the European Community reference is made to nationals of the Member States, the question whether an individual possesses the nationality of a Member State shall be settled solely by reference to the national law of the Member State concerned. Member States may declare, for information, who are to be considered their nationals for community purposes by way of a declaration lodged with the Presidency and may amend such declaration when necessary.”

France, for example, has former colonies which are treated as departments of France. Their citizens will have free access to Britain. Italy, for instance, could declare an amnesty for its illegal immigrants, who would then be completely free to travel to Britain and settle here.

2.4 Establishment of a Common Defence Policy

Behind all the rhetoric about holding fast to NATO, the Government has conceded the main thrust of Commission policy, to wit the establishment of a European defence policy inevitably separate from NATO, increasingly influenced by the Commission. None of the following article is to be put to Parliament to ratify:

Art J.1 "... The Member States shall support the Union's external and security policy actively and unreservedly in a spirit of loyalty and mutual solidarity. They shall refrain from any action which is contrary to the interests of the Union or likely to impair its effectiveness as a cohesive force in international relations. The Council shall ensure that these principles are complied with."

Art J.2(2) "Whenever it deems it necessary, the Council shall define a common position. Member States shall ensure that their national policies conform to the common positions."

Art J.2(3) "Member States shall co-ordinate their action in international organizations and at international conferences. They shall uphold the common positions in such fora ..."

Art J.4(1) "The common foreign and security policy shall include all questions related to the security of the Union, including the eventual framing of a common defence policy, which might in time lead to a common defence."

Art J.4(2) "The Union requests the Western European Union (WEU), which is an integral part of the development of the European Union, to elaborate and implement decisions and actions of the Union which have defence implications ..."

Article J.1 above would be sufficient to impede independent action by Britain in say the liberation of the Falklands, if other Member States objected on a host of possible grounds, e.g. that it upsets German trade relations, or Spanish and Italian kith and kin relations with South America, etc, etc.

The incompetence of other EC countries in foreign affairs is a byword (Yugoslavia, the Middle-East, for example). With the exception of France, none have had any significant political relationship outside Europe for decades. It is ridiculous to place our interests at the hazard of such nations.

While the WEU interaction with the European Union will provide plenty of well-paid committee jobs, operational aspects are also included in the Declaration on Western European Union (paragraph 5):

"WEU's operational role will be strengthened by examining and defining appropriate missions, structures and means covering in particular:

- "WEU planning cell (*sic!*);
- "closer military co-operation ... in the fields of logistics, transport, training and strategic surveillance;
- "military units answerable to WEU."

This absurd duplication of the arrangements with NATO is only explicable on the basis of the Commission's desperate anxiety to extend its power.

2.5 Use of Qualified Majority Voting

Leaving aside the fact that a vote in the Council can impose on Britain highly disadvantageous measures (such as the maximum 48 hour week), the over-weighting given to the smaller EC countries is itself a scandal. Thus in the Council, votes are distributed:

Britain, Germany, France, Italy	10 each
Spain	8 each
Holland, Belgium, Portugal, Greece	5 each
Ireland, Denmark	3 each
Luxembourg	2

A vote of 54 (out of 76) is necessary to pass a binding decision. The combined population of the seven smallest countries is 53 million and together they command 28 votes against Britain's 10 with 58 million population. In the Strasbourg parliament the same seven have 134 seats against Britain's 81. Since Belgium, Holland and Luxembourg invariably vote with Germany, and Spain, France and Italy usually vote together (and also usually with Germany), Britain's disadvantage is overwhelming and makes any extension of majority voting total folly. The distribution of membership in the increasingly influential Committee of the Regions has an even greater disparity between population and representation, that of the Republic of Ireland being proportionately six times that of Britain (Article 198a).

2.6 Increased centralization, planning and surveillance of our national life

The following Articles of the Rome Treaty, as amended by the Maastricht Treaty, are in addition to the surveillance provisions for Economic and Monetary Union (Article 103).

Art 100 "The Council shall ... issue directives for the approximation of such laws, regulations or administrative provisions of the Member States as directly affect the establishment or functioning of the common market."

Art 100b "During 1992, the Commission shall, together with each Member State, draw up an inventory of national laws, regulations and administrative provisions which fall under Article 100a and which have not been harmonized pursuant to that Article."

Art 72 "Member States shall keep the Commission informed of any movements of capital to and from third countries which come to their knowledge ..."

2.6.1 Declaration on Police Co-operation

This is entirely new to the Rome Treaty:

"... the Member States agree to examine as a matter of priority the drafts submitted to them ... and they are willing to envisage the adoption of practical measures in areas such as those suggested by the German delegation, relating to the following functions in the exchange of information and experience:

- "support for national criminal investigation and security authorities, in particular in the co-ordination of investigations and search operations;

- “creation of data-bases;
- “central analysis and assessment of information in order to take stock of the situation and identify investigative approaches;
- “collection and analysis of national prevention programmes for forwarding to Member States and for drawing up Europe-wide prevention strategies;
- “measures relating to further training, research, forensic matters and criminal records departments.”

“Member states agree to consider on the basis of a report, during 1994 at the latest, whether the scope of such co-operation should be extended.”

Coupled with the imposition of identity cards, which the present Government is allowing to be noised abroad, this centralized data-base on the inhabitants of the European Union provides the basic mechanism of a Police State. The British people have sacrificed a great many lives to combat this kind of threat.

2.6.2 Research and Development

Work in our industries and universities is also to be co-ordinated and centrally planned.

Art 130h “The Community and the Member States shall co-ordinate their research and technological development activities so as to ensure that national policies and Community policy are mutually consistent ...”

Art 130i “A multiannual framework programme (of Research and Technical Development) setting out all the activities of the Community, shall be adopted by the Council ...”

Art 130j “For the implementation of the multiannual framework programme the Council shall:

- a) “determine the rules for the participation of undertakings, research centres and universities;
- b) “lay down the rules governing the dissemination of research results.”

Why is a Government supposedly so committed to freedom and enterprise that it will not contemplate even modest guidance of our national effort in these matters, forsaking its most cherished principles in this way?

2.7 Economic and Social Cohesion

The policies under this heading call for apostacy by the present Government on the grandest scale. It is a way to make the richer countries like Britain pay subsidies and aid to less successful areas where the job opportunities may be poor, or the physical environment difficult. These policies, essentially an article of faith of discredited 1940s’ centralized planning, have failed repeatedly all over Europe. Trying to bring poorer countries up to near the average by such means is vain and is motivated by the desperate ambition of the Commission to achieve the Third Stage of Economic and Monetary Union by 1 January 1999 at the latest. Thus:

Art 130a “In order to promote its overall harmonious development, the Community shall develop and pursue its actions leading to the strengthening of its economic and social cohesion.

“In particular, the Community shall aim at reducing the disparities between the levels of development of the various regions and the backwardness of the least-favoured regions, including rural areas.”

Art 130b “... The Community shall also support the achievement of these objectives by the action it takes through the structural funds (European Agricultural guidance and Guarantee Fund, guidance section, European Social Fund, European Regional Development Fund), the European Investment Bank and the other existing financial instruments.”

2.7.1 Protocol (14) on Economic and Social Cohesion:

“... The Community’s Structural Funds are being doubled in real terms between 1987 and 1993 implying large transfers ...”

Art 130d “... The Council ... shall before the 31 December 1993 set up a Cohesion Fund providing financial contribution to projects in the fields of environment and trans European networks in the area of transport infrastructure.”

Motorways and railways are thus to be built in Spain and Portugal partly with British tax-payers’ money.

2.7.2 Common Agricultural Policy

It is appropriate here to recall the Common Agricultural Policy (CAP). Thus:

Art 39 “The objectives of the common agricultural policy shall be ...

- a) “to increase agricultural productivity by promoting technical progress and by ensuring the rational development of agricultural production and the optimum utilization of the factors of production, in particular labour;
- b) “thus to ensure a fair standard of living for the agricultural community in particular by increasing the individual earnings of persons engaged in agriculture;
- e) “to ensure that supplies reach consumers at reasonable prices.”

With Community prices anything between 50 and 150% above world prices, the gap between objective (e) and achievement is wide indeed. But the gap under (a) is wider still. At British farm-worker productivity, all the food the Community needs can be grown by 2.5 million farm-workers instead of the 15 million actually employed. This is the measure of the Continent’s problem which the UK tax-payer and farmers in the USA, Canada, Australia, New Zealand and the Third World are paying for. It is the reason why the EC has caused the new agreement on tariffs and trade in the world to be held up for over two years. It makes protestations about reducing unemployment in Europe and helping the Third World utterly hollow.

Art 41 “To enable the objectives set out in Article 39 to be attained, provision may be made within the framework of the CAP for measures such as:

Art 41(b) “... joint measures to promote consumption of certain products.”

This is undisguised protection for Continental farmers, many of whom are part-time smallholders with industrial or commercial jobs during the day, and yet gain subsidies to work tiny, inefficient agricultural enterprises. This is what is meant by Economic and Social Cohesion.

2.8 Indefinite extension of the Commission’s remit to “every nook and cranny” of our national life

Few if any of our citizens can now be unaffected by some regulation or other which bans a traditional occupation, food or activity, in the alleged pursuit of health and safety. But this is only the beginning. The original Article 3 on the Community’s activities had the following nine activities:

“For the purposes set out in Article 2 the activities of the Community shall include ...”

a) “the elimination, as between Member States, of customs duties and quantitative restrictions on the import and export of goods, and of all other measures having equivalent effect;

Art 3 b) “a common commercial policy;

c) “an internal market characterized by the abolition, as between Member States, of obstacles to the free movement of goods, persons, services and capital;

d) “measures concerning the entry and movement of persons in the internal market ...”

e) “a common policy in the sphere of agriculture and fisheries;

f) “a common policy in the sphere of transport;

g) “a system ensuring that competition in the internal market is not distorted;

h) “the approximation of the laws of Member States to the extent required for the functioning of the common market;

i) “a policy in the social sphere comprising a European Social Fund;”

Under Maastricht the following 11 further areas are added:

Art 3 j) “the strengthening of social cohesion;

k) “a policy in the sphere of the environment;

l) “the strengthening of the competitiveness of the Community’s industry;

m) “the promotion of research and technological development;

n) “encouragement for the establishment and development of trans-European networks;

- o) “a contribution to the attainment of a high level of health protection;
- p) “a contribution to education and training of quality and to the flowering of the cultures of the Member States;
- q) “a policy in the sphere of development co-operation;
- r) “the association of the overseas countries and territories in order to increase trade and promote jointly economic and social development;
- s) “a contribution to the strengthening of consumer protection;
- t) “measures in the spheres of energy, civil protection and tourism.”

Every single one of these gives ample scope for bureaucrats with nothing better to do, to poke and pry and spend money without check. At the very least it will waste millions of British man-hours heading off the more fanciful and extravagant projects. Quite simply (j) to (t) allows the Commission to do anything. For example, Article 75 of the Treaty of Rome provides:

Art 75 “... the Council shall ... lay down:

- a) “common rules applicable to international transport to or from the territory of a Member State or passing across the territory of one or more Member States;
- b) “the conditions under which non-resident carriers may operate transport services within a Member State;
- c) “measures to improve transport safety;
- d) “any other appropriate provisions.”

These clauses do not say that driving on the right will become obligatory throughout the European Union, that distances must be expressed in kilometres and that speed limits and road signs must be harmonized. However it is perfectly possible to interpret points (c) and (d) in these terms.

2.9 Subsidiarity

Subsidiarity is a concept which was first formulated by Pope Pius XI for the Roman Catholic Church, which around three quarters of the EC at least nominally belong to. It comes from the Latin preposition *sub* meaning “under” as in subordinate. Accepting this concept as a basis of Britain’s relations with the EC Commission, means accepting our subordination: it is, as every Continental will acknowledge, the very essence of federalism; Article 3(b), makes very clear that Brussels will decide what we are to be allowed to do and not to do. Among the latter the article explicitly rules out Subsidiarity applying to those things which the Commission “has exclusive jurisdiction for” – which is most things (see 2.8).

3 What is intended by this Treaty of Maastricht

It is important to realize that there is no single clause in all 306 pages of the Maastricht Treaty which the British Government actually wanted. The whole of its conduct preceding and during Maastricht was one of damage limitation. The proper and honourable step for our legislators to take is therefore to reject the Maastricht Treaty in its entirety. Such a step would be wholly in Britain's national interest. It would ensure that the Treaty would have to be renegotiated by the twelve Member States. Such a renegotiation would undoubtedly not merely halt, but reverse the drive towards a United State of Europe.

For this is what Maastricht is aimed at. The Protocol on the Transition to the Third Stage of Economic and Monetary Union puts the matter beyond all doubt:

“THE HIGH CONTRACTING PARTIES, declare the *irreversible* character of the Community's movement to the third stage by signing the new Treaty provisions on Economic and Monetary Union.”

The desperate wish of the Commission is to lock Britain and other states into an irreversible move to a United State of Europe. Nobody should doubt that EMU would be the end of Britain as an independent country. For those who do not trust their commonsense in this context, the words of the Vice-President of the Bundesbank are presumably good enough:

“Of course a country which merges its currency completely, cannot remain independent politically” (BBC Radio4, February 1990).

Thus the mater-of-fact- tones of someone stating an incontestable fact and the declaration above together completely demolish the wishful thinking of the present Government that Britain is not by this Treaty heading for political extinction, that somehow it will not happen. The present Prime Minister's repeated statements that he will not let Britain's identity be eroded only shows how little he understands what he is doing. It is not their identity the British people are worried about, it is their freedom to govern themselves. The repeated denial of a referendum on such a fundamental matter is a scandal of the utmost gravity undermining the authority of the State.

Maybe some members of the Community do not mind losing their right to self-government – certainly politicians in the smaller states such as Portugal, Belgium, Ireland, Denmark, Greece and Luxembourg gain a prominence from acting as official representatives of the EC which they would never otherwise have.

But Britain is different. With the English language dominant throughout the world, with our manifold ties of history and commerce with that 93% of the world which lies outside the European Community, with our enormous overseas assets (the largest of any country, including Japan and the USA), we have every incentive to free ourselves from the shackles of the European Community as presently constituted. The European Community is the high unemployment, low growth black-spot of the industrial world. The Pacific countries, especially the Chinese provinces adjacent to Hong Kong, constitute the high growth region of the world where Britain has great advantages compared with our Continental competitors. Our opting out of the Social Chapter (Protocol 14) and our departure from the ERM show how easily we can detach ourselves from the constricting bonds of the EC. We have nothing to fear, but fear itself.

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Appendix 1: Treaty on European Union

	Article of Maastricht Treaty	Article of Rome Treaty amended
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Chapter 2 – Right of establishment		52-58
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Section 3 – Aids granted by states		92-94
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Chapter 3 – Approximation of laws		100-102
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Appendix 2: Protocols to the Maastricht Treaty (Monetary Union provisions)

- 1 Protocol on the acquisition of property in Denmark
 - 2 Protocol concerning Article 119 of the Treaty establishing the European Community
 - 3 Protocol on the Statute of the European System of Central Banks and of the European Central Bank
- Chapter I – Constitution of the ESCB
 - Art 1 – The European system of Central Banks
 - Chapter II – Objectives and tasks of the ESCB
 - Art 2 – Objectives
 - Art 3 – Tasks
 - Art 4 – Advisory functions
 - Art 5 – Collection of statistics
 - Art 6 – International co-operation
 - Chapter III – Organisation of the ESCB
 - Art 7 – Independence
 - Art 8 – General principle
 - Art 9 – The European Central Bank
 - Art 10 – The Governing Council
 - Art 11 – The Executive Board
 - Art 12 – Responsibilities of the decision-making bodies
 - Art 13 – The President
 - Art 14 – National central banks
 - Art 15 – Reporting commitments
 - Art 16 – Bank notes
 - Chapter IV – Monetary functions and operations of the ESCB
 - Art 17 – Accounts with the ECB and the national central banks
 - Art 18 – Open market and credit operations
 - Art 19 – Minimum reserves
 - Art 20 – Other instruments of monetary control
 - Art 21 – Operations with public entities
 - Art 22 – Clearing and payment systems
 - Art 23 – External operations
 - Art 24 – Other operations
 - Chapter V – Prudential supervision
 - Art 25 – Prudential supervision
 - Chapter VI – Financial provisions of the ESCB
 - Art 26 – Financial accounts
 - Art 27 – Auditing
 - Art 28 – Capital of the ECB
 - Art 29 – Key for capital subscription
 - Art 30 – Transfer of foreign assets to the ECB
 - Art 31 – Foreign reserve assets held by national central banks
 - Art 32 – Allocation of monetary income of national central banks
 - Art 33 – Allocation of net profits and losses of the ECB
 - Chapter VII – General provisions
 - Art 34 – Legal acts
 - Art 35 – Judicial control and related matters
 - Art 36 – Staff
 - Art 37 – Seat
 - Art 38 – Professional secrecy

Protocols to the Maastricht Treaty (Monetary Union provisions) cont.

- Art 39 - Signatories
- Art 40 – Privileges and immunities
- Chapter VIII – Amendment of the Statute and complementary legislation
 - Art 41 – Simplified amendment procedure
 - Art 42 – Complementary legislation
- Chapter IX – Transitional and other provisions of the ESCB
 - Art 43 – General provisions
 - Art 44 – Transitional tasks of the ECB
 - Art 45 – The General Council of the ECB
 - Art 46 – Rules of procedure of the General Council
 - Art 47 – Responsibilities of the General Council
 - Art 48 – Transitional provisions for the capital of the ECB
 - Art 49 – Deferred payment of capital, reserves and provisions of the ECB
 - Art 50 – Initial appointment of the members of the Executive Board
 - Art 51 – Derogation from Article 32
 - Art 52 – Exchange of bank-notes in Community currencies
- 4 Protocol on the Statute of the European Monetary Institute
 - Art 1 – Constitution and name
 - Art 2 – Objectives
 - Art 3 – General principles
 - Art 4 – Primary tasks
 - Art 5 – Advisory functions
 - Art 6 - Operational and technical functions
 - Art 7- Other tasks
 - Art 8 – Independence
 - Art 9 – Administration
 - Art 10 – Meetings of the Council of the EMI and voting procedures
 - Art 11 – Inter-institutional co-operation and reporting requirements
 - Art 12 – Currency denomination
 - Art 13 – Seat
 - Art 14 – Legal capacity
 - Art 15 – Legal acts
 - Art 16 – Financial resources
 - Art 17 – Annual accounts and auditing
 - Art 18 – Staff
 - Art 19 – Judicial control and related matters
 - Art 20 – Professional secrecy
 - Art 21 – Privileges and immunities
 - Art 22 – Signatories
 - Art 23 – Liquidation of the EMI
- 5 Protocol of the Excessive-deficit Procedure
- 6 Protocol on the Convergence Procedure
- 7 Protocol on the Privileges and Immunities of the European Central Bank and the European Monetary System
- 8 Protocol on Denmark
- 9 Protocol on Portugal
- 10 Protocol on the Transition to the Third Stage of EMU
- 11 Protocol on Certain Provisions relating to the United Kingdom
- 12 Protocol on Certain Provisions relating to Denmark

Protocols to the Maastricht Treaty (Monetary Union provisions) cont.

- 13 Protocol on France
- 14 Protocol on Social Policy
Agreement on Social Policy concluded between the Member States of the European Community with the exception of the United Kingdom of Great Britain and Northern Ireland
Declaration on 2(2)
Declaration on 4(2)
- 15 Protocol on Economic and Social Cohesion
- 16 Protocol on the Economic and Social Committee and the Committee of the Regions
- 17 Protocol annexed to the Treaty on European Union and to the Treaties establishing the European Communities (*abortion in Republic of Ireland*)

Declarations

- Declaration on Civil Protection, Energy and Tourism
- Declaration on Nationality of a Member State
- Declaration on Part 3, Titles III and VI of the Treaty establishing the European Community
- Declaration on Part 3, Title VI of the Treaty establishing the European Community
- Declaration on Monetary Co-operation with Non-Community countries
- Declaration on monetary relations with the Republic of San Marino, the Vatican City and the Principality of Monaco
- Declaration of Article 73d of the Treaty establishing the European Community
- Declaration on Article 109 of the Treaty establishing the European Community
- Declaration on Part 3, Title XVI of the Treaty establishing the European Community
- Declaration on Articles 109, 130r and 130y of the Treaty establishing the European Community
- Declaration on the Directive of 24 November 1988 (*emissions in Spain and Portugal*)
- Declaration on the European Development Fund
- Declaration on the role of national parliaments in the European Union
- Declaration on the Conference of Parliaments
- Declaration on the number of members of the Commission and of the European Parliament
- Declaration on the Hierarchy of Community Acts
- Declaration on the right of access to information
- Declaration on estimated costs under Commission proposals
- Declaration on the implementation of Community law
- Declaration on assessment of the environmental impact of Community measures
- Declaration on the Court of Auditors
- Declaration on the Economic and Social Committee
- Declaration on co-operation with charitable associations
- Declaration on the protection of animals
- Declaration on the representation of the interests of the overseas countries and territories referred to in Article 227(3) and (5)(a) and (b) of the Treaty establishing the European Community
- Declaration on the outermost regions of the Community
- Declaration on voting in the field of the Common Foreign and Security Policy
- Declaration on practical arrangements in the field of the Common Foreign and Security Policy
- Declaration on the use of languages in the field of the Common Foreign and Security Policy
- Declaration on Western European Union
 - Introduction
 - A – WEU's relations with European Union
 - B – WEU's relations with Atlantic Alliance
 - C – Operational role of WEU

Declarations cont.

D – Other measures

Declaration on Asylum

Declaration on Police Co-operation

Declaration on disputes between the ECB and the EMI and their servants.

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