



Conservatism, sovereignty, and Brexit: A rejoinder to Marian Tupy

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My [recent article](#) on sovereignty elicited a [thoughtful response](#) from my friend Marian Tupy at the Cato Institute. I agree with a lot of what he writes, especially the idea that “significant sacrifices of national sovereignty must enjoy public support and must be reversible (no treaties last forever).” However, I am not convinced — as he appears to be — that the project of European integration has run contrary to that general principle, and will also prove to be its undoing.

According to Marian,

The British public clearly perceived the process of further intra-European integration as less and less legitimate. The same is true of the French, Dutch and Irish, who struck down various attempts to create an “ever closer union” in their respective referendums — before Brussels ignored them.

The question of the EU’s democratic deficit is a real one, but should not be overstated. For one, the French and Dutch referenda in May and June 2005, in which voters refused to ratify the Constitution for Europe, were not “ignored.” The document in question never entered into force and an extended “period of reflection” ensued.

Later, when much of the Constitution’s content resurfaced in the form of the Lisbon Treaty, the decision to proceed was not taken by “Brussels.” It was taken *unanimously* by EU leaders, all of them subject to democratic accountability at home. More than a decade later, Angela Merkel, who chaired the meeting under Germany’s presidency of the Council, is poised to win yet another parliamentary election.

The truth is that, although highly complicated, the EU is no different from myriad other forms of international agreements that governments enter into.

True, the Irish were asked to repeat their vote following their initial rejection of the Lisbon Treaty in a plebiscite in June 2008. I do not condone that. At the same time, I am not convinced that referenda ought to be seen as the epitome of democratic legitimacy, especially if they present voters with highly complex questions asking for yes-or-no answers. Nor do I believe that in a representative democracy referendum results should always and without any qualifications trump decisions made by a country’s elected representatives.

Marian claims that “much of what the EU does lacks public support and, consequently, legitimacy,” adding that “[i]n retrospect, it seems inevitable that at some point, someone, somewhere, was going to say ‘no more.’”

Yet, the EU does not look like a pressure cooker filled with public discontent. According to the most recent Eurobarometer survey, popular support for the European project across the EU is growing. 68% of surveyed Europeans feel that they are citizens of the EU — the highest percentage on record. Ireland happens to be the second most pro-EU country on this metric, with 82% of the Irish responding affirmatively (the Netherlands and France trail behind with 71% and 64%, respectively). Popular support for the Euro is the strongest since 2004. Even trust in the EU is up (in France, by 15 percentage points). The numbers are still alarmingly low, but remain at higher levels than EU citizens’ trust in their own national parliaments and governments.

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The target of my original piece was the simplistic ‘souverainist’ argument about the EU and other forms of “global governance,” which sees them as *categorically different* from simple treaties between sovereign states. Delegating decision-making powers to authorities that are not directly accountable to voters at home, the argument goes, destroys democracy and presents our societies with “totalitarian temptations.”

If taken seriously, the argument can never explain Brexit. If Brussels and the “global governance” cabal are so powerful, how come the United Kingdom is leaving the EU with no resistance other than the predictable quibbles over its financial contribution to ongoing budgetary programs? The truth is that, although highly complicated, the EU is *no different* from myriad other forms of international agreements that governments enter into. It is simply a bundle of commitments that confer certain benefits on democratic governments, at the cost of tying their hands in specific ways.

Marian recognizes that in the future the UK will likely enter into similar arrangements with other governments:

Once the UK has left the EU, the British people may opt for chlorine-washed US chicken in return for a free trade deal with America. They may agree to relax visa requirements for Indians in exchange for a free trade deal with India. But, it will be their decision. And it will be legitimate.

The realistic choice facing British voters was not between the diktat of Brussels and “retaking control.” The choice was between various forms of foreign entanglements, which restrict sovereignty in different ways. Of course, it is conceivable to argue — though in my opinion wrong — that some of those alternative entanglements, including a UK-India FTA or a US-UK FTA, might be adequate substitutes to the country’s EU membership.

The central problem with the Brexit campaign and the broader ‘souverainist’ narrative is that such an argument has never been made. Instead, the voters were presented with a false choice

between a necessarily imperfect status quo and an illusion of control. The outcome is bound to be a bitter disappointment — and possibly a harsh populist backlash down the road.