Dear America: Brexit Is About Democracy, Not (Merely) Economics

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by Brian Christopher Jones∗

Pleas by US government officials regarding the prospects of Britain leaving the EU (known as “Brexit”) have become more frequent, and more irritating. And some no longer appear to be pleas, so as much as explicit warnings against a UK departure. Furthermore, many of the major newspapers throughout the US have editorialized that they also back Britain staying in the EU, yet most of the rationales have been from an economic/trade perspective. This is undoubtedly one of the major issues regarding a Brexit, but is certainly not the whole picture, or even the most important aspect of the referendum for many Brits.

While the economic implications of a Brexit hold significant implications, a little-discussed issue (within the US, at least) revolves around the political sovereignty of the UK as a member of the EU. When commenting on and discussing a potential Brexit, Americans must also understand this essential aspect of the debate.

Although the European Union began as an economic partnership — it was originally called the European Economic Community (EEC) — it has subsequently grown into a massive supra-national governmental force. It consists of seven main institutions: the European Parliament, the European Council, the Council of the European Union, the European Commission, the Court of Justice of the European Union, the European Court of Auditors and the European Central Bank. These institutions form a system of government, not merely an economic alliance.

The Union imposes regulations and restrictions on its members, in addition to having a court — the CJEU — that can second-guess any EU member Supreme or Constitutional Court regarding the interpretation of European law. And speaking of the economic implications, which should at least be briefly addressed, the UK pays roughly $80 million to Brussels per day. However through various programs the UK receives much of that money back, so the net payment to Brussels per day is actually closer to around $50 million; which works out to roughly $18.4 billion per year (a few billion more than it costs to run the Home Office).

Unlike the American constitutional structure, which operates predominantly on judicial supremacy — regardless of whether it was originally intended to do so — the British constitutional structure operates on the doctrine of parliamentary sovereignty. This means that Parliament is recognized as the highest legal authority in Britain, and that the judiciary cannot strike down Acts of Parliament. The doctrine is also coupled with the belief that those with political accountability should be making the most important legal, political and economic decisions throughout the UK. The EU greatly threatens the operation of parliamentary sovereignty, which is the primary argument of many in the Leave Campaign.

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When the sovereignty implications come into consideration, requests from American government officials and news organizations for Britain to stay in the Union can appear particularly hypocritical. In terms of membership in regional and international agreements/organizations, it is the US — not Britain — that often lacks a clear commitment to such issues. Regarding the US, this has been seen time and again: from the lack of ratification of the Treaty of Versailles and the League of Nations after WWI, to more contemporary examples such as the International Criminal Court and the Kyoto Protocol (both have been viewed as threats to American sovereignty in one way or another, and remain unratified).

There is also a deep distrust throughout America regarding the United Nations, an international organization that — especially when compared to the operation of EU membership on Britain — has effectively no direct sovereignty implications. In fact even tangential matters that may affect the sovereignty of the US are often called into question; the citing of international law by the US Supreme Court is one such example. Agree with such disputes or not, these sovereignty matters remain considerably important to the American public and to the operation of American democracy; yet the British public’s concerns are no different, and indeed, are undoubtedly more immediate.

Urging Britain to remain in the European Union only based on economic arguments is at best shortsighted and at worst strikingly hypocritical. Given that the UK has not adopted the Euro as its currency, providing Britain with a buffer in relation to certain economic implications, the political aspects of EU membership remain much more significant in this debate for many Brits. The impending referendum is ultimately about the future of the UK’s democracy, not merely its economy. Some acknowledgement of this by the US leadership and media would help clarify these issues for the American public.