

Chapter 1

History of the project (1972-2020)

Context for this chapter

‘The EU is a fundamentally different creature from the one on which we voted in 1975.’

Andrew Tyrie MP, European Union (Referendum) Bill, 5 July 2013, col 1171

Discuss the quote.

Approaching the question: taking a position

The quote at the start of Chapter 1 represents a fairly standard essay-style university exam question in law. It sets out a statement that invites you to take a clear **position**, and to then use **evidence** to build the **arguments** that support your **position**. It is not a question to which there is a clear ‘correct’ answer; rather, the question can be answered in any number of ways, and is counting on you having your own feelings about the statement.

In plain words: when you look at this quote, after reading Chapter 1 of the book, do you agree or disagree with it?

These are the two extreme possible positions to adopt. You can also *mostly* agree with the quote, or *mostly* disagree with it. The one thing that we wish to avoid is that you engage in what we call **sitting on the fence**: rather than adopting a position, you try to write an answer that basically just *describes* how some aspects of the EU support the quote, and other aspects of the EU do not support the quote, so in conclusion, in some ways the EU is a ‘fundamentally different creature’ and in some other ways it is not. This kind of answer, which fails to develop a clear **argument**, usually will fall into the trap of being very descriptive, and it is likely to result in just a list of qualities of the EU (i.e. the evidence), without actually using those qualities to tackle the question and present a clear **position**.

Examples of possible positions you could take include, but are not limited to:

Agreeing with the statement: *‘The EU in 1975 remained a primarily economic project; as of the Lisbon Treaty of 2009, it is definitely more than that. Saying that the EU is now a ‘fundamentally different creature’ is therefore appropriate.’*

Disagreeing with the statement: *‘While the EU’s initial focus was economic, it is disingenuous to say that it was ever intended to only be an economic project. The Schuman Declaration demonstrates that the EU in 2020 is not a ‘fundamentally different*

creature' than it was in 1975 or earlier; rather, it looks like the 'same creature', but in a more advanced state.'

Mostly agreeing with the statement: *'The EU might have had political ambitions since the Treaty of Rome, but the ever-expanding reach of its activities beyond the economic mean that even though it is not unrecognizable from what it was in 1975, it was appropriate for the UK to have another vote on EU membership when it did.'*

Mostly disagreeing with the statement: *'While many aspects of what the EU has become can be explained by just thinking about how many aspects of life are involved in 'the market', there are a few EU developments that suggest it really has become more like a country and less like a market. This essay will discuss the introduction of the Euro as the main example of the that demonstrates that it is a slightly different creature from what it was in 1975.'*

Building your argument: evidence

In an exam question, or even in a piece of coursework, you cannot cover *every aspect* of how the EU functions to consider whether it has or has not 'changed' since 1975. Part of writing university-level essays is making smart decisions on what to include and what not to include in your response.

A first step is determining what, specifically, the question *needs* you to discuss. What are the **key issues** that come up in the quote that you have to engage with in order to actually answer the question?

In this specific quote, there are three **key issues** that must be addressed to answer the question:

- 1) What the EU was like in 1975;
- 2) What the EU is like *now* (which is implied in the quote, not expressly stated);
- 3) And to what extent there is a difference between 1 and 2, or the 'change' issue.

Now that you know what key issues you need to discuss, you can start thinking about what the best **evidence** is for your position. This will depend on your position. If you agree with the quote, you will need to demonstrate just how much the EU *has* changed. What is in the Lisbon Treaty that you cannot imagine having been in the EEC Treaty? You could discuss EU advancements in new policy areas, such as the Euro, or EU citizenship, or the Schengen area. Alternatively, you could discuss how in 1975 the idea of 'vetoing' EU legislative proposals remained possible, while in 2020 that has become much more difficult because of how most decisions are taken by qualified majority voting.

This will feel frustrating, but there is no *right or wrong* answer to what works as the 'best evidence'. It is a matter of you thinking about which of the material covered in Chapter 1 stood out to you most.

For those of you who instinctively disagree with the quote, you can raise an equal number of issues. For example, the discussion of political union in the Schuman Declaration, or the fact that even under the EEC Treaty supranational institutions were set up that operated *independently* from the Member States, meaning that the idea of a 'loss of

control' for the member states was present from its early days. You can also raise the notion of 'spillover', and how issues such as citizenship and the Euro may be seen as flowing logically *from* the Single Market.

Following the '**Discussing the quote**' boxes throughout the chapter will mean you have already reflected on the following potential issues to raise as evidence:

- The content of the Schuman Declaration—peace, economics, or more?—and how this reflects on the quote;
- The nature of the SEA 1986, and to what extent the changes it introduced mean a genuine step towards a 'federation' (or a 'fundamentally different creature');
- Whether Maastricht's introduction of EU citizenship as a status is a changing point in the nature of the EU;
- Comparing the aims of the Treaty of Rome to what the Treaty of Lisbon sets out—how much is different and how much has stayed the same?

For the purposes of making your approach workable, the emphasis here is on selecting your **best** evidence. As mentioned, you cannot possibly discuss everything! So perhaps pick around 3 pieces of evidence that best support your position, and get ready to discuss them in detail before concluding that *you* are correct.

Dealing with counterarguments

In building an **argument**, it is important that you are consistent in arguing for the **position** you start your essay with. If you are not, you risk falling into the '**fence-sitting**' trap, whereby you describe a number of different views, but do not clearly argue in favour of one.

That said, you cannot ignore the arguments that you disagree with! Doing that would make you far less persuasive to anyone that you are arguing with (including your future markers). For example, not acknowledging that the Treaties cover significantly more policy areas in the Lisbon Treaty than they did in the EEC Treaty would leave a hole in any argument trying to prove that the EU is *not* a fundamentally different creature. Anyone reading your argument would be thinking, 'But what about...?'. And at that point, you are failing to convince the reader that your **position** is the correct one.

You must, in other words, address counterarguments and explain *why* you think they are less persuasive. So, once again, considering the change in policy area scope of the Lisbon Treaty as opposed to the EEC Treaty, you might think that even though the EU is making law in *more* areas now, this has not happened without warning or because the EU's reason for existing has changed completely: it does more, in other words, but is not a *fundamentally* different creature.

This is far more difficult for any reader to disagree with: you have not ignored evidence that is inconvenient for your **position**, but instead you have made it clear *why* that evidence does not *change* your **position**. This is the most effective way to tackle arguments that you do not agree with, and you should find some room for this in your response.

Again, in terms of identifying possible counterarguments to your position, having another look at the material you prepared for the '**Discussing the quote**' boxes should help you identify what the different positions are on the development of the EU.

Answer the question!

As a final and general note on essay-writing at university, it is imperative that you *conclude* your argumentation by ending on your **position** again. Be sure to explain how what you are discussing *proves* your **position**, and conclude with a firm statement of the position that you have by now proven to be correct. You can follow this up with a short summary of the **evidence** you have discussed, but in general, you need to ensure that the reader comes away from your essay with a clear understanding of your position on the quote.