

SOVEREIGNTY-BASED EUROSCEPTICISM

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Abstract

As globalisation trends have broadened, the problem of sovereignty has arisen to what extent can a state be free to shape its own policies when, as a member of international organisations, it has surrendered part of its sovereignty in favor of certain benefits. The aim of my presentation is to introduce the Eurosceptic position and to try to outline the extent to which objections to the Union can be considered legitimate in terms of the sovereignty issue. To examine this, I will mainly use examples from Hungary, while I will mainly try to support the pro-EU position with international literature. My basic hypothesis is that the rise in anti-EU sentiment today is mainly since those different social groups and institutions, such as the state, civil society and individuals, interpret EU policy through different dimensions of the concept of sovereignty, which significantly distorts the information communicated by EU institutions.

Keywords: Euroscepticism, sovereignty, European Union

1. Introduction

The basic hypothesis of this paper is that the rise of anti-EU sentiment today is mainly since different social groups and institutions, such as the state, civil society and individuals, interpret EU policy through different dimensions of sovereignty, which significantly distorts the information communicated by EU institutions. To demonstrate this, I examine both the elements of the definition of sovereignty that are particularly preferred by each group (independence, autonomy and state priority), the relationship between international alliances and the state, the internal sovereignty of the state, the capacity of civil society to assert its interests and individual authority.

What is sovereignty? According to the officially accepted definition: 1. The right of (assertion of) state self-determination, full state independence. 2. Unlimited sovereign right.

The above interpretation mainly reflects the legal-political approach and the classical theory of sovereignty, but this concise and angular formulation also highlights the fact that it is not always the same which dimension of the definition is used when interpreting the concept of sovereignty.

The classical understanding of sovereignty emphasises state sovereignty, which later evolves into the political-legal sovereignty of the people or nation, but in common parlance is used in the sense of autonomy and independence.

In relation to the Union, this approach may raise the following questions: is the EU a state? If so, what rights does it guarantee EU citizens? Are these rights broader than in a traditional nation state? If so, how much scope does it allow for civil society and individual advocacy? If not, is it worth leaving the EU? Can the EU function as a federation from the point of view of EU citizens?

There is, however, a modern take on the classic Hobbesian approach, which sees sovereignty not as the exclusive prerogative of the nation but of the state, regardless of where the power comes from. In

this sense, while the legislative and decision-making bodies are legitimised by elections, the state is not identical with them, but exists as a separate entity. If sovereignty therefore belongs to the state, it must assert only its own interests.

If we look at the relationship between sovereignty and the EU from this state-centred perspective, the following questions may arise. If it does, what compromises must it make to protect its own interests to a large extent? If not, is there a reason for the state to give up part of its sovereignty and transfer it to the EU? Is the Union as a federation viable in terms of the interests of the State?

In what follows, I want to examine, from the perspective of both individual and civil society, and of state and international interests, whether the Union is really a threat to national sovereignty, or whether it is rather an extension of a different kind of sovereignty whether it is eliminating states or merely integrating them into a larger, stronger federation.

2. The international aspect of sovereignty (United States of Europe)

The idea of a united Europe is not a recent one - it was probably the expansion of Christianity to the whole continent that first raised the idea of a European empire, then strictly under the aegis of sovereignty. The foundations of today's European Union were laid with the aim of stabilising an economically depressed region after the Second World War and avoiding further international conflict, a point confirmed by subsequent treaties.

It was in this period that Churchill's Zurich speech of 1946 first raised the vision of a prosperous united Europe - a successor to the League of Nations, working with the UN to create a continental "peace, security and freedom" (Churchill, 1946). This spirit remained the basis of the treaties that later formed the European Union. The Treaty of Lisbon also details the division of the EU pillars, the principle of free movement of labour, the protection of minorities, and emphasises the existence and strengthening of cohesion and international cooperation.

Without going into legal detail about the parts of the above Treaty that relate to sovereignty, let us do so in the context of conceptual interpretation. Regarding to the State, it is immediately apparent that the whole document does not mention sovereignty; the States are referred to as Member States, as the implementers of EU procedures, and their autonomy is not only not confirmed, but simply not mentioned. There are probably two reasons for this: 1. sovereignty is no longer a current concept in Western political science, having been dissolved in the process of globalisation; 2. the Member States of the European Union have transferred a large part of their sovereignty to the EU institutions by joining the EU, and their autonomy extends only to what is not regulated by Community law.

From the point of view of international institutions, sovereignty is thus transferred to the institution itself, since in the classical sense it is a legal protection against which the organisation can defend itself against certain external factors and to define itself in international relations. In this respect, sovereignty does exist, even though the EU Member States are members of several global organisations, and in practice this sovereignty is not really asserted against, for example, US and Chinese market influences.

Although medieval cultural unification based on Christianity only affected a narrow literate class (Katus, 1997), it was fundamentally based on the need for unity and economic cooperation against external threats. Sully's confederal Europe was built on similar foundations: to eliminate internal conflicts of power, to bring about 'eternal peace' (Sahin-Tóth, 1997), which would ultimately lay the foundations for the later pan-European movement.

Sully's Europe, although controversial in many respects, inspired many at critical times - the post-World War I League of Nations and the post-World War II European Union of Nations, which was

organised on purely economic grounds, were among the examples born out of this idea. Coudenhove-Kalergi's Pan-European Movement was a virtually predictable reaction to the tensions caused by the post-war peace system, while Briand's economic union plan led to the EU as we know it today.

As Briand put the goal: "I believe that peoples who are geographically as close as Europeans should be bound together by a kind of federal bond. [...] Naturally, this community would be active, above all, in the economic field, which is the most pressing issue. Nevertheless, I am sure that such a federal link would also be beneficial in political and social terms, without, of course, affecting the sovereignty of those states which are not members of such a community (Ormos, 1997)."

The above immediately raises two questions: first, whether confederation is indeed inevitable, given the changes in the EU so far; and second, whether the question of national sovereignty was already decided at that time.

National sovereignty (i.e., the ability of NGOs to assert their own interests) can be seen as particularly strong when one considers that many NGOs and individuals can access EU grant money without having to go through the state bureaucracy. In addition, Member States can successfully bid for specific funds, giving voice and space to their own priorities.

It can be seen, therefore, that financial integration is not a complete threat to either public or civil sovereignty. In fact, the emergence of a possible common banking supervision would significantly limit the scope for the use of public finances, but this is far from an end to national sovereignty - this would only be possible if the Union were to become a superstate, in which case each Member State would be obliged to transfer all its powers to the newly formed public body.

But can such a move really happen? In theory, yes, but in practice it is doubtful. Although, according to Coudenhove-Kalergi, all great historical events have started as utopias and become reality (Pallai, 1997), the European Union's becoming a superstate does not seem feasible at present. Although there are those who doubt it, a confederation is by no means the same as a supranational state. The former would mean a loose federation of member states, with a slightly more integrated political-economic institutional system, which already exists today, and therefore seems to have a very real chance of being achieved.

So, ultimately, is national sovereignty threatened by EU institutions? The answer is clearly no. It is indeed limited, but essentially all Member States retain the classic attributes that traditionally characterise a sovereign state: recognition by other states and an internal monopoly of power.

3. Sovereignty of the State (The Almighty Leviathan)

The sovereignty of the state as an institution includes all state-administrative institutions that benefit to some extent from the monopoly of power. Although the classical Hobbesian interpretation is still acceptable in this case, we must consider that the sovereign decision-maker is nowadays also highly dependent on the opinion of non-state actors.

Nevertheless, I would like to continue by asking whether, based on Hobbes' criteria, we can talk about sovereignty at all today. Thomas Hobbes, in his work *Leviathan*, describes the state as "one person, who, by mutual agreement among himself, is regarded by each of the members of a great multitude of men as a principal in respect of his actions, in order that he may use the powers and means of all as he thinks fit for the peace and common defence of all (Hobbes, 2001). And we call the embodiment of this person the Sovereign, who is said to have sovereignty, and all the rest to be his subjects."

If we want to modernise this conception, we could formulate it as follows: the state is an entity empowered by its citizens with all the necessary rights to pursue peace in domestic and foreign policy. In this system, the powers of the State are vested in the administrative authorities, to whose uniform legal system the citizens are bound to submit, leaving its operation to the organs which embody the State.

There is no question of state sovereignty in the sense of the above, since not only has the concept of the state changed, but the organisation of the state itself has been reorganised in such a way that (at least in theory) although the administration of state affairs is carried out by a narrow stratum, it must nevertheless be accountable to the whole population, which actually holds the power.

The scope of state functions has also increased since Hobbes formulated his ideas; although it is true that these functions relate mainly to the internal functioning of the state (such as the building and maintenance of a social safety net), the main task of his foreign policy has become to cooperate more closely with other states, as far as Western states are concerned.

The latter is also interesting because it automatically raises the problem of the assertion of interests implicit in sovereignty: if every state is obliged to strive for good neighbourly relations, the possibility of pursuing its own objectives in disputes is rather limited. In a sense, this was precisely the aim; the cultivation of international relations avoids armed conflict, but at the same time it has been observed that the hierarchy between European states has been maintained rather than brought closer together. Therefore, this entrenched image of dominance is a major obstacle to the states that have joined since 2004 trying to achieve their own goals against the 'big players'.

Sovereignty is thus largely limited to the autonomous resolution of domestic policy issues, but only if it does not infringe the EU legal order. If this regulation concerns human rights, it does not give rise to conflict, but when it comes to economic issues, there are growing objections to the EU system. As a possible reason for this, most analysts point to the disappointment of excessive expectations of the EU and the lack of integration (Bíró Nagy et al., 2012), in my opinion, all the reasons given can be traced back to the problem of the lack of clarity of sovereignty.

Today, the main line of Euroscepticism in Hungary is not represented most strongly by a far-right party (although they have the most opponents), but by a soft Eurosceptic party, classified by József Dúró (Dúró, 2010), which has taken on this role. Fidesz's communication shows that it understands sovereignty to mean the country's decision-making independence, in which the European Union unlawfully interferes, and it can be inferred from this that for the governing party the Union is primarily a trade and economic alliance, but not a unity; therefore any attempt at centralisation, or in this case the 'imposition' of central crisis management techniques on the Member States, can be interpreted as an attack on national sovereignty.

A similar, albeit much more critical, 'hard Eurosceptic' tone was struck earlier by Jobbik (now Mi Hazánk), which, in keeping with its political positioning, attacked not only the EU's packages of measures but also the very existence of the European Union from a nationalist perspective, which may be somewhat surprising given the party's membership of the EP.

Can a dictatorial superstate really be created? If my own interpretation of the state is anything to go by, the answer is clearly no, as there is no common social identity within the Union. The ideal of a united Europe as envisioned by the Pan-European Movement is too utopian to be feasible, and although politicians and professionals in leading roles in the Union are keen to profess their support for the European ideal, most are vehemently opposed to any drastic reduction in national sovereignty.

4. Sovereignty of the civilians and the individual (By the people, with the people, for the people)

We have seen, therefore, that from a classical state perspective, sovereignty would suffer considerable damage if the Union were to take on a federal character, but that non-state actors would also be negatively affected. In my understanding, although the normally non-state actors can be considered as state actors, I felt it necessary to examine separately the aspects of those with actual and formal power in the state.

With Hungary's accession to the EU, both classical state and non-state actors have been given access to EU financial resources. The latter have received substantial support from EU development funds, especially associations and organisations interested in regional and cross-border projects, but small and medium-sized enterprises have also found numerous applications to develop their businesses.

In this respect, SMEs, associations and organisations are the main winners of EU accession - there are no tenders that have been announced for which no one has applied, and the funds for development are quickly exhausted. In some ways, the EU is consciously building on the strengthening of such enterprises, as opposed to state action, thus underpinning its own rhetoric on the free movement of labour and goods.

From a civil society point of view, this has enormous advantages, including the possibility of largely bypassing central players and supporting initiatives that the state's top bodies would probably not be able to allocate the necessary funds for; it strengthens not only the businesses that win tenders, but also civil society itself - it enables objectives to be achieved that would have been unthinkable centrally.

In terms of sovereignty, the civil sector should have become more autonomous after EU accession - which was also the aim - but this has been achieved only to a minimal extent, even at the economic level. Neither small and medium-sized enterprises nor civil society organisations have become strong enough to be an economic force in their own right; individually they are able to win tenders, but this does not encourage them to work together - several organisations can receive funding from one tender, but this does not lead to concerted action.

As a result, civil society cannot act in a united way, either economically or politically, because there is no incentive for individual actors to act beyond their own interests, which can undermine the credibility of EU rhetoric. In addition to the fact that grant money is regularly allocated by central bodies, there is often a strict hierarchy between the individual applicants, which does not help civil society to become self-reliant.

Sovereignty in this case means both autonomy from the central authorities and, consequently, the power of the civil sector in a system of checks and balances. Hungarian society currently has neither. After EU accession, the civil society has only been able to gain support in elements, and at the same time there has been no serious coalition or economic, let alone political, network to successfully assert its interests.

In economic terms, therefore, we cannot speak of the autonomy of this sector, since it is still dependent on the decisions of the authorities and is far from being on an equal footing with them; rather, we can speak of the atomization of civil society. From a political point of view, of course, sovereignty is considered to exist, if we understand the concept as the use of political rights, but it has not developed its own representation either, and the main groups that try to act as a counterweight in a highly politicised society sooner or later become politicised themselves.

For these reasons, it is difficult to speak of genuine sovereignty; the autonomy of civil society largely implies that the central authorities operate independently of it, and there is no question of partnership.

It is precisely the second clause, which seems to be missing from the triad of 'from the people, with the people, for the people', which could reinforce the 'national' sovereignty much emphasised by the government.

What can the European Union offer in return? It has already become clear that the EU is far from functioning as a state, lacking a sense of belonging that could integrate national societies into a more international community. That said, EU policy is broadly united in its treatment of civil society as a whole, which it expects to be strengthened, above all in terms of economic recovery and multiculturalism within the continent.

From the point of view of associations and private businesses, this approach has produced positive results: the free movement of labour and goods and the increase in the number of multinational companies have led to a real expansion of the labour market. If this trend continues without a return of the economic crisis, the civil sector has considerable potential for advocacy; the question is whether it will be able to influence policymaking.

And although it is not closely linked to EU involvement, a few words should be said about the relationship between the most extreme sovereign tendency, anarchism, and European unity. In Hungary there is no real anarchist movement, and the more Eurosceptic *Mi Hazánk Mozgásmozgása* is far from being truly anarchist, it is interesting to note that it is the EU that is calling for a united Europe, using some theoretical anarchist arguments.

András Bozóki and Miklós Sükösd (Bozóki et al., 2007) explain the existence of these movements precisely by the existence of a democratic deficit in the EU bureaucracy, with EU communication trying to promote the realisation of the rivalry of the US and Chinese markets by means of pro-peace, unity-oriented rhetoric.

One way of overcoming the democratic deficit is to radicalise the concept of democracy, which cannot exist without active participants. Institutional 'democracy' has become detached from the people and is increasingly understood as a corporate apparatus. Anarchising democracy, making it more accessible and human, could easily be a global task for the near future. The old ideal of civil society can be revived in the utopia of a 'global' civil society.

And indeed, there is no denying the fact that the changes brought about by the crisis must affect not only economic systems but also social structures. These changes can be either a shift towards confederation or a reinforcement of national specificities, but they both have in common that they can be achieved without a civil society base, but they cannot be sustained in the long term.

5. Summary

So, what is wrong with the European Union? First, its priorities are all economic, while its rhetoric calls for social cohesion. Some EU politicians want to create a confederation, while civil society feels no connection with the EU institutions. Until this conflict between EU rhetoric and practical reality is resolved, both the Eurosceptic view and the disinterest shown by EU citizens will remain.

Secondly, the 'fault' lies within us. The EU is appealing if it delivers economic benefits, which have been exploited by both political and civil entrepreneurs; but as soon as it asks us to give up our own interests, we are not willing to compromise. This is perhaps not a bad thing, as any level of surrender of sovereignty beyond that required by international diplomacy in exchange for some economic advantage is not sustainable in the long term.

Third, the problem is further compounded by the fact that, although all parties use the same terms in their rhetoric, they do not mean the same thing. The following can be said about sovereignty:

For the EU, sovereignty is understood in its self-defining dimension, which enables it to present itself as an independent power in international relations and helps it to be recognised as an economic and political power on a par with the United States and China. However, sovereignty is often interpreted at the level of the Member States, so that it does not receive more attention than is strictly necessary within its own institutional framework.

For most Member States, sovereignty means decision-making independence within the EU system, as EU opportunities are understood primarily as economic rather than political cooperation. In this case, the notion is extended to include not only a dimension of self-determination but also of autonomy, complemented by the classical notion of a monopoly of power over civil society.

The latter sphere's perception of sovereignty is also difficult because, although the EU's economic policy has given priority to bypassing state authorities and thus strengthening civil initiatives, it has not succeeded in creating a unified representation of interests. They are therefore closer to the Member States in terms of sovereignty and, despite the EU tendering system, have not moved closer to supranational activities.

The fourth problem stems from the irregular use of the term, i.e., the different interpretation of EU rhetoric. Hence the Euroscepticism among politicians in the European Parliament, the conflict between the idea of federation and the preservation of nation states, from which many have drawn a variety of conclusions.

The advantages and disadvantages of this federation for national sovereignty and national cultures are not of interest now, but the number of people who are inspired by it to envisage a world government, whether it be a guardian of world peace (Hoós, 2012) or an extension of Orwellian 'Totalitarian Europe', is.

The essential question is this: do we want a united Europe? If so, we must therefore give up important positions that economic stabilisation cannot ideologically counterbalance and may sooner or later lead to a split; or we do not need one and state interests can continue to prevail in accordance with international norms without hindering either the cultural existence of certain groups or international cooperation - in which case we simply do not cross the line of equality to create supranational bodies.

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