



Greening the European Union

Alex Warleigh-Lack

Green House is a think tank founded in 2011. It aims to lead the development of green thinking in the UK.

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Green House Post-growth Project

Everyone agrees that we are in the midst of a massive financial and economic crisis. We have suffered the biggest crash since the 30s, and it may get far bigger yet. How ought this ongoing crisis to be understood, and resolved?

There is the mainstream view: we have vast government deficits, and stagnant economies. We have a dire need for economic growth – and a deep-set need for austerity, bringing with it massive cuts in public services.

But what if that diagnosis, which reflects mainstream wisdom, is all wrong? What if the crisis that we are currently experiencing is one which casts into doubt the entire edifice of capitalist economics that sets growth as the primary objective of all policy? What if the fight between those who say that without austerity first there can be no growth and those who say that we must invest and borrow more now in order to resume growth is a false dichotomy – because both sides are assuming ‘growthism’ as an unquestioned dogma?

The aim of the Green House Post-growth Project is to challenge the common sense that assumes that it is ‘bad news’ when the economy doesn’t grow and to analyse what it is about the structure of our economic system that means growth must always be prioritised. We need to set out an attractive, attainable vision of what one country would look like, once we deliberately gave up growth-mania – and of how to get there. And we need to find ways of communicating this to people that make sense, and that motivate change.



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Summary

What the EU does matters: it shapes the lives of over half a billion citizens in its 28 member states. In some areas of policy like agriculture, the environment, and the single market, it has more power than its individual member states – even if it is also true that in some important areas like tax, or security, the EU has far less power than its member states. If we want to green our societies and economies, then, we need to include in our plans ideas about how to green the EU.

In this report I put forward some suggestions for greening the EU, to launch a debate about how this crucial

aspect of how we are governed can be made a more helpful part of the transition to a sustainable way of life.

The first section of the report explores in more depth the reasons why it is necessary to ‘green’ the EU, evaluating its performance to date when set against key criteria in green political thought. I then use these criteria to suggest reforms that the EU could undertake in order to green itself, before scenario-building to show how something akin to the suggested system could materialise. The report closes with suggested priorities for Green politicians in the EU’s next cycle, from 2014-19.

1: Introduction

2014 will be a big year for the European Union (EU; the Union). There will be elections to the European Parliament, or EP, in May. Furthermore, for the first time, the European Commission, created as the putative ‘government of Europe’ back in the 1950s, will have its President elected on the basis of nominations received by the EP political party groups. As a result, the EU system will experience an important change, and the power of the EP to control the EU executive will be reinforced. The consequences for EU politics are hard to predict, but are likely to be significant.

For almost thirty years now – since the Single European Act was agreed in the mid-1980s – a long process of reconfiguring the EU states’ economics and politics so that they become part of a continental system has gathered pace. What the EU does matters: it shapes the lives of over half a billion citizens in its 28 member states. In some areas of policy like agriculture, the environment, and the single market, it has more power than its individual member states – even if it is also true that in some important areas like tax, or security, the EU has far less power than its member states. A House of Commons report from 2010 estimates that 50 % of the total of the economically significant legislation on the UK statute book is of EU origin, not domestic origin.

In this report I put forward some suggestions for greening the EU, to launch a debate about how this important part of how we are governed can be made a more helpful part of the transition to a sustainable way of life. Needless to say, this is a very large subject, and to make it manageable I have trained my focus on the questions of the EU’s powers, institutions and structures. This means that I can concentrate on the core issues of what the EU is for, and how it should work.¹

This Green House report has four further sections. The first of these, Section 2, asks why we should bother to ‘green’ the EU; after all, for many of an ecological persuasion, it is an agent of capitalism and market integration: the very antithesis of what green political economy would wish for. Section 3 briefly assesses how ‘green’ the EU is already, to set a baseline from which reform can be proposed. Section 4 sets out what needs to be done to turn the Union a dark shade of green, using criteria drawn from the academic literature on what green versions of political systems and international organisations should do, and how. The fifth section sets out, in the form of an imagined future history, a scenario for how we might get to this green EUtopia. To close the report, and as an acknowledgement that the scenario for 2024 is plausible but unlikely, a set of priority tasks for the 2014 elections to the European Parliament (EP) and the first years of the ensuing EU cycle is appended.

2: Greening the EU, or “it’s not where you start, it’s where you finish...”

When I lived in Ireland and was visiting places I didn’t know, I would ask for directions. I can vouch, therefore, for the truth in the old joke that people who ask for such things in that country will often be told: ‘Sure, I wouldn’t start from here...’

The same is true of greening the EU: it would be hard to envisage a tougher time to begin such a process. After 60 years, the Union is looking tired; its core initial purpose, security and regeneration after World War II, has been achieved, but it lacks a convincing *raison d’être* for the future. Moreover, the prolonged economic crisis has covered the EU in brickbats, not glory. The Union can justly be accused of denigrating national democracy in several countries as part of an unholy alliance with the International Monetary Fund (IMF) and international capital to impose austerity on member states, regardless of the social, human and ecological consequences: fiddling while Rome, Athens, Lisbon, Madrid and Dublin burn... Worse still, the EU has not come up with any new ideas about how to run itself despite the crises of the economy, climate change and biodiversity loss; its recent strategies, such as *Europe 2020*, are just old wine in new bottles. From a Green perspective, it would be easy to conclude that the Union is a lost cause, and is an institution we should have nothing to do with.

Such a conclusion would also, however, be mistaken, for both practical and principled reasons.

Practically speaking, the fact is that all of the EU’s member states have become heavily ‘Europeanised’; in other words, their policies, policy-making and politics have all been fundamentally shaped by the EU. The EU and national systems are no longer distinct, but enmeshed; if we are citizens of a member state, our countries simply cannot meaningfully green themselves unilaterally.² *Even if we seek to trade with the EU from outside, we will not be able to avoid EU influence: access to the single European market, to which at least half of UK exports go, requires both non-member states and companies from such countries to accept EU legislation and standards. Big US-based multinationals are often surprised to find themselves fined millions of dollars on that basis! Countries like Norway and Switzerland, while not EU members, have to implement dozens of EU laws in order to trade with the EU on preferential terms – and of course, they cannot shape the content of those laws.*

In terms of principle, I make my case as follows. We cannot green our polities, economies and societies in isolation from each other. Such radical change is not possible without cross-sector, international alliances and structures. Indeed, as one scholar puts it, ‘because the Earth system is the wider context in which our social, political and economic systems operate, and because our actions now have planetary consequences, we are increasingly compelled to develop forms of governance that are compatible with the larger system that environs and sustains us’ (Litfin 2010: 196). This does not mean that all political structures must be planetary in scope; it does mean, though, that a goodly number of these structures must be trans-national (meaning working

sectorally across state borders) and even supra-national (meaning having greater authority than national level).

I call such thinking ‘pragmatic ecologism’. I want Green Politics to be about fundamental socio-economic change, steeped in values that reject consumerism and the fetish of economic growth, and delivering equality between genders, social classes and the global ‘North’ and ‘South’ through the reclamation of values of care that have been denigrated as ‘female’ or somehow

unimportant in contemporary society (Plumwood 2002). For me, Green Politics must also take seriously the idea that we are linked in ways both material and non-material to our ancestors, to those who come after us, to other species and to the planet itself. *But we have to start building this society from where we are.* In the present case, that means greening the EU. And to do that properly, we need an audit of how ecologically sound the Union already is. It is to this that I now turn.

3: How Green is my Union?

A fair judgement of the EU on this score must acknowledge as a starting point that the Union's environmental policy achievements are impressive. The initial EU Treaties – the agreements between member states that set out what the EU can do, and what it can't – gave the Union no power at all in this area of policy. Over time, however, the Union began to make environmental legislation as an indirect consequence of its work in other fields, notably in creating the single market.

The EU has actually been the source of almost all environmental policies for some of its member states (such as Ireland or Greece) which had little or no such legislation before joining the Union. Thanks to the EU, our air is cleaner, our drinking water is healthier and cannot contain poisonous lead (which it previously did, because of the pipes through which it was transported), the impact of what we build on the local environment must be assessed and taken into account, animal welfare standards are higher, recycling is more widespread and easier, waste levels have been reduced, and, to some extent at least, people in rural areas have been helped to preserve their landscape or use it in greener ways through some of the better parts of the Common Agricultural Policy.

What's more, the EU has not, as many feared, always made member states with strong environmental policies water them down as the price for taking part in the single market. In fact, in many cases, it is more accurate to say that the EU has done the reverse, i.e. forced member states with weak or no environmental policy to reach the

standards of the best-performing member states (Lenschow 2005).

The EU's leadership was essential to the establishment of the Kyoto Protocol and the attempt to use CO₂ emissions trading as a means of fighting climate change. Whatever flaws have become apparent in these measures, and however truncated the EU's capacity to take charge has been since then, this is the best that global politics has managed to achieve so far, and without the EU, the Protocol would not exist (Damro and Luaces Mendéz 2003). Thus, although such measures do not in themselves a green Union make, it must be acknowledged that a potentially promising basis from which to move forward exists.

Nonetheless, all is not rosy in the garden. EU environmental policies have often failed to make the necessary impact on the ground, so to speak, as a result of poor implementation, concerns about subsidiarity (the idea that political decisions should be taken, and policies made, at the lowest possible level – there will be more on this later!), and the gap in taking green principles out of their 'environmental policy' silo and integrating them across the board (Jordan and Schout 2006). The Common Fisheries Policy is an example, although recent reforms suggest progress can be made on this. Furthermore, environmental policy and green political principles are far from shaping the worldviews of EU actors, with action on mitigating or adapting to climate change, for example, being at best half-hearted given the challenges it would imply for member states' national sovereignty on questions of tax, energy and foreign policy (Jordan, Huitema, Van Asselt and Rayner 2010).³

Table 1 shows how well the EU does when examined through a ‘green’ lens composed of my distillations from the academic literature, and my evaluation

on a scale of 1-5 of how well the EU instantiates these principles today. A score of 1 is low; a score of 5 is high.

Table 1: Towards a Green EU - Performance on Key Principles of Ecological Governance

Principle of ecological governance	EU version of ecological governance principle	Green-ness level, 1-5
Solidarity and social justice within and beyond borders	EU citizenship rights, cohesion policy, solidarity clause	3
Future-proof decision-making	Precautionary principle in environmental policy; ‘integration’ of environmental concerns in all policy	2.5
Part of inter-linked structures of governance from local to global, based on bioregions ⁴	Multi-level governance system, but with emphasis on upper two tiers (EU institutions and national governments)	3
Based on multiple relationships, not closed system	Flexible integration, and de facto partial membership possible, but also normative demarcation between ‘Europe’ and ‘Other’	4
National sovereignty given no special normative value	EU citizenship creates direct EU-individual link; supremacy of EU law; but remaining decision-making power of European and EU Councils is great	3.5
Participatory democracy and inclusion of interests of those who cannot deliberate but are affected	Primarily representative democracy at EU level, <i>pace</i> European Citizens’ Initiative; no emphasis on ‘future people’ or other species	2
Constitution sets out ecological principles as norms to guide and assess institutional activity	Treaty on Functioning of the EU codifies sustainable development in Article 11, but to date market integration has had primacy	2.5

A first key principle of green international politics is that it must be based on a principle of solidarity and social justice, both at home and abroad. Ecological politics is fundamentally about redistribution of wealth once ecological limitations have been considered, so that on a finite planet, all citizens can have a sustainable fair share. This principle is not just about redistribution, however; instead, it comprises a principle of mutuality, and shared responsibility. For Green theorists, there is no future in individualism; instead, individuals find fulfilment in community, and this community extends across national borders.

On this point, the EU does reasonably well even as it is: EU citizenship is an historical innovation, the first time an international organisation has developed a direct political and legal relationship with citizens rather than its member governments; furthermore, these rights are impressive in their scope, even if they are limited and if the status as a member state national is necessary to enjoy them.⁵ Despite much rhetorical obfuscation, and its linkage to neoliberal economic choices, in the current economic crisis the EU's bail-out funds have transferred millions of euro from richer member states to poorer partners. The Lisbon Treaty included a solidarity clause which makes it clear that member states have responsibilities to each other, and each other's citizens, not just their own. The EU also has a cohesion policy, whose explicit objective is to give economic assistance to less well-off parts of the Union. It is true that the budget for this policy is dwarfed by that of the Common Agricultural Policy, and that it is not in practice as well or as equitably directed as it should be (Warleigh 2003). Nonetheless, credit

needs to be given to the EU on the score of solidarity across borders: it is not perfect, but it has done remarkably well considering that only 70 years ago key EU states fought each other almost to destruction, fuelled by racist and xenophobic ideologies.

Making policy decisions that take into account the needs of future generations as well as those of the present is a key part of ecological politics, and is also reflected in the popular concept of 'sustainable development'. On this score, the EU does poorly. Although the precautionary principle is well-entrenched as a key tenet of EU environmental policy, it is not well applied in practice. Moreover, the needs of future people are not formally considered in EU decision-making, which is instead a complex process of inter-institutional, international bargaining and alliance-making. The EU is in this regard no worse than most member states; but by the same token, it is no better.

On the issue of its relationship with other international organisations and third countries, the real-world EU is more in keeping with Green wishes than with those of its founders. The latter, in keeping with many present-day federalists, would see the EU as the logical organisation to be responsible for all aspects of continental governance. Instead, despite recent additions to EU competence in the areas of human rights and security capacity, it is still other bodies which play the primary role in those areas (respectively the Council of Europe and NATO, the North Atlantic Treaty Organisation). The governance of Europe is carried out by a matrix of organisations, not a single institution.

In addition, internally the EU has a system of ‘multi-level governance’ (Marks, Hooghe and Blank 1996), in which power is held at local/regional, national and EU levels in a way which is largely determined by national constitutions (so in federal states or those with strong devolved governments, regional-level politicians are more able to be influential over EU policy). That said, the upper two tiers in this multi-level system – that is, the national and EU levels – are far more powerful than the lowest level, i.e. the regional/local echelon. Furthermore, territorial divisions in the EU remain political rather than ecological in origin; consequently they match what may be arbitrary if long-standing borders both within and between member states, rather than those suggested by ecological thinking (bioregions).

Is the EU a monolithic Leviathan? No. In fact, the EU has had to resort to multi-speed models of integration in order to make policy in key areas, such as the single currency or the Schengen immigration policy and passport control measures; this means that member states can opt out of policies that they don’t want, or stay out until they meet the criteria for adoption, while states that do want them and are ready can go ahead. Most Euro-federalists don’t like such situations, but they have existed for a long time and look set to continue. Similar facets of the way the EU works mean that certain parts of the EU policy portfolio are in practice available to non-member states; for instance, Norway and Switzerland effectively form part of the single market. The major failing of the EU on this count is in its attempt to create a ‘European’ identity which often is taken to require exclusion of ‘others’ (both internal others, such as Muslim citizens of EU

states, and external others, such as Algeria); European identity is not per se a problem, and indeed is implied by the desire for cross-border solidarity, but from a Green perspective European, or EU, identity needs to be more authentically cosmopolitan and less parochially continental.

In ecological political philosophy, national sovereignty has no special value. The nation state is considered to be an artificial construct, a phase in human political evolution, rather than a ‘natural’ outcropping of human organisational need. Indeed, in the context of Gaia – the planetary ecosystem in which all humans and indeed all life on Earth have their existence – the nation state is usually both too big to reflect local circumstances and too small to control what happens at a global or cross-border level. Normatively speaking, national sovereignty is similarly questionable: what we need instead is a sense of political identity which is *both* embedded in the place in which we live *and* extended across the planet. On this score, the EU does well. In addition to the points made above about EU citizenship, and countered by the remarks that followed on European identity, the EU has evolved something historically innovative: a supranational body of law that takes precedence over national law, if the two are in conflict. This principle, established by the European Court of Justice (ECJ) in the early 1960s, was reiterated and strengthened in the Treaty of Lisbon.

In the Council of Ministers, the body which represents national governments in each policy area, ‘qualified majority voting’ has become the norm.⁶ In other words, individual states cannot veto EU policies they don’t like, and power over almost all EU legislation is shared with the directly-elected

European Parliament (EP) under what has become known as the ‘ordinary legislative procedure’ – an interesting usage of language for what is by world-historical standards an innovative practice! National sovereignty remains a key term in rhetoric about the EU, and is indeed reflected by the power of national government heads, meeting in the European Council, to agree new Treaties and set the strategic direction for the Union. It is also true that much of what the EU currently does takes the form of ‘soft policy’, decided without the participation of the EP or Court under processes such as the ‘open method of coordination’. However, the EU has done more than any other international organisation to modify, pool and recast national sovereignty in practice.

That said, the EU does less well against the criterion of participatory democracy and including the interests of those who cannot deliberate (future humans, other animals, the planet). Although individual states may have participatory traditions and practices, the EU itself is firmly cast in the representative democracy mode: citizens influence what the EU does through their choice of representatives in national and EP roles, or by supporting particular interest groups, rather than by participating directly by means other than voting (Warleigh 2003).

The European Citizens’ Initiative, which allows for proposals for new EU law to come on the basis of petitions organised across EU member state borders and with at least 1 million signatures, makes a break with such practices. However, it is both weak (petitions cannot oblige the European Commission to bring forward a proposal, much less force the hand of

the Council of Ministers and EP) and still very new (it came into force once the Treaty of Lisbon was ratified in 2009, and the basis for making the Treaty proposals operational was agreed inter-institutionally somewhat later). Thus, while it is exaggerated to say that citizens cannot influence what the EU does – they can, through both national and EU-level channels – the EU is not a participatory democracy, and representation rather than deliberation is its primary mode of relating to citizens or generating policy. The EU has no mechanism for taking the needs of future people or other species into consideration, and although this cannot be ruled out in present policy decisions, the EU’s track record in applying the deeper principles of ecological thought indicates that it cannot be assumed either.

Finally, the Union does reasonably well when assessed against the criterion that ecological principles should be entrenched constitutionally and inform all policy-making. I pointed out above the shortcomings of the EU in translating eco-principles into policy practice, and those points remain valid; it must also be admitted that the Union has many stated objectives, and thus the fact that sustainable development has been sanctified as an Objective of the Union (Article 11 of the Treaty on the Functioning of the European Union, or TFEU) must be taken as only *potentially* shaping the EU’s actions more than any other of its Objectives. However, the potential is certainly there and could be used to make a legally binding and far more ecological set of policies for the Union, both internally and in its relations with third countries (Sjåfjell 2013).

Thus, the EU is not as completely non-ecological as might be thought, despite its many and serious shortcomings in this regard. What remains is to set out

a vision – a ‘greenprint’, if you will – for how it could become more ecologically sound. I devote the next section to this endeavour.

4: A Greenprint for Europe

My hope is that, by setting out a ‘greenprint’ and showing how what are often abstract principles of ecological thought could be applied to the EU, I can help to motivate a campaign for change while also setting out the benefits of such a re-working. A basic supposition of all the changes set out below is that the EU and its member states should be reconfigured territorially so that power is concentrated as far as possible at bioregional level, to reflect ecosystem boundaries, while participation in national and EU-wide policies of redistribution and provision of life essentials (energy and food security) would require the retention of a customs union across EU territory.

First, the Treaties should be replaced by a Constitution. Treaties currently set out what the EU can do, and how this can be done; they are negotiated between national governments and are revised periodically to give the EU the ability to change how it works or adapt to new circumstances. They tend to be the result of hard political battles and bargains, not rational consideration of what it would be best for the EU to do as such. In this way, the EU Treaties can be seen as a means to empower the EU to act, and each proposal for a new law that the European Commission makes must show where in the existing Treaties the EU has the power to act in the relevant area of policy (the ‘legal base’ of the proposal).

A Constitution, on the other hand, is usually a single document that sets out in terms that are hard to change the basics of how a political system should work: who should have power, how they should use it, and how they can be controlled. Constitutions also usually contain a statement of values that the

group it serves believes are important, e.g. the US Bill of Rights. There is no need to be afraid of the C-word; tennis clubs and social groups, as well as states, have a Constitution. The role of this document would be to set out the powers of the EU, state its core values, and reserve all matters not explicitly given to the EU in that document, or as a result of a future pan-EU referendum, to the bioregion.

National governments would be selected, appointed or elected on a basis established by cross-bioregional referendum within current national borders; cross-border bioregions could choose which state to join for such purposes, by referendum. National governments would be responsible only for ensuring minimum (albeit high) standards of environmental and social justice within national borders, and the adequate supply of policing, health and emergency care services across each member state. They would collect revenue from each bioregion within their borders to ensure this, according to a formula agreed between the bioregions.

My suggestion is that an ecological EU would have the following as core purposes:

- ensuring high standards of human rights, social rights, and political rights for all EU citizens, set out in a Declaration of the Rights of the Citizen and the Earth;
- ensuring high standards of animal welfare and ecological health;
- external trade policy, in the service of trade subsidiarity and ecological health in trading partners beyond the EU;

- diplomatic representation in international organisations and with third countries;
- ensuring high standards of ecological sustainability for all goods and services in the EU market;
- ensuring renewable energy supply and food security across the EU;
- ensuring public transport provision;
- customs union;
- defence (as a neutral Union);
- border control between the EU and the rest of the world.

I suggest these policy areas because they seem to me the most useful ways to gain added value from EU-level cooperation in a context where bioregions, while normatively strong in their claims to meaningful power and identity, cannot be expected to provide all necessary goods and services – even in a re-localised economy, which is as self-reliant as possible, and in which consumption patterns are utterly different from today’s throwaway society (Cato 2013). On a planet whose climate is changing, renewable energy supply and food security cannot be taken for granted, and a bioregion may not be able to meet the basic needs of its inhabitants without external help. Solidarity between EU citizens should be a guarantee that all who live in the EU will have their basic needs for a civilised quality of life met.⁷ EU citizenship rights would be available to all legal residents in EU territory.

Similarly, the EU level would need to be active in providing public transport facilities, powered by renewable energy sources. Yes, in an ecological polity, citizens would travel less far

and less often than they do at present; however, there would still need to be a means of getting around Europe at manageable ecological cost, and bioregions or national governments could not guarantee this by acting unilaterally. Similar arguments could be made for defence policy (no bioregion could afford this, or be capable of defending EU territory as a whole), and immigration policy in the context of pan-EU solidarity set out above. Although from my perspective, the EU should declare itself neutral, and capable of using armed force only for defence purposes, and should have an immigration policy based on a cosmopolitan perspective, it would make sense for ultimate say over both areas of policy to be exercised at EU level.

Proposals for constitutional change and additions or removals from the EU’s set of core competences would be made on a participatory basis – deliberative referendum campaigns held on a pan-European scale, with bioregions able to opt-out of secondary legislation (i.e. not their Constitutional commitments) by means of an internal referendum. The European Parliament should have the right to approve or reject requests to join the EU, although new participants would have to agree to adhere to the EU constitution and the role it gives to bioregions.

The EU budget would be set at a rate of 2% of annual GDP on an initial basis, with the power to raise or reduce that level enjoyed by the European Parliament. Should the EU move away from GDP calculations as part of a shift towards a green economy, an alternative calculation basis would have to be found by the EP.

Subsidiarity would be re-shaped and given more substance in the context of

a Europe of the Bioregions as part of the Declaration of the Rights of the Citizen and the Earth; this level of authority should have power in all matters not expressly transferred to the Union in the Constitution or reserved to national governments.⁸ Bioregions should develop their own internal

constitutions and political systems, provided they maintain the high standards of environmental and social justice required by EU membership and national redistribution duties. Table 2 sets out how the EU institutions would be reworked in a Green EU:

Table 2: The EU Institutions in a Green Europe

EU INSTITUTION	WOULD IT REMAIN?	IF RETAINED, WHAT WOULD CHANGE?
European Parliament	YES	Bioregions would become EP constituencies; a Senate would become the Upper Chamber, tasked with future-proofing EU legislation; EP would have right of legislative initiative.
European Commission	YES	Commission would be stripped of right of legislative initiative and become solely a civil service for the EU institutions.
European Council	NO	N/A (national governments' role would be less important)
Council of Ministers	NO	N/A (national governments' role would be less important)
European Central Bank	YES	Radical reform to promote a green economy and help represent the EU in external trade policy.
European Court of Justice and Court of First Instance	YES	Membership becomes on bioregional basis, not national basis.
Ombudsman	YES	Given more powers to produce binding rulings.
Committee of the Regions	NO	N/A (would be abolished, as EP would represent bioregions)
European Economic and Social Committee	NO	N/A (would be abolished, as superfluous)

Policy-making would be undertaken by a reconfigured EU legislature. There would be an upper house, or Senate, composed of representatives elected nationally (from a list nominated by the bioregions within their borders, with cross-border bioregions being addressed as above), created with the duty to ensure EU legislation is future people- and Gaia-friendly. The lower, and principal, house would be the EP more-or-less as it is, but with constituencies redefined on bioregional lines. MEPs would stand as independents or as members of European political parties, not national or bioregional parties. Both houses would have to agree legislative proposals for them to become law. The EP would be given the right of legislative initiative, with proposals for legislation requiring a majority of 60% in a plenary vote of the EP before the civil service could begin drafting. The EP and Senate would work internally on a deliberative basis, with relations between them being undertaken on the basis of mediation, where necessary. A mediation team to carry out such work would be part of the EU civil service.

EU legislation would be written initially in all official EU languages, but the aim would be for Esperanto to become the shared second language of Europe within two generations. This would enable EU legislation to be produced in one language only, and facilitate deliberation across borders.

The European Central Bank (ECB) would receive a new mandate, namely to promote an ecological economy both within the EU and in its external economic policy. The ECB would be accountable to the EP. It would be elected by MEPs from a list supplied by the national central banks. Each bioregion would be free to use its own

local currency, set at a 1:1 exchange rate with the national currency of the state in which they are situated or, if they are in the euro-zone, the euro (again, cross-border bioregions could choose the currency they wished to take as 'national' currency on the basis of a referendum). National currencies of states not currently in the euro would be fixed at a suitable exchange rate to the euro, and used only within each state as a means of trading between bioregions. National governments would control the supply of national currencies. The euro, or a successor currency, would continue to exist, becoming the means through which goods and services of EU origin could be priced for external sale, and through which goods and services from third countries could be bought by EU citizens or institutions.

The Commission would be abolished in its current guise, and a reworked civil service for the EU would be made from its staff, together with those of the various agencies across the EU. These agencies would be abolished, and their work transferred either to the EU level or the bioregions, as appropriate in the new Constitution.

The European Council would be abolished. Leadership of the Union would come instead from the European Parliament, which would elect an EU President and EU Vice-president for external affairs from within its members. The ECB President would work with the EU Vice-President on matters of external trade. There would be no need for the Council of Ministers, and hence, it would be abolished.

The European Court of Justice (ECJ) would remain essentially unchanged as far as its powers are concerned (it is the ultimate interpreter of the Treaties

and the body which provides final remedy for breaches of EU law). However, its membership would be increased to reflect that the basic unit of power had become the bioregion, not the nation-state. Bioregions would elect justices of the ECJ; candidates would have to be able to show sufficient legal expertise, as at present. This would permit the caseload of the Court to be managed more swiftly, with the usage of Chambers becoming more feasible. This would be particularly necessary as individual citizens would be given *locus standi*. The Court of First Instance, currently occupied mainly with matters of administrative law and complaints from EU officials about the institutions that employ them, would be retained in its current form, albeit again with

changes to its membership regarding the replacement of the nation state by the bioregion as the core political unit.

The Ombudsman's role would be made more powerful. EU citizens would have the right to take complaints about maladministration of EU law by any public body, and the Ombudsman would have the power not only to investigate, but to rule and impose fines. His or her judgements could be contested before the ECJ.

The advisory bodies – the Committee of the Regions and European Economic and Social Committee - could be abolished, since they would have no useful purpose in the new system.

5: Greening Europe: The View from 2024

It seems impossible that just ten years ago the EU was mired in crisis, with societies breaking under harsh austerity programmes and fresh ideas about how to deal with the most pressing problems we faced completely lacking. The 2014 elections to the European Parliament were a turning-point that no-one saw coming. And it was just in time.

When the results came in, it was clear that the two main party blocs – the centre right and the centre left – were again the biggest. Their respective nominees for the Commission Presidency duked it out in a brief campaign, with the centre-right nominee winning the support of the European Council. Jean-Claude Juncker, former Prime Minister of Luxembourg, duly became the head of the Commission, and immediately set out a platform for getting the EU out of its economic hole.

Sadly, this programme was just more of the same: more austerity, more so-called reform of labour markets. As the EU states' economies continued to suffer, popular opposition began to grow exponentially. Before 2014, such movements had been largely national in character, with international links, but mainly focused on national contexts. After 2016, two years into the new EU political cycle, they were transnationalising. It became clear that without fundamental reform of the EU, and the radical rethinking of EU economic policy in particular, no member state was going to lessen its social breakdown or solve its growing environmental problems. A cross-border movement for re-thinking the EU as a force for international

redistribution of income from the top down, rather than the reverse Robin Hood it had become over the neoliberal years, grew rapidly.

By 2019, and the next EP elections, this movement had become enormous, and decided to field its own candidates for the EP. In a bold step, Green Parties across the continent allied themselves to the movement, seeing in it the opportunity to overcome the barriers they all faced in reaching a wider public. Europe for Solidarity was born. Established parties tried to write the movement off as naive or extremist – or both – but the combination of simple, big ideas and new faces was very appealing to a public weary of constant crisis and opposed to the xenophobic views of the alternative 'outsiders' from the far right. When the results came in, it became clear that the new movement had become by far the largest group in the EP. Their leadership group proposed Caroline Lucas as Commission President, and, with the support of the smaller left-wing groups in the EP, she had a majority. The European Council duly appointed her.

It was the opportunity for a new era in European integration, but Europe for Solidarity could not expect everything to go its own way – not least because many national governments did not like its proposals for radical change in economic policy at all. The relationship between the EP and the Council of Ministers became extremely difficult, with stand-offs over legislation becoming commonplace. Lucas looked irrelevant in the face, and did not like it. It was all the more galling because evidence of dangerous levels of climate change, not to mention biodiversity loss, was accruing by the day.

Help came from an unexpected quarter – the European Citizens’ Initiative. This process, brought in by the Lisbon Treaty in 2009, had withered on the vine, because it had become just another vehicle for lobbyists to use in campaigning. Few real citizens’ groups could campaign across borders and amass the necessary million signatures to lodge a petition. And even when they could, opposing lobby groups had become adept at organising petitions of their own to act as blocking mechanisms. It was *very* surprising just how many people apparently wanted to mobilise in support of Big Pharma! But Europe for Solidarity saw potential, and exploited it. A petition with the support of twenty million people was deposited, with an ostensibly harmless request: the European Commission should do all it could to foster sustainable development in Europe. Lucas’s Commission accepted.

It was here that a forgotten part of the EU Treaties became helpful. Article 11 of the Treaty on the Functioning of the European Union stipulated that ‘environmental protection requirements must be integrated into the definition and implementation of

the Union’s policies and activities, in particular with a view to promoting sustainable development’. Lucas dusted it off, and liked what she saw. Taking legal advice, she proposed a new programme for the EU, one which took seriously the ideas of sustainable development. It became clear that the European Court of Justice would interpret Article 11 liberally, so that the need for a new EU Treaty could be avoided. Against a backdrop of corporate piracy and increasing social hardship, citizens were willing to contemplate proposals that only ten years previously would have been thought outlandish. A steady-state economy? Basing our social and economic lives on the natural facts of where we live? Why not? Capitalism was clearly not working.

And so, by 2022, a new set of radical proposals was designed by Lucas, with the Europe for Solidarity manifesto for the 2024 elections drawing heavily upon it. The results gave the movement a majority in the EP – the first time this had happened – and with Lucas’s reappointment to the Commission Presidency, concrete steps towards a Europe of the Bioregions could begin.

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Appendix 1: Five Green Priorities for 2014-19

It would be wonderful if the coming EP elections launch a chain of events such as those set out in section 5 of this report. However, air-traffic controllers are unlikely to be dealing with porcine elements just yet.

So what are the key priorities that Greens in the European Parliament of 2014-19 could emphasise?

The following suggestions assume no change in the EU's legal competence, and also that mainstream parties will continue in their subservience to neoliberal economics. I also assume that the EU budget will continue to be small (maximum 1.27% of EU GDP).

- Make the EU's so-called 20/20/2020 objectives on fighting climate change truly central to all its policies, as per Article 11, TFEU, and thus ensure the mainstreaming of environmental policy into macroeconomic and energy policies;
- Seek radical reform of the Common Agricultural Policy, which still takes up almost half the EU budget. This policy should be re-focused on its core objective – food security – and transitioned to a permaculture basis;
- Seek the restructuring of 'regions' in EU funding programmes away from the current basis and towards a focus on bioregions, which could then be used to implement structural and cohesion policies in a 'greener' way while providing the basis for further economic and social reform;
- Work in development policy to re-focus the economies of 'developing countries' away from export of goods and materials and towards internal sustainable development;
- Foster pan-European green and left-wing movements to build up a potential broad-based social movement.

Endnotes

¹ Good work on greening EU policies has been done by the Green Europe Foundation and the Heinrich Böll Foundation. Reports from these bodies are listed in the reference section as Padilla 2009 and Fücks 2011.

² This begs the question of withdrawal. However, for reasons set out below, I believe green politics calls us to cooperate in deep international structures rather than act in isolation.

³ I know from personal experience that there are many actors in the EU institutions who have tried assiduously for years to use the EU's competence in creating a single market as a means to make far-reaching environmental policy for its own sake; for such people, the single market clauses of the Treaties have historically been used to demonstrate that the EU has legal competence to act in environmental policy, and thus to gain political space to do so. However, there are others who interpret such proposals primarily as a means of increasing EU powers in the name of 'ever closer union', with the latter being their principal objective: Jordan and Rayner (2010: 60) recount the tale of how Jacques Delors, then President of the European Commission and as close to an heroic figure as leftist pro-Europeans have, was ready to sacrifice EU environment policy if need be in order to save the Maastricht Treaty after the Danish 'no'.

⁴ A bioregion is 'a life-territory, a place defined by its life forms, its topography and biota, rather than by human dictates' (Sale 2000: 43). In practice, this means that a bioregion is an area delimited by the boundaries of an ecosystem, or heavily inter-linked and inter-dependent set of ecosystems. Borders between such regions are fuzzy, but determined by natural processes rather than human preferences.

⁵ In other words, if you live in an EU state, but are a national of a state that is not an EU member, you don't have access to EU citizenship.

⁶ In the Council of Ministers, each member state has a set number of votes according to a formula based roughly on population size, called 'weighted votes'. Each state must use all its votes to vote in the same way, i.e. it is not possible to give partial support to both sides in a disputed dossier. A 'qualified majority' requires 255 votes out of a total of 345, but a state that is opposed to the decision can request a check that the states in favour not only have 255 votes between them, but also that they represent 62% of the total EU population. On 1 November 2014, this system will be replaced by a 'double majority' system, which does away with weighted votes, and requires instead that to be agreed proposals must be supported by 55% of the member state governments (the number of at least 15 is stipulated), which must collectively represent 65% of the EU population. For the purposes of such calculations, it is assumed governments have the support of 100% of their citizens!

⁷ I do not mean by this that current levels of material possessions can or should be retained; far from it. But the construction of a pan-EU energy grid, to supply renewable energy to those parts of the EU which need it and cannot generate enough themselves, seems to me a basic public good that the EU should provide given that national governments may not be able to provide this. The same goes for food security.

⁸ The idea of a 'Europe of the Bioregions' is a greening of the more familiar term, a 'Europe of the Regions'. This is the idea that as part of the European integration process, regional and local governments should gain power just as national governments lose it. In other words, national governments become less important, but regional/local and EU levels of government become more so. The idea was extremely popular politically in the late 1980s and early 1990s, and in many EU states today regional governments have become more important, as well as more powerful, during the last twenty years or so – including in the UK, through devolution.