Introduction

It is my intention in this document to offer the benefit of my almost 25 years experience employed as an official of the European Commission. If you want to be successful in Europe, there are two very important laws to follow: (1) determine the nationality and hence the culture of those with whom you wish to negotiate and approach them accordingly; (2) do not be loudmouthed and always remain polite. Bear in mind that although the northern Europeans appreciate clarity and brevity, to southern Europeans this approach is considered rude and disrespectful. That is why politicians may very well determine the policy but you require diplomats to negotiate it.

Historical Background

During the late 70s in the run up to the referendum in 1979 to establish a Scottish Assembly Mr. Émile Noël, the original and highly respected Secretary General of the European Commission, was asked what would happen in the event that one day Scotland and England would separate (Wales and Northern Ireland were considered as “provinces” of England). He stated quite clearly that both nations were and would remain members of the European Economic Community but obviously there would have to be modifications both for administrative and judicial reasons. These two aspects would be the subject of negotiations for both nations. Since 1979 both Scots and English have acquired rights and as yet no legislation has ever been passed to expel a nation, whose citizens have been European citizens for decades not to mention those of us who were employed in the European institutions over that period.

There is the old adage that “rules are for the use of fools and the guidance of wise men” and this is exactly the approach which was taken to accommodate the new status of East Germany after German reunification. Our European partners must be made aware that Scotland, whose people are all European citizens, has been a nation for centuries and has never been a part of England. Hence any laws and regulations regarding parts of countries breaking away from the motherland just do not apply. Both nations, Scotland and England, will find themselves in the same boat and as Mr.Noel stated both will have to renegotiate. Scotland is leaving the combined British parliament and not the English Parliament and so returning both nations to their original status prior to 1707. There is no question of Scotland leaving the European Union.

The statements made by Mr. Herman van Rompuy and Mr. José Manuel Barroso, Presidents of the European Council and European Commission respectively, are completely understandable if misleading. These gentlemen are politicians and it is their duty to prevent the fragmentation of the EU. Nonetheless the domestic arrangements for governance of the two nations making up the United Kingdom are outside the competence of the EU, whose credibility would be destroyed completely if it chose to ignore the democratically arrived at decision of the Scottish people. With all due respect to Bulgaria and Romania, if they can be accepted with all their
weaknesses as equal members of the EU, it would be both criminal and morally unjustifiable to refuse Scotland, and indeed England, continuing membership.

The Solution

Over the past months any number of misleading not to say dishonest statements have been made by those who should know better and by those who are barely acquainted with the EU. At this stage the European Commission will apparently only accept a request for clarification by the Westminster government. Mr. Hague should introduce this request at the earliest opportunity, as obviously he is not aware of the effects Scottish independence would have on England. The response must be written and take account of our common history, our acquired rights and the limitations of the competence of the EU. Any judgement made could be appealed in the European Court of Justice in Luxembourg.

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