

PUSHING AND PULLING: NEOFUNCTIONALISM IN THE UNITED KINGDOM, THE
EUROPEAN UNION AND THE INTERNATIONAL CLIMATE CHANGE REGIME

by

JONATHAN T. POLK

(Under the Direction of Maurits van der Veen)

ABSTRACT

This thesis investigates the relationship between transnational interest groups, The United Kingdom (UK) and The European Union (EU) on the issue area of climate change. It finds evidence to suggest that meaningful integration is taking place in Europe in environmental issue areas particularly that of climate change. Further, it finds that this integration has taken place in large part due to the efforts of transnational sub-state actors and supranational bureaucrats at the EU, recommending a neo-functionalist interpretation of UK/EU relations in the area of climate change.

INDEX WORDS: Regional integration, European integration, environmental politics, United Kingdom

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JONATHAN T. POLK

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JONATHAN T. POLK

Major Professor: Maurits van der Veen

Committee: Markus Crepaz
Douglas Stinnett

Electronic Version Approved:

Maureen Grasso
Dean of the Graduate School
The University of Georgia
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DEDICATION

To my parents, Thomas and Gail Polk

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CHAPTER 1

Introduction

The United Kingdom (UK) is widely regarded as a brakeman on European Integration. For geographic, material, and cultural reasons Britain has been consistently skeptical as to the merits and depth of the union in the European Union (EU). A primary factor, pointed to by many studies of the UK's position on the EU, is Britain's overwhelming interest in its sovereignty (Moravcsik, 1998; Diez Medrano, 2003). Britain, more than most member states, is highly concerned about its ability to retain decision-making ability and for the locus of British political power to reside in London rather than Brussels. This British euroskepticism is manifest in the relatively late date the UK joined the Community and in its resistance to the Euro. However, the UK, despite its usual approach to the EU, has been very much in favor of developing a common European position on climate change, and has consistently advocated the benefits of negotiating from a common European bloc as represented by the EU. Further, the common position advocated by Britain was not one of unified inactivity on the part of Europeans. Rather, the British displayed a preference for a legally binding treaty with clearly specified targets in the Kyoto Protocol.

In the Treaty of Rome (1957), member states did not consider environmental issues to be a suitable concern for the EU. Although not explicitly empowered to act in the realm of environmental governance, the EU has been an international actor in climate change from nearly the beginning of the issue's gaining the attention of the international community. In February of 1991, the Commission participated on behalf of the European Community in the negotiation of

the United Nations Framework Convention on Climate Change (UNFCCC). In addition to the bulk of the member states (including the UK), the EU signed the Kyoto Protocol on April of 1998. Again, both the EU and the UK ratified the Protocol on the same day in May of 2002 along with the other member states of the European Community. This ratification date is consistent with the stated goal of the European Community to have the member states deposit their instruments of ratification prior to the United Nations World Summit on Sustainable Development. It is clear that there was coordinated behavior on the part of the European states with respect to the Protocol.

Several questions flow from Britain's puzzling behavior for students of European integration. First, why is Britain, which has typically been skeptical of empowering and expanding the EU, been behaving in a manner contrary to what is expected on climate change?¹ Second, how is it that the EU, as an independent entity, came to be present in the climate change regime in the first place?

With regard to the first question, some sharpening of the puzzle is in order. Some might contend that it is not all that puzzling that Britain would favor EU action on climate change, particularly within the framework of the Kyoto Protocol, largely because the climate change regime has no real teeth. The sovereignty ceded by Britain in this issue area is not that meaningful because it does not alter the institutional structures of power and there are few consequences to Kyoto non-compliance. It is true that EU involvement in Kyoto does not empower the Commission to regulate emissions at the state level, and the consequences of non-

¹ It is not the Kyoto Protocol, in and of itself, that is a threat to British sovereignty. Rather, it is the involvement of the EU in overseeing and coordinating the behavior of its member states in meeting their emissions targets and the like that effect member state sovereignty. That the EU threatened Britain with legal action in the ECJ over its carbon dioxide emission levels (*The Times*, 15 Feb. 2005) is a potent example of the sovereignty loss present for the UK.

compliance with the Kyoto regime are less than clear, but allowing the EU to coordinate the behavior of its member states in climate change does increase the power of the Commission in potentially unintended and very definite ways. In addition to the threat of financial penalties imposed by the Commission on member states that fail to live up to their independent commitment for reduction, which may or may not be as enforceable as they appear, granting the EU a role of leadership and coordination on climate change provides the Commission with less immediately apparent points of leverage.

Two themes will arise throughout the course of this work: unintended consequences of incremental encroachment by the EU on issue areas in which it was not explicitly empowered to act at its formation, and the ever increasing salience of environmental concerns for the European public. The two interact here to make EU involvement in Kyoto meaningful. Though the powers granted to the EU in overseeing the Kyoto process are nominal, they provide the EU a platform to assert its leadership and to potentially attack environmental laggards among the member states. If Britain appears to be failing to meet the agreed upon targets for emission reduction, the EU will be empowered to publicly reprimand the government for its environmental shortcomings. This serves to enhance the reputation of the European Union as an important actor in the international climate change regime within the European public, thereby increasing EU power. More importantly, public criticism of the British response to climate change by the EU could very well have significant electoral consequences for a state and region that display ever increasing concern for competent environmental stewardship on the part of government. The reputational costs at stake for Britain are high domestically and internationally on climate change. Ceding some degree of competence to the EU to act on behalf of the member states does increase the ability of the EU to wield that power in a manner that could have

significant political consequences domestically for Britain. This reinforces the potentially less than obvious puzzle surrounding Britain's support for EU involvement in the Kyoto Protocol.²

This study brings together analysis of debates on climate change in the British House of Commons with other literature on UK and EU environmental policies/relations to test two competing theoretical explanations for European integration in this context. While there are some components to the debates and literature that are consistent with a liberal intergovernmental (LI) explanation of European integration, interestingly, there are more which recommend neo-functionalism, an outcome that is somewhat unexpected because of Britain's involvement. Further, I argue that based on the expectations of neo-functionalism, and the sub-optimum output of the Kyoto Protocol as an effective climate change regime, a deepening of European integration can be expected in the subfield of environmental policy that is climate change.

European integration theory is the foundation of my argument. I analyze a series of debates within the British House of Commons concerning the climate change regime under the Kyoto Protocol. I supplement these debates with informative citations from articles on similar subject matter from two leading British daily newspapers. After holding the statements made in both the debates and the articles up to the expectations generated from two prominent theoretical perspectives on European integration, I find that the weight of the evidence at hand favors a neo-functional interpretation of events.

The implications of the study's conclusions are not limited to the issue area of climate change alone; climate change is actually an interesting test case for European integration more

² See Burley, A. and Mattli, W. (1993) 'Europe Before the Court: A Political Theory of Legal Integration' *International Organization*, Vol. 47, No. 2, pp. 41-76, for another example of a decision to delegate that appeared to have few constraining consequences, but later proved to be quite important.

broadly. It is contained within the overarching area of environmental policy, which has seen a consistent expansion of EU competence, and is an area we might expect to see further integration, but, within environmental policy, climate change is as close to high politics as there is. Climate change is the most visible and politically salient environmental issue. It is also the environmental area that most directly impacts the pocketbooks and industries of states, making it an issue that states should be more inclined to maintain control over. Climate change is therefore a least likely case in a most likely category for further European integration. If further integration does take hold there, it is compelling evidence that functional spill-over has been at play in environmental policy, and may in fact continue beyond environment.

A second and no less important, broader implication of the study is its rejection of state-based categorization concerning positions on Europeanization. It is often useful to speak of Germany as pro-integration, and the UK as anti-integration, and in many situations that is an accurate assessment of the countries' positions. However, this paper indicates that these generalizations may in fact be too coarse. It is better, I argue, to think more in terms of issue areas when analyzing the positions of countries concerning European integration; this allows for the possibility of Britain to be pro-integration on certain issues. The hope is that once the positions of the states are unpacked, further insight as to what European integration means for each state will be apparent, something upon which there is currently not consensus.

The combination of implications listed here suggests that there is much to be gained by disaggregating state preferences about the European Union to the level of issue area. And indeed, one is much more likely to find EU competence on questions of environmental governance for purely functional reasons. It is, however, important to note that though the transboundary nature of climate change appears well-suited to functional explanations for

upward delegation of competence, there are several factors at play that make this a less than obvious outcome.

In addition to the relatively high political and economic salience of climate change, by far the most of any environmental issue, British concerns over sovereignty cannot be overstated, even in climate change, a problem that clearly does not respect state boundaries. Though the gains in efficiency from pursuing policy formulation and coordination at the regional level may be great, Britain has displayed such an overwhelmingly large concern for national sovereignty in the past, it is not out of the question to suspect that the gains in efficiency may be politically outweighed by whatever perceived loss of sovereignty those gains might entail. Again, this perspective is well illustrated by Britain's continued resistance to the Euro.

The dynamics of collective action also make it less than obvious that the European climate change regime would follow a functionalist logic. Whatever environmental benefits might accompany a European climate change regime with strong leadership from the European Union would be a public good, widely dispersed throughout the citizens of Europe. The costs of a climate change regime that might be more robust as a result of EU leadership, on the other hand, would be relatively concentrated within those industries most dependent on high emissions. The logic of collective action would suggest that the industries with concentrated costs would have more incentives to organize on behalf of their preferred position, as opposed to the general public that would enjoy more diffuse benefits from a more aggressive climate change regime. (Olson, 1971) For this reason, it is not inconceivable that overrepresented interests might bring about policy outcomes that are out of step with the preferences of the general public and the most functionally efficient outcomes for climate change.

For these reasons I find a neo-functional understanding of the European climate change compelling, but not embarrassingly obvious. Though there are reasons to expect climate change to follow a functional logic, there are several factors that could impede a purely flowing functional explanation. Here, the differences between functionalism and neo-functionalism become important. Although environment is an issue where we would expect to see high levels of supranational competence in general, climate change, in particular, with its relatively large potential economic consequences, could easily become prey to politics that might obstruct the gains in efficiency that would accompany an upward delegation of sovereignty on climate change. It is for this reason that I emphasize the entrepreneurial role of the Commission. The Commission, for reasons that need not be rooted in an altruistic attempt for superior environmental governance, actively pulls for a greater EU role in climate change policy. It may have been a strategy to increase the EU's power as much as it was an attempt for good environmental policy, but on an issue area in which a large amount of public opinion was favorably aligned for EU leadership, the Commission was able to overcome what resistance may have been present in some pockets of Britain.

The paper proceeds as follows: first, I provide a brief overview of the relationship between Britain and the EU, as well as some background on the Kyoto Protocol and the EU's role in environmental politics. I then go on to review the literature of two theories of European integration most germane to this issue area: liberal intergovernmentalism and neo-functionalism. From there, I begin building an argument for neo-functionalism with three sub-sections which focus on the EU itself, sub/trans-national actors, and the role of the state, respectively.

I argue that the EU, especially the Commission, has tied its reputation to the success of its leadership on climate change, and therefore pulls for more competence. This EU level 'pull' is

supplemented by a sub-national ‘push’ –on the part of green constituencies and environmental interest groups – for environmental competence to move to the EU. Finally, Britain itself is involved in the process, but importantly, Britain does not push integration in a manner that is consistent with liberal intergovernmental expectations. Rather the state appears to be responding to the more diffuse interests of its constituents as presented through non-governmental organizations (NGO) focused on environmental concerns. At this point, I introduce the series of parliamentary debates, highlighting portions of the interchanges in the British House of Commons that are relevant to liberal intergovernmental and neo-functional explanations of integration. These parliamentary debates are supplemented by analysis of articles on the issue by two leading British newspapers. A final section reasserts the central conclusions and implications of the study.

CHAPTER 2

Background

United Kingdom Public Opinion: European Union

There is an expansive literature focusing on British exceptionalism vis-à-vis continental Europe. Emphasis on the differences between the four nations of Great Britain has been slightly overemphasized when placed in the context of the amount that Britain defined itself against a broader other in the 18th and 19th centuries. (Colley, 1992) The United Kingdom was constructed and held together partly to resist threats from the continent. (W. Wallace, 1992 p.425) Britain is definitively Protestant, and lived under some level of threat of foreign invasion rather consistently. Notably, this was normally accompanied by a threat of occupation by a Catholic military force from mainland Europe. (Colley, 1992) Britishness was tied to the struggle to keep alive the Protestant faith. (Kumar, 2000)

Other than its geographical isolation and Protestantism, the expanse and durability of Britain's colonial holdings is cited as a potential source of the UK's isolationism. The vastness of the British Empire led to a feeling of being a distinct, special, indeed, even superior people. (Colley, 1992) British sentiment was that they were better suited to teaching the people of the East self-rule than other continental states. (Kumar, 2000) Perhaps this feeling spilled over into other areas or international relations and remains a latent trend in the UK's dealings to this day.

In an attempt to succinctly summarize the factors leading to the UK's low levels of support for European integration and EU membership, Juan Diez Medrano separates the literature into arguments stressing the British population's fear of losing its identity, and those

that emphasize Britain's reluctance to lose sovereignty. (Diez Medrano, pgs.12-13, 2003)

Though sovereignty concerns are a particularly potent variable, for the purposes of this study, the exact origins of Britain's euroskepticism are not as important as the existence of anti-European sentiment.

There is, in fact, a gap between public opinion in Britain and the rest of the member states on the European Union. Public opinion in the UK is consistently below the rest of the community in terms of both positive and negative questions regarding the EU. Fewer people in the UK than the rest of the EU see membership as a good thing, and more UK respondents than the rest of the EU member states see membership as a bad thing. The only other country that competes with the UK in terms of European reluctance is Denmark. (Nugent, 1992)

Although a gap continues to exist between the UK and the rest of Europe, British opinions toward the EU had started to become more favorable in the early 1990s and the discrepancy between Britain and other member states was closing. (Nugent, 1992) Some interest groups in particular adapted rather quickly to the potential benefits of supranational governance, not least of which have been environmental groups. Many of the 'cause' groups that are now organized at the EU level were often pushed to do so by pre-existing British organizations that had taken the lead; this is true in the environmental field, in animal welfare, in regard to pensioners, and the rights of migrants and refugees. National British groups representing these interests found themselves otherwise unrepresented in Brussels and relatively well developed at home in comparison with their continental counterparts. These groups frequently found that lobbying Brussels could force the hand of the British Government. (Butt Philip, 1992)

Despite the considerable inroads made into British public opinion concerning particular issue areas, such as environmental management, it is important to remember that in many key

respects resistance to European integration is still very much present in the UK. Even the Conservatives in Parliament – historically, more in favor of European integration – were expressing serious isolationist or free rider sentiment as late as 1997 (H. Wallace, 1997), concurrent with the initial Kyoto discussions. Information from Eurobarometer surveys administered around the years of the debates I analyze also illustrate the persistence of less support for EU membership in the UK than the rest of Europe as well.

In November 1997, in response to the question: Generally speaking, do you think that (your country's) membership of the European Community (Common Market) is a good thing, a bad thing, neither good nor bad, or don't know, 36% of UK respondents thought it was a good thing, while 23% thought it was bad, 29% found it neither good nor bad, and 13% didn't know. This is well below the EU average for the survey: 49% good, 14% bad, 28% neither, and 8% don't know. This trend held when the same question was posed in November of 2001: 33% of UK respondents thought membership was a good thing, while 22% thought it was bad, 31% found it neither good nor bad, and 14% didn't know. Again, well below the EU average for this survey: 53% good, 12% bad, 28% neither, and 7% don't know.

This sentiment is echoed in other questions. For example, In November 1997, in response to the question: Taking everything into consideration, would you say that (your country) has on balance benefited or not from being a member of the European Community (Common Market)? 36% of UK respondents thought that the UK had benefited, while 43% answered that the UK had not benefited. The EU-wide average for this survey found 44% of respondents felt that their country had benefited from being a member, and 35% believed that their country had not benefited. Here too the results are similar in November of 2001: 36% of UK respondents thought that the UK had benefited, while 39% answered that the UK had not

benefited. Again, this stands in contrast to the EU average in which 52% of respondents felt that their country had benefited from being a member, and 27% felt that their country had not benefited.

The British responses to the more general questions regarding the value of EU membership indicate that any supposed 'europhoria' of the early 1990s appears to have worn off substantially in the UK by the turn of the century. Strikingly, however, efforts to deal with environment at the supranational level were not without support, even in the UK. A shared role for supranational government in protection of the environment appears to have more stickiness in British public opinion.

In November of 1997, when presented with a list of issue areas and asked which areas of policy should be determined by the British Government, and which decided at the EU level as a whole, 58% of respondents in the UK answered that protection of the environment should be decided jointly within the European Union/both at national and European Union level, whereas 38% responded that it should be decided mainly at the national level. EU-wide, 64% of respondents answered that protection of the environment should be decided jointly, and 32% responded that it should be decided mainly at national level. In November of 2001, 52% of British respondents answered that it should be decided jointly within the European Union/both at national and European Union level, whereas 44% responded that it should be decided mainly at national level. The EU-wide responses were the same in November 2001 as they were in November 1997.

The responses to the Eurobarometer survey questions above suggest that a relatively wide gap remains between the public opinion in the UK and the other member states on the merits of EU membership. However, despite the persistence of euroskepticism within the United

Kingdom, a majority of respondents in that country felt that the protection of the environment should be handled jointly in the EU, with a role for both national and supranational government. This finding held true both in 1997, at the beginning of the debates I analyze later, and in 2001, the last year of debates I analyze.

Environmental Governance in The United Kingdom and European Union

The EU's emergence as an actor at the vanguard of global environmental politics was unexpected. In the Treaty of Rome (1957), member states did not consider environmental issues to be a suitable concern for the EU (Fairbrass and Jordan, 2001). However, over time, policies to ensure a high level of environmental protection became one of the fastest growing areas of Community legislation. In an attempt to address the question of how it was that the EU was able to exert itself on the global stage in an issue area, environment, which it was not explicitly empowered to act, A.M. Sbragia and C. Damro put forth two determinants – an important decision by the European Court of Justice and the concern, on the part of the Commission, to create a common market. The ECJ's ERTA (1971) ruling indicated that when EU legislation is passed which affects its member states, it automatically obtains external powers as well in most cases. While ambiguity continued to exist as to which body (the Commission or Presidency of the CoM) would have the authority to represent the EU, it provided the legal standing needed for EU international activity after it was decided that environmental protection would be fall under the EU's responsibilities in 1973. Around this time, member states began signing multilateral environmental agreements. The Commission, fearing that such agreements might indirectly create trade barriers thus hampering their drive for economic integration, quickly moved to include EU relations with third parties as part of its environmental policy, and the EU began

signing multilateral environmental agreements as well. The Commission would later become interested in a variety of environmental protection, for a variety of reasons, but initially was concerned about environmental agreements primarily for their potential impact on its interest in consolidating the common market. (Sbragia and Damro pg. 55, 1999)

The creation of the European Environmental Bureau in 1975, primarily as a response to British pressure groups, such as the Conservation Society, Friends of the Earth, and the Civic Trust, is a striking example of founding an EU-wide organization by a group that felt they had inefficient representation at the regional level. (Butt Philip, 1992) The UK had only joined the EC two years earlier, which indicates that although euroskepticism is high in Britain, even at this early date, interest groups, particularly environmental, were all too willing to exploit the new pressure point in the legislative process created by the existence of a supranational governing body in Brussels. These groups, already well entrenched in the UK, rapidly transformed themselves or created new groups that allowed them to become transnational actors capable of affecting policy outcomes. With respect to environmental policy, neo-functionalism – with its emphasis on transnational non-state actors, such as interest groups and supranational bureaucrats – may be well suited as a theoretical approach to European integration.

In 1988, the United Nations Environment Programme (UNEP) in conjunction with the World Meteorological Organization created the Intergovernmental Panel on Climate Change (IPCC) to provide policy-makers with scientific advice on global climate change. The IPCC's First Assessment Report led directly to the United Nations General Assembly's negotiations to form a Framework Convention on Climate Change (UNFCCC). (Dessai, et. al, 2003)

When they adopted the Convention, governments were aware that its commitments were insufficient to address climate change seriously. The First Conference of the Parties (COP 1)

(Berlin, March/April 1995) launched a new round of talks to decide on stronger and more detailed commitments for industrialized countries. After two and a half years of negotiation, the Kyoto Protocol was adopted at COP 3 in Kyoto, Japan, on 11 December 1997. (UNFCCC, 2007)

The Kyoto Protocol sought to strengthen the Convention by committing Annex I Parties (which are developed countries and those with economies in transition) to individual, legally-binding targets to limit or reduce their greenhouse gas emissions. Only those countries that had become parties to the Protocol (through ratification, acceptance, approving, or acceding to it) would be bound by the Protocol's commitments. Of the 171 countries that have ratified to date, 35 countries and the EU are required to reduce greenhouse gas emissions below levels specified for each of them in the treaty. The individual targets for Annex I Parties add up to a total cut in greenhouse-gas emissions of at least 5% from 1990 levels in the commitment period 2008-2012. (UNFCCC, 2007)

Under the Protocol, the EU-15, the members of the EU at the time of ratification, is committed to reducing its greenhouse gases emissions by 8% below 1990 levels from 2008 to 2012. This target is shared between the 15 states under a legally binding burden-sharing agreement, which sets an individual emissions target for each Member State. (EU, 2006)

The EU has been an international actor in climate change from nearly the beginning of the issue's gaining the attention of the international community. Indeed, as early as February of 1991, the Council of Ministers authorized the Commission to participate on behalf of the European Community in the negotiation of the UNFCCC. The EU signed the Protocol in April of 1998 on the same day the UK signed. Again, both the EU and the UK ratified the Protocol on the same day in May of 2002 along with the other member states of the European Community. A stated goal of the European Community was to have the member states deposit their

instruments of ratification prior to the United Nations World Summit on Sustainable Development, which took place in Johannesburg during the summer of 2002. It is clear that there was coordinated behavior on the part of the European states with respect to the Protocol. What is less apparent is what role the EU played in the coordination of this behavior. If, as some theoretical explanations of European integration suggest, the EU is nothing more than the sum of its parts, we will need to explain why it had a seat at the table in the Kyoto negotiations at all

CHAPTER 3

Literature Review

Neo-functionalism came about as a criticism and modification of its theoretical precursor, functionalism. By bringing in clearly utilitarian ideas of interest politics to European integration theory, Ernst Haas –the theory’s creator and chief modifier – broke from the altruism that marked the work of functionalist scholars, such as David Mitrany. (Mattli, 2005 p. 343 note 4) Societal actors, calculating their interests, come to depend on supranational institutions to meet their needs. These very same institutions begin to experience an increase in legitimacy and authority as they, rather than states, become the sources of policies meeting the demands of society. (Haas, 2001) In a similar manner, supranational actors constantly seek to expand the power of their own institutions and their say in integration matters, which also makes them self-interested, rational utility maximizers. (Mattli, 2005)

As a theory of regional integration, neo-functionalism emphasizes the role of non-state actors. It focuses particularly on actors within the supranational institutions, e.g. the EU Commission and the ECJ, and on interest groups, particularly those that form at a regional level. While member states remain an important part of the integration process, they do not determine the course of change exclusively. Regional bureaucrats and other actors at the supra and sub-national level will attempt to make use of the unintended consequences that take place when a government delegates authority to a regional organization, and use this ‘spill-over’³ to enlarge

³ “Spill-over describes a situation where activities associated with sectors integrated initially affect neighbouring (sic) sectors not yet integrated, thereby becoming the focus of demands for more integration.” (Mattli, 2005: 343, note 2)

the mandate of the regional organization. Over time, regional pressures will lead governments to cede more power to supranational organizations, and the citizens of the member states will come to identify with the regional organization and look to it to satisfy their demands. (Schmitter, 2004)

Though an extremely popular theory throughout the 1960s and much of the 1970s, events and developments rapidly occurred that proved difficult for neo-functionalism. The theory required modification. A failure to incorporate an explanation of disintegrative phenomena was one of the largest problems for the theory. The resurgence of Charles De Gaulle in France and his opposition to supranationalism led to the 'Luxembourg Compromise', which created the right of any member state to a veto in the Council of Ministers. (Mattli, 2005) It appeared that the state and nationalism were stickier concepts than expected, which brought about further refinement of the theory. Taking stock of neo-functionalism over 40 years after its creation, Ernst Haas finds that some scholars continue to make use of the theory's ideas –particularly those focusing on legal actors in the integration process –while others assert that neo-functionalism was the best theory for the first 15 years of integration, but is no longer appropriate, and finally, a number reject the theory altogether. (Haas, 2001) Of those that reject neo-functionalism outright, liberal intergovernmentalism is the theory which is advanced most prominently in the European integration research agenda.

Liberal intergovernmentalism has quickly acquired the status of a baseline theory against which new theoretical conjectures are tested and which is used as a 'first cut' to explain new developments in European integration. Not only does it build on and modify in a sophisticated way an existing school of thought (intergovernmentalism) but it is also relatively parsimonious. Further, there is general agreement that it does explain state behavior in the EU for many cases.

(Schimmelfennig, 2004 pg. 75) The argument is that patterns of commercial advantage, relative bargaining power, and an incentive to enhance the credibility of interstate commitments drive European integration. In particular, commercial interest is highlighted as a driving force, primarily the interests of powerful economic producers and secondarily the macroeconomic preferences of ruling governmental coalitions. (Moravcsik, 1998)

In his widely influential monograph, *The Choice for Europe*, Andrew Moravcsik tests LI over five cases of European integration. Moravcsik limits the scope of LI to treaty negotiations and other issues of unanimous decision-making. (Schimmelfennig, 2004 pg. 81) This focus on major interstate negotiations as the primary loci of European integration speaks to the differences between LI and neo-functionalism. Rather than a slow, semi-consistent integration brought about by supranational technocrats and transnational actors away from the spotlight, LI looks to major intergovernmental meetings, featuring the heads of the constituent states as the arenas in which real change occurs. The five cases under analysis in the book: The Treaty of Rome, common agricultural policy (CAP), the European monetary system, the Single European Act (SEA), and European Monetary Union are certainly all monumental, history-making cases in European integration.

The Choice for Europe is set up to test hypotheses about preference formation, interstate bargaining, and institutional choice. For all five cases it asks: Are preferences formed by geopolitical or economic interests? In interstate bargaining, what is the relative weight of state power versus the intervention of supranational entrepreneurs? In explaining choices to delegate sovereignty to international institutions it tests the importance of federalist ideology, technocratic information management, and the desire for credible commitments. In all five cases Moravcsik finds more evidence for preference formation via economic interests, a preponderance of

influence from states in bargaining, and a desire to instill credibility in interstate commitments in the delegation of sovereignty.

Given its status as a baseline theory for European integration, it is warranted to ask if liberal intergovernmentalism might serve as the best theoretical lens with which to view the relationship of Britain, the EU, and Kyoto. The member states of the EU have been very protective of their energy sectors with respect to Brussels. This is made clear by the fact that many environmental regulations have been subject to qualified majority voting post-Maastricht, yet those relating to energy require unanimity. Minimizing greenhouse gases requires changing the behavior of the system of industrial production within a country. It is the most far-reaching environmental issue on the global agenda because – in addition to trade, international competitiveness, and North/South relations – it involves changing behavior which is seen as ‘domestic’ rather than international. (Sbragia and Damro, 1999) Further, the country in question, Britain, is normally regarded as highly Euroskeptic, which lends more support for an expectation of behavior consistent with LI. Yet, there are many facets of the British/EU/Kyoto relationship that are at odds with major premises of the theory.

The difficulties present for an LI interpretation of the climate change debate in the United Kingdom and the European Union are consistent with the critiques of LI as a theory in much of the literature. Some argue that the theory neglects integration dynamics. Supranational organizations will ‘work to enhance their own autonomy and influence within the European polity, so as to promote the interests of transnational society and the construction of supranational governance’ (Stone Sweet and Sandholtz 1998: 26). Work focusing on the European Court of Justice (ECJ) in particular also suggests that supranational actors seek to

enhance their own interests and those of transnational society. (Burley and Mattli 1993, Stone Sweet 2003)

Concerning institutional choice, a particularly pertinent criticism suggests that fear of defection is not generally the core reason for delegation but that many collective action problems in the EU are in fact coordination problems. When countries differ over standards, governments delegate decisions to supranational organizations in order to reduce the transaction costs of determining a common solution rather than to ensure compliance. (Wallace, et al., 1999: 165-6) Implementation of the Kyoto Protocol's requirement for a coordinated, overall European cut in emissions is just such a situation in which a supranational organization may be better suited for management.

A final criticism is that Moravcsik is biased in his case selection. A theory based on economic interests and intergovernmental bargaining possesses a high degree of *a priori* plausibility for the intergovernmental negotiations focusing on issues of economic integration and requiring unanimous agreement. (Wallace, et al., 1999: 165) All five cases under consideration in *The Choice For Europe* are descriptively robust and indicate that economic factors and government preferences matter, but the variation in cases does not lead to an expectation of differences. (Wallace, et al., 1999) According to Moravcsik, one of the reasons neo-functionalism failed was that it was empirically inaccurate; integration did not expand steadily, but happened in fits and spurts. (*The Choice For Europe* pg. 14, 1998) Moravcsik attributes great weight to the 5 cases he analyses, and with good reason. The cases analyzed in his monograph represent sizable shifts towards the integration of Europe. However, there remains a possibility that these momentous deepenings are underpinned by consistent, yet incremental, integration that takes place along other issue areas, for example, environmental

regulation. The integration that takes place in issue areas other than economics could occur according to a different causal logic.

To be fair, as mentioned earlier, LI does by and large limit itself to treaty negotiations and other examples of unanimous decision making. Perhaps the negotiations surrounding the climate change regime and the respective roles of the EU and its member states in it does not concern LI at all, certainly not as much as Maastricht or Amsterdam. Yet, issues concerning energy, which involve Kyoto, are subject to unanimity voting making it a viable contender for an LI-based explanation. Further, there are sections of *The Choice For Europe* that indicate that Moravcsik is attempting to build a framework that can account for decision making that takes place outside of the largest intergovernmental negotiations. He states that there is general agreement that in post-war European domestic politics, the direct power of producers vis-à-vis fiscal or regulatory concerns is less strong in regulatory policy, such as environmental policy, where independent preferences for regulatory goals play an important role. At the EU level, the same spectrum exists, and in regulatory policy, governments are slightly more constrained by public policy goals, and these can be summarized by splitting EU members into rich countries with high standards and poorer countries with lower standards. (pgs. 37-8)

There is a concession that in regulatory policy, particularly environmental policy, the power of producers – the central independent variable in the theory – is less prominent, and that government behavior at both the state and EU level can be more constrained by public policy goals. The wealthier countries push for more stringent regulatory policies, but the mechanisms by which these countries push for stricter policy, and the actors primarily responsible for such behavior, are not investigated in any further detail. For this reason it is difficult to explain what a liberal intergovernmentalist explanation would hypothesize about European integration taking

place along the issue area of climate change. Though export-oriented producers are less effective in setting policy in environmental issue areas, one would expect that they would still be actively involved in the process of setting national preferences on a climate change regime, and hypothesize that in the discussion of the Kyoto Protocol, export-oriented producers would be attempting to influence the shape of public policy goals in Britain.

Other scholars have long pointed to the many ways in which LI is similar to the very theory it seemingly rendered obsolete, neo-functionalism. (Schmitter, 2004: 72 note 2) International interdependence as a catalyst of societal (albeit not transnational in LI) demand for integration (Wallace, et al., 1999: 163; Stone Sweet and Sandholtz, 1998: 7) and delegation to supranational organizations capable of acting against the short-term preferences of governments (Stone Sweet, 2003) are both factors attributed to the neo-functional/supranational understanding of European integration. (Schimmelfennig, 2004) My suggestion is that if prominent features of neo-functionalism are present even in LI's interpretation of major intergovernmental negotiations surrounding treaties of economic interest, it is highly plausible that in issue areas such as climate change – in which it is much easier to demonstrate meaningful action by transnational actors at both the supra and sub-national level – a neo-functional explanation of integration is not only possible, but more accurate.

The negotiations surrounding the Kyoto Protocol's formation, signature, and ratification are an interesting case to look at from the British perspective on European integration. There is evidence in the House of Commons' debates to recommend a liberal intergovernmentalist approach, which one would anticipate based on the literature's expectations and assertions concerning Britain. LI would hypothesize that powerful export-oriented domestic actors form national preferences in the UK regarding EU integration around climate change. These

preferences would be conveyed to state level agents, the important actors in European integration, and that these actors would pursue the interests of the state with an eye to how the Kyoto Protocol would impact patterns of commercial advantage and interstate commitment credibility.

Interestingly, however, there appear to be compelling examples in the debates that point to the possibility of a neo-functionalist view. A neo-functional hypothesis will emphasize the role of supranational level bureaucrats and transnational groups below the state level as the forces driving integration along the issue area of climate change, and in environmental governance more generally. We expect LI to work here, it is much more difficult for neo-functional explanations when dealing with Britain, yet there is a good bit in the debates to suggest that it is worth investigating. In addition, the literature on UK/EU environmental relations recommends even more strongly a neo-functional explanation. Beginning with the EU itself, by looking to John Vogler's work on UK/EU relations in environmental policy, the next section begins an argument for a neo-functionalist perspective on UK/EU climate change relations.

The EU, especially the Commission, has tied its reputation to the success of its leadership on climate change, and therefore pulls for more competence. This EU level 'pull' is supplemented by a sub-national 'push' –on the part of green constituencies and environmental interest groups – for environmental competence to move to the EU. Finally, Britain itself is involved in the process, but importantly, Britain does not push integration in a manner that is consistent with liberal intergovernmental expectations. Rather the state appears to be responding to the more diffuse interests of its constituents as presented through non-governmental organizations focused on environmental concerns.

CHAPTER 4

Theory

European Union's Pull: Structure and Negotiation Inefficiency

Written in 2005, John Vogler's article, "The European contribution to global environmental governance" is directed towards British policymakers. The article opens and closes with remarks on the opportunities present in Britain's upcoming presidency within the Council of Ministers. Specifically, he feels that the presidency will allow Britain to act through the Union to further put environmental and sustainability issues at the front of the Community agenda. He also draws attention to the fact that, although the EU is widely regarded as an independent and important actor in the issue area of environmental governance, there are still mixed degrees of competence between the Community and its member states. Climate change in particular is an issue area in which the member states retain a greater level of competence.

Vogler points out that the retaining of competence with the member states in conjunction with the rotating presidency presents coordination and clarity problems for EU policy. He goes on to emphasize that decisive leadership in the Presidency is crucial to overcoming these problems (Vogler, 2005). The limited nature of EU competence in climate change policy and the emphasis Vogler places on the quality of leadership by member states, in the form of effective and strong presidencies at the Council of Ministers, appear to recommend a liberal intergovernmental understanding of this issue area. Though it may appear that any hypothesis derived from Vogler's article would emphasize the role of the Presidency of the Council of Ministers in European integration along the issue area of climate change, I believe that a neo-

functionalist emphasis on the Commission may be better suited to explain the case of climate change. Largely a survey concerning the EU's role in global environmental governance, Vogler's article is geared toward policy recommendations for Britain as it prepared to take over the presidency in late 2005. Although not highlighted in his paper, the groundwork for a more theoretically driven explanation of the EU and climate change is contained within the article, leading to an expectation of deepening European integration in a non-intergovernmental fashion. Essentially, there is something of a perfect storm for the EU on climate change (forgive the poorly chosen pun), which surrounds the desire on the part of Britain to be a 'global leader' in environmental and climate change policy, the United State's abdication of its role as a world leader for innovative environmental policy, and the Commission's desire to elevate the EU's international standing through global leadership in climate change⁴.

It must be noted that two pivotal events fall very much in line with neo-functionalist thought on European integration. The first, an ECJ ruling that systematically widened the scope of EU power, is a textbook example of supranational actors using the European Court as a method of wresting more sovereignty from member states than the states themselves might have planned. The second again demonstrates the active role that supranational actors (the Commission) played in expanding the EU's environmental competence, but also indicates that spill-over – a fundamentally neo-functionalist concept – was present as well. Though the Commission's initial interest in environmental treaties was driven by its interest in preventing distortions in trade, its strategic action of involving the EU in environmental treaties as an attempt to regulate their impact on the common market soon brought about a more in-depth

⁴ All three of these points are discussed in Vogler's 2005 paper. The next few pages will continue to draw from this article as it is both current, and directly addresses the relationship of the United Kingdom and the EU with respect to climate change.

involvement in the international environmental regulation regime. No longer exclusively concerned about the impact of environmental agreements on trade, the EU became an active international member of the global environmental protection regime at a level beyond what could initially have been envisioned as the EU's role in the issue area. (Sbragia and Damro pg. 55, 1999)

In addition, there grew to be increasing expectations that the European Community, as distinct from its member states, would develop as an actor on the world stage. These emerging expectations were, of course, very much in line with the desires of the Commission officials, and were furthered considerably by opportunities opening up at the international level in environmental governance (Vogler, 2005).

As the EU was beginning to have increasing internal policy competence on environmental issues, the world became increasingly aware of green politics and interested in global environmental governance. Throughout the 1970s and 1980s, the United States could still make claims to international leadership on such environmental issues as, fisheries, conservation, and the restoration of the ozone layer. However, by the 1990s this was less and less the case. The United States' rejection of the Kyoto Protocol, and negative approach to other endeavors such as the Convention on Biodiversity, effectively destroyed any credibility for US claims of environmental leadership presenting the European Union with an enormous opportunity to step into a leadership position in an international issue area with high visibility and increasing political salience (Vogler, 2005).

The assumption that the EU is an actor in its own right -defined as exhibiting volition, existing as something distinguishable from its member states, and having the capacity to act at the international level- is found in most descriptions of contemporary environmental policy

(Vogler, 2005 p.839). The granting of legal personality in the Treaty of Rome to the European Communities, as well as the formal involvement of the Union in the extensive network of international environmental institutions are some, but not all, of the indicators of the EU's 'actorness'. Indeed, another recent piece, focusing on EU biodiversity policy, found reason to believe that the Union is more than a passive observer with respect to environmental policy making, even in Britain one of the most reticent and strong-willed member states (Fairbrass and Jordan, 2001). Of course, this does not imply a denial of a strong role for the member states in environmental regulation, only that in this issue area, even climate change, it is relatively widely accepted that the EU is an actor in its own right.

Working from the premises that:

- The European Union is credibly regarded as an independent actor in many facets of environmental policy
- The Commission would like to see the elevation of the Union's international profile
- The United States' rejection of the Kyoto Protocol created a leadership vacuum on climate change

it follows that the European Union would be highly interested in assuming a leadership role in the most high profile issue area of global environmental governance, that of climate change. However, taking the lead on the Kyoto Protocol represents as big a challenge as an opportunity for the EU. It is well known that climate change has proven to be one of the most intractable problems for global environmental governance. The negotiation process has been both complicated and compromised, and there is still a high degree of uncertainty as to the ability to

successfully implement the policies Kyoto calls for⁵. As Vogler points out, the credibility of the EU in other processes of global governance will rest upon its effectiveness in implementation of global environmental policy. This is not without its difficulties.

Although Vogler sees the European Union as an independent actor, he does not deny that there is a level of ambiguity surrounding its legal and actual capacity to act. Although the Community acquired competences in many areas of internal environmental policy, with respect to external negotiations, there usually remained a greater or lesser degree of member-state competence. This shared or mixed competence can lead to confusion and inefficiency at international meetings where representation of the Union can pass between the presidency and the Commission, depending on the topic. To a large extent, participation rights of the Community in international organizations and treaty negotiations are dependent on acceptance by other state members and parties (Vogler, 2005).

Despite the Union's very strong support for the Kyoto Protocol, a 2005 UK presidency that has made climate change a priority, and the EU's record as a formidable participant in global environmental negotiations, the EU's performance as an actor capable of effective negotiation has been very mixed. With respect to climate change, where Community competence is limited, the presidency has a key coordination role. There is, however, evidence that effective coordination on the part of the Council of Minister's presidency will not be enough to provide effective leadership. Although the EU was able to coordinate a successful conclusion and ratification of the Kyoto Protocol, the EU lacked the negotiating flexibility to respond adequately to US proposals, failing to bring them on board. Indeed, in other areas where Community

⁵ See Marvin S. Soros, "Global climate change and the futility of the Kyoto process", *Global Environmental Politics* I: 2, 2001.

competence is greater, the EU is less inconsistent and appears to be a decisive and leading actor (Vogler, 2005 p.840).

Others take a more extreme view, suggesting that the incredible complexity of the climate change issue strains the capacity of the intergovernmental negotiation process to its limits, pointing out that the issues on the table are too technical for politicians, yet too political for technocrats, and require a level of coordination difficult to attain with the current negotiating systems (Grubb and Yamin, 2001). Some experts on the climate change regime advocate a more substantial role for the EU in leadership, suggesting that the negotiating process that grows out of the mixed competence approach will not produce results satisfying to most members of the Community (Ott and Oberthür, 1999).

In climate change, and any other issue area where competence lies predominantly with the member state, the difficulty lies in the fact that the responsibility of coordinating, chairing the relevant committees, and formally representing the Union is taken on by the rotating presidency. While the Union's position rarely devolves to the lowest common denominator of its 25 member states, he does still draw attention to the fact that differences in interests, resource, and capabilities lead to inconsistencies in the Union's external representation as manifested in the Presidency (Vogler, 2005). In addition, the temptation to engage in bilateral negotiations, and the problems attendant with coordinating agreement and authorization from the Council lead to inefficiency and confusion in the EU's external relations (Grubb and Yamin, 2001, Vogler, 2005).

Summarizing, the EU is operating inefficiently in its external negotiations on climate change because the limited nature of its competence places the responsibility of representing the EU on the constantly rotating presidency, which is made up of states with substantially varied

capacity, skill, and interest in climate change diplomacy. Further, the EU, while successful in some facets of the Kyoto Protocol process, could make strides in acting as a decisive leader in climate change policy, to which it has largely tied its international reputation, by increasing its competence in the issue area. Finally, the politics of climate change appear to only be increasing in their salience for most of the member states in the EU. There are still differences across the member states as to the interest in green politics of the general population, but the trend in Europe is for increased awareness and interest in environmental politics, especially in the economically advanced northern states (Börzel, 2002). Preparations for the post-Kyoto regime of 2012 are in full swing, and the Commission would undoubtedly like to see the European Union take a prominent role in the issue area for the foreseeable future. Moreover, the interest within the European public is growing and many European states have highly organized and effective environmental pressure groups, capable of exploiting links with the European Commission to push forward ambitious environmental legislation (Fairbrass and Jordan, 2001). Though it is not what Vogler hypothesizes in his article, the European Union has had an increasingly large seat at the table surrounding climate change because the Commission pulls for it, and the interested population of Europe pushes for competence to be delegated to it. The ground here is ripe for a deepening of European integration in a neo-functional fashion, which is what I expect to see happen.

Transnational Actors' Push: The Role of Non-Governmental Organizations

Prior research indicates that a fundamental precept of neo-functionalism is that transnational actors are very influential in bringing about further integration (Burley and Mattli, 1993, Schmitter, 2004). The last section focused on the role of the EU in the Kyoto negotiation

process, but also hinted at an important role for transnational actors in any potential deepening of integration via the European climate change regime. It will be important to provide compelling evidence that non-governmental actors are indeed influential participants in British and European environmental policy formulation. On climate change, environmental NGOs are sufficiently integrated into the negotiating process to the point that they have a seat at the table during the various Conferences of the Parties to the 1992 UN Framework Convention on Climate Change (COP).

Intergovernmentalist accounts of UK/EU relations in environmental policy do exist, but place the majority of their emphases on conventional state-based dynamics. One such study, analyzing EU pollution control measures between 1972 and 1986, found that that UK successfully defended its sovereignty, manipulating national and European opportunities to its advantage (Golub, 1996). However, another study, mounting a historical institutionalist-based counterargument, indicates that Golub's study focused more on policy adoption rather than implementation to a fault. In doing so, it neglected the possibility of a less state-centered explanation (Fairbrass and Jordan, 2001). Their own study, focusing on EU biodiversity policy in the form of the Birds and Habitat Directives, suggests a much more significant role for not only the Commission, the European Court of Justice (ECJ), but also interest groups in environmental governance in Europe.

With respect to biodiversity, the Commission actively developed alliances with environmental groups in shaping the political agenda, with the pressure groups using European avenues to achieve policy outcomes that had proven difficult to attain domestically (pgs. 2-3 Fairbrass and Jordan, 2001). The origins of both the Birds and Habitats Initiatives were brought about by a Parliament and Commission emboldened by citizen pressure, increased environmental

saliency, and environmental pressure groups which had transformed themselves into stronger, more efficient agents of ambitious environmental legislation. These groups were no less important in bringing charges against governments that would form the case law by which the Commission and ECJ would monitor, and if necessary coerce, implementation. Save the Migratory Birds, Royal Society for the Protection of Birds, Greenpeace, and other similar organizations made good use of EU level opportunities to outmaneuver national authorities by directly and indirectly addressing EU institutions. In the case of biodiversity, the Commission and ECJ, supported by interest groups, were able to pursue a more ambitious program than would have been preferred by the UK, a program that resulted in some loss of conventional state sovereignty (Fairbrass and Jordan, 2001).

Effective and important participation by sub-national actors is not confined to biodiversity policy alone. Tanja Börzel's study on Europeanization looks at a broader range of environmental compliance, breaking states into three separate categories based on the strategies they adopt in pursuing their preferred means of Europeanization (Börzel, 2002). Pan-European multinational firms often support harmonizing strict standards, since it is less costly for them to operate under one strict set of rules rather than a wide variety of national regulations. Concern over the functioning of the single market also makes the Commission particularly responsive to the policy demands of forerunners as non-harmonized stringent regulation could distort trade. The preference for high-regulation emerges in these states for several reasons; chief among them is the inability to effectively combat certain environmental pollutions unilaterally. In addition, national governments are desirous to address green demands expressed within their political systems. In these economically prosperous, industrialized states, societies expect their governments to advocate effective European and international level regulation (Börzel, 2002).

Even in a rather state-centered analysis such as Börzel's, functional concerns and pressure from sub/trans-national actors fuel the pace-setter's pursuit of more stringent environmental regulation.

The United Kingdom: The Role of the State

Though of a transboundary nature, climate change issues bring about a resistance to delegating competence to organizations 'above' the nation-state (Knill and Lenschow, 2005; Vogler, 2005). As has been mentioned, Britain has historically been particularly sensitive to sovereignty concerns. Yet, Britain's overwhelming attention to retaining state autonomy must be reconciled with its desire to bring about a more stringent climate change regime. This is an issue area that is not most efficiently addressed through intergovernmental cooperation, but one that requires a more unified and cohesive approach to problem solving. Britain's desire to be an environmental leader may come into conflict with its desire to maintain sovereignty as it increasingly must turn to the EU to effectively address contemporary problems in environmental regulation.

The United Kingdom, as is brought up in the House of Commons debates, has a long record of environmental protection. When environmental issues first began to arise at the EU level in the 1970s, Britain could rightfully consider itself a pace-setter in nature conservation with its legislation on the issue dating back to the 19th century (Fairbrass and Jordan, 2001). The UK has robust environmental groups, some of which, such as Friends of the Earth England and Wales, have built large datasets which facilitated innovative policy at the national level (Bugdahn, 2005). However, British environmental regulation has traditionally been based on

negotiation and voluntary regulation with industry (p. 8 Fairbrass and Jordan, 2001; pgs. 198-99 Börzel, 2002).

The confidence Britain displayed in the strength of its existing environmental legislation, in conjunction with its preference for voluntary regulation, ended up being costly for the UK as the EU increasingly turned to more stringent, mandatory regulations in the late 1970s and early 1980s. But, by the 1990s the British position started to change from that of a laggard to a leader. Having recognized the considerable costs environmental policy may impose, the UK became more active in crafting aggressive policy at the national and European level (Borzel, 2002). Indeed, Britain now has aspirations for global climate change leadership and has used its Council presidencies in 1992, 1998, and 2005 to coordinate EU policy on the issue (Vogler, 2005). One of the central reasons to expect to see an upward delegation of competence in the climate change regime is that the UK, and most other member states favoring liberalization, support the maintenance of environmental standards and an environmentally progressive stance for the EU. The pressure to deregulate present in other areas of the EU, brought on by the Lisbon Agenda, will not necessarily extend to climate change (Vogler, 2005).

Suggesting that states are not relevant actors in the upward delegation of power is not feasible; clearly national actors matter and are, in fact, the ones that cede whatever sovereignty is to be ceded to the EU. However, it is not necessary to suggest that states do not matter to provide compelling evidence that a neo-functional account better explains the UK/EU climate change relationship than liberal intergovernmentalism. It should suffice to illustrate that further integration is brought on by causes other than those highlighted by LI accounts.

CHAPTER 5

Evidence/Data

The data presented in this analysis is taken from seven separate debates and discussions concerning the Kyoto Protocol to the United Nations Framework Convention on Climate Change (UNFCCC) in the British House of Commons. Looking to parliamentary debate in an open democracy is a useful means to investigate the questions at hand for several reasons. First, in parliamentary debate, we can expect the full political spectrum of ideas to be expressed by the individuals that form state policy. Second, because the purpose of debate is to persuade colleagues as to the veracity of a particular position, there is no reason to expect the Members of Parliament to dissemble in this forum. Statements made in the House of Commons debates are likely to accurately reflect the preferences and goals of the speaker as they relate to the climate change regime, and the UK and EU's roles in that regime.

The debates took place between November of 1997 and November of 2001⁶. Two of the debates predate the third Conference of the Parties (COP3), which took place in Kyoto, Japan in December of 1997 and produced the Protocol in question. Therefore, the subject matter of these two debates differ somewhat from that of the latter five, focusing more on the desired outcome of COP3, rather than the ratification negotiations that would follow. However, in all seven debates the same issue area was on the table and similar arguments for, and assessments of, British participation advanced, making the pooling of these debates acceptable and useful

⁶ The parliamentary debates varied widely in length. One debate was as long as 20 pages, including up to as many as nineteen different members of parliament. The shortest was only 2 pages and involved only 5 separate members. The voices of Conservatives and Labour were present in every debate. For more detail on the debates, please see appendix I.

In addition to the parliamentary debates, I will select newspaper articles and opinion pieces relevant to the climate change issue from two leading British papers, *The Independent* and *The Guardian*. My interpretation of these articles will shed light on the attitudes in Britain concerning the role of the state and the European Union in the climate change regime, and will therefore serve as a useful supplement to the records taken from The House of Commons.

Intergovernmentalism Is Not Dead Yet

Though there is ample evidence in the debates and news surrounding climate change to recommend viewing trans-national environmental issues in the EU through a neo-functionalist lens, there are some portions of the national discussion that support an intergovernmental analysis of the Protocol debates. In Britain's House of Commons, there was broad support for the Protocol and regulations on environmental matters. There is only one MP in the debates that appeared to take an anti-protocol position (Gorman, pgs. 243-47, 1997a) and she was to some extent ostracized by her own Conservative party in this position. (Yeo, p.255, 1997a⁷)

While there was something approaching consensus concerning support for the Protocol, there was much more lively debate about which party deserved the accolades for the UK's environmental record and position of leadership in the international community. Additionally, the Conservatives were much more prone to blaming the failures of The Hague conference (COP-6) on Labour's diplomatic ineptitude. The Hague conference, which fell apart in late November of 2000 due to an inability to come to an agreement concerning the removal of the planting of forests in developing countries by developed countries as a legitimate credit in the clean development mechanism (CDM), was discussed in a 2000 debate only days after the talks

⁷ Unless the speaker is identified within the text, all citations from the House of Commons will include: the Member of Parliament, the page of the debate, and the year of the debate.

collapsed. Further the lack of US participation, culminating in the United States withdrawing from the Kyoto Protocol process in the spring/summer of 2001, was also blamed on the perception of insufficient diplomacy on the part of Labour in general, and John Prescott (the Secretary of State for the Environment, Transport, and the Regions and a principal UK negotiator on the Protocol) in particular. Finally, the emphasis on the opportunity for the United Kingdom to take a leading position on a highly visible international issue, which was popular throughout the House of Commons, and the attention to the negotiating skills of diplomats within the Conservative camp are both features that speak to an intergovernmentalist understanding of the situation.

As was frequently mentioned in the 1997 debates, Tony Blair and Labour had only recently come to power in the fall of 1997. Both the Minister for the Environment, Michael Meacher (p.258, 1997a) and a prominent member of the Opposition (Yeo, p.256, 1997a) suggested that climate change and the environment were frequently discussed and emphasized in Labour's campaign. This focus on environment provided a great deal of optimism in the newly elected government. The Opposition, for its part, suspicious of Labour's use of environmental issues to further its own ends, was resolved to monitor Labour's environmental actions and hold them to a high standard. This jockeying for legitimacy to claims of environmental leadership played itself out through almost all of the debates concerning the Protocol. The Department of the Environment, Transport, and the Regions (headed by Prescott) was newly created in 1997, a move Labour saw as an indication of the new government's commitment to sustainable development (Walley, p. 241, 1997a). In addition, in the heady days of 1997, the Labour MPs highlighted the globetrotting negotiations their various ministers were engaged in during the run-

up to the Kyoto Conference. The emphasis on, and enthusiasm for, individual state diplomats could be found in the press as well,

“Mr Prescott is no diplomat and seven months ago...he would have seemed an unlikely, and inexperienced green. But in the past two months, and this week in particular, he has played a significant role in the negotiation of the Kyoto Protocol. As a member of the “troika” – the past, present and future holders of the European presidency – Britain was always going to play a significant part in the negotiations on the EU’s behalf of Kyoto. But for several reasons, Mr Prescott has extended that role.”
(*The Independent*. December 11, 1997, Thursday)

However, with the failure of The Hague negotiations in 2000, the turnover in the US administration and its subsequent withdrawal from the Protocol in early 2001, The Department of the Environment and John Prescott’s globetrotting diplomacy (the same two items touted as virtues of the new government in 1997) were the very things to come under unrelenting attack from the Conservatives. The problems for Labour were further complicated by the departure of the Clinton administration, with which they had worked for 3 years by 2000, for the Bush administration, with which they appeared to have fewer contacts.

The tone of the debate after The Hague climate change talks is decidedly more pessimistic. John Prescott, the chief UK negotiator, conceded that the outcome was a disappointment, and was reportedly ‘gutted’ by the outcome (p. 636, 2000). The extremely complicated, around the clock negotiations ended up breaking down surrounding an inability to come to an agreement concerning the removal of the planting of forests in developing countries by developed countries as a legitimate credit in the clean development mechanism (CDM). The proposed deal, which was put together chiefly by Prescott as an attempt to bring the US and its umbrella group negotiating bloc and the European countries closer to one another, was not rejected, but was also not voted on prior to the end of the summit due to what some European Ministers saw as a lack of information.

It is in the criticisms and evaluations of Prescott's performance in particular and the outcome of The Hague talks in general that an intergovernmentalist streak begins to show itself. There is, of course, also the possibility that The Hague failures were brought about by the difficulties present in negotiating on such a complicated issue in an intergovernmental form. As suggested earlier in this paper, rather than a failure on Prescott's part, it was the nature of the bargaining process that made The Hague such a difficult round of negotiations.

The chief criticism leveled at Prescott by the Conservatives was that he lacked the diplomatic skills and understanding of subtle situations necessary for the completion of such a difficult negotiation. MP Norman brought forth charges that Prescott was, 'more concerned with the media and with exploiting the talks for party political reasons than with the hard grind of negotiation' (p.637, 2000), and that his dismissive and derisive behavior towards French Minister Dominique Voynet, had, 'not only burnt his bridges but set back the prospects for any future settlement.' (ibid) Other Conservatives reiterated these opinions, that the breakdown was 'a failure of diplomacy', later in the debate. (ibid) This not so subtle recrimination of Prescott does, in a somewhat more subtle fashion, indicate that some MPs, often the Conservatives, believed that what was needed were better British diplomats. In essence, they make the case that rather than a more unified bloc brought about by a common EU negotiating position, a more competent state level negotiator would bring about optimal outcomes, an argument consistent with an intergovernmentalist position. This view of Prescott and the UK's differences with other European partners was reflected in the press as well.

An article that chronicled some aspects of The Hague collapse cast things in terms of a UK/EU split with the US on the negotiations at The Hague, and the entire meeting as having suffered from bureaucratic micromanagement.

“Finally, at 4am, with the talks near collapse, Mr Prescott, with Ms. Voynet’s agreement, took matters into his own hands. Over two hours they hammered out an agreement with the US and its allies. Other EU delegations including France, Germany and Sweden, were kept fully involved.” “By 8am the deal appeared to be done. But when it came before the EU as a whole, the delegations had doubts and failed to support it. Mr. Prescott and Mr Auken both walked out, saying no deal could be done. The US made further concessions, which the EU did not accept.”
(*The Independent*. November 26, 2000)

The article goes on to mention that both the French and Danish environmental ministers were prominent members of their nations’ respective green parties, and it is possible that their ideological commitments made the compromise position, tabled by Prescott, an impossibility. It is clear from both the official record and press that The Hague talks were an extremely trying and frustrating diplomatic process for Prescott, and that he was most frustrated by his inability to bring the United States and Europe together in a meaningful way. (Prescott, pgs. 635-6, 2000) Finally, it is quite important to note that there appeared to be as much friction between Prescott and the other Europeans as there was between Prescott and the US.

The criticisms of Prescott’s diplomatic skills were not limited to his ability in The Hague talks and his supposed mistreatment of the French Minister, which prompted her to refer to him as ‘an inveterate macho man’, but extended to his relations with the United States. Indeed, for most of the 2001 debates, the Opposition focused on his lack of contact with the new administration, and the idle threats he made to the US, which might further damage the situation. (Norman, p.151, 2001a and Gillan, p.739, 2001b) This concern for the way Prescott treated the US may be an opportunistic attack by the Opposition, but may also indicate that emphasizing continental rather than transatlantic relations is not entirely accurate here.

Further support for the case that Britain does not see itself as entirely continental can be found in the statement of another Conservative MP, Mr. Clifton Brown, in a debate which took place in June 2001, “the Kyoto Protocol is arguably the most important environmental issue that the world faces at the moment and Britain could play a very constructive role in brokering a deal

between the United States and the rest of the world”(p. 763, 2001c). In this instance, it appears that the UK is neither here nor there in terms of its identity with Europe or the US, but does have the particularly profitable ability to take a leadership position on the world stage. Clifton Brown’s statement indicates the opportunity available to the UK for a diplomatic position which will enrich national pride. Perhaps this concern for British prominence and prestige, which is seen throughout the debates on both sides of the aisle, is a further indication of British intergovernmentalist tendencies in general, and among the Conservatives in particular.

Two final points might further recommend an intergovernmentalist reading of the climate change negotiations. First, in 1997, Robin Cook, The Secretary of State for Foreign and Commonwealth affairs, was asked by an MP who would have the say in climate change related investment between elected officials and transnational corporations. His response, “I am happy to assure my hon. Friend that subsidiarity will certainly apply to those matters.” (p.755, 1997b) was very intergovernmental in tone. Next, it is important to note, but difficult to interpret, that in the 2000 debate following The Hague some MPs were wont to blame Prescott for diplomatic failure, particularly with regard to the French. Others, however, were equally adamant that it was the French themselves who bore the responsibility for the negotiation’s failures. Stranger still, although the majority that attacked Prescott on the French issue were Conservatives, of the two members that insinuated French responsibility for the failures of the talks, one was Conservative and the other Welsh Nationalist. While it is difficult to interpret the positions of the parties on this issue, it is clear that the bond between the UK and France on the issue of climate change is not without its tensions, and that a common EU position may have been more hoped for than truly present in the talks.

Before moving on to the evidence that supports a neo-functionalist view, it is important to point to the difficulty a liberal intergovernmentalist interpretation of these events would face along the criteria of assessment set out by Moravcsik in *Choice For Europe*. *Are preferences formed by geopolitical or economic interests?* Powerful economic producers should be driving British policy on integration in the issue area of climate change, yet they are relatively quiet in this debate. While there were op-ed articles penned by Romano Prodi, President of the European Commission (Independent, 2001) and by the British Environment Minister, Michael Meacher (*The Guardian*, 2001), the preferences of export-oriented industry were not recorded in the papers. In many of the newspaper articles written concerning Kyoto, there are numerous references to and quotes from transnational environmental advocacy groups, but few if any quotes from members of industry at all, let alone from a powerful industrial lobbying group such as the Global Climate Coalition in the United States. In the debates within the House of Commons, direct reference to the potentially negative economic ramifications for industry of binding emissions targets is raised by only one MP (Gorman, pgs. 243-47, 1997a), and her line of reasoning does not appear to be salient for the other MPs involved.

The relative silence on the issue climate change from economic interest groups is puzzling, but it is also telling. Surely, the British industries that would be negatively impacted by binding emission targets were lobbying. It is reasonable to suspect that a good amount of behind closed doors conversations took place. Further, economic interest groups are large and efficient at the EU-level as well. (Schmidt, 2006) This is suspicion is confirmed in the press:

“Most industries do not stand to lose - or gain - as much as the energy industry. But they are universally concerned about reducing the cost of the Kyoto Protocol. That is why large companies are engaged in behind-the-scenes lobbying to ensure that the maximum possible flexibility is built into the Kyoto Protocol. "The goal in The Hague should be a solution that meets both environmental and economic needs," says the International Chamber of Commerce.”
(*Financial Times*. November 18, 2000)

It is, however, important to note that British industry is no longer the heavy polluter it once was. The days of belching smokestacks in Manchester have largely been replaced by a growth in financial services and other industries of the service sector. Additionally, Britain's movement away from coal toward natural gas in the 1980s had already reduced clout of the group that would be most adversely affected within the energy sector. Further, the majority of the article referred to above focused on the awakening of business to the potential gains to be found in cutting pollution. There was concern in the business community, particularly the energy sector, but the most affected segment of that sector – coal – had already been drastically reduced in Britain prior to Kyoto.

Though it might appear difficult to gain access to the lobbying taking place outside of the public record, MP Gorman's statements in the House of Commons, referred to above, make it clear that it is safe to expect that industry preferences voiced in more informal settings eventually find their voice in the public record. MP Gorman, one of the few voiced against a legally binding treaty with specified targets, was quite candid that "Ford UK is in my constituency" (Gorman, pg. 243, 1997a), and she goes on to speak at length about the potential economic impact of the Kyoto Protocol. The voice of industry is heard in the official record, yet it is still somewhat quieter than would be expected on an issue with large financial ramifications, which still needs to be explained.

Though various deals may have been struck with concerned industries at the EU and/or national level, there are other reasons for this silence. In the economically advanced northern states, there is an increased awareness and interest in environmental politics. Further, national governments are desirous to address green demands expressed within their political systems. In these economically prosperous, industrialized states, such as the United Kingdom, societies

expect their governments to advocate effective regulation. These general societal interests are more importantly combined with the fact that multinational firms located in these states are likely to support harmonizing strict standards, since it is less costly for them to operate under one strict set of rules rather than a wide variety of national regulations. And, as mentioned earlier, the Commission is particularly responsive to the policy demands of forerunners as non-harmonized stringent regulation could distort trade. (Börzel, 2002) British economic interest groups may have been quiet on the issue of regional coordination for climate change policy, because although it would entail some costs, the gains of a consistent, stringent regulatory regime throughout Europe outweighed the drawbacks.

Geopolitical interests do not seem to be at play in British or European preference formation concerning climate change, either. There is some discussion about the benefits of negotiating from a common position as a means to counter the influence of the United States and Japan, but even then it does not take a tone that would indicate that preferences are formed by underlying security concerns as Moravcsik uses the term geopolitics. Neither of the hypotheses advanced by Moravcsik, geopolitics and economic interests, appears to be the best answer for British preference formation on the climate change regime. Strikingly, there is much to suggest that it was individuals and ‘cause’ interest groups that were important here, which would be much more in tune with a neo-functionalist explanation.

In interstate bargaining, what is the relative weight of state power versus the intervention of supranational entrepreneurs? For the five cases analyzed in *The Choice for Europe*, Moravcsik consistently finds support for a state-centered approach, but on climate change, it is clear that non-state actors were important as well. Supra-national and sub-national actors were crucial in the outcome of the negotiations, but this certainly doesn’t change the fact that states

were very powerful actors in the negotiations. The relative strength of the Council of Ministers Presidency, and the amount of behind the scenes diplomacy, which took place on an ad-hoc basis during climate change negotiations certainly point to a continued central role for states.

In explaining choices to delegate sovereignty to international institutions LI tests the importance of federalist ideology, technocratic information management, and the desire for credible commitments. If LI is at work in climate change we should expect to see evidence indicating that the upward delegation of sovereignty to an international institution, the EU, by member states was brought on by concerns as to the credibility of the commitments made by the member states. In fact, the credibility of the other EU countries' commitments is rarely discussed in the House of Commons debates or newspaper articles surrounding the climate change negotiations, whereas the need to act in concert with one another to create a viable negotiating bloc is frequently brought up, as is the need for technocratic information management. Here, on this third measurement, LI falls short as much as it did on the first of the criteria, and again, there is much to recommend a neo-functionalist reading of events.

The Potential for a Neo-Functionalist Argument

As has been mentioned, much of the literature on European integration suggests that levels of euroskepticism are particularly high in the United Kingdom, and that an intergovernmentalist approach is to be expected from the state in most issues concerning European integration (Moravcsik, 1998; Risse et al., 1999; Diez Medrano, 2003). And, while arguments consistent with intergovernmentalism were advanced in the debates on the Protocol, there was an equal if not stronger voice championing the potential benefits from bargaining on the issue as a European bloc in international negotiations, making the Kyoto Protocol and

climate change a particularly interesting case from the perspective of the United Kingdom and its position on European integration.

Diez Medrano's work highlights the significance the United Kingdom places on its relationship with the Commonwealth countries and the 'special relationship' of the United States, at times suggesting that it prizes these relations and more closely identifies with these countries than with the countries of Europe (Diez Medrano, 2003). There were moments in the debate when members of parliament (MP) expressed concern that John Prescott had damaged important transatlantic relations with intemperate criticisms of, and potential threats related to, US policy (Norman, pgs.151-2, 2001a). However, throughout all seven debates the statements from Members of Parliament indicated a position on climate change more compatible with the other European countries than with the US. As early as the 1997 debates, there was concern that the United States had not done its part on climate change, and doubts that it would do so in the future. (Clark, p.254, 1997a and Bayley, p.755, 1997b) Additionally, even within the Conservative opposition, there was a fear that the United States would exert too great an influence in climate change negotiations (Yeo, p.252, 1997a).

The potential for transatlantic rather than intra-European tension was reported in the press at an early time as well. An article that ran the day after the members of the EU signed the treaty stated,

“The Deputy Prime Minister, John Prescott, yesterday led the nations of the European Union in putting their formal signatures to the Kyoto Treaty on global warming amidst stern warnings that a recalcitrant United States must also follow suit...Britain represented the EU as the current holder of the Union's presidency. All 14 other EU members also signed the document yesterday, as did the EU Commissioner for the Environment, Ritt Bjerregard...Delivering a blunt message to Capitol Hill, Commissioner Bjerregard said: 'I hope...we are stressing very clearly that we would like the programme President Clinton presented to the Congress to go through'.”
(*The Independent*, April 30, 1998)

Later, in the summer of 1998, an article concerning MPs urging action with respect to US pollution ran,

“The Government should put pressure on America to cut emissions of the greenhouse gas CO₂ to reduce global pollution, MPs said yesterday...The Environmental Audit Committee today urged the Government and the European Union to use ‘all available means to encourage the US to ratify’ the protocol.” (*The Independent*, August 8, 1998)

Both articles highlight, even at this relatively early stage in Kyoto’s life, a difference of policy between Britain and the United States, potential for a trans-Atlantic rift, and a unified position within the member states of the EU – including Britain. Further, the articles both contain statements indicating that Britain, and the other member states, view the European Union as a viable entity, perhaps the only entity capable of exerting enough leverage to bring about change in US policy. Here, as will be stressed again later, it appears that the EU is functioning in a more overarching, almost foreign policy capacity than liberal intergovernmentalism provides for. Credibility of commitments is indeed a concern, but it is not the commitments of the member states that is at question, but that of the US.

By the time of the debates in the early 21st century, when it became increasingly clear that the US would be difficult, if not impossible, to engage within the framework of the Protocol, harsh condemnation of the US was the rule. Increasingly, exasperated MPs looked for possible ways to counteract the unpopular yet powerful position of the United States in the climate negotiations. A rather forcefully worded example of this sentiment was put forward by Labour’s Nigel Griffiths in a May 2001 debate, “Can this and other European Governments be so powerless that George Bush...can get away with murdering the environment?...can this Government, or any Government, trust anything that the American Administration say on any international subject?” (p. 738, 2001b) This impassioned and frustrated statement is quite telling. The first part of Mr. Griffiths’ statement identifies the United Kingdom’s government with *other*

European governments, suggesting that, at least in the case of climate change, he sees the UK as European. Further, this identification with a European position again stands in opposition to US policy on the matter. More specifically, Griffiths' statement hints at a desire to see the European countries act in concert in an attempt to balance against US power. In this statement, it appears that the strength of former colonial ties is undone by a common European position and a difference of interests with the US and Australia.

Once again, similar sentiment was easy to find in the press as well. For example a 2000 article that frequently juxtaposed the US position with that of the European countries, conspicuously treating the latter as a homogenous bloc:

“On the one side is the United States – emitting 23 per cent of the industrial gases, such as carbon dioxide, known to be causing the greenhouse effect, but with just four per cent of the world's population. And on the other is the European Union, and all those environmentally conscious states like Germany, Denmark, the Netherlands, and, it is fair to say in this case, Britain.” (*The Independent*, November 14, 2000)

An article by the UK Environment Minister at the time, Michael Meacher, in which he discusses the commitment of the EU states and the continued diplomatic pressure being placed on the US by the EU was entitled, “The climate is changing: Mr Bush, beware you're seriously out of synch. The rest of the world is backing Kyoto”. (*The Guardian*, June 29, 2001) Another article asserts, “The differences, especially those between the European Union (including Britain) and the United States, must be solved over the coming week or the protocol is in danger of floundering.” (*The Independent*, November 18, 2000)

Even an article such as “EU dismay as Bush reneges on Kyoto: Blair seeks ‘constructive’ talks as world denounces decision to put US trade before global climate”, which places some degree of emphasis on the UK/US ‘special relationship’ and British exceptionalism, still contains strong language from the EU to the US:

“EU member states regard Mr. Bush’s position on global warming as part of a pattern of US withdrawal from multilateral action, citing Washington’s stance on landmines, the nuclear test ban treaty, UN dues, the international criminal court, and other issues... The European parliament environment committee said in a statement: ‘Europe must stand up to irresponsible US policies by rejecting them at the petrol pump. Unless the US rethinks its position, direct boycott is the only language they will understand.’” (*The Guardian*, March 30, 2001)

The article makes clear that the UK’s role of bridge-builder between the two continents was put under tremendous pressure due to the accumulation of issues upon which the US and the UK –as well as other European countries – disagreed fundamentally.

But would a neo-functionalist argument apply in this case? It is true that the Labour government believed that working with the other European countries would provide a stronger negotiating position (Prescott, p.636, 2000) and that they intended to ratify along with their EU partners at a predetermined time (Beckett, p.963, 2001d), but these facts do not in and of themselves suggest a neo-functionalist interpretation. Neo-functionalists would expect to see greater EU involvement in the negotiations surrounding the Protocol if supranational institutions pull for competence and if there is domestic support for EU involvement (Schmitter, 2004). To some extent, both are present in the issue of climate change.

In the November 1997 debates, Labour MPs suggested that the debate should serve as a resounding send-off to the members of the new government prior to their departure for Kyoto, indicating to them that they have the support of the country in seeking a legally binding agreement on greenhouse gas emissions. (pp. 239-40, 1997a) MPs drew attention to the increasing awareness of the media, educational systems, and general public opinion to the issue of climate change and the recommendations of the Intergovernmental Panel on Climate Change (IPCC). In extolling the government for showing leadership to other countries—with the US and Japan explicitly mentioned—MP Paul Clark asked for continued leadership in pursuing a binding legal agreement. He suggested that, “If the Government’s representatives need any moral

support when they attend the Kyoto conference, I assure them that they will have the good will of the people of Gillingham.” (p. 254, 1997a) Further, in the 1997 debates, numerous references were made to the upcoming British EU presidency, and the unique and influential platform this would provide for the pursuit of a leading role in the climate change negotiations. British leadership on the issue of climate change is an important idea in these debates and one which I will return to more fully later. For now, it is most important to note that:

1. There was strong domestic support for a legally binding agreement
2. There was a concern about the relative bargaining strength of the UK vis-à-vis the US
3. There was a belief that acting in conjunction with the other European countries through the framework of the European Union could increase the UK’s leverage

It is difficult to ascertain from debate in the British House of Commons how strongly the European Union was pulling to be involved in the negotiations surrounding the Kyoto Protocol and climate change in general. It is, however, worth restating that the EU has been involved in the issue area of climate change for a long time. The Commission was present in the creation of the initial framework, and the EU has continued to be intimately involved in climate change up to the present. While it is difficult to prove with data from British debates, it is certainly not unrealistic to expect that the EU, as a supranational institution, had incentives to pursue deepening and lasting involvement in the issue area of climate change.

Transnational Actors: Evidence of Their Importance

There is no shortage of policy papers being written in various think tanks calling for EU leadership in climate change. (Ott and Oberthür, 1999) However, it is not clear that these policy papers or the activities of any other transnational NGO affect the institutional choices or policies of the state-level and European environmental regulation regimes. This section of the paper will present evidence suggesting that transnational NGOs are not only active in environmental politics in Europe, but are also effective in pursuing their goals at the supranational level and that they push for greater European-level governance there as well.

At the ill-fated and now infamous Sixth Conference of The Parties in The Hague, the NGOs were described as closely aligned and backing a European position with respect to the United States' and other member group's interpretation of carbon sinks, a position the US blamed as unrealistic and cumbersome to the negotiating process. Some European ministers "rejected certain possible compromises with the cry that 'our environmental groups would crucify us'" (Grubb and Yamin, 2001). And while it is entirely possible, even likely, that this hyperbolic assertion is somewhat strategically motivated, it is unrealistic to suggest that there is no truth to the statement. In fact, in an article concerning the collapse of the very same talks, "Tony Juniper, vice-chairman of Friends of the Earth International, said: 'We will not forget or forgive those who wrecked these talks and put our planet in further danger.'" (*The Independent*, November, 26, 2000) European society is increasingly sensitive to environmental issues, and to the groups that form to address environment across national boundaries that are adept at exploiting links to EU institutions.

There are a number of other articles indicating that environmental NGOs were actively involved in, and largely successful in shaping, the climate change debate in Europe over the

course of many years. As early as 1997, an article mentioned environmental groups, as well as the EU, as one of the groups suspicious of US intentions, adding, “But Britain’s environmental groups will be urging the Government to stick to its target, continuing to show world leadership in cutting emissions.” (*The Independent*, December 11, 1997) Later in qualified praise for the EU after formally signing the treaty, Nick Mabey of the World Wildlife Fund suggested, “The EU has shown international leadership by signing the climate change treaty, but this position risks being undermined by internal squabbling on how much each EU country will cut its greenhouse gas emissions.” Mr. Mabey went on to warn that the EU would find it more difficult to resist efforts by the US Congress to weaken the Kyoto text if it could not itself quickly reach a united position. (*The Independent*, April 30, 1998, Thursday)

In the disastrous talks of The Hague conference, marked by an inability to reach compromise on the finalization of the Kyoto Protocol rulebook during the last conference with the Clinton administration, and the qualified success of Bonn, in which a substantially weakened agreement was reached saving the Kyoto Protocol, the groups were present as well. In the context of a US offer to reduce its demands that farmland and forests be counted as carbon ‘sinks’ at The Hague discussions, the NGOs present responded, “It would be a giant’s free gift and it would allow the Americans to meet up to half their target without further action,” said Roda Verheyen, climate campaigner for Friends of the Earth. “It is Alice in Wonderland stuff,” said John Lanchbery, climate policy officer of the Royal Society for the Protection of Birds.” (*The Independent*, November 21, 2000, Tuesday) Concerning the agreements in the Bonn talks, Kate Hampton, of Friends of the Earth International, said, “The price of success had been high. The protocol has been heavily diluted. Its effect on the climate has been massively eroded.” Blaming OPEC, the fossil fuel industry, and the US for a diluted Kyoto, Bill Hare, climate policy

director of Greenpeace, claimed, “They failed to kill off the Kyoto Protocol at this meeting in Bonn, but they came close and what survives is a weaker version of the agreement than was adopted in Kyoto in 1997.”(*The Independent*, July 24, 2001, Tuesday)

Though there was less than perfect agreement as to the quality of the agreement reached at Bonn, it is interesting to note which groups were singled out for praise regarding the climate change negotiations in the following article:

“The 186 countries involved in the Bonn climate change negotiations are, with one exception, to be congratulated on their success in translating the 1997 Kyoto Protocol into an international treaty. Particular praise is due to the European Union, which took the lead when others faltered. This was the EU at its best, acting with unified and determined purpose to achieve that which its component members, acting singly, could not. But most credit must go to the innumerable independent pressure groups, scientists and individual campaigners who, in the years that followed the 1992 Rio earth summit, made global warming an issue that governments could simply no longer ignore. This new treaty truly belongs not to its official signatories but to everybody – for it was grassroots, activist politics that made it. In this instance, at least, the people connected with their leaders and their leaders eventually got the message.
(*The Guardian*, July 24, 2001)

The quote nicely summarizes the actors that are doing the heavy-lifting concerning climate change – transnational interest groups, and the European Union. Through their concerted effort, the EU gained more international legitimacy, particularly in the issue area of environmental regulation, and interested groups began to look more to the EU than to the state to address issues of importance to them. Of course, this is not to say that the state was not an extremely active member of these negotiations, quite the contrary is true. The state, however, functioned in a way that is also consistent with neo-functional expectations.

The United Kingdom: How the State Mattered

Liberal intergovernmentalism looks to three main factors to explain EU integration: 1) patterns of commercial advantage; 2) the relative bargaining power of member states; 3)

enhancing the credibility of interstate commitments (Moravcsik, 1998). For the purposes of this section, the first and the third factors are the most important to address.

While it is possible that Britain might be responding to the demands of national economic interests in pursuing a stringent climate change regime in order to level the playing field for its industries, it is much easier to argue that national economic interests account for the currently limited competence of the EU on climate change than to suggest that strict regulation within Britain is creating pressure on the government to expand those regulations to the rest of Europe for economic gain. In climate change and most other environmental areas, it is pressure from green constituencies that provides the impetus for government action and EU integration. While groups and states may use economic arguments surrounding potential trade distortions in the single market instrumentally, the origin of environmental concerns are often based on something other than economic incentives. In the legislative debates prior to the Kyoto conference, MPs spoke of the support for a legally-binding international agreement within individuals and groups in their community, not within the industries they represent. In fact, the only voice contrary to the establishment of binding targets pursued an argument that rested on the potential costs this might impose on industries in her district (Gorman, pgs. 243-47, 1997a).

In the press, similar evidence presents itself. While there is a paucity of articles discussing the effects of the Kyoto protocol on British businesses, and few, if any, quotes from industry leaders in articles on climate change, there are numerous articles that incorporate the voice of interest groups concerned with the environmental impact of the climate change issue as well as officials from the European Union. Further, the voice of export-oriented commercial interests is not raised in an op-ed context either. There are, however, articles from EU-level leaders, such as a piece by Romano Prodi (then President of the European Commission) stating

that Europe remains committed to Kyoto despite the backing out of the US, and that it will continue to speak in a unified voice to other nations in an attempt to bring Kyoto into force.⁸ In this analysis, there is more evidence to suggest that it is the actors predicted by neo-functionalism, transnational interest groups and EU level bureaucrats, spurring on integration along this issue area, not those representing commercial interests.

Liberal intergovernmental arguments emphasizing concerns as to the credibility of interstate commitments are not entirely applicable in the case of climate change either. This type of account would expect EU involvement to reduce the threat of defection; this, in turn, would lead member states to pursue further integration. From this perspective, states fear internal defection by a state within the EU. While there are certainly numerous examples within the HOC debates on Kyoto and climate change that suggest MPs are concerned with securing a legally-binding document that will reduce the threat of defection, it is equally clear that it is not the defection of EU member states fear as much as it is that of the United States, Japan, Australia, and other states outside the EU. This is something quite different than what would be expected in liberal intergovernmental accounts of integration.

In the debates and discussions surrounding Kyoto, it is clear that MPs of all parties recognize the ability of the EU to provide a common, unified negotiating position for Europe. Further, it is apparent that the EU wide negotiating position would be expected to increase their collective leverage in international bargaining, raising the costs of defection for other major players in the negotiations such as the United States or Japan. This use of the EU as a foreign policy tool in which the sum weight of the union is greater than its parts is unaccounted for and unexpected in liberal intergovernmental accounts of European integration. It does, however,

⁸ “We Will Make Kyoto Work In Spite of Mr Bush’s Opposition” *The Independent*, April 5, 2001

meet with both functional accounts of integration and the empirical realities of the international climate change regime. Again, there is evidence in the press that is consistent with this reading of events.

Prior to the 2002 UN Earth Summit in Johannesburg, European diplomats spoke openly of their fears that the US was determined to undermine the agenda, by seeking to replace binding targets and timetables with more voluntary actions. Though there was a movement to ignore and marginalize Washington's obstructionism, an article rightly points out,

“that kind of effort takes leadership. Most environmentalists can see only one candidate: the European Union. ‘This is as much a test of the EU as it is about America,’ says Kevin Watkins, senior policy adviser at Oxfam. ‘Is the EU capable of showing leadership?’ The US has left a vacuum and the EU alone has the capacity to fill it. Put together, EU nations have far greater voting strength on the World Bank and IMF than the US...It has the muscle if it wants to use it.”(*The Guardian*, August 16, 2002)

The article goes on to suggest that in many ways Europe has not acted as a concerted bloc up to this point, yet strikingly, this is juxtaposed with the unified action the EU took with respect to Kyoto. It presents a nice summary as to the very real possibility of the EU gaining increasing legitimacy in both the eyes of the international community, and more importantly – the eyes of its own citizens, by taking a leadership role in environmental issues in general. The article holds up the Kyoto protocol as an example of this having taken place. Additionally, the call for a more vibrant EU role in the issue area is sounded by none other than the leader of a trans-national interest group, which is yet again consistent with neo-functionalist thought.

A final piece of evidence suggesting that the UK is not pushing for integration in a manner consistent with LI is the number of times Britain has gotten itself entangled in environmental commitments that resulted in adjustment costs. In addition to the land, water, and birds issues of the late 1970s and early 1980s, there is evidence that even in climate change, an issue area that Britain is ostensibly a leader on, the UK's commitments have outstripped what we

would expect if, as the tenants of LI suggest, the state had full information and knowledge of the consequences of its integrative actions (*The Times*, February 15, 2005).

CHAPTER 6

Conclusions

Not surprisingly, there is some indication in debates that took place in the House of Commons and in the literature on European integration that the liberal intergovernmental perspective has something to say regarding UK/EU relations in climate change. What is surprising, and theoretically interesting, is that there is even more evidence recommending a neo-functional account of the relationship. Actors at the EU level, mainly the Commission, have a deep interest in successful environmental leadership for the Union, and attempt to pull more competence to the supranational level. This pulling at the supranational level is supplemented by a push from sub-national actors anxious to see environmental policy competence move to the EU where the groups have a precedent of pursuing more ambitious environmental policy.

The account presented in this paper makes a bold and falsifiable prediction of further integration on the issue of climate change. The reasons for this are multi-faceted, but revolve around the increasing political salience of climate change for European society, the strong desire of the EU itself to be an international leader in global environmental governance, and the desire on the part of member states, such as the UK, which have been particularly resistant to the EU to create a more unified yet responsive negotiating bloc to counter the US and others in further climate change negotiations.

The implications of this study are not limited to the issue area of climate change alone. A broader implication of the study is its rejection of state-based categorization concerning positions on European integration. Though at times useful to speak of one country as pro-integration, and another country as anti-integration, this paper indicates that these generalizations are in fact too

coarse. Focusing on issue areas when analyzing the positions of countries concerning European integration allows for the quite reasonable possibility that Britain would be pro-integration on certain issues, such as climate change. Unpacking the positions of the states lends further insight as to what European integration means for each state, something upon which there is currently not consensus.

Though the argument I develop here can be applied beyond this particular environmental issue area, climate change is an interesting test case for European integration more broadly. Liberal intergovernmental accounts of European integration tend to emphasize the major intergovernmental treaties as the loci of integration. It is certainly true that these treaties represent monumental occurrences in European governance. There is, however, evidence that substantial integration is taking place in a less high profile capacity along quality of life issues, such as environment, formerly thought to relatively insignificant low politics. Indeed, based on the inability to pass the EU constitutional treaty in 2005, it is possible that any further European integration will be pursued through less high profile, more incremental forums. A neo-functional account of the relationship between the UK and EU on climate change, the least likely case in a most likely issue area, is better equipped to explaining integration than liberal intergovernmentalism. It is very possible that this understanding can be extended to other quality of life issue areas in which we can expect to see the EU pursue leadership such as: universal human rights, women's rights, other environmental issues, and sustainable development.

In general, deepening of integration on issues that provide public goods follows neo-functional logic; the more public the good that arises as an outcome of integration, climate change for example, the more neo-functional the process by which the deepening takes place.

Integration on public issues is likely to be more neo-functionalist not necessarily because the issues are most efficiently addressed at the supranational level; after all supranational governance of international trade, the classic case for LI, can be efficient as well. The more public the issue, the more widely diffused both the benefits and the costs are within the society at large. Less highly concentrated costs and benefits domestically, lower the incentives for domestic interests to organize on a largely domestic level to shape government preference. The lack of internal pressure on government to form a preference on a given issue area by domestic pressures creates room for regional bureaucrats and more internationally oriented, less domestically organized interest groups to exert influence on state preference formation. These are the very actors that neo-functionalism highlights in the process of European integration.

Conversely, the less clearly public the goods that arise as an outcome of integration, and outcomes with more concentrated costs are expected to follow more liberal intergovernmentalist patterns. In large part, this presentation of neo-functionalism cedes the conventional territory of liberal intergovernmentalism, but encourages research into issue areas commonly associated with post-materialist value systems for further evidence as to the ability to generalize the findings of the argument presented here. In addition, the theoretical perspective offered here can be generalized by extending the analysis to states beyond the UK. Other states, notably Denmark, have expressed resistance to some core facets of European integration. The argument applied to Britain regarding integration along environmental lines in this work should hold true for those countries as well.

The age of integration through large intergovernmental treaty may be over. Students of European integration will need to be equipped with theoretical perspectives that can account for incremental integration along issue areas well addressed at the supranational level. Interestingly,

neo-functionalism, one of the first theoretical perspectives on regional integration is better suited to explaining contemporary European integration than we may have expected.

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APPENDIX

November 19th, 1997 – There were eleven participants in this debate. Five of the participants were from Labour, two were Conservatives, two were Liberal Democrats, and there was one participant each from the Ulster Unionists and Plaid Cymru. There were twenty-three separate statements, and at twenty pages it is of the debates included.

November 25th, 1997 – There were four participants in this debate. Three of the participants were from Labour, and one participant was a Conservative. There were a total of eight separate statements, and at three pages the debate was relatively brief.

November 27th, 2000 – There were nineteen total participants in this debate. Ten of the participants were from Labour, six of the participants were Conservatives, and there was one participant from both Plaid Cymru and the Liberal Democrats. There were a total of 39 separate statements, and at eleven pages it was a relatively long debate.

April 24th, 2001 – There were eight total participants in this debate. Four of the participants were from Labour, two of the participants were Conservatives, and there was one participant from both Plaid Cymru and the Liberal Democrats. There were 17 separate statements, and at four pages the debate was relatively brief.

May 1st, 2001 – There were eight total participants in this debate. Five of the participants were from Labour, two of the participants were Conservatives, and one of the participants was from the Scottish National Party. There were 15 separate statements, and at four pages the debate was relatively brief.

June 28th, 2001 – There were five total participants in this debate. Three of the participants were from Labour, and two were Conservatives. There were nine separate statements, and at two pages it is the briefest debate I analyzed.

November 15th, 2001 – There were six total participants in this debate. Three of the participants were from Labour, two were Conservatives, and one was a Liberal Democrat. There were 11 separate statements, and at four pages it was a relatively brief debate.