THE ROYAL SOCIETY OF EDINBURGH

ENLIGHTENING THE EUROPEAN DEBATE

THE EUROPEAN REFERENDUM: AGRICULTURE, FOOD AND RURAL POLICY ISSUES

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Introduction

In the Referendum on the UK's membership of the European Community in 1975, the official document released by the government (*Britain's New Deal in Europe*) noted that improving the deal in relation to 'food' was one of the objectives of the renegotiation (the others were 'money' and 'jobs'). Much of the debate centred on food security and prices, with those in favour of staying in arguing that these were 'no higher' than if the UK remained outside, while those advocating withdrawal insisted that membership had increased food prices, and also kept them 'artificially high'. The pamphlet issued by the National Referendum Campaign (*Why you should vote NO*) said that 'if we had our own national agricultural policy suited to our own country, as we had before we joined... We could then guarantee prices for our farmers, and, at the same time, allow consumers to buy much more cheaply'. By contrast, while the Common Agricultural Policy (CAP) still accounts for nearly 40 per cent of the EU budget, agriculture, food and rural affairs are barely mentioned in the literature on the Brexit referendum in 2016, and have been largely peripheral in the 'national' debate. The official Government pamphlet focuses on how the renegotiation will allow the UK to maintain border controls, restrict access to welfare for migrants, and reduce red tape. It has just one reference to food (in a table indicating the economic importance of the single market) and an indirect reference to how Brexit would lead to higher prices for some household goods that is illustrated by a picture of a basket of food shopping.

Nonetheless there has been a vigorous debate about Brexit within the agriculture and food communities (see for example the reports on written by academic specialists for the Yorkshire Agriculture Society [1] (YAS) and the Worshipful Company of Farmers, and the paper by Food Research Collaboration). Some of these contributions aim to inform the debate by providing accessible information about the implications of remain/leave for UK agriculture and food (without 'telling people how to vote'), others take a partisan stance, but there is broad agreement on the main ssues. In the YAS paper these were identified as: options for the UK's political and trade relationships; farm support and budget matters; world trade issues; agriculture and the environment; animal health and welfare; plant protection; geographical indications; genetically modified organisms (GMOs); migrant labour; and territorial considerations within the UK. Some of these issues are considered below.

Political and trade relationships

Much discussion in the debate has focused on what sort of political and trade deals the UK might be able to negotiate after leaving the EU, and the feasibility of the 'alternatives' (crucial for farmers because of the relatively high tariff barriers that the EU imposes on many agricultural and food products). The YAS report identified five possible options situated on a continuum from the most integrated (customs union) to least integrated (EU and the UK trade with each other as Most Favoured Nation trade partners within the World Trade Organisation [WTO] system) (YAS, pp. 33-35; see also Buckwell pp. 25-30, where he discusses seven options and Swinbank 2016 where eleven possible scenarios are outlined!).

1 I was part of this collaboration and would like to acknowledge the help and support received from my colleagues Wyn Grant, Michael Cardwell, Christopher Rogers, Fiona Smith and Alan Swinbank, as well as the assistance of the Yorkshire Agricultural Society. While this briefing paper is grounded in this work, interpretations are mine alone.

A common observation is that in some of these arrangements the UK would still have to comply with EU Single Market rules without having any say in their development, and perhaps still have to make financial contributions (as is the case with the Norwegian option). As a pro-Remain letter to *The Times*, signed by nearly forty senior figures in the UK agri-food sector, put it, 'We would pay, but lose our say' (5 March 2016).

Also important will be how Brexit would impact on the UK's trade arrangements under the WTO. The YAS report sets out several possible options but overall is certain that after EU withdrawal 'UK farm policy would not be able to return to the unfettered use of high levels of domestic support, export subsidies and import tariffs' and that some limits will be imposed by the WTO (YAS 2016, p. 30). In a technical report for the National Farmers' Union (NFU) Jongeneel at al. examine the potential impact on agricultural production, trade, and farm income under several trade scenarios. In the nine trade and political scenarios they model, the effects of Brexit is mixed in terms of price and production levels but largely negative in relation to farm incomes, especially where the level of payments to farmers are reduced. There are important variations in the effects on incomes between farm types, with the unsupported horticulture sector doing well outside the EU on all scenarios, but the livestock sector faring badly (Jongeneel et al. 2016, p. 30). Generally they highlight the UKs 'very strong integration with EU agricultural markets' in relation to imports (70%) and exports (over 60%), and also argue that because the biggest driver of farm incomes is the level of subsidies there would be important consequences if this support was removed, notably in the livestock sector (2016, p. 26).

As neatly summarised by Buckwell, the trade question 'is fundamentally a choice between remaining close to the EU single market, and therefore having to retain most existing EU regulation, or leaving the Single Market in order to allow some deregulation' (2016, p. 4). As the YAS report noted, the key objective for the UK after Brexit would be 'to have continued access to the Single Market... while eliminating or reducing the impact of those EU regulations that are seen as harmful to British interests' (YAS 2016, p. 33). However the issue is one for the economy as a whole and 'it is very unlikely that agri-food interests would be a decisive factor' in determining the shape of the post-withdrawal trade regime (YAS 2016, p. 33). Moreover not all of the possibilities may be acceptable to the EU and the outcome of negotiations is not simply a matter of choice for the UK.

Agriculture policy and farm support

Much of the Brexit debate about agriculture and food reflects long-standing disagreement about whether the CAP is beneficial to the UK. As Buckwell comments, 'escaping' the CAP is often portrayed 'as one of the prizes of withdrawal from the EU' (2016, p. 31). Echoing the 'No' case in 1975, the Vote Leave campaign (*Vote Leave, Take Control*) claims that leaving the EU would 'allow the UK to regain control of food bills'. Much is made of the failings of the CAP, especially that it is wasteful, expensive, bureaucratic, ineffective, harmful to the environment, and imposes burdensome rules that drive up costs.

Some Brexiteers envisage a much more free market approach in which food is bought from wherever it is cheapest – what Buckwell calls the 'cold bath' in which the agricultural sector is deregulated to compete freely on the world market with all financial support removed (2016, p. 23). However the general assumption on the Leave side is that the CAP will be replaced by national policies. Vote Leave argues that by enabling the UK to take back control over policy (decided by 'our own people who fully understand the UK industry and environment'), Brexit would allow the UK to 'fix the problems farming faces'. Yet criticism of the CAP also is voiced by many of those in favour of staying in, but they tend to see the solution as policy reform within the EU. The FRC report for example argues that the CAP is inefficient, wasteful, and in need of further substantial reform, but not 'abandonment'. The case for 'Bremain' is that the UK 'can put its huge negotiating weight behind supporting progressive change' in both the EU food and farming systems (Lang and Schoen 2016, p. 2).

Under the CAP, the UK receives around £2.5 to £3bn a year (three quarters of which goes to direct payments and a quarter to agri-environment and rural development under pillar 2). Direct payments account for over half of total farm income, agri-environment and other payments for a further 15 per cent (Grant 2016, p. 12). Given that the UK contributes roughly twice as much to the CAP as it gets back, Brexit would 'reduce UK budget expenditure on agriculture' but by how much depends on whether direct payments are retained and at what level (Jongeneel et al. 2016, p. 31). However the great unknowns are precisely the extent to which agricultural support might be retained after Brexit, who would pay for it and who would benefit. The Vote Leave campaign has argued that after Brexit the UK would be able to 'continue, or even increase, the subsidies that our farmers receive'. This was controversially echoed by pro-Leave farming minister George Eustace who claimed that 'the truth of the matter is that if we left the EU there would be an £18bn a year dividend, so could we find the money to spend £2bn a year on farming and the environment? Of course we could. Would we? Without a shadow of a doubt' (*The Guardian*, 24 Feb 2016).

Europe and Sub-State Nationalism

At first sight, sub-state nationalism like that of the Scottish National Party (SNP) might seem incompatible with European integration, the one seeking smaller units and the latter a larger one. Yet this is not necessarily so, particularly as the idea of the nation-state itself is being transformed by global trends and, especially, European integration. Small states are vulnerable economically and militarily and often feel the need for an overarching system of international law and regulation. They also need guarantees of access to larger markets than they can provide domestically. Although between the world wars many of them joined in the dominant protectionist ethos, since the Second World War they have tended to favour freer trade. Even in the late nineteenth century, many of the nationalist movements in central and eastern Europe (and in Ireland) favoured home rule within reformed and democratised imperial systems, conscious of their own vulnerability in the neighbourhood of great powers.

In recent years, the European Union has provided such a framework. Basque and Catalan nationalists were among the strongest supporters of a united Europe from the 1930s and have continued to be so. Irish moderate nationalists (the SDLP) are strongly pro-Europe. The SNP had an interest in Europe in the 1950s but by the 1970s had turned against, although the pro-European wing remained as a minority. In the mid-1980s they changed their position again, to independence-in-Europe.

Irrespective of the controversy about what the UK pays into the EU and what it gets back, this argument displays a naïveté about where farming and food sit as a political and spending priority. No serious political commentator sees any likelihood of farmers receiving higher subsidies after Brexit. As Grant says, the Treasury may see Brexit 'as an opportunity to reduce the overall cost of payments to farmers' or even to ask the devolved administrations to assume part of the burden, although this would be strongly resisted (2016, p. 13). The likelihood is that total payments will be somewhat lower than those received under the CAP and be funded by the Treasury. A return to a system of payments linked to production (such as the deficiency payments system which existed before EU entry) is unlikely. Rather path-dependence in agricultural policy – reinforced by on-going funding commitments and political and economic constraints (including the power of the farm lobby) - will mean that much of the CAP will remain, at least in the short to medium term. Both Swinbank and Buckwell envisage substantial continuity in policy objectives and programmes, with the continuation of direct payments and the main elements of rural development programmes such as agri-environment schemes. At the very least, transition arrangements will be needed because immediate withdrawal from the CAP would cause great disruption and have a catastrophic impact on the farm incomes for of many producers (YAS 2016, p. 4).

The potential for greatest controversy will be about whether (and by how much) to restructure farm payments away from direct payments to support the provision of public goods, for example on rural development, environmental sustainability and climate change. The consensus across the reports is that direct payments are vulnerable and likely to be reduced, whereas rural development funding may actually increase (YAS 2016, p. 31). Not only is this consistent with the main lines of UK government policy (the Treasury dislikes direct payments) and likely to be strongly supported by the environmental and conservation lobbies, but it is also probable because agri-environment and other rural development programmes are contractually based and will have to continue for several years after Brexit. Nonetheless given the political pressures it is likely that direct payments will remain at a reduced level (at the very least for a transition period), and be linked to some conditionality requirements (efficiency and sustainability for example).

Regulation

In broad terms, EU 'red tape' is a core issue in the Brexit debate. There is an extensive suite of regulation that applies to the agri-food sector, including cross-compliance in agri-environment programmes, nitrate vulnerable zones and habitats, and the regulation of areas such as plant protection, animal health and welfare, geographic indications and pesticides (for a discussion of these see YAS 2016). Undoubtedly a core complaint of farmers (and central for those in favour of Brexit) relates to 'the transaction costs involved in form filling and what are seen as the unduly onerous nature of some regulations' (Grant 2016, p. 14). This is particularly emphasised by the Vote Leave campaign, which suggests that Brexit would end the EU's 'nightmare bureaucracy' including the 'rough justice of the "cross compliance regime"' and lead to the dismantling the 'thousands of badly designed EU regulations that aim to control everything farmers do'. The UK would also be able to 'take back control' of issues such as the regulation of pesticides and GMOs, where the attitude of the EU 'has caused major companies such as BASF to move out of the EU to the United States'.

There is great uncertainty about the status of EU legislation post Brexit but it is likely that the UK would retain the existing regulatory framework, at least in the short term. In the longer term, the prospects for substantial deregulation seem slim. Maintaining a level playing field for trade for example will mean that 'the regulatory burden might not be reduced as much as farmers might hope' (YAS 2016, p. 31). Indeed UK farmers can shelter under the power of the agricultural lobby in the EU as a whole, and were this political cover to be removed 'environmental, conservationist, consumer, public health and animal welfare lobbies (stronger in the UK than in other member states) would continue to be influential and to exert pressure for more stringent regulation of agriculture' (YAS 2016, p. 31). As Buckwell also points out, because competitors in the EU will be on their guard against the UK trying to secure a competitive advantage through deregulation, 'a safe assumption' is that 'there will not be a significant dismantling' of regulation, although 'there may be a less precautious approach to biotechnology and pesticide licensing' (2016, p. 57).

Overall, the consensus seems to be that 'farmers should not expect a "bonfire of controls" after Brexit' (Grant 2016, p. 14). The letter to *The Times* signed by leading figures in the agri-food industry added that 'some of the worst regulations, as well as the 'gold-plating' of EU directives, happen in the UK, not Brussels.' For former Defra minister Jim Paice, while it might be possible to abolish some EU regulations, 'it doesn't mean they would not be replaced by UK ones to address the same issues. The pressure groups and the "something must be done brigade" would still be here and any government will bow to them'.

Territorial issues

The territorial dimension is a common theme in most of the analyses about the implications of Brexit for the agri-food industry. Debates in Scotland, Wales and Northern Ireland are framed by broader political matters – whether a vote to leave the EU would spark another referendum on independence in Scotland, and its impact on the political settlement in Northern Ireland for example. Whether devolved governments are controlled by nationalists or unionists is also important. So the Cabinet Secretary for Rural Affairs (Richard Lochhead) in the SNP government has criticised the 'atrocious budgets negotiated by the UK Government' that has put Scotland 'bottom of the European league tables' for CAP funding (Scottish Government 2014). In Northern Ireland Sinn Féin complains that agriculture and fisheries policy are examples of UK actions that 'put British needs first' and ignore 'the reality that the economies north and south are interlinked and interdependent'.

Most of the elite political actors in the devolved territories are strong advocates for remaining in the EU. This reflects a conviction that the broader economic effects of Brexit are likely to be negative, and substantially adverse for the agri-food sector in particular. For example, Richard Lochhead told the Oxford Farming Conference in January 2015, that the CAP provided a 'protective shield' and that leaving the EU 'would be a disaster' for the UK's farmers' and 'leave producers at the mercy of the market – a market where our direct competitors continue to receive direct support' (The Guardian, 7 January 2015). A report by the Northern Ireland Affairs Select Committee (May 2016) concluded that a post-Brexit deal between the EU and WTO could be very damaging and was sceptical about whether the UK government would look after regional economic interests, both in terms of replacing lost subsidies and in negotiating a new deal with the EU (Belfast Telegraph, May 27).

In 2014 the UK received over four billion euro from the CAP (see Table 1) but while England takes the lions share (because it has more farmers), the other territories are 'even more dependent' on direct payments because of the predominance of extensive livestock enterprises, especially in upland less favoured areas (Grant 2016, p. 12).

TABLE 1: Payments from the CAP, 2014

Total CAP payments	€million	of which Pillar 1
England	2,714 (63%)	2,048 (75.4%)
Scotland	757 (18%)	566 (74.7%)
Wales	413 (9%)	301 (72.8%)
NI	415 (10%)	319 (76.9)

Source: Agriculture in the UK 2014, p. 68.

Buckwell also notes that CAP payments per capita 'are over twice as high in Scotland and Wales, and almost three times higher in Northern Ireland than in England', with a 'generally a higher degree of dependence on CAP payments' because of their livestock-based farming sectors (2016, pp. 55-6). Farmers' leaders in the territories are concerned about the level of funding after Brexit. The Ulster Farmers' Union, has cast doubt on the claim by pro-Brexit Secretary of State, Teresa Villiers, that 'some form of support for Northern Irish farmers will certainly continue in the event of a Brexit' and that there would be 'extra money available for support if the UK were no longer making an EU budget contribution' (NI Affairs Committee, para. 66).

The relationship between the UK and the Republic of Ireland is also important and generally there is worry about the potential adverse consequences of the reintroduction of a controlled land border. Some argue that this could destabilise the whole of the political settlement (Todd 2015) as well as complicate trade relations (Matthews 2015). In March 2015 the Irish government set up a unit to examine the implications of Brexit (Ireland is the largest destination for UK farm exports, and also is the third largest importer of food into the UK). For Taoiseach Enda Kenny, 'while we are respectful of the democratic debate which is ongoing in the UK, it is impossible to remain silent on an issue which impinges so directly on Ireland's national interests' (Irish Times 13 March 2015). The general view, as encapsulated by Matthews, is that Brexit 'would be unambiguously bad from the perspective of both Irish producers and consumers' (2015, p. 20), and this surely underlies the appeal made by Kenny for Irish people living in Britain to vote to remain in the EU (*The Guardian*, 28 May 2016).

Under the CAP, policy differentiation across the territories has been possible, for example on the mechanisms adopted for the implementation of the Single Farm Payment, in the level of funding transferred from direct payments to rural development under the 2014 CAP reform, and in the construction of Rural Development Programmes. If Brexit becomes a reality, such variation can be expected to continue, if not increase. This is likely to spark controversy about 'level playing fields' within the UK. Politically, however, the territorial aspect may act as a sort of limiting brake on the extent of possible reconfiguration of agricultural policy post-Brexit. As Matthews notes, the Treasury 'is unlikely to cut all spending in terms of direct payments, if only because these are hugely important to farmers in Northern Ireland, Scotland and Wales, but a lower level can be expected' (2015, p. 13). Much will depend on the nature of the funding arrangements but there is much potential for substantial controversy about the division of resources between the territories, including those for agriculture.

The Political Views of Farmers

Given the substantial resources delivered to agriculture under the CAP, it has often been assumed that farmers – while critical of aspects of policy such as red tape – would be amongst those least likely to favour Brexit. However, as Buckwell notes, when asked 'if they have benefitted from the CAP, many farmers and their representative organisations are distinctly lukewarm about the CAP if not hostile' (2016, p. 16). If we take the views of the main farm organisations as indicative, at the elite level the consensus is that Brexit would be damaging for the agri-food sector. In the letter to *The Times*, the senior figures in the agri-food sector, described leaving the EU as 'a nightmare scenario' and a 'risk we cannot afford to take'. It would mean 'reducing our access to our most important market, little or no reduction in regulation, no influence on future rules, the speedy abolition of direct support and an uncertain future for UK agriculture.'

The main farmers unions have taken a strongly evidence-based approach, for example the study commissioned by the NFU from Wageningen University (see Jongeneel et al 2016). On the basis of such analyses and the 'balance of existing evidence', it concluded that 'the interests of farmers are best served by our continuing membership of the European Union', a stance shared by its counterparts in the other territories. For the Ulster Farmers Union, there is 'a lack of clarity' about the issues and 'no compelling reason' to leave the EU (NI Affairs Committee 2016, para. 61). However, reflecting the divisions within their memberships, the unions' have not actively campaigned in the referendum and are at pains to point out that it is not for them to tell members how to vote (not least because there are wider issues beyond agriculture at stake). While the claim by the Vote Leave campaign that opinion polls show that 'twice as many farmers' are in favour of Brexit may be an exaggeration, it does seem clear that substantial numbers of farmers are in favour of leaving the EU. What polling that has taken place is contradictory – while a survey by the NFU in the autumn of 2015 suggested that 52 per cent favoured Remain (26 per cent to Leave), a poll of its readers conducted by *Farmers Weekly* in April 2016 found 58 per cent of farmers in favour of Brexit (31 per cent for Remain). This poll also suggested that farmers in Scotland, Wales and the North West of England are less inclined to vote Leave than those in other regions (Farmers Weekly, 29 April 2016). In terms of farm type, farmers in sectors not financially supported by the CAP lean more towards the Leave argument (for example in horticulture – although this is tempered by the demand for migrant labour), beef and sheep producers are more likely to favour remaining in the EU. Among those in favour of Leave, 'EU regulation and policies' are the major concern; those in favour of remain are most concerned about market access and the future of farm subsidies.

Conclusions

Liz Truss, Secretary of State for the Environment, Food and Rural Affairs, summed up the pro-EU position when she said that 'by voting to remain we can work within a reformed EU to reduce bureaucracy and secure further reform while still enjoying the significant benefits of the single market', and that in times of price volatility and market uncertainty, 'it would be wrong to take a leap into the dark' (*The Guardian*, 24 Feb 2016). On the other hand, the arguments for Leave largely are rooted in the optimistic assumption that because the UK pays more into the EU than it gets back, there will be little difficulty in maintaining subsidies. As Vote Leave claims, by leaving the EU 'we take back control over how we produce our food - we can continue, or even increase, the subsidies that our farmers receive and end the obscene waste...A vote to remain is a vote to be tied to the EU's nightmare bureaucracy forever'.

What seems clear is that a vote to leave the EU 'will create massive uncertainty and anxiety in the UK food and farming sector' (Buckwell 2016, para. 51). While political pressures will likely fight off demands for the abolition of subsidies and extensive deregulation, some reduction in levels of agricultural support is likely. However Buckwell also suggests that after the initial shock effects, in the long term British agriculture 'could be a less precarious, more resilient industry capable of dealing with the inevitable challenges it will continue to face not least from climate change', although this will depend 'on the intelligence of the policy debate' that follows (2016, para. 53). The broad problem in the debate, as Alan Matthews succinctly points out, is that it 'is impossible to make any sensible evaluation, because no one knows the agricultural, trade, budgetary and regulatory policies that would be put in place if the UK did vote to leave' (*Farmers Weekly*, 21 February 2016). Nonetheless as Grant and the YAS report rather cautiously conclude, it is difficult to see that the consequences of Brexit for agriculture 'would, on balance, be advantageous.'

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