

The Desire to Restore State Sovereignty in the European Union: Brexit As Case Study

Eva Gómez Marcos

The University of Queensland, Brisbane, Australia

E-mail: e.gomezmarcos@uq.net.au

Abstract

This essay will argue that the intrusion of the EU into the state's elements has resulted in political and social turmoil. As it is being played out in the context of Brexit, it has become clear that the desire to restore state sovereignty, goes hand in hand with expressions of nationalism, Euroscepticism and xenophobia. This paper is of high significance as it presents a novel approach to analysing the European crisis and Brexit from the perspective of linking the desire to restore sovereignty and the impact of supranational organisations on the defining elements of a state, in particular, borders and population.

Keywords: Sovereignty; European Union; Brexit

Introduction

The reluctance of states to cede sovereignty has meant that the legitimacy of international law bodies is questioned. Meanwhile, the unprecedented European Union (EU) is the only supranational body capable of imposing mandatory internal regulations. However, the European construction of shared sovereignty is endangered as the EU is experiencing the greatest crisis in its history. EU states are seeking to regain the Westphalian independence that emerged after 1648, since the values conferred no longer outweigh the detriment of sovereignty (Stephens, 2011:10). High unemployment rates, austerity policies, decline of public trust, refugee crisis and increasing migration, ... are some of the many factors that are making Europe struggle. The myriad of problems has resulted in xenophobia and nationalism feelings, right-wing and left-wing populist political parties, Euroscepticism and even desires of leaving the EU, as it has been exemplified by the Brexit outcome. The desire to recover law-making processes, since a high percentage of British law are developed in the EU, and the aspiration to regain

borders and population control, were two of the main causes for United Kingdom (UK) nationals vote ‘to leave’.

A State, according to the Montevideo Convention implies a defined territory, permanent population and an organized political society ruled by a Government, which establishes relations with other states (Crawford, 2015:111). The Westphalian principle of state sovereignty is based on the idea that states have the exclusive authority over decisions regarding their territory, people and borders (Beaulac, 2004:9).

This essay will argue that the intrusion of the EU into the state’s elements (particularly population and borders) has resulted in political and social turmoil. As it is being played out in the context of Brexit, it has become clear that the desire to restore state sovereignty, goes hand in hand with expressions of nationalism, Euroscepticism and xenophobia. As a consequence, the legitimacy of the EU and its legal system has been placed under strain. The EU cannot function unless EU law is implemented in Member States (MS) creating common grounds for policies and legal measures in the face of such crisis.

Recent events – US President Donald Trump election, Syrian refugee crisis, rise of European right-wing parties – demonstrate a shift in the global political paradigm. The current European crisis, the Brexit and the rising nationalism and xenophobia, are major examples of this trend. As a result, they represent important case studies and research needs to be conducted into underlying causes and effects.

This paper is of high significance as it presents a novel approach to analysing the European crisis and Brexit from the perspective of linking the desire to restore sovereignty and the impact of supranational organisations on the defining elements of a state, in particular, borders and population. Maintaining the stability of the EU is significant since the EU is the most developed and effective example of an international law-making institution capable of binding MS.

The approach taken is likewise applicable to the elements of ‘Government’ and ‘capacity to have relations with other states’ but for the limited scope of this paper the author decided to rely only in those two criteria. The author also acknowledges the relevant existence of other topics that could arise and are not covered, such as borders difficulties (Gibraltar and Northern Ireland), regionalisms and independency aspirations (Scotland and Catalonia), refugee crisis and asylum or citizenry and residency.

The article begins introducing the research question and the idea of EU states wanting to reclaim sovereignty by examining the key terms and main debates regarding the evolution of the notion of sovereignty and the concept of state under the Montevideo Convention.

The second section will examine the previous framework in relation to the EU and its legal system, and how it affects state sovereignty (as compared to membership of the United Nations –UN-) by the consent of treaties, which have broad benefits in exchange. For that purpose, it will analyse article II of the UN

charter and pertinent EU immigration Laws, encompassed in the Treaty on the Functioning of the European Union (TFEU) and the Treaty on European Union (TEU).

The third section will unpack the pertinent factors of the EU crisis in relation to the analysis of the invasion of two criterions of the statehood (population and borders), by applying it to case of Brexit. The elements of permanent population and delimited territory are examined together, as they are closely related, through the free movement of workers and EU immigration policies. The desire of returning borders control and immigration laws, is proved by the Eurosceptic, xenophobic and nationalistic feelings, which will be argued by means of three standards; political rhetoric, voting trend and xenophobic behaviours.

Sovereignty And Statehood Under International Law

Sovereignty can be seen as ‘having the supreme authority under a territory’ and ‘it is a pivotal principle of modern international law’ (Besson, 2011:1). However, as a legal concept is very complex and it has more than one dimension. Academic literature has held extensive debate about sovereignty under international law, its historical evolution and recognition by other states.

The notion of sovereignty has been subject of conceptual historical migration, especially because of the phenomenon of globalization (Besson, 2011:8). The Peace of Westphalia (1648) originated the principles of territorial delimitation of state authority and non-intervention, which represent the main pillars of the modern sovereignty (Besson, 2011:13). The Vienna Congress (1815) and the creation of the first International Organizations, coincided with the development of international law and the recognition of external sovereignty, while protecting internal sovereignty. International law permits the international coexistence between sovereign states. In an interconnected system, states must ensure compliance with the standards that, in good faith, they have created and committed themselves to respecting. From the 20th century, there has been an internationalization of sovereignty because of the origin of cooperation within states. States consented the surrender sovereignty in exchange of profits from the cooperation. Domestic sovereignty has become gradually more and more limited to the point that, from a legal perspective, distinct valid legal orders overlap (legal pluralism) (Besson, 2011:48-49).

According to Louis Henkin (1989: 23), a state is a conception reflecting a reality, which nowadays is not clear-defined anymore because of the erosion of national sovereignty. As a part of customary international law, article I of the Montevideo Convention on Rights and Duties of States (1933) defines a state ‘as a person of international law [that] should possess the following qualifications: (a) a permanent population; (b) a defined territory; (c) government; and (d) capacity to

enter relations with other states' (Crawford, 2015:111). Therefore, these four elements are the criterion for Statehood, as it was conceived in the old Westphalian world order. While the Montevideo Convention definition is part of customary international law, the requirement of having these elements is discretionary. From a practical point of view, states might have disputed borders, as for instance Gibraltar within Spain and the UK, or might be subject of free movement of people areas, such as the EU.

Recognition has been considered by some academics has a requirement for a national territory to be consider a state (Henkin, 1989: 23). There are countries which are not considered as states under international law because of the lack of UN member states act of recognition, as for example Somaliland. The 'act of recognition' has not real legal effect under international law. It has also been deliberated whether a state has to behave like a state, and has to be treated like a state (Henkin, 1989: 31-32).

The criterion of maintaining relations with other states governments' is a common behaviour within the current international system, but during the Westphalian order of nation-states, these relations were completely unlike and narrow. It was during the 19th century when the notion of external sovereignty arose, thus the relations of 'independence of sovereign states outside their national boundaries and their equal rights in mutual relations'. (Besson, 2011:28). Moreover, there is no legal duty to maintain diplomatic relations with other Government.

Despite the author acknowledging these facts, the aforementioned definition of state will be the approach taken for this article. The notion of 'state', sovereignty and much of international law has been considered as European because of its origins. Sovereignty is a general principle of international law but it can also be found among of various sources of international law such as conventional international law, articles 2.1, 2.4 and 2.7 of the UN charter or case Nicaragua v. United States in the International Court of Justice. Subsequently, sovereignty is not only law-based, but a source of law. Meanwhile, international law is based on state sovereignty and generally a condition for its binding nature. International law can be seen as 'the law of the international political system of states interacting, having relations'. It is the 'normative expression of an international political system consisting of states as its basic entities'. (Henkin, 1989: 24, 22).

Moreover, at the present time, states are no longer the only actors in the International Community who exclusively monopolise law-making processes, proved by the EU. However, states remain the central subjects of international law and state's interests are shaped by their nationals. These individuals expect their government to represent their interests. If these interests are endangered, such as the case of UK citizens, the government will have to react accordingly, for instance via referendum. Therefore, if the traditional principle of sovereignty recognizes, asides the interest of the nation state, the interests of its nationals, human rights

must be a part of this recognition. These notions of limiting the power of the sovereign by individuals were introduced by Bovin and Hobbes -and his contract social theory- and followed by the ideas of accountability, division of powers and popular sovereignty, by authors such as Locke and Rousseau. It is the people, or the citizenry as a community, who possesses and exercises the ultimate sovereignty. Theoretically every national of a EU member is an EU citizen and thus, has the right to participate in the democratic life of the EU. This has been proved by the Brexit referendum by two elements; the concerns that voters have with unresponsive and distant European elites resulted in the right of UK nationals to have the definitive pronouncement whether to remain as members of the EU. Furthermore, the principle of subsidiarity, as a core value of the EU, ‘aims at bringing the EU and its citizens closer by guaranteeing that action is taken at local level where it proves to be necessary’ (Treaty on European Union, art 5).

Finally, European MS, the UK in particular, are seeking to regain this Westphalian notion or modern concept of sovereignty (Stephens, 2011). Subsequently, this essay will explore the relationship between the current social and political crisis unfolding in the EU and the loss of sovereignty of EU MS, as evidenced through the erosion of a state’s decision-making capacity over the elements of ‘permanent population’ and ‘delimited territory’ (will be addressed as population and borders), recognized to form two criterions (will be indistinctively called criterions or elements) for statehood.

The Surrender of State Sovereignty: The EU Legal System And Its Immigration Laws

The world and the economy has globalized but politics and justice, especially during a recession, strive to remain local. States cede sovereignty by treaties’ consent and become bound by international law. Granting sovereignty by signing treaties means also obtaining benefits, such as material goods (foreign aid or trade agreements) or non-material, as for instance receiving public praise. While international law and international organizations have many weaknesses as they lack enforcement mechanisms, the EU is a regional institution that has been recognized worldwide to effectively govern and bind its MS. The more extreme the loss of sovereignty, the more benefits conferred in exchange. It is evident that the European harmonization has reached high levels of welfare, modernization and international cooperation. For these reasons, the EU has most challenged the old ‘Westphalian’ order of nation states and has resulted in a phenomenon of shared sovereignty (Stephens, 2011). As compared to the UN, the most important and extensive international organization worldwide, which is based on ‘the sovereign equality of all its Members’ and the prohibition to intervene in other sovereign states territories [Charter of the United Nations art. 2 (1)(4)(7)].

The UN is not authorized to intervene in matters which are essentially within the domestic jurisdiction of any state [art 51]. However, it is stated in article 2 (7) ‘this principle [non-intervention] shall not prejudice the application of enforcement measures under Chapter VII’, regarding ‘Regional Agreements’. In particular, article 52 approves the creation of regional organizations for the purpose of dealing with these matters. There is an exemption by which the principle of sovereignty can be exceptionally infringed. The UN was created to preserve and promote international peace and security. Article 42 of the UN Charter calls for action of UN member states ‘by air, sea, or land forces as may be necessary to maintain or restore international peace and security’.

European sovereign states, through multilateral treaties, have ceded broad powers to EU institutions and have surrendered extensive sovereignty in exchange of numerous payoffs. MS have been given mainly environmental, economic, political and legal profits from the EU, including labour and free movement of people. The EU has received legislative, executive and judicial powers. However, MS and their citizens, as explained above, remain the ultimate arbiters of the EU. This is because they have the possibility; firstly, to revise EU treaties and secondly, to terminate or denounce the treaties, ceasing to be bound. Individual states might withdraw from the EU by invoking article 50, as it has happened with Brexit. ‘Their authority to exercise [that withdrawal] comes from their status as sovereign states democratically accountable to their electorate and people’ (ILPA, 2006:6).

While, international law depends on states for the making, the EU is a source of law. It has its own legal system, which can be mainly divided into primary legislation, founded in Treaties and general legal principles, and secondary legislation, based on the Treaties.

The main European treaties that govern the EU are, the Treaty on the Functioning of the European Union (TFEU) and the Treaty on European Union (TEU). The secondary legislation has mainly three types of rules: regulations, directives and decisions. Regulations are directly applicable, which means that for instance, in the case of the UK, there is no need for enacting UK legislation. Regulations considerably invade the sovereignty of the state as compared to directives, which require the transposition to domestic law. This provides MS with a wider margin of autonomy as they choose the form and method of transposing the law. Secondary legislation is proposed by the European Commissions and made by the Parliament and Council of Ministers. Although, the Parliament is directly elected by EU citizens and the Ministers are from the MS, EU citizens and in particular UK nationals, perceive European institutions as unresponsive elites distant from the citizens (Corbett, 2016:5). The EU is being criticized for democratic deficit in its legislative and decision-making processes, as compared to the corresponding processes in the MS. As citizens, they expect their demands to be incorporate in the political agenda. Indeed, the global civil society has gained

ground in the international public arena as part of non-state actors, in a context where borders ceased to be a barrier.

By making the treaties, MS have the command to decide which areas are best done together. The division of competences is ruled by the TFEU and clarified in the TEU. There are areas in which the EU has its own exclusive powers (TFEU art 3) in order to reach shared goals that, by cooperation, benefit all MS. The rest of competences are either shared (TFEU art 4) or remain exclusive for the state's powers (TFEU art 6), since they are not covered by treaties and MS retain absolute authority. This is regulated by the EU fundamental principle of subsidiarity enshrined in article V of the TEU. It determines the level of intervention 'that is most relevant in the areas of competences shared between the EU and the EU countries' [TEU art 5 (3)].

The economic competences, which are of EU exclusive authority, are one of the main areas desired to be recovered by the UK, whereas is it not the pertinent topic for this essay. Economic welfare has been one of the main benefits of being part of the EU, proven by the fact that the EU is one of strongest economic areas in the world. Meanwhile, the issues of free movement of people and open borders are the relevant issues since they represent state elements of border and population. This is mainly legislated under articles 79 and 80 of the TFEU. Immigration and free movement of people have been the most sensitive topic leading the 'Leave campaign'. Accordingly, Theresa May indicated in the European Parliament that 'Brexit is the only way we can control immigration' and that 'nothing less than the return of full border controls will satisfy the British people' (Express, 2016). Nonetheless, it has been statistically proven that movement of workers is mutual and counterbalanced. It is calculated that around 1.3 million of British nationals are living in other EU countries (ILPA, 2016:5). Moreover, the OECD estimated that free movement has lowered the average unemployment rate across Europe by up to 6% (Open Society Foundations, 2013:12).

The EU immigration policy, based on solidarity and fair sharing of responsibility, is a key objective for the EU and its main objective is to:

'develop a common immigration policy aimed at ensuring, at all stages, the efficient management of migration flows, fair treatment of third-country nationals residing legally in Member States, and the prevention of, and enhanced measures to combat, illegal immigration and trafficking in human beings' [TFEU art 79 (1)].

It can be understood that EU immigration is monopolized by the EU, since the conditions governing the entry and the legal residence within EU MS is laid down by the EU. Nonetheless, MS retain their 'right to determine volumes of admission for people coming from third countries...' [TFEU art 79 (5)].

Other main pillar of the EU is the single market and the four freedoms. The free movement of workers [TEU art 3(2) and TFEU art. 4 2 (a), 20, 26 and 45-48], which has been one of the main issues debated under Brexit, is a pillar of the immigration policy. It represents the core element of the area of security, freedom and justice of the EU. This is because it ensures the free movement of workers but 'in conjunction with appropriate measures with respect to external border controls, asylum, immigration and the prevention and combating of crime' [TEU art 3(2)].

Within these policies, there is wide cooperate on criminal and civil justice matters. The free movement of workers represents large economic and social benefits for all EU countries, as it allows workers to migrate from MS where jobs are in short supply to others where jobs are sufficient. For example, farmers and employees are probably the most benefited by the protective socio-economic EU rules and thus, represent the social sectors where the EU institutions possess substantive legitimacy. According to Eurostat, more than 14 million of EU citizens were living in a MS other than their country in 2012 (European Parliament). The problem arises when high employment rates only affect certain countries and the allocation of labour cannot be balanced. European leaders have made clear that the free movement of workers is an indispensable and non-negotiable principle for the single market.

Furthermore, the Maastricht Treaty extended this right to all nationals of EU MS, regardless being engaged in an economic activity. The majority of those who have come to the UK in the past years are migrant workers (ILPA, 2016). Accordingly, all 'Citizens of the Union' have rights to move and reside freely in the EU subject to the limits laid down by EU law (TFEU art 20). Nonetheless, the UK made a reservation when signing the treaty, by which they retain their right 'to check the travel documents of everyone who crosses its frontiers' (ILPA, 2016). This proves how the UK was already reluctant to surrender control on immigration law issues and also, how the resource of making reservations allows treaties signatories to preserve certain level of sovereignty.

In conclusion, it has become apparent that countries such as the UK have determined that the benefits associated with being part of EU treaties do not compensate for the powers given to the EU. This apparent lack of benefit has given rise nationalistic feelings and desires of more independence and self-governance.

Recovering Borders And Population Control. Xenophobia, Nationalism And Euroscepticism Under The Brexit

The erosion of the UK sovereignty can be seen in the impact of EU regulations on the criteria for Statehood, in particular this chapter will examine the elements of population and borders. Those in favour of Brexit want to recover the control over the immigration laws in the UK, proved by the Eurosceptic, xenophobic and nationalistic feelings. The examination of the immigration issue

through the three henceforth topics will be the standard used for measuring the impact on sovereignty (border and population) that has prompted Brexit.

The first topic is the discontent seen in the political discourse (mostly by politicians and media) on European immigration law. The focus is mainly on the political rhetoric in relation to the free movement of workers. Secondly, the Brexit voting trend, which proves a rising nationalism and Euroscepticism, and popularity of right-wing populist parties, whose main agendas are concentrated in securitization of borders. Finally, the appearance of xenophobia proved by an increase in hate speech and xenophobic attacks.

The political rhetoric on immigration has played a substantial role in the Brexit 'Leave' campaign and its outcome, in particular the reluctance to the free movement of workers. According to the Migration Observatory at the University of Oxford, in 2015 around 73% of EU nationals migrated to the UK for work related reasons (Migration Observatory, 2016). However, some supporters of Brexit questioned whether the main driver for migration was employment.

Paradoxically, there is approximately the same EU immigration in the UK than non-EU immigration, which is controlled by the UK. According to national data from the Office for National Statistics, in 2015 '257,000 EU nationals came to the UK under EU law on free movement and 273,000 came to the UK from the rest of the world under UK domestic immigration rules'. Moreover, a large part of these EU nationals is from eastern European countries proved by the fact that in 2015 half of the EU nationals that came to the UK were from countries that joined in 2004 or later (ILPA, 2016).

The freedom of movement, which implies the right to work and receive welfare in another EU country, has been historically rejected by many UK citizens and politicians. Although EU migrants are net contributors to the public finances of their destination countries, the political discourse has argued that free movement complicates the functioning of public services because free movement encourages benefit tourism. This means that EU citizens move to benefit from other countries social welfare systems rather than work. However, the welfare system is not only used by workers. Freedom of movement includes the right to retire anywhere in the EU (TFEU art 20). This is why Spain holds the largest community of British migrants, a large part of them are retirees who benefit from the healthcare system.

Moreover, a great part of EU migrants come to the UK in searching for low skilled jobs 'and these are the workers who most often feature in the public's mind' (ILPA, 16). While UK employers have recognised that their businesses highly dependent on low skilled workers, a negative public image has been projected of them under a rhetoric that calls for 'British jobs for British workers' (ILPA, 16). Accordingly, Nigel Farage, leader of UKIP (United Kingdom Independence Party) and the leaving campaign, proposed a law 'that would allow British employers to discriminate against non-Brits in hiring' (Beauchamp, 2016).

According to Leconte, this right-wing political discourse and media narrative have clear 'antiestablishmentarian', (Corbett, 2016:15) populist and Eurosceptic elements, which is connected with the next standard that analyses the voting trend in favour of Brexit and the Eurosceptic ideology behind it.

While Brexit has prompted after almost a decade of economic recession of the EU, the UK has always been one of the most Eurosceptic countries of the union. Anthony Forster has identified mainly three periods of Brexit Euroscepticism. Current British Euroscepticism mainly relies on the reappearance of English nationalism and populism (Corbett, 2016:12-14). This can be seen on the protection of British conservative norms and values, the opposition to multiculturalism and social liberalism, and the emergence of powerful populist right-wing parties, as for instance UKIP.

Welling has found that this English nationalism is focussed on defending the 'British Sovereignty'; firstly, by repatriating the British parliament as the direct representative of UK nationals, emphasising the importance of protecting the wellbeing of the nation; and secondly, by highlighting the importance to protect the national over anything foreign that threatens the British rule of law. It can also be perceived in the use of the English national flag colours in the 'leaving' campaign or the motto that indicated 'to take back control'.

The abovementioned political discourse, aside from the rejection of the open borders, was also focussed on opposing the European bureaucracy and their austerity policies. Current European populism relies on the feeling of the EU ignoring public concerns, which is indeed not solely present in the UK, but extended in numerous European countries. For instance, charismatic right-wing populist politicians can be found in France (Marine Le Pen), Italy (Silvio Berlusconi) or Netherlands (Geert Wilders).

While populism originally emerges to defend people's rights and give priority to the interests of the majority against the elites (media and political elites in our case study), its degradation might result encouraging people to embrace 'the dangerous belief that they will never themselves need to assert rights against an overreaching government claiming to act in their name' (Roth, 2016). Populism can be found across the political spectrum, for instance in the case of Spain and Greece, there has been a rise of left wing populist parties such as Podemos and Syriza respectively.

This can be seen in the social sectors which voted in favour of Brexit; they were either wealthy conservative class or less educated working class. A study conducted by Ronald F. Inglehart and Pippa Norris, found that the support of populism is greater among 'the older generation, men, the less educated, the religious, and ethnic majorities, patterns' (Norris, 2016:3). Furthermore, the Brexit outcome evidences broad societal divisions between people on the lines of age, education, and skills, wealth, geographical location, and social values.

Moreover, the right-wing media, such as the Daily Express, has played a substantial role in the Brexit campaign and the voting result, by framing the public debate and placing the blame of domestic issues on the EU. A study conducted by the Reuters Institute for the Study of Journalism revealed that during the two first month of the campaign '45 percent of articles had been negative about the EU compared with 27 percent that were in favor of remaining' (Corbett, 2016: 20).

In connection to the next standard, which examines anti-immigration attitudes, mentioning the close relationship within populism and xenophobia is noteworthy. The political parties that have channelled the disappointment, have been proposing measures that ultimately spread indifference and wary of anything that is foreign. Populist politicians have strengthened xenophobia and sometimes even homophobia and islamophobia. Moreover, their anti-immigration discourse represents a considerable threat to human rights, regardless of the fact that it has one of the world's most extensive mechanisms to combat such violations.

The UK has experienced an escalation of hate speech and racism attributed to Brexit. While traces of racism are still found in many European countries, the expression of such views are rare because they are commonly acknowledged as unacceptable. As compared to the UK, where the Brexit apparently has given license for xenophobic speech and attacks. A 42 percent proliferation of documented hate crimes was reported in the weeks before and after the voting (Corbett, 2016). This is more likely to happen when politicians, such as Nigel Farage or Boris Johnson, have made the rejection of immigration part of their 'legitimate' political discourse. This context can be extrapolated to the US, where President Donald Trump has legitimized expressing racist thoughts and has made islamophobia acceptable. News reports also chronicled incidents in the US over the months of Trump's political campaign. Another factor that increased the xenophobia is the dissatisfaction with the enlargement of the EU and increased movement of people, especially from member states in central and eastern Europe. Finally, the political discourse ideology, the voting trend and the racist behaviours prove that the UK is experiencing a wave of nationalism, xenophobia and Euroscepticism that has, among other factors, enrich the social and political critical context that has prompted the Brexit.

Conclusion

Globalization has eroded the sovereignty of nation states and their ability to make autonomous decisions, resulting in the emergence of international law. In a world more interdependent than ever, European States' desires of regaining the 'absolute' sovereignty from the Westphalian era is complicated. When the European economy was buoyant, member states were willing to delegate powers to EU institutions in order to gain the treaties' privileges. However, during periods of

crisis and domestic pressures, national governments are likely to overlook European mutual interests and search for monopoly in their decision and law-making processes.

This has been clearly exemplified by the Brexit, which has demonstrated that States and its citizens, possess the ultimate sovereignty, even in relation to the EU. The EU was originally created to be a common market, but resulted in a '*sui generis*' supranational organization with its own legal system and parliament, as compared to the UN, which is based on respecting state sovereignty. EU law has a direct effect on member states domestic jurisdictions. However, ultimately States have the option to withdraw from the obligations of treaties, which they have freely ratified. This proves the fragile nature of international law as compared to domestic law.

The intrusion of the EU and its legal system upon the elements of Statehood of 'permanent population' and 'defined borders', under the Montevideo Convention, has resulted in political and social turmoil. The context of Euroscepticism, nationalism and xenophobia is noticeably demonstrated by the Brexit and its rejection of the free movement of people. The UK is wanting to recover the powers that has handed over by the EU common immigration policies. In light of these events, European institutions will have to respond to the discontent of European citizens by developing more inclusive strategies for civil society to enjoy their rights of participation in the EU. More democratic relationships and decentralization of power will be necessary to reduce European member states desires of leaving the EU not to face again with the dreadful consequences that Brexit will have.***

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