

Tracking 'Logics of Justification' in Parliamentary Debates

Codebook

Codes	Definitions	Examples
Arguments For the Referendum		
Rousseauian view (France)	The view that national sovereignty belongs to the people.	<i>National sovereignty belongs to the people, who thereby exercise it by means of the referendum!</i>
For Doctrinal (France)	The view that it is inconceivable, despite the silence of the 1958 Constitution on the issue, to ask representatives to ratify a treaty in parliament that was previously rejected by a referendum.	<i>The Constitution was drafted without explicit consideration of such an eventuality because the fundamental principle on which it is based assumes that the will of the people, once expressed by referendum, ought to be respected!</i>
Lockean view (UK)	The doctrine that Parliament cannot transfer the power of making laws to any other hands, for it being but a delegated power from the people (as expressed by Locke in his Second Treatise of Government).	<i>Locke made it clear, and it has been accepted by both Houses since he wrote it, that we in Parliament cannot transfer the power of making laws of this land to any other land without consulting the people by referendum</i>
For Institutional Other (UK and France)	Other Institutional Arguments in favour of the referendum.	<i>This referendum is necessary to allow for the ratification on the EU Treaty and the problems concerning Turkish accession to the EU to be clearly distinguished.</i>
For Practical (UK and France)	The view that referendums allow for EU issues to be fully debated by the public.	<i>People outside feel that they do not know what the issues are and I believe that a referendum where both sides could argue their case could do nothing but good for the future of our people.</i>
For Political (UK and France)	The view that holding referendums on EU issues raises citizens' awareness of EU issues in general and that they provide an opportunity for the government and the opposition	<i>I am happy with the single European act, which introduced the single market. However, no one then signed up to what we are now approaching. A referendum took place in the 1970s. Before the next stage in the process, the British people</i>

	to put across their cases.	<i>should be consulted.</i>
For Moral (UK and France)	The view that political representatives have the moral obligation to defer to popular decision-making when the issue at stake is of crucial importance	<i>I believe that that there is a strong moral case here. I fully concede that it is not a legal case, but there is an overwhelming, or at any rate strong, moral case for a referendum on Maastricht in all the circumstances.</i>
Arguments Against the Referendum		
Sieyessan view (France)	The view that national sovereignty belongs to the people, though they exercise it through their representatives.	<i>We are in a legitimate position to make any decision, in line with Article 3 of the 1958 Constitution: 'National Sovereignty belongs to the people, which shall exercise it through its representatives and by means of the referendum'</i>
Directorial view (France)	Refers to the power traditionally vested in the Head of State to choose whether or not to call a national referendum on issues of 'high politics'.	<i>The Head of State can legitimately decide whether to resort to the referendum or not in order to ratify the Lisbon Treaty.</i>
Burkean view (UK)	The view that referendums go against the tradition of Parliamentary democracy and that Parliamentarians are responsible to make decisions.	<i>The holding of a referendum will represent an abdication by Members of Parliament of the responsibilities they are elected to perform.</i>
Against Institutional Other (UK and France)	Other Institutional Arguments against the use of the referendum.	<i>What are the implications of holding a referendum? Will two kinds of law be developed, on the one hand laws that are ratified by the people and, on the other, laws that are made only by Parliament?</i>
Against Political (France and UK)	Refer to the danger of holding referendums because they might jeopardise party politics or the government in place.	<i>In 1972, the Norwegian referendum was held, but the result went against the labour government, who resigned.</i>
Against Practical (France and UK)	Point to the difficulty of organising or funding a referendum, mobilising the electorate and/or framing a 'Yes or No' question to be answered by the voters.	<i>Even on such an apparently simple issue as in or out of the Community, could the wording of the question sufficiently affect the answer.</i>
Against	Imply that results of a	<i>This referendum has nothing to do with</i>

Manipulation
(France and UK)

referendum could easily be manipulated by politicians, the media or by the people themselves.

asking the British people what they think about this issue but with getting the Prime Minister and his skin through the next general election.