

Coding Summary By Node

referendum project

20/09/2014 13:30

Aggregate	Classification	Coverage	Number Of Coding Reference	Reference Number	Coded By Initials	Modified On
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Node

Nodes\\Institutional Arguments

Document

Internals\\1974 Debate coded

Yes	0.1056	46
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1	AJC	25/10/2012 15:41
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I beg to move, that this house considers that the holding of national referenda to decide issues of importance runs contrary to the principle of British parliamentary democracy and will represent an abdication by members of parliament of the responsibilities they are elected to perform.

2	AJC	25/10/2012 15:49
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If these are introduced in our country they will have a profound and lasting effect on the relationship between members of parliament and the electorate and on the legislative sovereignty of this house.

3	AJC	25/10/2012 15:52
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if a referendum is carried on the question of membership of the european_economic_community, for example, it will not be binding on the government. People comfort themselves with the thought that it might be possible to have a referendum and then for parliament to have another look at the matter.

4	AJC	25/10/2012 15:54
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Practice has shown otherwise. In 1972 the labour government in Norway made it plain that, although the referendum they held on european_economic_community membership was officially consultative only, they would accept the result as binding.

5	AJC	25/10/2012 16:25
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The labour party manifesto two months ago said: a labour government pledges that within 12 months of this election we will give the British people the final say which will be binding on the government on whether we accept the terms and stay in or reject the terms and come out. Presumably, this is one of those solemn and binding pledges from which the labour government will not run away.

6	AJC	25/10/2012 16:28
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Those who like to think that a national referendum on an issue of importance could not be binding on the government of the day are therefore kidding themselves.

7	AJC	25/10/2012 16:33
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individual members of parliament, particularly those who were not part of the government of the day, would find themselves in very considerable difficulties as to how to proceed, particularly if the result were to be declared on a constituency_by_constituency basis and in individual cases went against what our constituents knew to be our own views.

8	AJC	25/10/2012 16:37
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The second fallacy that I wish to dismiss is that a national referendum, once practised, could be a once_and_for_all_event. The Prime minister expressed this as his wish again at question time last week, but it is a pious hope. One parliament cannot bind its successor, and once the principle of holding a national referendum had been introduced it would be abundantly plain that pressure groups, from within parliament and from without, would demand further referenda from successive governments.

Aggregate	Classification	Coverage	Number Of Coding Reference	Reference Number	Coded By Initials	Modified On
				9	AJC	25/10/2012 16:41
		It is because of these two facts first, that if a referendum were once established as constitutional practice, it would be bound to be followed by others,				
				10	AJC	25/10/2012 16:42
		referenda must be binding on the government of the day, that I am most concerned about the constitutional principle of introducing referenda as a new device in our decision_making process.				
				11	AJC	25/10/2012 16:41
		referenda must be binding on the government of the day, that I am most concerned about the constitutional principle of introducing referenda as a new device in our decision_making process.				
				12	AJC	25/10/2012 17:59
		Let us develop his point further. Since he is apparently keen on referenda and, on the example of referenda as used by Germany in the 1930s, he should bear in mind that referenda are now illegal under the constitution of the german federal republic because they were so destructive of parliament_s role in the Weimar republic.				
				13	AJC	25/10/2012 18:13
		The Prime minister has said we may hear more details from the minister today that the result will be binding on the government. In				
				14	AJC	26/10/2012 12:09
		Surely in this context honourable members who believe in the sole responsibility of the executive being to parliament and of parliament to the country those words are quoted almost exactly from a speech made by the right honourable_member for Down. South Mister Powell on 18th April 1972, in a debate on the European_Communities_Bill should have the courage to band together to promote the belief that referenda should not become dart of our political way of life.				
				15	AJC	26/10/2012 12:22
		The Prime minister on 28th May 1970 said in a television interview: It was necessary to take the referendum in Gibraltar. As far as the common market is concerned that's a very different thing. We have a Parliament in the sense that Gibraltar hasn't. We have Members of parliament who are elected and I think it is right that it is the Parliament which should take that decision with a sense of full responsibility, with a sense that reflects national views and national interests.				
				16	AJC	01/11/2012 09:49
		In this I have the support of the Chancellor_of_the Duchy_of_Lancaster, who said in the_House, on 18th April 1972: those who reject, as I do, the principle of the referendum and believe that it is hostile to the purposes of our parliamentary democracy, and not to be reconciled with the long-practised concepts of parliamentary sovereignty...must welcome a General_Election which gives the people of this country the opportunity to remove this government				
				17	AJC	01/11/2012 09:51
		Finally, we must consider the outcome if the Labour_Party insist on holding national referenda in a situation such as ours where there is no written constitution to limit their usage. I have no doubt that this will lead to the undermining of the legislative sovereignty of parliament and of the authority of parliament. This authority is already put at risk by the growing power of bodies not elected by universal suffrage throughout the country.				
				18	AJC	01/11/2012 10:00
		If we accept referenda as a method of decision making this trend will be increased. The legislative authority of this Parliament, elected by all the people of Britain, will increasingly become a shadow, not the substance.				
				19	AJC	01/11/2012 10:13
		I regard a referendum as being difficult to reconcile, even on a matter of this unique character...with responsible parliamentary Government as we have it in this country.				
				20	AJC	01/11/2012 13:56
		The third objection is that the referendum will bind successor Governments or even successor Parliaments. If there had been a referendum in 1972, and the full-hearted consent of the British people had been obtained, would the right hon. Member for Down, South (Mr. Powell) and others have felt obliged to accept that for all time? Would it have meant that the House could not deny the decision arrived at in the referendum or could not change it at a later stage? How binding are the results of referenda to be? What will be the machinery by which we change the decisions of referenda?				

Aggregate	Classification	Coverage	Number Of Coding Reference	Reference Number	Coded By Initials	Modified On
				21	AJC	01/11/2012 14:21
		<p>I agree with those hon. Members who said in the European Communities Bill debate that they were also their objections. The right hon. Member for Down, South said: I regard a referendum as being difficult to reconcile, even on a matter of this unique character there is a respect in which all questions can be regarded by somebody as unique with responsible parliamentary government as we have it in this country OFFICIAL_REPORT_18th_April: 1972; Vol. 835, c. 346.</p>				
				22	AJC	01/11/2012 14:25
		<p>It will destroy the constitution and be the thin end of the wedge about which my right hon. Friends have rightly talked. There will be demands for referenda on every conceivable subject.</p>				
				23	AJC	01/11/2012 14:30
		<p>A referendum is a much less flexible way of conducting parliamentary democracy. This Parliament is a unique instrument, one that cannot be tampered with. I love this Parliament, just as the right hon. Gentlemen both do. They have been very eloquent in its defence, and have done more than any other right hon. or hon. Members that I have heard in the House to preserve the rights of Parliament and the whole way in which it functions. For them now to support a referendum would be to betray the faith they have placed in this institution and the great opportunities it has given them both to achieve, in so far as they may, the objectives they have individually</p>				
				24	AJC	01/11/2012 14:46
		<p>I strongly warn the Government that the major constitutional matter which will come before the House is not Section 2 of the European Communities Act or whether we remain in the Common Market, but whether we switch from a system of parliamentary democracy to a system of Government by referendum.</p>				
				25	AJC	01/11/2012 14:49
		<p>Holding a referendum would be a clear departure from previous constitutional practices, and I think that we should regret it. In this country we have progressively developed a system of representative democracy, with Parliament at the centre deliberating and deciding on behalf of all the people. It was put very well in an article in the Observer on 15th September by the hon. Member for Berwick and East Lothian Mr. Mackintosh I am sorry that he, in particular, is not able to be here today when he said: It is to strike this balance between expertise and public acceptability that parliamentary democracy was developed, and it is this balance that will be undermined by the</p>				
				26	AJC	01/11/2012 14:52
		<p>As the motion says, we have been elected to undertake various responsibilities, heavy responsibilities as we all feel them to be. One of them is to consider issues in depth, from the widest national interest naturally including the EEC issue that is in all our minds today, although the motion is in general terms. Our job, therefore, is to discover and weigh as thoroughly as we can the feelings of the public, particularly of our constituents, before coming to decisions. I think that hon. Members today are as anxious and as conscientious in this respect as any have ever been.</p>				
				27	AJC	01/11/2012 14:53
		<p>At a time when Parliament's reputation is not as high as we would wish, there is all the greater need for us to think very carefully before deliberately taking a step, such as having a referendum, that will further diminish the standing of Parliament.</p>				
				28	AJC	01/11/2012 15:02
		<p>I should like to quote the letter written by the Home Secretary when he resigned from the Shadow Cabinet in April 1972. He said: This raises the wider issue of whether a referendum on this or any other subject is intended to encourage the public to express its view purely on the merits of a question without the attempts to mobilise party loyalties. I doubt if this would ever work in practice, although if it did the result would be a very substantial undermining of the existing system of parliamentary responsibility. Governments would find it still more difficult to carry out coherent and consistent policies.</p>				
				29	AJC	01/11/2012 15:04
		<p>I could not consent to the introduction into our national life of a device so alien to all our traditions as the referendum, which has been only too often the instrument of Nazism and Fascism. Hitler's practices in the field of referenda and plebiscites can hardly have endeared its acceptance to the British heart.</p>				
				30	AJC	01/11/2012 15:06
		<p>We recall the views expressed on several occasions in 1972 by Mr. George Thomson, formerly a right hon. Member of this House. He was one of those in the debate in April 1972 who said that if we had a referendum on one issue, other issues would be bound to be suggested for referenda in due course. If that was true in 1972, it is surely even more true today. The Prime Minister last week said that this was a special and unique case, but we all know how, particularly under this Government, the category of special cases tends to be elastic. What about devolution, nationalisation, the death penalty, and other matters which come to the minds of hon. Members?</p>				
				31	AJC	01/11/2012 15:09
		<p>But other constituents feel just as strongly that they have elected us to do a job in Parliament and that we should get on with it. So there is a certain confusion of feeling here, whichever view we take.</p>				

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				32	AJC	01/11/2012 15:12
		<p>I wonder whether the public, or all of us here, have thoroughly thought through these problems. Many of the public, if they were pressed on the point, would share our concern about the way in which Parliament's influence has recently been eroded; for example, by the media, where many discussions are taking place which should take place in this House; for example, by various groups in industry, not just the trade unions; for example, by the National Executive Committee of the Labour Party; and, for example, above all, by the Government the present Government in this situation and perhaps other Governments in future situations. The scope for more freedom of action by the Government outside the control of this House would be much widened if referenda became a regular habit of our</p>				
				33	AJC	01/11/2012 15:25
		<p>They should remember too the words of the present Chancellor of the Duchy of Lancaster in a letter to The Times on 27th March 1972: Sir, If we are to have a referendum, surely its first use must be to determine whether the British people wish to introduce so important a departure from our constitutional practice. What are the Government advancing as the constitutional justifications for the referendum that they may wish to hold in 1975? If they are not intending to hold a referendum, would they contemplate a General Election, which many people would think preferable, as the Labour Party itself urged in 1972?</p>				
				34	AJC	01/11/2012 16:08
		<p>The Opposition believe that the need today is to re-establish, not undermine, the standing of Parliament, and that we in this place should shoulder, not shed, the responsibilities entrusted to us by the people.</p>				
				35	AJC	01/11/2012 16:28
		<p>My right hon. Friend said: It is not a way in which we can do business. The Prime Minister went on to say: Hon. Members on either side of the House do not usually feel that referenda are a way in which to conduct our public affairs." [OFFICIAL REPORT, 25th November 1969; Vol. 792, c. 200] The Prime Minister continued to express the view that the House of Commons—I emphasise the House of Commons would decide on the merits of the terms negotiated for our entry into the European economic community. That was in 1969, and I must say that my right hon. Friend was consistent right until July 1971, which was going some. At that time, on 8th July, he was then the Leader of the Opposition, and when the then Prime Minister, the present Leader of the Opposition—a temporary incumbent no doubt was being asked a question on referenda my right hon. Friend the Member for Huyton Mr. Wilson said: The Prime Minister said that I oppose a referendum, and I agree I have always done so, as he has. The idea of an advisory referendum was not then put forward, but I still agree with the right hon. Gentleman. He— that is, the then Prime Minister said, rightly, that the decision must be taken by Members of Parliament, each of them taking responsibility for his decision in the matter. OFFICIAL REPORT 8th July 1971: Vol. 820 c. 1515 That is one of the reasons not the</p>				
				36	AJC	01/11/2012 16:32
		<p>The Prime Minister said that the result would be binding on the Government. It may be binding on his Government, but he knows very well that it cannot be binding on any other Government. The Prime Minister went on to say that there would be no referenda on any other issues, but the same comment applies. My right hon. Friend will not always be Prime Minister not everybody will be displeased with that prospect. Another Prime Minister may say. "The precedent has been established. We shall have a referendum on this issue of great constitutional importance."</p>				
				37	AJC	01/11/2012 16:32
		<p>The Prime Minister said that the result would be binding on the Government. It may be binding on his Government, but he knows very well that it cannot be binding on any other Government. The Prime Minister went on to say that there would be no referenda on any other issues, but the same comment applies. My right hon. Friend will not always be Prime Minister not everybody will be displeased with that prospect. Another Prime Minister may say. "The precedent has been established. We shall have a referendum on this issue of great constitutional importance."</p>				
				38	AJC	01/11/2012 16:33
		<p>The Scottish and Welsh situations are in the same category. Once the precedent of a referendum on a constitutional matter is decided, Wales and Scotland could ask for a referendum and why not Durham, too? I happen to be a native of Durham and the representative of a Scottish constituency. I believe that our culture in Durham is different from that in Cornwall. Cornishmen say that they have a different culture from everybody else in the rest of Britain. Why should they not have a referendum on the question whether there should be a separate Cornish Parliament?</p>				
				39	AJC	01/11/2012 16:48
		<p>what will be the question put to the British people? Who will decide that? We have never had a clear decision on how this will be done. This is very important in relation to the sovereignty of Parliament. One of the key issues on which the right hon. Member for Down, South (Mr. Powell) and my right hon. Friend the Member for Battersea, North (Mr. Jay) opposed entry into the Common Market was the question of Parliament's sovereignty.</p>				
				40	AJC	01/11/2012 16:50
		<p>If we go for the referendum what we are saying is that Parliament is not to be trusted to take the right decision, but that for some unknown and unexplained reason the British people indubitably will come to the right decision. What a proposition to make, and what a reflection on the people who elected us here in the first place.</p>				

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41 AJC 01/11/2012 17:00

Suppose, despite the agreement of the three parties, the people voted against, my right hon. Friend the Prime Minister would say "I recommend that we should continue our membership, but the British people have decided otherwise. They are right and I am wrong, and so I accept that we shall get out." Who would pretend that that did not seriously erode the sovereignty of Parliament the very issue on which the anti_Marketeers fought against our entry in the first place?

42 AJC 01/11/2012 17:03

Despite the shortcomings of our parliamentary democracy, I see nothing better in the world today, and I do not want to do anything to weaken it.

43 AJC 01/11/2012 17:11

However, I am concerned at the obsession of so many people, who are in essence, vehemently opposed to our membership of the Common Market, with the question of a referendum. I wish that they would pay much closer attention to the constitutional changes which would be involved if we were to endorse such a change in our system.

44 AJC 01/11/2012 17:18

We go on to the question of what happens to hon. Members. Like my hon. Friend the Member for Cirencester and Tewkesbury (Mr. Ridley), I cannot commit myself at this stage, but I cannot see myself voting against my own conscience. The historical recollections of the hon. Member for Nottingham, West were a little strange when he gave his statistical explanations of Burke's method of voting. He leaves out something that is fundamental to hon. Members on both sides of the House, their ability to understand the meaning of their conscience.

What are the implications of holding a referendum? On what other subjects are we to have referenda? My constituents, as opposed to those of the hon. Member for Coventry, North_West, were concerned about euthenasia, abortion and hanging. Are the people of my constituency to be allowed the same subjective rights as other constituents?

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? Will an accused person say to the judge that is not a law I can follow, because the people have not confirmed it in a referendum? Shall we be creating two systems of law? Surely enough concern about obedience to the law is being expressed now without our creating another dichotomy.

I refer to Dicey's theories with some hesitation, surrounded as I am by hon. Members with far more experience than I have, but Dicey said that a key protection was that a Parliament can always overthrow the decision of a previous Parliament. That cannot be said if we introduce this change. After a referendum one cannot tell the people "This is a little different". We shall be creating an entirely different

45 AJC 01/11/2012 17:20

That is one of the awesome realities of Western society. We should lack a sense of responsibility as democrats if we ignored that reality and did not take the course that should be taken by defenders of the constitution and our parliamentary sovereignty, the course of ensuring that we do not seek the referenda route.

46 AJC 01/11/2012 17:33

On the other hand, the Member for Oxford Mr. Luard supported by an interjection from the hon. Member for Bolsover Mr. Skinner made it clear that he would like to see referenda held regularly on a wide variety of issues. That emphasises the danger referred to by my hon. Friend the Member for Mid_Sussex Mr. Renton in his speech, namely, that once the principle of a referendum is conceded on this issue it will be impossible not to extend the principle to other issues, and the effect of that could only be to undermine the independence of this institution and of Members of Parliament.

Internals\\1980 Debate Coded

Yes 0.0570 1

1 AJC 03/11/2012 16:37

While conceding that there are a few hon. Members—I think especially of the hon. Member for Beckenham (Mr. Goodhart)—who regard referendums as good things, I do not think that this is felt to be the case either in the House or in the country. Both in the House and in the country there is an acceptance of the value of representative government, whereby people study issues carefully and decide upon them, knowing that in due course they will be accountable at the polls. As a passionate advocate of proportional representation, I argue that the basis of this representative government is distorted, but this has nothing to do with the acceptance of the value of representative government per se.

Aggregate	Classification	Coverage	Number Of Coding Reference	Reference Number	Coded By Initials	Modified On
Internals\\1992 Debate Coded						
Yes		0.0381	20			
				1	AJC	03/11/2012 17:24
				If one starts holding referendums, where does one stop? The more referendums we have, the greater the demand for them will be. People will want them held on more and more subjects. Why not have a referendum on the bomb, on hanging and on numerous other issues, and not merely on constitutional issues?		
				2	AJC	03/11/2012 17:25
				Referendums are not part of the evolution of our parliamentary democracy. It is no part of our tradition and system of government that, on every issue on which there is contention in the House, we give the people an opportunity, through a referendum, to express their		
				3	AJC	03/11/2012 17:25
				We are charged by our electorate with the responsibility to try to divine the common good. The electorate has opportunities—as it will have within a matter of months—to pass judgment on whether we are right or wrong.		
				4	AJC	03/11/2012 17:36
				Moreover, my hon. Friend would be on stronger ground if he said that there was a case for holding a referendum before the introduction of the legislation that gave effect to the Single European Act rather than on this issue. Other right hon. Members, including right hon. Ladies, who have been present in this debate to support the Bill did not at that time propose a referendum on the Single European Act. It ill behoves them to support today's Bill.		
				5	AJC	03/11/2012 17:39
				I believe that the more we have referendums, the more it brings into question the sovereignty of this House. It undermines the repute, standing and influence of this House if we consistently put to the public issues about which we are elected to decide. What question will be asked?		
				6	AJC	04/11/2012 15:37
				must voice doubts about whether referendums are a suitable part of British political life. I have always been reluctant to accede to the arguments for referendums because they undermine the principle of democracy that we have adopted at Westminster, of which we are justifiably proud.		
				7	AJC	04/11/2012 15:41
				Our Westminster system of democracy allows issues that are often complex affairs such as this to be debated in the Chamber and various aspects to be pulled together. It is then for the Government of the day to carry through the decision, whatever that decision may be. The supremacy of Westminster is an important facet of the way that we run our affairs. It is an important reason for the stability of this country where we are not subjected to wild upheavals. Issues that can be reduced to a simple question are not the way to conduct our affairs. I prefer to have the complex debates that we can have, even though there are such things as Whips, although they are not supposed to be mentioned in polite company. There		
				8	AJC	04/11/2012 15:58
				I have read all the yellow pages, just as my hon. Friend has. He knows that the House will have that right. It is a very important point. What the Government have done is, in effect, to enshrine what I am saying: that Westminster should make the decision. That is the basis of my argument for being reluctant to agree to a referendum as a way of conducting our affairs.		
				9	AJC	04/11/2012 16:23
				The real question is whether there should be one omnibus question in one referendum or whether it should be the role of Members of Parliament to weigh up all the issues involved, to judge their effect and then to be judged, as all hon. Members are, at a subsequent election. Those who demand a referendum—and those who associate themselves with that demand through their hostility to the European Community as a whole, which is not necessarily the view of the hon. Member for Aldridge-Brownhills—on the one hand attack Europe because it has taken power, or will seek to take power, away from the Westminster Parliament while, on the other, they happily argue for Westminster to be robbed of its crucial function of weighing up the issues on behalf of the people. That is one of our weightiest roles. Sometimes we are blinded by the visibility of the accountability of the House, believing that it is the only form of accountability that matters. Because we are part of it, and because television now takes our image into households, we may think that this is all that accountability means. We must look deep down to where the decisions are being taken and where accountability properly lies.		
				10	AJC	04/11/2012 16:29
				They place their trust in their elected representatives, whose job it is to ensure that the small print is not detrimental to the interests of constituents. That is the basis of parliamentary democracy.		

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				11	AJC	04/11/2012 16:43
				<p>My concern is much wider. Looking back on history, I shall refrain from examining the referendum on devolution in Scotland. Confident though I am that the result would reinforce my views, every time we have such a referendum it is, in a sense, an abdication of responsibility by the House and the Government of the day.</p>		
				12	AJC	04/11/2012 16:58
				<p>Careful analysis of the previous referendum shows that despite the renegeing on the responsibilities of this House, and despite the suspending of the Government for three or four weeks, the way that people voted in the end appeared to reflect not just the party splits, but the yes-no split within those parties. The referendum proposal is not only unhelpful, but it flies in the face of our responsibilities as Members of Parliament.</p>		
				13	AJC	04/11/2012 17:00
				<p>The Bill, which was introduced in such a distinguished way by my hon. Friend the Member for Aldridge-Brownhills, is mistaken, not only because it invites the House to abdicate its responsibilities, but because the sort of question that would be put—as was evident in the previous referendum—in all likelihood would reflect the differing views within the House.</p>		
				14	AJC	04/11/2012 17:35
				<p>It is ironic and sad that the Bill undermines the sovereignty of this place and, presumably to a lesser extent, of the upper House, which has a residual role in such matters. Although the Bill has only one sponsor, the Bill's supporters will weaken the residual strength of this institution which has already been weakened by our practices, by the complex nature of the political economy in Britain and the need to work more closely with other countries.</p>		
				15	AJC	04/11/2012 17:37
				<p>The treaty about which we are concerned is more profound than others. It provides for legislation in all the national Parliaments, but it is no more terrifying for that. It flows from the original Stuttgart declaration and the Single European Act when there was no question of a referendum. The supporters of today's Bill did not call for a referendum then.</p>		
				16	AJC	04/11/2012 17:41
				<p>Countries with written constitutions provide for referendums on major constitutional matters. As my right hon. Friend the Minister of State said, the Bill to be introduced after the general election by whichever party wins—we hope that it will be the Conservatives—will be our legitimate parliamentary equivalent of a referendum. All our citizens will be able to lobby us as hon. Members. There is a close, sacred and precious connection between hon. Members and their constituents, irrespective of party adhesion.</p>		
				17	AJC	04/11/2012 17:43
				<p>There was no question of a referendum about the major existential decision facing any nation—to go to war or not. There was never a referendum on the NATO treaty—admittedly, that was only on defence and security, but in existential terms as well it was much more far reaching than matters to do with commerce, trade and working together in political economies.</p>		
				18	AJC	04/11/2012 17:45
				<p>Edmund Burke has been referred to, but it is clear that the role of Members of Parliament in the House is to listen and to debate the arguments, to understand the issues and to come to a decision which, in their view, is the right decision for the benefit of the country and of their constituents.</p>		
				19	AJC	04/11/2012 17:58
				<p>In recent years we have had several referendums, each of which may have been justifiable on its merits, but each referendum eats away at the credibility of our parliamentary institutions. That to my mind is a more insidious and profound threat to those parliamentary institutions than the loss of sovereignty to Brussels which, to a large extent, merely reflects the diminished ability of our nation or any other nation to go it alone in the world today. Government by referendum is government by Gallup poll.</p>		
				20	AJC	04/11/2012 18:02
				<p>The individual voter in a referendum does not have to find a policy to replace the one that he has rejected. That is our job, our responsibility. We have to live with the consequences of the policy decisions that we vote for and we have to defend them if they turn out to be disastrous. Those who vote for a policy in a referendum can wash their hands of the consequences. There is no way in which they can be held to account. They do not have to say what alternative policies they want. There is no way in which they could, even if they wanted to. If we vote for the Bill, we shall do infinitely more damage to parliamentary democracy than even the most authoritarian president of the European Commission could ever do.</p>		

Aggregate	Classification	Coverage	Number Of Coding Reference	Reference Number	Coded By Initials	Modified On
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Internals\\2003 Debate Coded

Yes		0.2121	6			
				1	AJC	05/11/2012 03:21

Secondly, it should be advanced only when a substantial change in how we are to be governed is being proposed. I would point out to the hon. Member for Stratford-on-Avon that the ink is not yet dry on the draft constitution document. I should like to quote someone that he might have heard of, who said a few weeks ago in the House of Lords: I am concerned also that my own party...has so misled itself that it is ready at this stage to commit itself to a referendum on anything that may emerge from the constitutional Convention, not before the ink is dry but before half the wet ink has been put on it. We do not yet know what is going to emerge. It may prove to be an issue so dramatically different from those we have subscribed to in the past as to deserve that response. But I hope very much that my own party will consider carefully the wisdom of committing ourselves in advance to a referendum on this issue".— [Official Report, House of Lords, 9 September 2003: Vol. 652. c. 179.] That was no wild lunatic: it was the former Conservative Foreign Secretary, Lord

2 AJC 05/11/2012 03:21

If the ink is not yet dry on the document, how can the Conservatives already call for a referendum? They do not know whether the constitution will involve a substantial change. I believe that, so far, the document does not propose a substantial change in the way in which Britain is to be governed—certainly not as substantial as the changes in the Single European Act in 1987, or in the Maastricht

3 AJC 05/11/2012 03:24

The hon. Member for Stratford-on-Avon tried to tell us that we were going to have a president, and that we would therefore be entering a superstate. Perhaps he studied a little bit of French at school. The word "president" in French just means "chairman". It is very simple: there is not going to be a president of Europe. The hon. Gentleman is misleading the House.

4 AJC 05/11/2012 03:25

Let us deal briefly with the pro-referendum arguments. The argument that has already been advanced by so many Conservatives is, "It's good enough for all the other countries of Europe, so why can't we have one here?" For a start, that is factually wrong. I shall correct the hon. Member for Stratford-on-Avon. Only three countries have so far committed themselves to holding a referendum. Five have said that they are thinking about it, two have said that they will definitely not hold one, and 15 have said that it is extremely unlikely that they will do so. The hon. Gentleman's argument does not hold water in terms of the facts, but it does not do so in terms of logic either.

5 AJC 05/11/2012 03:25

The logic of the hon. Gentleman's argument is that, since everyone else is doing it, we should do it too, but that would take us down the route of having qualified majority voting for treaty ratification processes. Why is he not arguing for a single European referendum? That is where his logic is taking him. I believe that it is much better for each country to follow its own tradition. Ireland's tradition means that it will have a referendum because it has to. Germany, following the tradition that we enforced on it in 1948 that it should not have plebiscites, will not hold a referendum because it is constitutionally impossible to do so.

6 AJC 05/11/2012 03:26

It is particularly interesting that the Tory leadership and Front Benchers are arguing for a referendum. They did not do so for Maastricht. On 21 April 1993, 85 Conservative Members who are still Members of this House voted against a referendum; only 13 voted in favour. The right hon. and learned Member for Folkestone and Hythe (Mr. Howard) argued forcefully against a referendum, and he was practically manhandling people through the Lobby.

Internals\\2004 Debate Coded

Yes		0.0218	7			
				1	AJC	15/08/2014 19:34

Would the hon. Gentleman remind us of how he voted on the question whether there should be a referendum on the Single European Act? I know that he was not in the House during the Maastricht debate, but presumably he thinks that the Conservative Government were wrong to deny a referendum on Maastricht, too.

2 AJC 15/08/2014 19:48

I recall the debate in this Chamber on the ratification of the treaty of Nice. It happened to be the debate in which I made my maiden speech, as history will recall. A series of Conservative Members said there should be a referendum on Nice. Now, the hon. Gentleman is saying that it was not that significant, but that was not the message from his Back Benchers at the time.

Aggregate	Classification	Coverage	Number Of Coding Reference	Reference Number	Coded By Initials	Modified On
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3 AJC 15/08/2014 20:26

I am listening carefully to my hon. Friend's argument, but in view of the limited time, he needs to cut to the chase. I really want to hear his view on the fact that the Bill makes no reference to ensuring that Parliament can debate the substance of any constitutional treaty before it is put to the country. The Opposition want any debate to be based on the myths that they propagate, rather than on proper parliamentary scrutiny. Will my hon. Friend say where the Bill provides for full parliamentary scrutiny to enable the public to hold a proper discussion on the issues?

4 AJC 15/08/2014 20:25

I am listening carefully to my hon. Friend's argument, but in view of the limited time, he needs to cut to the chase. I really want to hear his view on the fact that the Bill makes no reference to ensuring that Parliament can debate the substance of any constitutional treaty before it is put to the country. The Opposition want any debate to be based on the myths that they propagate, rather than on proper parliamentary scrutiny. Will my hon. Friend say where the Bill provides for full parliamentary scrutiny to enable the public to hold a proper discussion on the issues?

5 AJC 15/08/2014 20:27

My hon. Friend is entirely right. That that is not the process is not an accident, an oversight, a mistake or a flaw in the Bill; it is deliberate. A six-month timetable is set out, although we are not sure when it starts, and that is the process. It does not include the people's representatives debating the matter here, on the Floor of the House where everyone has a chance to have their say, it then going to the other place, and the debate then being taken out into the country. Parliament is deliberately set aside.

6 AJC 15/08/2014 20:27

My point is that it is possible to be staunchly in favour of a referendum—I am and so are all my hon. Friends: we want the people to be part of the process of scrutinising the treaty—but to believe that the Bill is utterly flawed and a complete dog's breakfast. The speech of the hon. Member for Stratford-on-Avon was entirely about the substance of the constitutional treaty. I suspect that he is aware—whether consciously or subconsciously—that the vehicle that he proposes to bring about a referendum is deeply flawed, which is why he has not marshalled the necessary number of troops to get it past a Division.

7 AJC 15/08/2014 20:28

My hon. Friend is correctly suggesting that the Conservatives are not intent on providing for a proper discussion, followed by a proper referendum. This country's only referendum in relation to Europe was provided by the Labour Government in 1975. The Labour party is now offering people the opportunity to take a view on a constitutional treaty. It was the Conservative party that, in the Single European Act and the Maastricht treaty, denied the people that opportunity. Labour trusts the people; the Conservatives never have, even though they have had the opportunity to do so.

Internals\2010 Debate Coded

Yes 0.0279 19

1 AJC 16/08/2014 18:35

That is simply because we are not giving away those powers. The European External Action Service was agreed, established and given its role by the Lisbon treaty. My right hon. Friend may regret that, and I may regret that, but it was given by the Lisbon treaty. On the City, the European Union has long had the power to legislate in this area, which has equally long been subject to qualified majority voting and co-decision with the European Parliament.

2 AJC 16/08/2014 18:35

On economic governance, it is clear—for instance, in the Van Rompuy report on economic governance—that the proposed sanctions do not apply to the United Kingdom and that the proposed changes will not affect the United Kingdom. I reject my right hon. Friend's basic

3 AJC 16/08/2014 18:37

But is not the argument between my right hon. Friends precisely the problem? Surely Parliament must be sovereign because the people must be sovereign. What will happen in future if there is some row about whether a referendum should take place or not once the Bill becomes law? Will not our affairs then become justiciable? Is that not an attack on the sovereignty of Parliament, which we must believe

4 AJC 16/08/2014 18:42

The right hon. Gentleman knows well that I have long opposed referendums on almost everything. I am not a fan of referendums; I believe in parliamentary democracy, but that is a different debate from today's.

Aggregate	Classification	Coverage	Number Of Coding Reference	Reference Number	Coded By Initials	Modified On
			5		AJC	16/08/2014 18:41
			<p>We do not propose to hold a referendum over the giving up of the veto over more minor or technical measures such as any future agreement to change the numbers of Advocates-General in the Court of Justice of the European Union. In my view, giving up such a veto would be a mistake and should require primary legislation in the House, but I do not think that the British public would understand it if such a narrow and relatively minor measure were to require a national referendum.</p>			
			6		AJC	16/08/2014 18:46
			<p>We have also provided further clarity on the scope of the referendum lock by setting out certain categories of treaty change that would not require a referendum: first, the accession of a new country to the EU-the hon. Member for Birmingham, Edgbaston looks surprised-would not require a referendum, although each accession treaty would still require approval by an Act of Parliament; secondly, a treaty change that, while it would have to be agreed and ratified by all member states, would not apply to this country; and, thirdly, a treaty change that merely sought to codify EU practice in relation to the previous exercise of an existing competence.</p>			
			7		AJC	16/08/2014 18:48
			<p>That is a different argument about referendums on accession treaties. Such treaties do not extend the powers and competences of the European Union, and so are not within the terms of the Bill. If the hon. Lady wants to advocate a referendum on the accession of Turkey, there will, sadly, be time for her to do so because the process will take a while. However, that is a separate argument from the extension of powers and competences.</p>			
			8		AJC	16/08/2014 18:53
			<p>Instead of having a serious debate about the future of Europe, the Foreign Secretary is pandering to the Eurosceptics, and it is the worst pandering of all, because it will not even work. All that it is doing is winding them up. This Bill is a complete dog's dinner and he knows it, yet the Eurosceptics are salivating nevertheless. The Bill tries to constrain parliamentary sovereignty on the one hand and protect parliamentary sovereignty on the other, using a referendum lock that does one thing and a sovereignty clause that does the opposite-a referendum lock that tries to bind future Parliaments and a sovereignty clause that makes it clear that the Government can do no such thing. It is all in the same Bill, which faces both ways at the same time.</p>			
			9		AJC	16/08/2014 18:59
			<p>We will never get the issue that is big enough for a Minister to come here saying, "We are going to have a referendum on this." Ministers will find some excuse not to do so</p>			
			10		AJC	16/08/2014 19:01
			<p>I am not a fan of referendums, because I believe in representative democracy. I believe that we are elected to come here and that the sovereignty of Parliament is the important principle on which we should act.</p>			
			11		AJC	16/08/2014 19:06
			<p>Where we find it impossible to make those decisions, it is increasingly argued that it should be done by referendum, when we abdicate the power in the House to the people as a whole.</p>			
			12		AJC	16/08/2014 19:09
			<p>The Bill is an opportunity missed to stop the acquiescence in the failed European integration at every turn, as I put it to the Prime Minister a few days ago. It is also a missed opportunity to reaffirm our parliamentary sovereignty with a proper sovereignty clause. The Bill is a missed opportunity and I shall not vote for it.</p>			
			13		AJC	16/08/2014 19:10
			<p>We must be careful if we get into a situation where we start to move away from parliamentary sovereignty and democracy towards a referendum-based society. If we are not careful we could end up like Italy, and the way in which Italian politics have developed over recent decades is not a model that we should follow.</p>			
			14		AJC	16/08/2014 19:13
			<p>The key adjective-and I am nervous of legislation that is built around an adjective rather than a substantive-appears in clause 5, under which a Minister has to come to the House and say, "I think there should be a referendum because in my judgment there is a 'significant' transfer of powers." But "significant" is not defined; it will be in the eye of the beholder.</p>			
			15		AJC	16/08/2014 19:16
			<p>I hope that the Bill is opposed, because it weakens Parliament and Europe. It sends a message that, under this Government, the commitment, concern and leadership that Europe is so desperately lacking will not come from the present crop of Ministers. That is a shame. Europe needs leadership because it is going through a crisis, and the absence of that leadership from this Government is to be</p>			

Aggregate	Classification	Coverage	Number Of Coding Reference	Reference Number	Coded By Initials	Modified On
				16	AJC	16/08/2014 19:19
						I cannot be over-critical because my own party's position was, at best, ambiguous. We said, "Yes, we shall have a referendum", and then we said, "Well, this isn't really a treaty-it's something else." Perhaps it was a German sausage or something; I am not quite sure what it was supposed to be. Anyway, we said, "It's not a treaty worth having a referendum on; it's something else, and therefore we won't give you a referendum."
				17	AJC	16/08/2014 19:24
						of the 1975 referendum on membership, Margaret Thatcher said that referendums "sacrifice parliamentary sovereignty to political expediency".
				18	AJC	16/08/2014 19:40
						Instead of simply stating general principles on offering referendums, the coalition has gone through the treaties line by line and set out a mish-mash of issues on which a referendum will be called, and gives a shorter list of issues on which one will not be called. That approach is not only unnecessarily complicated, but it gives the impression that the Government cannot be trusted to exercise their judgment on whether there should be a referendum on individual decisions and treaty changes. Under the Bill, the extension of the ordinary procedure on environment policy will require a referendum, but as other hon. Members have said, the accession of Turkey to the EU will not. Which will have the greater impact on the UK? Angela Merkel's proposals on the eurozone would not be subject to a referendum because the provisions do not apply to the UK. That assumes that because the UK is outside the eurozone, events within it do not affect the UK. We may not be signatories to the stability and growth pact, but the pact and the stability of the eurozone doubtless have an influence on the stability of the UK economy.
				19	AJC	16/08/2014 19:27
						Does the hon. Lady believe that we should have held a referendum on the Single European Act treaty of 1985, which ceded massive powers to Brussels?

Nodes\\Institutional Arguments\\Against the UK tradition of Parliamentary sovereignty

Document

Internals\\1974 Debate coded

No	0.0186	8
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				1	AJC	25/10/2012 15:41
						I beg to move, that this house considers that the holding of national referenda to decide issues of importance runs contrary to the principle of British parliamentary democracy and will represent an abdication by members of parliament of the responsibilities they are elected to perform.
				2	AJC	26/10/2012 12:09
						Surely in this context honourable members who believe in the sole responsibility of the executive being to parliament and of parliament to the country those words are quoted almost exactly from a speech made by the right honourable member for Down. South Mister Powell on 18th April 1972, in a debate on the European Communities Bill should have the courage to band together to promote the belief that referenda should not become part of our political way of life.
				3	AJC	01/11/2012 09:49
						In this I have the support of the Chancellor of the Duchy of Lancaster, who said in the House, on 18th April 1972: those who reject, as I do, the principle of the referendum and believe that it is hostile to the purposes of our parliamentary democracy, and not to be reconciled with the long-practised concepts of parliamentary sovereignty...must welcome a General Election which gives the people of this country the opportunity to remove this government

Aggregate	Classification	Coverage	Number Of Coding Reference	Reference Number	Coded By Initials	Modified On
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4 AJC 01/11/2012 14:49

Holding a referendum would be a clear departure from previous constitutional practices, and I think that we should regret it. In this country we have progressively developed a system of representative democracy, with Parliament at the centre deliberating and deciding on behalf of all the people. It was put very well in an article in the Observer on 15th September by the hon. Member for Berwick and East Lothian Mr. Mackintosh I am sorry that he, in particular, is not able to be here today when he said: It is to strike this balance between expertise and public acceptability that parliamentary democracy was developed, and it is this balance that will be undermined by the

5 AJC 01/11/2012 15:04

I could not consent to the introduction into our national life of a device so alien to all our traditions as the referendum, which has been only too often the instrument of Nazism and Fascism. Hitler's practices in the field of referenda and plebiscites can hardly have endeared its acceptance to the British heart.

6 AJC 01/11/2012 15:25

They should remember too the words of the present Chancellor of the Duchy of Lancaster in a letter to The Times on 27th March 1972: Sir, If we are to have a referendum, surely its first use must be to determine whether the British people wish to introduce so important a departure from our constitutional practice. What are the Government advancing as the constitutional justifications for the referendum that they may wish to hold in 1975? If they are not intending to hold a referendum, would they contemplate a General Election, which many people would think preferable, as the Labour Party itself urged in 1972?

7 AJC 01/11/2012 17:11

However, I am concerned at the obsession of so many people, who are in essence, vehemently opposed to our membership of the Common Market, with the question of a referendum. I wish that they would pay much closer attention to the constitutional changes which would be involved if we were to endorse such a change in our system.

8 AJC 01/11/2012 17:20

That is one of the awesome realities of Western society. We should lack a sense of responsibility as democrats if we ignored that reality and did not take the course that should be taken by defenders of the constitution and our parliamentary sovereignty, the course of ensuring that we do not seek the referenda route.

Internals\1992 Debate Coded

No 0.0072 4

1 AJC 03/11/2012 17:25

Referendums are not part of the evolution of our parliamentary democracy. It is no part of our tradition and system of government that, on every issue on which there is contention in the House, we give the people an opportunity, through a referendum, to express their

2 AJC 04/11/2012 15:37

must voice doubts about whether referendums are a suitable part of British political life. I have always been reluctant to accede to the arguments for referendums because they undermine the principle of democracy that we have adopted at Westminster, of which we are justifiably proud.

3 AJC 04/11/2012 15:41

Our Westminster system of democracy allows issues that are often complex affairs such as this to be debated in the Chamber and various aspects to be pulled together. It is then for the Government of the day to carry through the decision, whatever that decision may be. The supremacy of Westminster is an important facet of the way that we run our affairs. It is an important reason for the stability of this country where we are not subjected to wild upheavals. Issues that can be reduced to a simple question are not the way to conduct our affairs. I prefer to have the complex debates that we can have, even though there are such things as Whips, although they are not supposed to be mentioned in polite company. There

4 AJC 04/11/2012 15:58

I have read all the yellow pages, just as my hon. Friend has. He knows that the House will have that right. It is a very important point. What the Government have done is, in effect, to enshrine what I am saying: that Westminster should make the decision. That is the basis of my argument for being reluctant to agree to a referendum as a way of conducting our affairs.

Aggregate	Classification	Coverage	Number Of Coding Reference	Reference Number	Coded By Initials	Modified On
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Internals\\2003 Debate Coded

No		0.0379	1			
				1	AJC	05/11/2012 03:25

The logic of the hon. Gentleman's argument is that, since everyone else is doing it, we should do it too, but that would take us down the route of having qualified majority voting for treaty ratification processes. Why is he not arguing for a single European referendum? That is where his logic is taking him. I believe that it is much 312better for each country to follow its own tradition. Ireland's tradition means that it will have a referendum because it has to. Germany, following the tradition that we enforced on it in 1948 that it should not have plebiscites, will not hold a referendum because it is constitutionally impossible to do so.

Internals\\2010 Debate Coded

No		0.0029	3			
				1	AJC	16/08/2014 19:09

The Bill is an opportunity missed to stop the acquiescence in the failed European integration at every turn, as I put it to the Prime Minister a few days ago. It is also a missed opportunity to reaffirm our parliamentary sovereignty with a proper sovereignty clause. The Bill is a missed opportunity and I shall not vote for it.

				2	AJC	16/08/2014 19:10
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We must be careful if we get into a situation where we start to move away from parliamentary sovereignty and democracy towards a referendum-based society. If we are not careful we could end up like Italy, and the way in which Italian politics have developed over recent decades is not a model that we should follow.

				3	AJC	16/08/2014 19:24
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of the 1975 referendum on membership, Margaret Thatcher said that referendums "sacrifice parliamentary sovereignty to political expediency".

Nodes\\Institutional Arguments\\Are binding

Document

Internals\\1974 Debate coded

No		0.0137	8			
				1	AJC	25/10/2012 15:52

if a referendum is carried on the question of membership of the european_economic_community, for example, it will not be binding on the government. People comfort themselves with the thought that it might be possible to have a referendum and then for parliament to have another look at the matter.

				2	AJC	25/10/2012 15:54
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Practice has shown otherwise. In 1972 the labour government in Norway made it plain that, although the referendum they held on european_economic_community membership was officially consultative only, they would accept the result as binding.

				3	AJC	25/10/2012 16:25
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The labour party manifesto two months ago said: a labour government pledges that within 12 months of this election we will give the British people the final say which will be binding on the government on whether we accept the terms and stay in or reject the terms and come out. Presumably, this is one of those solemn and binding pledges from which the labour government will not run away.

Aggregate	Classification	Coverage	Number Of Coding Reference	Reference Number	Coded By Initials	Modified On
				4	AJC	25/10/2012 16:28
				Those who like to think that a national referendum on an issue of importance could not be binding on the government of the day are therefore kidding themselves.		
				5	AJC	25/10/2012 16:42
				referenda must be binding on the government of the day, that I am most concerned about the constitutional principle of introducing referenda as a new device in our decision_making process.		
				6	AJC	25/10/2012 18:13
				The Prime minister has said we may hear more details from the minister today that the result will be binding on the government. In		
				7	AJC	01/11/2012 13:56
				The third objection is that the referendum will bind successor Governments or even successor Parliaments. If there had been a referendum in 1972, and the full-hearted consent of the British people had been obtained, would the right hon. Member for Down, South (Mr. Powell) and others have felt obliged to accept that for all time? Would it have meant that the House could not deny the decision arrived at in the referendum or could not change it at a later stage? How binding are the results of referenda to be? What will be the machinery by which we change the decisions of referenda?		
				8	AJC	01/11/2012 16:32
				The Prime Minister said that the result would be binding on the Government. It may be binding on his Government, but he knows very well that it cannot be binding on any other Government. The Prime Minister went on to say that there would be no referenda on any other issues, but the same comment applies. My right hon. Friend will not always be Prime Minister not everybody will be displeased with that prospect. Another Prime Minister may say. "The precedent has been established. We shall have a referendum on this issue of great constitutional importance."		

Nodes\\Institutional Arguments\\Jeopardize relationships between Constituents and Elected representatives

Document

Internals\\1974 Debate coded

No	0.0116	2
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1	AJC	25/10/2012 16:33
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individual members of parliament, particularly those who were not part of the government of the day, would find themselves in very considerable difficulties as to how to proceed, particularly if the result were to be declared on a constituency_by_constituency basis and in individual cases went against what our constituents knew to be our own views.

Aggregate	Classification	Coverage	Number Of Coding Reference	Reference Number	Coded By Initials	Modified On
				2	AJC	01/11/2012 17:18

We go on to the question of what happens to hon. Members. Like my hon. Friend the Member for Cirencester and Tewkesbury (Mr. Ridley), I cannot commit myself at this stage, but I cannot see myself voting against my own conscience. The historical recollections of the hon. Member for Nottingham, West were a little strange when he gave his statistical explanations of Burke's method of voting. He leaves out something that is fundamental to hon. Members on both sides of the House, their ability to understand the meaning of their conscience.

What are the implications of holding a referendum? On what other subjects are we to have referenda? My constituents, as opposed to those of the hon. Member for Coventry, North_West, were concerned about euthanasia, abortion and hanging. Are the people of my constituency to be allowed the same subjective rights as other constituents?

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? Will an accused person say to the judge that is not a law I can follow, because the people have not confirmed it in a referendum? Shall we be creating two systems of law? Surely enough concern about obedience to the law is being expressed now without our creating another dichotomy.

I refer to Dicey's theories with some hesitation, surrounded as I am by hon. Members with far more experience than I have, but Dicey said that a key protection was that a Parliament can always overthrow the decision of a previous Parliament. That cannot be said if we introduce this change. After a referendum one cannot tell the people "This is a little different". We shall be creating an entirely different

Nodes\\Institutional Arguments\\Only justified by substantial changes in the Constitution

Document

Internals\\2003 Debate Coded

No	0.1083	3
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1	AJC	05/11/2012 03:21
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Secondly, it should be advanced only when a substantial change in how we are to be governed is being proposed. I would point out to the hon. Member for Stratford-on-Avon that the ink is not yet dry on the draft constitution document. I should like to quote someone that he might have heard of, who said a few weeks ago in the House of Lords: I am concerned also that my own party...has so misled itself that it is ready at this stage to commit itself to a referendum on anything that may emerge from the constitutional Convention, not before the ink is dry but before half the wet ink has been put on it. We do not yet know what is going to emerge. It may prove to be an issue so dramatically different from those we have subscribed to in the past as to deserve that response. But I hope very much that my own party will consider carefully the wisdom of committing ourselves in advance to a referendum on this issue".— [Official Report, House of Lords, 9 September 2003: Vol. 652, c. 179.] That was no wild lunatic; it was the former Conservative Foreign Secretary, Lord

2	AJC	05/11/2012 03:21
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If the ink is not yet dry on the document, how can the Conservatives already call for a referendum? They do not know whether the constitution will involve a substantial change. I believe that, so far, the document does not propose a substantial change in the way in which Britain is to be governed—certainly not as substantial as the changes in the Single European Act in 1987, or in the Maastricht

3	AJC	05/11/2012 03:24
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The hon. Member for Stratford-on-Avon tried to tell us that we were going to have a president, and that we would therefore be entering a superstate. Perhaps he studied a little bit of French at school. The word "president" in French just means "chairman". It is very simple: there is not going to be a president of Europe. The hon. Gentleman is misleading the House.

Aggregate	Classification	Coverage	Number Of Coding Reference	Reference Number	Coded By Initials	Modified On
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Internals\\2010 Debate Coded

No		0.0121	8			
				1	AJC	16/08/2014 18:35

That is simply because we are not giving away those powers. The European External Action Service was agreed, established and given its role by the Lisbon treaty. My right hon. Friend may regret that, and I may regret that, but it was given by the Lisbon treaty. On the City, the European Union has long had the power to legislate in this area, which has equally long been subject to qualified majority voting and co-decision with the European Parliament.

				2	AJC	16/08/2014 18:35
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				3	AJC	16/08/2014 18:41
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We do not propose to hold a referendum over the giving up of the veto over more minor or technical measures such as any future agreement to change the numbers of Advocates-General in the Court of Justice of the European Union. In my view, giving up such a veto would be a mistake and should require primary legislation in the House, but I do not think that the British public would understand it if such a narrow and relatively minor measure were to require a national referendum.

				4	AJC	16/08/2014 18:46
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We have also provided further clarity on the scope of the referendum lock by setting out certain categories of treaty change that would not require a referendum: first, the accession of a new country to the EU-the hon. Member for Birmingham, Edgbaston looks surprised-would not require a referendum, although each accession treaty would still require approval by an Act of Parliament; secondly, a treaty change that, while it would have to be agreed and ratified by all member states, would not apply to this country; and, thirdly, a treaty change that merely sought to codify EU practice in relation to the previous exercise of an existing competence.

				5	AJC	16/08/2014 18:48
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That is a different argument about referendums on accession treaties. Such treaties do not extend the powers and competences of the European Union, and so are not within the terms of the Bill. If the hon. Lady wants to advocate a referendum on the accession of Turkey, there will, sadly, be time for her to do so because the process will take a while. However, that is a separate argument from the extension of powers and competences.

				6	AJC	16/08/2014 18:59
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We will never get the issue that is big enough for a Minister to come here saying, "We are going to have a referendum on this." Ministers will find some excuse not to do so

				7	AJC	16/08/2014 19:13
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The key adjective-and I am nervous of legislation that is built around an adjective rather than a substantive-appears in clause 5, under which a Minister has to come to the House and say, "I think there should be a referendum because in my judgment there is a 'significant' transfer of powers." But "significant" is not defined; it will be in the eye of the beholder.

				8	AJC	16/08/2014 19:19
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I cannot be over-critical because my own party's position was, at best, ambiguous. We said, "Yes, we shall have a referendum", and then we said, "Well, this isn't really a treaty-it's something else." Perhaps it was a German sausage or something; I am not quite sure what it was supposed to be. Anyway, we said, "It's not a treaty worth having a referendum on; it's something else, and therefore we won't give you a referendum."

Aggregate	Classification	Coverage	Number Of Coding Reference	Reference Number	Coded By Initials	Modified On
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Nodes\\Institutional Arguments\\Responsibility of Parliament to make decisions

Document

Internals\\1974 Debate coded

No	Coverage	Number Of Coding Reference	Reference Number	Coded By Initials	Modified On
	0.0191	7			
			1	AJC	26/10/2012 12:22
<p>The Prime minister on 28th May 1970 said in a television interview: It was necessary to take the referendum in Gibraltar. As far as the common market is concerned that's a very different thing. We have a Parliament in the sense that Gibraltar hasn't. We have Members of parliament who are elected and I think it is right that it is the Parliament which should take that decision with a sense of full responsibility, with a sense that reflects national views and national interests.</p>					
			2	AJC	01/11/2012 10:13
<p>I regard a referendum as being difficult to reconcile, even on a matter of this unique character...with responsible parliamentary Government as we have it in this country.</p>					
			3	AJC	01/11/2012 14:21
<p>I agree with those hon. Members who said in the European Communities Bill debate that they were also their objections. The right hon. Member for Down, South said: I regard a referendum as being difficult to reconcile, even on a matter of this unique character there is a respect in which all questions can be regarded by somebody as unique with responsible parliamentary government as we have it in this country OFFICIAL REPORT 18th April: 1972; Vol. 835, c. 346.</p>					
			4	AJC	01/11/2012 14:52
<p>As the motion says, we have been elected to undertake various responsibilities, heavy responsibilities as we all feel them to be. One of them is to consider issues in depth, from the widest national interest naturally including the EEC issue that is in all our minds today, although the motion is in general terms. Our job, therefore, is to discover and weigh as thoroughly as we can the feelings of the public, particularly of our constituents, before coming to decisions. I think that hon. Members today are as anxious and as conscientious in this respect as any have ever been.</p>					
			5	AJC	01/11/2012 15:09
<p>But other constituents feel just as strongly that they have elected us to do a job in Parliament and that we should get on with it. So there is a certain confusion of feeling here, whichever view we take.</p>					
			6	AJC	01/11/2012 16:08
<p>The Opposition believe that the need today is to re-establish, not undermine, the standing of Parliament, and that we in this place should shoulder, not shed, the responsibilities entrusted to us by the people.</p>					
			7	AJC	01/11/2012 16:28
<p>My right hon. Friend said: It is not a way in which we can do business. The Prime Minister went on to say: Hon. Members on either side of the House do not usually feel that referenda are a way in which to conduct our public affairs." [OFFICIAL REPORT, 25th November 1969; Vol. 792, c. 200] The Prime Minister continued to express the view that the House of Commons—I emphasise the House of Commons would decide on the merits of the terms negotiated for our entry into the European economic community. That was in 1969, and I must say that my right hon. Friend was consistent right until July 1971, which was going some. At that time, on 8th July, he was then the Leader of the Opposition, and when the then Prime Minister, the present Leader of the Opposition—a temporary incumbent no doubt was being asked a question on referenda my right hon. Friend the Member for Huyton Mr. Wilson said: The Prime Minister said that I oppose a referendum, and I agree I have always done so, as he has. The idea of an advisory referendum was not then put forward, but I still agree with the right hon. Gentleman. He— that is, the then Prime Minister said, rightly, that the decision must be taken by Members of Parliament, each of them taking responsibility for his decision in the matter. OFFICIAL REPORT 8th July 1971: Vol. 820 c. 1515 That is one of the reasons not the</p>					

Aggregate	Classification	Coverage	Number Of Coding Reference	Reference Number	Coded By Initials	Modified On
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Internals\\1980 Debate Coded

No		0.0570	1			
				1	AJC	03/11/2012 16:37

While conceding that there are a few hon. Members—I think especially of the hon. Member for Beckenham (Mr. Goodhart)—who regard referendums as good things, I do not think that this is felt to be the case either in the House or in the country. Both in the House and in the country there is an acceptance of the value of representative government, whereby people study issues carefully and decide upon them, knowing that in due course they will be accountable at the polls. As a passionate advocate of proportional representation, I argue that the basis of this representative government is distorted, but this has nothing to do with the acceptance of the value of representative government per se.

Internals\\1992 Debate Coded

No		0.0188	9			
				1	AJC	03/11/2012 17:25

We are charged by our electorate with the responsibility to try to divine the common good. The electorate has opportunities—as it will have within a matter of months—to pass judgment on whether we are right or wrong.

				2	AJC	04/11/2012 16:23
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The real question is whether there should be one omnibus question in one referendum or whether it should be the role of Members of Parliament to weigh up all the issues involved, to judge their effect and then to be judged, as all hon. Members are, at a subsequent election. Those who demand a referendum—and those who associate themselves with that demand through their hostility to the European Community as a whole, which is not necessarily the view of the hon. Member for Aldridge-Brownhills—on the one hand attack Europe because it has taken power, or will seek to take power, away from the Westminster Parliament while, on the other, they happily argue for Westminster to be robbed of its crucial function of weighing up the issues on behalf of the people. That is one of our weightiest roles. Sometimes we are blinded by the visibility of the accountability of the House, believing that it is the only form of accountability that matters. Because we are part of it, and because television now takes our image into households, we may think that this is all that accountability means. We must look deep down to where the decisions are being taken and where accountability properly lies.

				3	AJC	04/11/2012 16:29
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They place their trust in their elected representatives, whose job it is to ensure that the small print is not detrimental to the interests of constituents. That is the basis of parliamentary democracy.

				4	AJC	04/11/2012 16:43
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My concern is much wider. Looking back on history, I shall refrain from examining the referendum on devolution in Scotland. Confident though I am that the result would reinforce my views, every time we have such a referendum it is, in a sense, an abdication of responsibility by the House and the Government of the day.

				5	AJC	04/11/2012 16:58
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Careful analysis of the previous referendum shows that despite the renegeing on the responsibilities of this House, and despite the suspending of the Government for three or four weeks, the way that people voted in the end appeared to reflect not just the party splits, but the yes-no split within those parties. The referendum proposal is not only unhelpful, but it flies in the face of our responsibilities as Members of Parliament.

				6	AJC	04/11/2012 17:00
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The Bill, which was introduced in such a distinguished way by my hon. Friend the Member for Aldridge-Brownhills, is mistaken, not only because it invites the House to abdicate its responsibilities, but because the sort of question that would be put—as was evident in the previous referendum—in all likelihood would reflect the differing views within the House.

				7	AJC	04/11/2012 17:41
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Countries with written constitutions provide for referendums on major constitutional matters. As my right hon. Friend the Minister of State said, the Bill to be introduced after the general election by whichever party wins—we hope that it will be the Conservatives—will be our legitimate parliamentary equivalent of a referendum. All our citizens will be able to lobby us as hon. Members. There is a close, sacred and precious connection between hon. Members and their constituents, irrespective of party adhesion.

Aggregate	Classification	Coverage	Number Of Coding Reference	Reference Number	Coded By Initials	Modified On
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8 AJC 04/11/2012 17:45

Edmund Burke has been referred to, but it is clear that the role of Members of Parliament in the House is to listen and to debate the arguments, to understand the issues and to come to a decision which, in their view, is the right decision for the benefit of the country and of their constituents.

9 AJC 04/11/2012 18:02

The individual voter in a referendum does not have to find a policy to replace the one that he has rejected. That is our job, our responsibility. We have to live with the consequences of the policy decisions that we vote for and we have to defend them if they turn out to be disastrous. Those who vote for a policy in a referendum can wash their hands of the consequences. There is no way in which they can be held to account. They do not have to say what alternative policies they want. There is no way in which they could, even if they wanted to. If we vote for the Bill, we shall do infinitely more damage to parliamentary democracy than even the most authoritarian president of the European Commission could ever do.

Internals\\2004 Debate Coded

No 0.0080 2

1 AJC 15/08/2014 20:26

I am listening carefully to my hon. Friend's argument, but in view of the limited time, he needs to cut to the chase. I really want to hear his view on the fact that the Bill makes no reference to ensuring that Parliament can debate the substance of any constitutional treaty before it is put to the country. The Opposition want any debate to be based on the myths that they propagate, rather than on proper parliamentary scrutiny. Will my hon. Friend say where the Bill provides for full parliamentary scrutiny to enable the public to hold a proper discussion on the issues?

2 AJC 15/08/2014 20:27

My hon. Friend is entirely right. That that is not the process is not an accident, an oversight, a mistake or a flaw in the Bill; it is deliberate. A six-month timetable is set out, although we are not sure when it starts, and that is the process. It does not include the people's representatives debating the matter here, on the Floor of the House where everyone has a chance to have their say, it then going to the other place, and the debate then being taken out into the country. Parliament is deliberately set aside.

Internals\\2010 Debate Coded

No 0.0014 2

1 AJC 16/08/2014 19:01

I am not a fan of referendums, because I believe in representative democracy. I believe that we are elected to come here and that the sovereignty of Parliament is the important principle on which we should act.

2 AJC 16/08/2014 19:06

Where we find it impossible to make those decisions, it is increasingly argued that it should be done by referendum, when we abdicate the power in the House to the people as a whole.

Aggregate	Classification	Coverage	Number Of Coding Reference	Reference Number	Coded By Initials	Modified On
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Nodes\\Institutional Arguments\\Weaken the role of parliament (or parliamentary democracy)

Document

Internals\\1974 Debate coded

No	Coverage	Number	Reference	Coded By	Modified On
	0.0264	12			
		1	AJC		25/10/2012 15:49
If these are introduced in our country they will have a profound and lasting effect on the relationship between members of parliament and the electorate and on the legislative sovereignty of this house.					
		2	AJC		25/10/2012 17:59
Let us develop his point further. Since he is apparently keen on referenda and, on the example of referenda as used by Germany in the 1930s, he should bear in mind that referenda are now illegal under the constitution of the german federal republic because they were so destructive of parliament_s role in the Weimar republic.					
		3	AJC		01/11/2012 09:51
Finally, we must consider the outcome if the Labour_Party insist on holding national referenda in a situation such as ours where there is no written constitution to limit their usage. I have no doubt that this will lead to the undermining of the legislative sovereignty of parliament and of the authority of parliament. This authority is already put at risk by the growing power of bodies not elected by universal suffrage throughout the country.					
		4	AJC		01/11/2012 10:00
If we accept referenda as a method of decision making this trend will be increased. The legislative authority of this Parliament, elected by all the people of Britain, will increasingly become a shadow, not the substance.					
		5	AJC		01/11/2012 14:30
A referendum is a much less flexible way of conducting parliamentary democracy. This Parliament is a unique instrument, one that cannot be tampered with. I love this Parliament, just as the right hon. Gentlemen both do. They have been very eloquent in its defence, and have done more than any other right hon. or hon. Members that I have heard in the House to preserve the rights of Parliament and the whole way in which it functions. For them now to support a referendum would be to betray the faith they have placed in this institution and the great opportunities it has given them both to achieve, in so far as they may, the objectives they have individually					
		6	AJC		01/11/2012 14:53
At a time when Parliament's reputation is not as high as we would wish, there is all the greater need for us to think very carefully before deliberately taking a step, such as having a referendum, that will further diminish the standing of Parliament.					
		7	AJC		01/11/2012 15:02
I should like to quote the letter written by the Home Secretary when he resigned from the Shadow Cabinet in April 1972. He said: This raises the wider issue of whether a referendum on this or any other subject is intended to encourage the public to express its view purely on the merits of a question without the attempts to mobilise party loyalties. I doubt if this would ever work in practice, although if it did the result would be a very substantial undermining of the existing system of parliamentary responsibility. Governments would find it still more difficult to carry out coherent and consistent policies.					
		8	AJC		01/11/2012 15:12
I wonder whether the public, or all of us here, have thoroughly thought through these problems. Many of the public, if they were pressed on the point, would share our concern about the way in which Parliament's influence has recently been eroded; for example, by the media, where many discussions are taking place which should take place in this House; for example, by various groups in industry, not just the trade unions; for example, by the National Executive Committee of the Labour Party; and, for example, above all, by the Government the present Government in this situation and perhaps other Governments in future situations. The scope for more freedom of action by the Government outside the control of this House would be much widened if referenda became a regular habit of our					
		9	AJC		01/11/2012 16:48
what will be the question put to the British people? Who will decide that? We have never had a clear decision on how this will be done. This is very important in relation to the sovereignty of Parliament. One of the key issues on which the right hon. Member for Down, South (Mr. Powell) and my right hon. Friend the Member for Battersea, North (Mr. Jay) opposed entry into the Common Market was the question of Parliament's sovereignty.					

Aggregate	Classification	Coverage	Number Of Coding Reference	Reference Number	Coded By Initials	Modified On
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10 AJC 01/11/2012 16:50

If we go for the referendum what we are saying is that Parliament is not to be trusted to take the right decision, but that for some unknown and unexplained reason the British people indubitably will come to the right decision. What a proposition to make, and what a reflection on the people who elected us here in the first place.

11 AJC 01/11/2012 17:00

Suppose, despite the agreement of the three parties, the people voted against, my right hon. Friend the Prime Minister would say "I recommend that we should continue our membership, but the British people have decided otherwise. They are right and I am wrong, and so I accept that we shall get out." Who would pretend that that did not seriously erode the sovereignty of Parliament the very issue on which the anti_Marketeers fought against our entry in the first place?

12 AJC 01/11/2012 17:03

Despite the shortcomings of our parliamentary democracy, I see nothing better in the world today, and I do not want to do anything to weaken it.

Internals\\1992 Debate Coded

No 0.0055 3

1 AJC 03/11/2012 17:39

I believe that the more we have referendums, the more it brings into question the sovereignty of this House. It undermines the reputation, standing and influence of this House if we consistently put to the public issues about which we are elected to decide. What question will be asked?

2 AJC 04/11/2012 17:35

It is ironic and sad that the Bill undermines the sovereignty of this place and, presumably to a lesser extent, of the upper House, which has a residual role in such matters. Although the Bill has only one sponsor, the Bill's supporters will weaken the residual strength of this institution which has already been weakened by our practices, by the complex nature of the political economy in Britain and the need to work more closely with other countries.

3 AJC 04/11/2012 17:58

In recent years we have had several referendums, each of which may have been justifiable on its merits, but each referendum eats away at the credibility of our parliamentary institutions. That to my mind is a more insidious and profound threat to those parliamentary institutions than the loss of sovereignty to Brussels which, to a large extent, merely reflects the diminished ability of our nation or any other nation to go it alone in the world today. Government by referendum is government by Gallup poll.

Internals\\2003 Debate Coded

No 0.0398 1

1 AJC 05/11/2012 03:25

Let us deal briefly with the pro-referendum arguments. The argument that has already been advanced by so many Conservatives is, "It's good enough for all the other countries of Europe, so why can't we have one here?" For a start, that is factually wrong. I shall correct the hon. Member for Stratford-on-Avon. Only three countries have so far committed themselves to holding a referendum. Five have said that they are thinking about it, two have said that they will definitely not hold one, and 15 have said that it is extremely unlikely that they will do so. The hon. Gentleman's argument does not hold water in terms of the facts, but it does not do so in terms of logic either.

Aggregate	Classification	Coverage	Number Of Coding Reference	Reference Number	Coded By Initials	Modified On
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Internals\\2004 Debate Coded

No		0.0087	2			
				1	AJC	15/08/2014 20:25

I am listening carefully to my hon. Friend's argument, but in view of the limited time, he needs to cut to the chase. I really want to hear his view on the fact that the Bill makes no reference to ensuring that Parliament can debate the substance of any constitutional treaty before it is put to the country. The Opposition want any debate to be based on the myths that they propagate, rather than on proper parliamentary scrutiny. Will my hon. Friend say where the Bill provides for full parliamentary scrutiny to enable the public to hold a proper discussion on the issues?

2 AJC 15/08/2014 20:27

My point is that it is possible to be staunchly in favour of a referendum—I am and so are all my hon. Friends: we want the people to be part of the process of scrutinising the treaty—but to believe that the Bill is utterly flawed and a complete dog's breakfast. The speech of the hon. Member for Stratford-on-Avon was entirely about the substance of the constitutional treaty. I suspect that he is aware—whether consciously or subconsciously—that the vehicle that he proposes to bring about a referendum is deeply flawed, which is why he has not marshalled the necessary number of troops to get it past a Division.

Internals\\2010 Debate Coded

No		0.0079	4			
				1	AJC	16/08/2014 18:37

But is not the argument between my right hon. Friends precisely the problem? Surely Parliament must be sovereign because the people must be sovereign. What will happen in future if there is some row about whether a referendum should take place or not once the Bill becomes law? Will not our affairs then become justiciable? Is that not an attack on the sovereignty of Parliament, which we must believe

2 AJC 16/08/2014 18:42

The right hon. Gentleman knows well that I have long opposed referendums on almost everything. I am not a fan of referendums; I believe in parliamentary democracy, but that is a different debate from today's.

3 AJC 16/08/2014 19:16

I hope that the Bill is opposed, because it weakens Parliament and Europe. It sends a message that, under this Government, the commitment, concern and leadership that Europe is so desperately lacking will not come from the present crop of Ministers. That is a shame. Europe needs leadership because it is going through a crisis, and the absence of that leadership from this Government is to be

4 AJC 16/08/2014 19:40

Instead of simply stating general principles on offering referendums, the coalition has gone through the treaties line by line and set out a mish-mash of issues on which a referendum will be called, and gives a shorter list of issues on which one will not be called. That approach is not only unnecessarily complicated, but it gives the impression that the Government cannot be trusted to exercise their judgment on whether there should be a referendum on individual decisions and treaty changes.

Under the Bill, the extension of the ordinary procedure on environment policy will require a referendum, but as other hon. Members have said, the accession of Turkey to the EU will not. Which will have the greater impact on the UK? Angela Merkel's proposals on the eurozone would not be subject to a referendum because the provisions do not apply to the UK. That assumes that because the UK is outside the eurozone, events within it do not affect the UK. We may not be signatories to the stability and growth pact, but the pact and the stability of the eurozone doubtless have an influence on the stability of the UK economy.

Aggregate	Classification	Coverage	Number Of Coding Reference	Reference Number	Coded By Initials	Modified On
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Nodes\\Institutional Arguments\\Were not held on previous issues of critical importance

Document

Internals\\1992 Debate Coded

No	Coverage	Number	Reference	Coded By	Modified On
	0.0051	3	1	AJC	03/11/2012 17:36

Moreover, my hon. Friend would be on stronger ground if he said that there was a case for holding a referendum before the introduction of the legislation that gave effect to the Single European Act rather than on this issue. Other right hon. Members, including right hon. Ladies, who have been present in this debate to support the Bill did not at that time propose a referendum on the Single European Act. It ill behoves them to support today's Bill.

2	AJC	04/11/2012 17:37
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The treaty about which we are concerned is more profound than others. It provides for legislation in all the national Parliaments, but it is no more terrifying for that. It flows from the original Stuttgart declaration and the Single European Act when there was no question of a referendum. The supporters of today's Bill did not call for a referendum then.

3	AJC	04/11/2012 17:43
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There was no question of a referendum about the major existential decision facing any nation—to go to war or not. There was never a referendum on the NATO treaty—admittedly, that was only on defence and security, but in existential terms as well it was much more far reaching than matters to do with commerce, trade and working together in political economies.

Internals\\2003 Debate Coded

No	Coverage	Number	Reference	Coded By	Modified On
	0.0260	1	1	AJC	05/11/2012 03:26

It is particularly interesting that the Tory leadership and Front Benchers are arguing for a referendum. They did not do so for Maastricht. On 21 April 1993, 85 Conservative Members who are still Members of this House voted against a referendum; only 13 voted in favour. The right hon. and learned Member for Folkestone and Hythe (Mr. Howard) argued forcefully against a referendum, and he was practically manhandling people through the Lobby.

Internals\\2004 Debate Coded

No	Coverage	Number	Reference	Coded By	Modified On
	0.0092	3	1	AJC	15/08/2014 19:34

Would the hon. Gentleman remind us of how he voted on the question whether there should be a referendum on the Single European Act? I know that he was not in the House during the Maastricht debate, but presumably he thinks that the Conservative Government were wrong to deny a referendum on Maastricht, too.

2	AJC	15/08/2014 19:48
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I recall the debate in this Chamber on the ratification of the treaty of Nice. It happened to be the debate in which I made my maiden speech, as history will recall. A series of Conservative Members said there should be a referendum on Nice. Now, the hon. Gentleman is saying that it was not that significant, but that was not the message from his Back Benchers at the time.

3	AJC	15/08/2014 20:28
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My hon. Friend is correctly suggesting that the Conservatives are not intent on providing for a proper discussion, followed by a proper referendum. This country's only referendum in relation to Europe was provided by the Labour Government in 1975. The Labour party is now offering people the opportunity to take a view on a constitutional treaty. It was the Conservative party that, in the Single European Act and the Maastricht treaty, denied the people that opportunity. Labour trusts the people; the Conservatives never have, even though they have had the opportunity to do so.

Aggregate	Classification	Coverage	Number Of Coding Reference	Reference Number	Coded By Initials	Modified On
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Internals\\2010 Debate Coded

No		0.0033	2			
				1	AJC	16/08/2014 18:53

Instead of having a serious debate about the future of Europe, the Foreign Secretary is pandering to the Eurosceptics, and it is the worst pandering of all, because it will not even work. All that it is doing is winding them up. This Bill is a complete dog's dinner and he knows it, yet the Eurosceptics are salivating nevertheless. The Bill tries to constrain parliamentary sovereignty on the one hand and protect parliamentary sovereignty on the other, using a referendum lock that does one thing and a sovereignty clause that does the opposite—a referendum lock that tries to bind future Parliaments and a sovereignty clause that makes it clear that the Government can do no such thing. It is all in the same Bill, which faces both ways at the same time.

				2	AJC	16/08/2014 19:27
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Does the hon. Lady believe that we should have held a referendum on the Single European Act treaty of 1985, which ceded massive powers to Brussels?

Nodes\\Institutional Arguments\\Would set a precedent

Document

Internals\\1974 Debate coded

No		0.0198	9			
				1	AJC	25/10/2012 16:37

The second fallacy that I wish to dismiss is that a national referendum, once practised, could be a once_and_for_all_event. The Prime minister expressed this as his wish again at question time last week, but it is a pious hope. One parliament cannot bind its successor, and once the principle of holding a national referendum had been introduced it would be abundantly plain that pressure groups, from within parliament and from without, would demand further referenda from successive governments.

				2	AJC	25/10/2012 16:41
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It is because of these two facts first, that if a referendum were once established as constitutional practice, it would be bound to be followed by others,

				3	AJC	25/10/2012 16:41
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referenda must be binding on the government of the day, that I am most concerned about the constitutional principle of introducing referenda as a new device in our decision_making process.

				4	AJC	01/11/2012 14:25
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It will destroy the constitution and be the thin end of the wedge about which my right hon. Friends have rightly talked. There will be demands for referenda on every conceivable subject.

				5	AJC	01/11/2012 14:46
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I strongly warn the Government that the major constitutional matter which will come before the House is not Section 2 of the European Communities Act or whether we remain in the Common Market, but whether we switch from a system of parliamentary democracy to a system of Government by referendum.

				6	AJC	01/11/2012 15:06
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We recall the views expressed on several occasions in 1972 by Mr. George Thomson, formerly a right hon. Member of this House. He was one of those in the debate in April 1972 who said that if we had a referendum on one issue, other issues would be bound to be suggested for referenda in due course. If that was true in 1972, it is surely even more true today. The Prime Minister last week said that this was a special and unique case, but we all know how, particularly under this Government, the category of special cases tends to be elastic. What about devolution, nationalisation, the death penalty, and other matters which come to the minds of hon. Members?

Aggregate	Classification	Coverage	Number Of Coding Reference	Reference Number	Coded By Initials	Modified On
				7	AJC	01/11/2012 16:32
<p>The Prime Minister said that the result would be binding on the Government. It may be binding on his Government, but he knows very well that it cannot be binding on any other Government. The Prime Minister went on to say that there would be no referenda on any other issues, but the same comment applies. My right hon. Friend will not always be Prime Minister not everybody will be displeased with that prospect. Another Prime Minister may say. "The precedent has been established. We shall have a referendum on this issue of great constitutional importance."</p>						

8 AJC 01/11/2012 16:33

The Scottish and Welsh situations are in the same category. Once the precedent of a referendum on a constitutional matter is decided, Wales and Scotland could ask for a referendum and why not Durham, too? I happen to be a native of Durham and the representative of a Scottish constituency. I believe that our culture in Durham is different from that in Cornwall. Cornishmen say that they have a different culture from everybody else in the rest of Britain. Why should they not have a referendum on the question whether there should be a separate Cornish Parliament?

9 AJC 01/11/2012 17:33

On the other hand, the Member for Oxford Mr. Luard supported by an interjection from the hon. Member for Bolsover Mr. Skinner made it clear that he would like to see referenda held regularly on a wide variety of issues. That emphasises the danger referred to by my hon. Friend the Member for Mid_Sussex Mr. Renton in his speech, namely, that once the principle of a referendum is conceded on this issue it will be impossible not to extend the principle to other issues, and the effect of that could only be to undermine the independence of this institution and of Members of Parliament.

Internals\\1992 Debate Coded

No 0.0013 1

1 AJC 03/11/2012 17:24

If one starts holding referendums, where does one stop? The more referendums we have, the greater the demand for them will be. People will want them held on more and more subjects. Why not have a referendum on the bomb, on hanging and on numerous other issues, and not merely on constitutional issues?

Nodes\\Manipulation Issues

Document

Internals\\1974 Debate coded

Yes 0.0543 21

1 AJC 25/10/2012 17:51

It is highly significant that in all the debate that is now developing on the subject of a referendum on our continued membership of the european_economic_community the question is not whether we should have the referendum at least, the debate had not been on that subject until we were given the opportunity to discuss it in the house today but on how the question should be framed in order to obtain the answer that the executive wants.

2 AJC 25/10/2012 17:54

It is here that the opinion pollsters and serious bodies such as the electoral reform. Society start getting very worried, for it is a known fact that most people are conservative with a small c and prefer to vote no in a referendum.

Aggregate	Classification	Coverage	Number Of Coding Reference	Reference Number	Coded By Initials	Modified On
				3	AJC	25/10/2012 17:55
				<p>Therefore, if the question is asked, on the basis of the terms now negotiated, do you approve of Britain_s staying in the common market, the natural answer is likely to be no. However, equally, the same professionals tell us that people do not like voting for the word withdrawal. Therefore, if the question is rephrased and becomes, on the basis of the terms now negotiated, do you favour Britain_s withdrawing from the european_economic_community, the answer is likely to be no, and doubly so. Thus, if the electorate is narrowly divided on this issue, and there are only a few percentage points between the pros and the antis, it could be a question just of choosing the words in the question in order to get the answer wanted.</p>		
				4	AJC	25/10/2012 17:57
				<p>I should like to consider a few modern examples of referenda. The two great exponents of referenda in Europe in our day have been Hitler and de_Gaulle. On the very day that Hitler announced Germany_s withdrawal from the league of nations, he said that he would subject his decision to a plebiscite, using the semblance of democracy to thwart the democratic nations. A total of 96 per cent. of the electorate went to the poll, and 95 per cent. approved Hitler_s policy. In subsequent years, Hitler regularly used the plebiscite to support acts of aggression, like the invasion of the Rhineland and the Anschluss—the absorption of Austria into Germany. On each occasion, he got a 99 per cent. poll in favour, but I wonder how the electoral reform society would have approved of the way in which he conducted those polls.</p>		
				5	AJC	25/10/2012 18:02
				<p>None of this, of course, made any difference to de_Gaulle. In effect, in all his referenda, he was asking for a personal vote of confidence on questions of policy, although, under the French constitution, those questions were the prerogative of a government responsible to parliament. In fact, the use of the referendum was essential to de_Gaulle_s constitutional policy, as it provided an alternative to parliament as a means of legitimising public policy. In the end, as we know, the referendum proved de_Gaulle_s own undoing, as he went to the country on an issue of senate and local government reform. But, as always, the referendum was a vote of confidence in himself.</p>		
				6	AJC	26/10/2012 12:08
				<p>But as I have shown, what tends to happen in a referendum is a manipulation of the electorate, of the citizens, in order to obtain the answer desired by the government of the day.</p>		
				7	AJC	01/11/2012 09:47
				<p>It was only by a commitment to go back to the ballot box within 12 months that it was possible to hold the Labour_Party together. It was only in this way that the pro and anti_european_economic_community wings of the Labour_Party could be kept together for electoral purposes. This does not surprise me at all. As I have said, it is precisely for this sort of political reason, and political manipulation, that referenda</p>		
				8	AJC	01/11/2012 10:17
				<p>A referendum in the hands of a dictatorship, or even of an unduly powerful executive, is an instrument which may be abused to the detriment of the governed. Because it is based</p>		
				9	AJC	01/11/2012 10:24
				<p>Because it is based on the formulation of a question, a referendum may be manipulated. The question itself may be presented in such a way as to obtain the result which the executive requires. As the right honourable_Member for Down, South knows well, there are the two kinds of question, the num and the nonne, and it is possible in any sort of referendum to put the case in such a way as to obtain the desired result. The hon. Member for Mid_Sussex suggested a few varieties of question to produce the desired result. I add to his suggestions by supposing that the questions were put in these terms: Are you in favour of Britain being expelled from the</p>		
				10	AJC	01/11/2012 13:50
				<p>First, the nature of the question put to the people will be of decisive and paramount importance. We all agree, I am sure, that under dictatorships the form of the question may be used to manipulate the reply. Therefore, we shall have to watch our executive when it is formulating the question through the Cabinet committee which is now seeking to arrange for the question to be put through the ballot box, in whatever form that takes. That is the first significant requirement. We have to consider most carefully what the question will be.</p>		
				11	AJC	01/11/2012 13:50
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				12	AJC	01/11/2012 14:24
		<p>When I asked the right hon. Member for Down, South just now whether he would like to see a referendum, he dodged the question. He went back to talking about full-hearted consent. He knows that he is on the record as saying that it is the wrong way to reorganise our political life, and he knows that the right device is a General_Election.</p> <p>The Labour_Party could arrange a General_Election next year, and the right hon. Member for Ebbw Vale could put into its manifesto a statement that the party's view is under these terms, we should stay in or we should come out. That is the right thing for it to do. It is only because it does not have the ability to do that, the unity to do it, that it is falling back on the device of a referendum, which will do us much more harm.</p>				
				13	AJC	01/11/2012 14:58
		<p>Again, the referendum is a fallible instrument. We cannot be sure that people will vote on the merits of the issue. We cannot be sure that they will not be swayed by other considerations, whether party political allegiances or the popularity or unpopularity of the Government, or whatever else it may be. So there is the possibility of a perverse answer.</p>				
				14	AJC	01/11/2012 15:04
		<p>I could not consent to the introduction into our national life of a device so alien to all our traditions as the referendum, which has been only too often the instrument of Nazidom and Fascism. Hitler's practices in the field of referenda and plebiscites can hardly have endeared its acceptance to the British heart.</p>				
				15	AJC	01/11/2012 16:06
		<p>What an irony if Britain's future for the rest of the century were to be decided by half a million people voting not so much about Brussels and the Community as about Rome and the Pope. To these and other questions we should like answers as soon as possible.</p>				
				16	AJC	01/11/2012 16:09
		<p>We believe, too, in the context of Europe that the referendum proposal by the Labour Party is a transparent attempt to preserve party unity at whatever costs, including the cost of prejudicing Britain's proper rôle in Europe through prolonged uncertainty.</p>				
				17	AJC	01/11/2012 16:48
		<p>what will be the question put to the British people? Who will decide that? We have never had a clear decision on how this will be done. This is very important in relation to the sovereignty of Parliament. One of the key issues on which the right hon. Member for Down, South (Mr. Powell) and my right hon. Friend the Member for Battersea, North (Mr. Jay) opposed entry into the Common Market was the question of Parliament's sovereignty.</p>				
				18	AJC	03/11/2012 16:40
		<p>If my hon. Friends will look at the historical precedents they will find that the referendum has been shown in the past to be an instrument of conservatism at best a mechanism to maintain the status quo and at worst to put the clock back. Let them consider any question that comes immediately to mind which could be decided by the people. Take capital punishment, for example. There would be no doubt about the result of a referendum on capital punishment. The vast mass of the people would vote for its return.</p> <p>The social progress we have made in this country has often been the result of the determination of individuals, either inside or outside this House, leading public opinion on. The anti_slavery movement, the factory legislation, the trade union legislation these items of social progress have often been made against the wishes of the people at the time, and by determined individualist minds both inside the</p>				
				19	AJC	01/11/2012 17:09
		<p>While I agree with almost everything that my hon. Friend has said even to the extent of having referenda on other matters has he not now reached the weakest part of his argument, inasmuch as, unless there is a dramatic change in the editorial columns of the newspapers, it is likely that the national Press almost without exception will be heavily biased in trying to brainwash the British people into staying in the Common Market? That is the one real danger.</p>				
				20	AJC	01/11/2012 17:19
		<p>I am deeply concerned that most of the historical references that have been given whether accurate or inaccurate we can debate another time have been to the eras of the Greeks and Romans. We have not discussed in relation to referenda in Western society the entirely changed nature of the media and its involvement with Western democracy. I do not wish to refer to Hitler or Stalin, but there is no question in my mind that, given the means of control of the media in a modern Western_style democracy, one can utilise the media</p>				

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21 AJC 01/11/2012 17:34

There was an interesting article in the Guardian of 12th August, written by Social and Community Planning Research, which said: Our work makes us exceptionally cautious of the validity of a referendum as a method of discovering the popular will. A vote in a referendum in France has never been confined to the particular issue on which the referendum has been held. It has usually been decided on whether or not the General was dispensable.

We all know that in the mid_term of a Government's tenure of office by_elections and local authority elections are used by the electorate as an opportunity to punish the Government, and next year, should there be a General Election, or even a referendum on this

Internals\\1980 Debate Coded

Yes 0.1045 2

1 AJC 03/11/2012 16:39

Referendums are advocated only by those who believe that they would win a referendum at a particular time. [Interruption.] I wish that someone would try to silence Labour Members below the Gangway.

For example, if we take issues of life and death, such as capital punishment and abortion, it is surely significant that those who advocate the return of capital punishment advocate a referendum, while those who are opposed to abortion do not. That is an indication of the fact that those who argue for the Bill, irrespective of the validity of the arguments, are interested only in ensuring that a reflection of public opinion is achieved at a time when they feel that their view holds water.

2 AJC 03/11/2012 16:43

Secondly, if the Bill were accepted, it would be taken as a clear sign from the House that it wished to turn its back on the European Community. [HON. MEMBERS: "Hear, hear."] When one considers the history of Europe in this century alone and the particularly dangerous instability of the wider world at the moment and the limited nature of our disagreements—I stress that—against the deep gulfs—[Interruption.]

It would appear that those who are opposed to the Community feel that the noise of their interjections lends validity to their arguments. I do not believe that that is so.

Internals\\1982 Debate Coded

Yes 0.0133 3

1 AJC 03/11/2012 16:51

When I spoke in the last European Economic Community debate on 21 July I said that things had gone remarkably quiet on the Luxembourg compromise. The hon. Gentleman mentioned it and gave us the Government's point of view, but to all intents and purposes this quietness continues, and is certainly reflected in the document. Despite what the hon. Gentleman said, six months after 18 May we still do not know what, if anything, the Government intend to do to guarantee the right of veto. It is a much more important matter than the hon. Gentleman made out. Even before we entered the EEC, the Labour Opposition argued strenuously that the right of veto should be guaranteed by law. The Government's chief negotiator at the time, the right hon. and learned Member for Hexham (Mr. Rippon), assured us that that was not necessary, and he was put in an embarrassing position by what happened on 18 May.

The referendum propaganda in 1975 repeated the assurances. They must have convinced many people in this country and helped to secure the majority that was obtained for the "Yes" vote for continued EEC membership. In this connection I refer to a statement by a distinguished lawyer, Lord Wedderburn of Charlton. In The Guardian of 25 May he said: A referendum majority obtained on the basis of such misstatements clearly can have no validity, just as a treaty, though concluded with consent, 'is nevertheless not binding if the consent was given in error'. The source that he used for that interpretation was Oppenheim's International Law. Do the Government agree with that interpretation? Two trained lawyers are present on the Government Front Bench, and I should be interested to hear their comments on Lord Wedderburn's remarks. This is perhaps a more crucial issue than the Government have implied, either in the

2 AJC 03/11/2012 17:06

The veto is mentioned on page 24 of the White Paper. The apparent disappearance of the Luxembourg compromise—disagreement would perhaps be a better word—illustrates the hollowness of what was said at the time of our entry and also at the time of the

Aggregate	Classification	Coverage	Number Of Coding Reference	Reference Number	Coded By Initials	Modified On
				3	AJC	03/11/2012 17:08
<p>I said that they were actively misled by the Government and the pro-marketeters' propaganda into believing that the British people would have a cast iron veto. We have been told that there was nothing legal in that. That was why the Labour Party said that the Luxembourg compromise should be written into the legislation and form part of the Treaty. That did not happen. The compromise was overturned by what happened on 18 May. That is of major importance because it removes the legitimacy from the acceptance of the referendum result and the decision to remain members of the European Community.</p>						

Internals\1992 Debate Coded

Yes	0.0313	12
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1	AJC	03/11/2012 17:20
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Does my right hon. Friend accept that the referendum will not be a defence unless there are clear rules to prevent one side from pouring millions of pounds into its campaign, which in 1975 resulted in a prejudiced, biased, unfair provision of information for people to make a judgment? It is important to ensure that the referendum is genuinely a defence and not a device.

**** *name_PShore *year_1992 *party_LAB

My hon. Friend is absolutely right. Veterans of that great battle in 1975 will be well aware of the inadequacies of the arrangements that were made and the vast weight of money that helped enormously to distort the results of the vote. I am certain that we are now sufficiently experienced to devise new and more effective rules to ensure that if and when a referendum takes place it will be far fairer and will therefore give people a much better chance genuinely to express their views.

2	AJC	03/11/2012 17:22
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A paradox is inherent in the constitutional purism of which we have heard today. Wherein lies sovereignty? Are we really kidding ourselves that we shall achieve something by being isolationist? I imagine that many of those who support the Bill hope that, if the matter were put to a referendum, the British public would say a firm no. Do they really believe that by going it alone and not taking part in the economic and political development of the European Community we shall enhance our sovereignty?

3	AJC	03/11/2012 17:39
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We all know that a particular result can often be achieved by the way in which the question is put. There is no certainty that, in respect of this Bill, the question could be phrased in such a way as to divine a fair test of public opinion.

4	AJC	03/11/2012 17:45
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If the public were asked in a referendum, "Should we come out of the CAP?" the majority might well say yes. However, if we also asked, "Are you in favour of paying more to farmers through a national subsidy deficiency scheme?", they would probably say no to that, because that would cost more money.

5	AJC	03/11/2012 18:00
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I am not delighted to be supporting the Bill, although reluctantly and for certain reasons I may do so. All referendums have many of the disadvantages that were referred to by the hon. Member for Chichester—the manoeuvrability of the question, the dangling of a hope or promise and the spectre of fear if one does say yes.

6	AJC	03/11/2012 18:02
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If there had been a referendum that asked, "Are you prepared to enter the European Community, where the laws relating to agriculture, food prices and the whole of the relationship between the soil and the natural environment of the United Kingdom is to be decided by people not of our nationality beyond our shores?" I am confident that the answer would have been no.

7	AJC	04/11/2012 15:38
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Despite the excellent historical insights of my hon. Friend, the whole purpose of a referendum so far has been largely to get a Government out of a problem rather than necessarily for some overreaching constitutional motivation. That was certainly the case in the 1970s when there was a referendum on our membership of the European Community.

8	AJC	04/11/2012 16:26
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Rather than parading masses of quotations from Burke, Wilkes and others, I shall focus on the referendum that took place in 1975, to which the right hon. Member for Bethnal Green and Stepney (Mr. Shore) referred as a great battle. I call it a great defeat. It was a defeat for the House and for the Government of the day. It is worth remembering that we had that referendum because the Government of the day were split from top to bottom on the issue and were incapable of taking a decision on it.

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9 AJC 04/11/2012 16:41

Opinion polls were held prior to the referendum to try to find out whether that was so. At the beginning of February 1975, NOP asked a series of differently worded questions and recorded the majority of yes voters over those who would vote no for each question. For example, to the question, Do you accept the Government's recommendation that the United Kingdom should come out of the Common Market? the yes vote had a majority of 0.2 per cent. For the simple question, Should the United Kingdom come out of the Common Market? the figure rose to 4.6 per cent. and for the straight choice "In/Out" the figure was 10.8 per cent. Another set of questions were asked. To the question, Should the United Kingdom stay in the Common Market? the yes vote had a majority of 13.2 per cent.; to the question, Do you accept the Government's recommendations that the United Kingdom should stay in the Common Market? the yes vote had a majority of 18.2 per cent.; to the question, The Government recommends the acceptance of the renegotiated terms of British membership of the Common Market. Should the United Kingdom stay in the Common Market? it was 11.2 per cent., and finally, Her Majesty's Government believe that the nation's best interests would be served by accepting the favourably renegotiated terms of our continued membership of the Common Market. Should the United Kingdom stay in the Common Market? had a 16.2 per cent. majority

10 AJC 04/11/2012 17:26

In a referendum, people would examine the arguments. People must have the right to receive information, some of which will be prejudiced and some objective, although it is difficult for human beings to be objective in any given circumstance. The Bill does not provide for that, so I assume that the author intends it to be done under delegated powers. The amount of expenditure allocated to each side must be the same to avoid the surfeit of propaganda that was churned out in the 1975 poll. The Government claimed that there would be one leaflet for each side, but they did not say that they would issue another leaflet to ensure that it was two to one.

11 AJC 04/11/2012 17:44

My concern about the Bill and the reason why I do not support it is that I do not believe that a referendum is the right way to control that drift. I shall not go over the arguments about referendums again, because I want to keep my remarks brief so that my hon. Friends can speak. However, a referendum would have two major problems. First, the power of the person calling the referendum to determine the nature of the question will clearly largely determine the outcome. Also, it is a question not merely of the words on the ballot paper but of the nature of the argument preceding the vote which determines how people interpret the question on the referendum. Technically, a referendum is not the right solution to the problem.

12 AJC 04/11/2012 18:01

The proposal, as I understand it, is to hold a referendum on the Maastricht treaty terms and to close off the option, for the United Kingdom, of moving to a single currency. Just what will happen if the referendum leads to the answer no? The issue might well be voted on in a week in which French farmers set fire to a lorryload of live sheep, or a British girl gets murdered in Italy, or there is a great neo-Nazi demonstration in Potsdam. Such events, joyfully whooped up, as they would be, by our egregious tabloid press—I can visualise already the headline in the Evening Standard—could have a substantial, possibly even a decisive influence on the results of that referendum, which is bound to be more of a popularity test than a careful balancing of the issues.

Internals\2003 Debate Coded

Yes	0.0532	2
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1 AJC 05/11/2012 03:16

A principal problem with referendums is that, on the whole, people do not answer the question that is put to them. Let us consider the 1986 referendum in Spain on whether it should join NATO. I do not suppose that many Conservative Members wanted Spain to vote against joining. However, many people voted according to whether they liked the Government of the day, not on the issue.

2 AJC 05/11/2012 03:26

The truth is that the Conservatives want a referendum for nakedly opportunistic reasons, so that they can say no—as the hon. Member for Stratford-on-Avon has already suggested that he would—and so as to start a complete unilateral renegotiation of all the treaties. But it takes two to tango, and it takes 25 to start a renegotiation of the treaties of Europe. The Tories have no one else to tango with or to renegotiate with. All that they are really talking about is withdrawal, and I urge the House to vote against this Bill.

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Internals\\2004 Debate Coded

Yes	0.0527	12
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1	AJC	15/08/2014 19:37
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Just to clarify this point, because I am not sure what the process will be, the question that the hon. Gentleman wants to be put to the British public is one that presumably he has devised and has put in the Bill. It is not as he just said; it is subtly different. It is: Should the United Kingdom be bound by the Treaty establishing a Constitution for the European Union? It could be argued that the way in which he has framed that question betrays his view of what the answer should be. Should we not be trying to devise a question that is a bit more

2	AJC	15/08/2014 19:41
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The only people who have an interest in delaying the referendum after the treaty is adopted are the Government. The reason for that is that they do not want it before the general election; they want to defer it beyond the general election. The earliest that the general election might be is next spring or summer, so we are talking about a referendum in the autumn of 2005, which will be 15 months after the treaty setting out the constitution was adopted. What can possibly be the excuse or justification for that, other than proving what I firmly believe to be the case—that this referendum is nothing to do with asking the British people what they think about this issue but with getting the Prime Minister and his skin through the next general election?

3	AJC	15/08/2014 19:43
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I am sure that my party would like to see such a measure on the statute book. Obviously, I cannot speak for the Liberal Democrats, who have been in favour of a referendum for a very long time, for slightly different reasons and rather more honourably than the Government, but I am sure that they would also like to see such a measure. If the Government do not accept my Bill, it will prove my point, which is that their desire for a referendum is nothing to do with seeking the public's decision.

4	AJC	15/08/2014 19:58
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My next problem with the Bill concerns the question that will be asked in the referendum.

5	AJC	15/08/2014 20:00
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Does my hon. Friend agree that the hon. Gentleman's great haste to rush to a referendum is about ensuring that the people of Britain do not have the opportunity properly to examine and understand the constitution, which would be more likely lead to a no vote than a proper discussion in this Parliament and in the country on the important issues that it contains?

6	AJC	15/08/2014 20:06
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Let us consider the second flaw in the series of flaws that means that the Bill cannot be supported—the referendum question. When the hon. Member for Stratford-on-Avon referred to the 34 referendums that have already taken place, I asked him how many had the question decided by an Act of Parliament. I genuinely did not know the answer. I was not a Member of Parliament when the Bill that dealt with the Greater London authority was considered and I do not know whether the referendum question was included in the measure. I am happy to give way to any hon. Member who can tell me whether it is custom and practice to specify the question in the Bill.

Clause 3(6) states: The Electoral Commission shall publish a report setting out when and how the referendum shall be conducted", but that presumably does not include the wording of the question, because that is on the face of the Bill. That being the case, the Electoral

7	AJC	15/08/2014 20:07
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We are now coming to the crux of the Bill, namely, the wording of the question. My hon. Friend makes a relevant point about the Electoral Commission. Does he accept that the way in which a question is phrased can often determine the type of response that it gets? The question in the Bill asks: Should the United Kingdom be bound by the Treaty establishing a Constitution for the European Union? Does not that give a hint, at least, of the Conservatives' view that the treaty in some way restricts the sovereign rights of the UK? Is not the question itself designed to get a "no" answer?

8	AJC	15/08/2014 20:07
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I want to explore the general principle of whether we should put the wording of a referendum question into primary legislation. If someone can convince me that that is where it belongs, and that that is what we have done for the last 36 referendums, my fears would be calmed. Perhaps the Minister can help me here; he used to be in the Home Office. No one has yet explained to me why this wording needs to be in the Bill.

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9 AJC 15/08/2014 20:09

There are two issues relating to the wording of the question. The first is the principle of whether a referendum question should be included in a Bill, irrespective of what it says. Hon. Members will correct me if I am wrong, but I understand that, as and when we have a referendum on the euro, the question will be framed by the Electoral Commission or some sort of independent body. I might be wrong; the Government might be intending to frame the question themselves—I am not entirely sure. However, if we were to give the Electoral Commission a significant role in the conduct of this referendum, excluding it as a point of principle from having anything to do with the framing of the question—after all, what is a referendum if it is not a question?—seems to be the major flaw in the Bill. I might have been more inclined to support it, the other flaws notwithstanding, had it said, "The question to be asked in the referendum shall be decided by the Electoral Commission and ratified by Parliament." However, it says: The question to be asked in a referendum held in pursuance of section 1 is and it goes on to outline a question.

10 AJC 15/08/2014 20:09

This Parliament gave the commission powers so that there would be no hint of party political bias in any such sensitive matter to do with elections or referendums. It would have had a lot to say about how the 1975 referendum was conducted—it was clearly one-sided in terms of the money spent and the publicity given to the "Yes" campaign. [Interruption.] I am far too young to remember it; I have read about it in the history books.

11 AJC 15/08/2014 20:16

We have discussed the flaws relating to the issue of adoption and the insertion of words that fetter the Electoral Commission, which was probably not even consulted. The next major flaw lies in the wording of the referendum question. I suspect that the hon. Member for Stratford-on-Avon—or the right hon. Member for Birkenhead, if he drafted the Bill—tried hard to think of wording that was studiously neutral. Speaking as one who would be more inclined to vote yes than no, I do not consider this wording to be studiously neutral. My hackles are raised by the word "bound". Voters are to be asked: Should the United Kingdom be bound by the Treaty establishing a Constitution for the European Union? My hon. Friend the Member for Edinburgh, North and Leith (Mr. Lazarowicz) also felt that the question was not entirely even-handed and free from bias.

12 AJC 15/08/2014 20:17

There is one good reason for not including the question. The hon. Member for Stratford-on-Avon (Mr. Maples) argued that the wording could be amended in Committee, and indeed on Report. We might find ourselves dealing with a dozen amendments with a dozen different wordings, ranging from what Conservative Members might prefer—"Do you want Britain out of Europe?"—to something more neutral, and from that to a question biased in favour of a "Yes" vote. We could debate all that for ever.

Internals\2010 Debate Coded

Yes 0.0132 6

1 AJC 16/08/2014 18:44

The hon. Member for Crawley (Henry Smith) makes a good point—that the Bill does not really introduce a referendum lock. It closes the door for a while, until such time as a Government of any colour, whether Conservative, Liberal Democrat—well, that is fairly unlikely—or Labour, choose, if they want to, to derogate from the Bill in any provisions that they introduce. Is that not the danger—that the Bill might just seem like no more than political posturing?

2 AJC 16/08/2014 18:57

It is with great regret that I have to say that my party betrayed the promise it had made on the Lisbon treaty. If it had granted the referendum on that treaty, we would not be here discussing this Bill. One reason why my party and others did not want that referendum is that they knew the result would have been a defeat. In other words, we would not have signed up to the Lisbon treaty; it would not

3 AJC 16/08/2014 19:03

I think we were right to insist, after the second world war when we effectively rewrote the German constitution, that Germany should not be able to hold plebiscites because unfortunate circumstances can sometimes arise.

4 AJC 16/08/2014 19:10

Like my hon. Friend the Member for Rhondda (Chris Bryant), I have also been very much an opponent of the idea of referendums. I would agree with former Prime Minister Baroness Thatcher, when she quoted the former Deputy Prime Minister and then Prime Minister Clement Attlee as saying that referendums were the devices of demagogues and dictators. There is a large element of truth in

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5 AJC 16/08/2014 19:26

Let me get to the nub of the issue. Traditionally, the Conservative party is not just economically and socially conservative; it also seeks to conserve existing British institutions—the monarchy, the House of Lords, the rule of law, parliamentary sovereignty, MPs as representatives rather than delegates, and no written constitution. While in government, the party of Churchill, Thatcher, Macmillan and Baldwin has never offered the public a referendum. Given this Bill and the proposed alternative vote referendum, the Conservatives seem to offer referendums only on proposals that they want the public to reject.

Instead of simply stating general principles on offering referendums, the coalition has gone through the treaties line by line and set out a mish-mash of issues on which a referendum will be called, and gives a shorter list of issues on which one will not be called. That approach is not only unnecessarily complicated, but it gives the impression that the Government cannot be trusted to exercise their judgment on whether there should be a referendum on individual decisions and treaty changes.

Under the Bill, the extension of the ordinary procedure on environment policy will require a referendum, but as other hon. Members have said, the accession of Turkey to the EU will not. Which will have the greater impact on the UK? Angela Merkel's proposals on the eurozone would not be subject to a referendum because the provisions do not apply to the UK. That assumes that because the UK is outside the eurozone, events within it do not affect the UK. We may not be signatories to the stability and growth pact, but the pact and the stability of the eurozone doubtless have an influence on the stability of the UK economy.

6 AJC 16/08/2014 19:26

The Bill is bad law and dubious politics. It is an act of posturing by the coalition. The Government are trying to satisfy Eurosceptic Tory Back Benchers, but achieve neither of the objectives that they set out to achieve. The Lib Dems are a fig leaf to hide the Conservative's embarrassment at Britain's membership of the EU.

Nodes\Manipulation Issues\Advocated by those who want to take the UK out of EU

Document

Internals\1980 Debate Coded

No 0.0479 1

1 AJC 03/11/2012 16:43

Secondly, if the Bill were accepted, it would be taken as a clear sign from the House that it wished to turn its back on the European Community. [HON. MEMBERS: "Hear, hear."] When one considers the history of Europe in this century alone and the particularly dangerous instability of the wider world at the moment and the limited nature of our disagreements—I stress that—against the deep gulfs—[Interruption.]

It would appear that those who are opposed to the Community feel that the noise of their interjections lends validity to their arguments. I do not believe that that is so.

Internals\1992 Debate Coded

No 0.0022 1

1 AJC 03/11/2012 17:22

A paradox is inherent in the constitutional purism of which we have heard today. Wherein lies sovereignty? Are we really kidding ourselves that we shall achieve something by being isolationist? I imagine that many of those who support the Bill hope that, if the matter were put to a referendum, the British public would say a firm no. Do they really believe that by going it alone and not taking part in the economic and political development of the European Community we shall enhance our sovereignty?

Aggregate	Classification	Coverage	Number Of Coding Reference	Reference Number	Coded By Initials	Modified On
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Internals\\2003 Debate Coded

No		0.0309	1	1	AJC	05/11/2012 03:26
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The truth is that the Conservatives want a referendum for nakedly opportunistic reasons, so that they can say no—as the hon. Member for Stratford-on-Avon has already suggested that he would—and so as to start a complete unilateral renegotiation of all the treaties. But it takes two to tango, and it takes 25 to start a renegotiation of the treaties of Europe. The Tories have no one else to tango with or to renegotiate with. All that they are really talking about is withdrawal, and I urge the House to vote against this Bill.

Internals\\2010 Debate Coded

No		0.0064	1	1	AJC	16/08/2014 19:26
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Let me get to the nub of the issue. Traditionally, the Conservative party is not just economically and socially conservative; it also seeks to conserve existing British institutions—the monarchy, the House of Lords, the rule of law, parliamentary sovereignty, MPs as representatives rather than delegates, and no written constitution. While in government, the party of Churchill, Thatcher, Macmillan and Baldwin has never offered the public a referendum. Given this Bill and the proposed alternative vote referendum, the Conservatives seem to offer referendums only on proposals that they want the public to reject.

Instead of simply stating general principles on offering referendums, the coalition has gone through the treaties line by line and set out a mish-mash of issues on which a referendum will be called, and gives a shorter list of issues on which one will not be called. That approach is not only unnecessarily complicated, but it gives the impression that the Government cannot be trusted to exercise their judgment on whether there should be a referendum on individual decisions and treaty changes.

Under the Bill, the extension of the ordinary procedure on environment policy will require a referendum, but as other hon. Members have said, the accession of Turkey to the EU will not. Which will have the greater impact on the UK? Angela Merkel's proposals on the eurozone would not be subject to a referendum because the provisions do not apply to the UK. That assumes that because the UK is outside the eurozone, events within it do not affect the UK. We may not be signatories to the stability and growth pact, but the pact and the stability of the eurozone doubtless have an influence on the stability of the UK economy.

Nodes\\Manipulation Issues\Framing of the question influences results

Document

Internals\\1974 Debate coded

No		0.0158	5	1	AJC	25/10/2012 17:51
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It is highly significant that in all the debate that is now developing on the subject of a referendum on our continued membership of the european_economic_community the question is not whether we should have the referendum at least, the debate had not been on that subject until we were given the opportunity to discuss it in the house today but on how the question should be framed in order to obtain the answer that the executive wants.

2	AJC	25/10/2012 17:55
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Therefore, if the question is asked, on the basis of the terms now negotiated, do you approve of Britain_s staying in the common market, the natural answer is likely to be no. However, equally, the same professionals tell us that people do not like voting for the word withdrawal. Therefore, if the question is rephrased and becomes, on the basis of the terms now negotiated, do you favour Britain_s withdrawing from the european_economic_community, the answer is likely to be no, and doubly so. Thus, if the electorate is narrowly divided on this issue, and there are only a few percentage points between the pros and the antis, it could be a question just of choosing the words in the question in order to get the answer wanted.

Aggregate	Classification	Coverage	Number Of Coding Reference	Reference Number	Coded By Initials	Modified On
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3 AJC 01/11/2012 10:24

Because it is based on the formulation of a question, a referendum may be manipulated. The question itself may be presented in such a way as to obtain the result which the executive requires. As the right honourable Member for Down, South knows well, there are the two kinds of question, the num and the nonne, and it is possible in any sort of referendum to put the case in such a way as to obtain the desired result.

The hon. Member for Mid_Sussex suggested a few varieties of question to produce the desired result. I add to his suggestions by supposing that the questions were put in these terms: Are you in favour of Britain being expelled from the

4 AJC 01/11/2012 13:50

First, the nature of the question put to the people will be of decisive and paramount importance. We all agree, I am sure, that under dictatorships the form of the question may be used to manipulate the reply. Therefore, we shall have to watch our executive when it is formulating the question through the Cabinet committee which is now seeking to arrange for the question to be put through the ballot box, in whatever form that takes. That is the first significant requirement. We have to consider most carefully what the question will be.

5 AJC 01/11/2012 16:48

what will be the question put to the British people? Who will decide that? We have never had a clear decision on how this will be done. This is very important in relation to the sovereignty of Parliament. One of the key issues on which the right hon. Member for Down, South (Mr. Powell) and my right hon. Friend the Member for Battersea, North (Mr. Jay) opposed entry into the Common Market was the question of Parliament's sovereignty.

Internals\1992 Debate Coded

No 0.0151 6

1 AJC 03/11/2012 17:39

We all know that a particular result can often be achieved by the way in which the question is put. There is no certainty that, in respect of this Bill, the question could be phrased in such a way as to divine a fair test of public opinion.

2 AJC 03/11/2012 17:45

If the public were asked in a referendum, "Should we come out of the CAP?" the majority might well say yes. However, if we also asked, "Are you in favour of paying more to farmers through a national subsidy deficiency scheme?", they would probably say no to that, because that would cost more money.

3 AJC 03/11/2012 18:00

I am not delighted to be supporting the Bill, although reluctantly and for certain reasons I may do so. All referendums have many of the disadvantages that were referred to by the hon. Member for Chichester—the manoeuvrability of the question, the dangling of a hope or promise and the spectre of fear if one does say yes.

4 AJC 03/11/2012 18:02

If there had been a referendum that asked, "Are you prepared to enter the European Community, where the laws relating to agriculture, food prices and the whole of the relationship between the soil and the natural environment of the United Kingdom is to be decided by people not of our nationality beyond our shores?" I am confident that the answer would have been no.

5 AJC 04/11/2012 16:41

Opinion polls were held prior to the referendum to try to find out whether that was so. At the beginning of February 1975, NOP asked a series of differently worded questions and recorded the majority of yes voters over those who would vote no for each question. For example, to the question, Do you accept the Government's recommendation that the United Kingdom should come out of the Common Market? the yes vote had a majority of 0.2 per cent. For the simple question, Should the United Kingdom come out of the Common Market? the figure rose to 4.6 per cent. and for the straight choice "In/Out" the figure was 10.8 per cent. Another set of questions were asked. To the question, Should the United Kingdom stay in the Common Market? the yes vote had a majority of 13.2 per cent.; to the question, Do you accept the Government's recommendations that the United Kingdom should stay in the Common Market? the yes vote had a majority of 18.2 per cent.; to the question, The Government recommends the acceptance of the renegotiated terms of British membership of the Common Market. Should the United Kingdom stay in the Common Market? it was 11.2 per cent., and finally, Her Majesty's Government believe that the nation's best interests would be served by accepting the favourably renegotiated terms of our continued membership of the Common Market. Should the United Kingdom stay in the Common Market? had a 16.2 per cent. majority

Aggregate	Classification	Coverage	Number Of Coding Reference	Reference Number	Coded By Initials	Modified On
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6 AJC 04/11/2012 17:44

My concern about the Bill and the reason why I do not support it is that I do not believe that a referendum is the right way to control that drift. I shall not go over the arguments about referendums again, because I want to keep my remarks brief so that my hon. Friends can speak. However, a referendum would have two major problems. First, the power of the person calling the referendum to determine the nature of the question will clearly largely determine the outcome. Also, it is a question not merely of the words on the ballot paper but of the nature of the argument preceding the vote which determines how people interpret the question on the referendum. Technically, a referendum is not the right solution to the problem.

Internals\2004 Debate Coded

No 0.0377 8

1 AJC 15/08/2014 19:37

Just to clarify this point, because I am not sure what the process will be, the question that the hon. Gentleman wants to be put to the British public is one that presumably he has devised and has put in the Bill. It is not as he just said; it is subtly different. It is: Should the United Kingdom be bound by the Treaty establishing a Constitution for the European Union? It could be argued that the way in which he has framed that question betrays his view of what the answer should be. Should we not be trying to devise a question that is a bit more

2 AJC 15/08/2014 19:58

My next problem with the Bill concerns the question that will be asked in the referendum.

3 AJC 15/08/2014 20:06

Let us consider the second flaw in the series of flaws that means that the Bill cannot be supported—the referendum question. When the hon. Member for Stratford-on-Avon referred to the 34 referendums that have already taken place, I asked him how many had the question decided by an Act of Parliament. I genuinely did not know the answer. I was not a Member of Parliament when the Bill that dealt with the Greater London authority was considered and I do not know whether the referendum question was included in the measure. I am happy to give way to any hon. Member who can tell me whether it is custom and practice to specify the question in the Bill.

Clause 3(6) states: The Electoral Commission shall publish a report setting out when and how the referendum shall be conducted", but that presumably does not include the wording of the question, because that is on the face of the Bill. That being the case, the Electoral

4 AJC 15/08/2014 20:07

We are now coming to the crux of the Bill, namely, the wording of the question. My hon. Friend makes a relevant point about the Electoral Commission. Does he accept that the way in which a question is phrased can often determine the type of response that it gets? The question in the Bill asks: Should the United Kingdom be bound by the Treaty establishing a Constitution for the European Union? Does not that give a hint, at least, of the Conservatives' view that the treaty in some way restricts the sovereign rights of the UK? Is not the question itself designed to get a "no" answer?

5 AJC 15/08/2014 20:07

I want to explore the general principle of whether we should put the wording of a referendum question into primary legislation. If someone can convince me that that is where it belongs, and that that is what we have done for the last 36 referendums, my fears would be calmed. Perhaps the Minister can help me here; he used to be in the Home Office. No one has yet explained to me why this wording needs to be in the Bill.

6 AJC 15/08/2014 20:09

There are two issues relating to the wording of the question. The first is the principle of whether a referendum question should be included in a Bill, irrespective of what it says. Hon. Members will correct me if I am wrong, but I understand that, as and when we have a referendum on the euro, the question will be framed by the Electoral Commission or some sort of independent body. I might be wrong; the Government might be intending to frame the question themselves—I am not entirely sure. However, if we were to give the Electoral Commission a significant role in the conduct of this referendum, excluding it as a point of principle from having anything to do with the framing of the question—after all, what is a referendum if it is not a question?—seems to be the major flaw in the Bill. I might have been more inclined to support it, the other flaws notwithstanding, had it said, "The question to be asked in the referendum shall be decided by the Electoral Commission and ratified by Parliament." However, it says: The question to be asked in a referendum held in pursuance of section 1 is and it goes on to outline a question.

Aggregate	Classification	Coverage	Number Of Coding Reference	Reference Number	Coded By Initials	Modified On
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7 AJC 15/08/2014 20:16

We have discussed the flaws relating to the issue of adoption and the insertion of words that fetter the Electoral Commission, which was probably not even consulted. The next major flaw lies in the wording of the referendum question. I suspect that the hon. Member for Stratford-on-Avon—or the right hon. Member for Birkenhead, if he drafted the Bill—tried hard to think of wording that was studiously neutral. Speaking as one who would be more inclined to vote yes than no, I do not consider this wording to be studiously neutral. My hackles are raised by the word "bound". Voters are to be asked: Should the United Kingdom be bound by the Treaty establishing a Constitution for the European Union? My hon. Friend the Member for Edinburgh, North and Leith (Mr. Lazarowicz) also felt that the question was not entirely even-handed and free from bias.

8 AJC 15/08/2014 20:17

There is one good reason for not including the question. The hon. Member for Stratford-on-Avon (Mr. Maples) argued that the wording could be amended in Committee, and indeed on Report. We might find ourselves dealing with a dozen amendments with a dozen different wordings, ranging from what Conservative Members might prefer—"Do you want Britain out of Europe?"—to something more neutral, and from that to a question biased in favour of a "Yes" vote. We could debate all that for ever.

Nodes\\Manipulation Issues\\Other manipulation issues

Document

Internals\\1974 Debate coded

No 0.0009 1

1 AJC 26/10/2012 12:08

But as I have shown, what tends to happen in a referendum is a manipulation of the electorate, of the citizens, in order to obtain the answer desired by the government of the day.

Internals\\1980 Debate Coded

No 0.0566 1

1 AJC 03/11/2012 16:39

Referendums are advocated only by those who believe that they would win a referendum at a particular time. [Interruption.] I wish that someone would try to silence Labour Members below the Gangway.

For example, if we take issues of life and death, such as capital punishment and abortion, it is surely significant that those who advocate the return of capital punishment advocate a referendum, while those who are opposed to abortion do not. That is an indication of the fact that those who argue for the Bill, irrespective of the validity of the arguments, are interested only in ensuring that a reflection of public opinion is achieved at a time when they feel that their view holds water.

Aggregate	Classification	Coverage	Number Of Coding Reference	Reference Number	Coded By Initials	Modified On
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Internals\\1982 Debate Coded

No	Coverage	Number	Reference	Coded By	Modified On
	0.0133	3			
			1	AJC	03/11/2012 16:51

When I spoke in the last European Economic Community debate on 21 July I said that things had gone remarkably quiet on the Luxembourg compromise. The hon. Gentleman mentioned it and gave us the Government's point of view, but to all intents and purposes this quietness continues, and is certainly reflected in the document. Despite what the hon. Gentleman said, six months after 18 May we still do not know what, if anything, the Government intend to do to guarantee the right of veto. It is a much more important matter than the hon. Gentleman made out. Even before we entered the EEC, the Labour Opposition argued strenuously that the right of veto should be guaranteed by law. The Government's chief negotiator at the time, the right hon. and learned Member for Hexham (Mr. Rippon), assured us that that was not necessary, and he was put in an embarrassing position by what happened on 18 May.

The referendum propaganda in 1975 repeated the assurances. They must have convinced many people in this country and helped to secure the majority that was obtained for the "Yes" vote for continued EEC membership. In this connection I refer to a statement by a distinguished lawyer, Lord Wedderburn of Charlton. In The Guardian of 25 May he said: A referendum majority obtained on the basis of such misstatements clearly can have no validity, just as a treaty, though concluded with consent, 'is nevertheless not binding if the consent was given in error'. The source that he used for that interpretation was Oppenheim's International Law. Do the Government agree with that interpretation? Two trained lawyers are present on the Government Front Bench, and I should be interested to hear their comments on Lord Wedderburn's remarks. This is perhaps a more crucial issue than the Government have implied, either in the

			2	AJC	03/11/2012 17:06
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The veto is mentioned on page 24 of the White Paper. The apparent disappearance of the Luxembourg compromise—disagreement would perhaps be a better word—illustrates the hollowness of what was said at the time of our entry and also at the time of the

			3	AJC	03/11/2012 17:08
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I said that they were actively misled by the Government and the pro-marketeters' propaganda into believing that the British people would have a cast iron veto. We have been told that there was nothing legal in that. That was why the Labour Party said that the Luxembourg compromise should be written into the legislation and form part of the Treaty. That did not happen. The compromise was overturned by what happened on 18 May. That is of major importance because it removes the legitimacy from the acceptance of the referendum result and the decision to remain members of the European Community.

Internals\\1992 Debate Coded

No	Coverage	Number	Reference	Coded By	Modified On
	0.0068	2			
			1	AJC	03/11/2012 17:20

Does my right hon. Friend accept that the referendum will not be a defence unless there are clear rules to prevent one side from pouring millions of pounds into its campaign, which in 1975 resulted in a prejudiced, biased, unfair provision of information for people to make a judgment? It is important to ensure that the referendum is genuinely a defence and not a device.

**** *name_PShore *year_1992 *party_LAB

My hon. Friend is absolutely right. Veterans of that great battle in 1975 will be well aware of the inadequacies of the arrangements that were made and the vast weight of money that helped enormously to distort the results of the vote. I am certain that we are now sufficiently experienced to devise new and more effective rules to ensure that if and when a referendum takes place it will be far fairer and will therefore give people a much better chance genuinely to express their views.

			2	AJC	04/11/2012 17:26
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In a referendum, people would examine the arguments. People must have the right to receive information, some of which will be prejudiced and some objective, although it is difficult for human beings to be objective in any given circumstance. The Bill does not provide for that, so I assume that the author intends it to be done under delegated powers. The amount of expenditure allocated to each side must be the same to avoid the surfeit of propaganda that was churned out in the 1975 poll. The Government claimed that there would be one leaflet for each side, but they did not say that they would issue another leaflet to ensure that it was two to one.

Aggregate	Classification	Coverage	Number Of Coding Reference	Reference Number	Coded By Initials	Modified On
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Internals\\2004 Debate Coded

No	Coverage	Number Of Coding Reference	Reference Number	Coded By Initials	Modified On
	0.0058	2	1	AJC	15/08/2014 20:00

Does my hon. Friend agree that the hon. Gentleman's great haste to rush to a referendum is about ensuring that the people of Britain do not have the opportunity properly to examine and understand the constitution, which would be more likely lead to a no vote than a proper discussion in this Parliament and in the country on the important issues that it contains?

2 AJC 15/08/2014 20:09

This Parliament gave the commission powers so that there would be no hint of party political bias in any such sensitive matter to do with elections or referendums. It would have had a lot to say about how the 1975 referendum was conducted—it was clearly one-sided in terms of the money spent and the publicity given to the "Yes" campaign. [Interruption.] I am far too young to remember it; I have read about it in the history books.

Internals\\2010 Debate Coded

No	Coverage	Number Of Coding Reference	Reference Number	Coded By Initials	Modified On
	0.0032	2	1	AJC	16/08/2014 18:44

The hon. Member for Crawley (Henry Smith) makes a good point—that the Bill does not really introduce a referendum lock. It closes the door for a while, until such time as a Government of any colour, whether Conservative, Liberal Democrat—well, that is fairly unlikely—or Labour, choose, if they want to, to derogate from the Bill in any provisions that they introduce. Is that not the danger—that the Bill might just seem like no more than political posturing?

2 AJC 16/08/2014 18:57

It is with great regret that I have to say that my party betrayed the promise it had made on the Lisbon treaty. If it had granted the referendum on that treaty, we would not be here discussing this Bill. One reason why my party and others did not want that referendum is that they knew the result would have been a defeat. In other words, we would not have signed up to the Lisbon treaty; it would not

Nodes\\Manipulation Issues\\Reinforce the status-quo

Document

Internals\\1974 Debate coded

No	Coverage	Number Of Coding Reference	Reference Number	Coded By Initials	Modified On
	0.0062	2	1	AJC	25/10/2012 17:54

It is here that the opinion pollsters and serious bodies such as the electoral reform. Society start getting very worried, for it is a known fact that most people are conservative with a small c and prefer to vote no in a referendum.

Aggregate	Classification	Coverage	Number Of Coding Reference	Reference Number	Coded By Initials	Modified On
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2 AJC 03/11/2012 16:40

If my hon. Friends will look at the historical precedents they will find that the referendum has been shown in the past to be an instrument of conservatism at best a mechanism to maintain the status quo and at worst to put the clock back. Let them consider any question that comes immediately to mind which could be decided by the people. Take capital punishment, for example. There would be no doubt about the result of a referendum on capital punishment. The vast mass of the people would vote for its return. The social progress we have made in this country has often been the result of the determination of individuals, either inside or outside this House, leading public opinion on. The anti_slavery movement, the factory legislation, the trade union legislation these items of social progress have often been made against the wishes of the people at the time, and by determined individualist minds both inside the

Nodes\\Manipulation Issues\\The Media would influence the vote

Document

Internals\\1974 Debate coded

No 0.0054 2

1 AJC 01/11/2012 17:09

While I agree with almost everything that my hon. Friend has said even to the extent of having referenda on other matters has he not now reached the weakest part of his argument, inasmuch as, unless there is a dramatic change in the editorial columns of the newspapers, it is likely that the national Press almost without exception will be heavily biased in trying to brainwash the British people into staying in the Common Market? That is the one real danger.

2 AJC 01/11/2012 17:19

I am deeply concerned that most of the historical references that have been given whether accurate or inaccurate we can debate another time have been to the eras of the Greeks and Romans. We have not discussed in relation to referenda in Western society the entirely changed nature of the media and its involvement with Western democracy. I do not wish to refer to Hitler or Stalin, but there is no question in my mind that, given the means of control of the media in a modern Western_style democracy, one can utilise the media

Internals\\1992 Debate Coded

No 0.0033 1

1 AJC 04/11/2012 18:01

The proposal, as I understand it, is to hold a referendum on the Maastricht treaty terms and to close off the option, for the United Kingdom, of moving to a single currency. Just what will happen if the referendum leads to the answer no? The issue might well be voted on in a week in which French farmers set fire to a lorryload of live sheep, or a British girl gets murdered in Italy, or there is a great neo-Nazi demonstration in Potsdam. Such events, joyfully whooped up, as they would be, by our egregious tabloid press—I can visualise already the headline in the Evening Standard—could have a substantial, possibly even a decisive influence on the results of that referendum, which is bound to be more of a popularity test than a careful balancing of the issues.

Aggregate	Classification	Coverage	Number Of Coding Reference	Reference Number	Coded By Initials	Modified On
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Nodes\\Manipulation Issues\\Used by dictators

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Internals\\1974 Debate coded

No	0.0099	4
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1	AJC	25/10/2012 17:57
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I should like to consider a few modern examples of referenda. The two great exponents of referenda in Europe in our day have been Hitler and de_Gaulle. On the very day that Hitler announced Germany's withdrawal from the league of nations, he said that he would subject his decision to a plebiscite, using the semblance of democracy to thwart the democratic nations. A total of 96 per cent. of the electorate went to the poll, and 95 per cent. approved Hitler's policy.

In subsequent years, Hitler regularly used the plebiscite to support acts of aggression, like the invasion of the Rhineland and the Anschluss—the absorption of Austria into Germany. On each occasion, he got a 99 per cent. poll in favour, but I wonder how the electoral reform society would have approved of the way in which he conducted those polls.

2	AJC	01/11/2012 10:17
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A referendum in the hands of a dictatorship, or even of an unduly powerful executive, is an instrument which may be abused to the detriment of the governed. Because it is based

3	AJC	01/11/2012 13:50
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First, the nature of the question put to the people will be of decisive and paramount importance. We all agree, I am sure, that under dictatorships the form of the question may be used to manipulate the reply. Therefore, we shall have to watch our executive when it is formulating the question through the Cabinet committee which is now seeking to arrange for the question to be put through the ballot box, in whatever form that takes. That is the first significant requirement. We have to consider most carefully what the question will be.

4	AJC	01/11/2012 15:04
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I could not consent to the introduction into our national life of a device so alien to all our traditions as the referendum, which has been only too often the instrument of Nazidom and Fascism. Hitler's practices in the field of referenda and plebiscites can hardly have endeared its acceptance to the British heart.

Internals\\2010 Debate Coded

No	0.0022	2
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1	AJC	16/08/2014 19:03
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I think we were right to insist, after the second world war when we effectively rewrote the German constitution, that Germany should not be able to hold plebiscites because unfortunate circumstances can sometimes arise.

2	AJC	16/08/2014 19:10
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Like my hon. Friend the Member for Rhondda (Chris Bryant), I have also been very much an opponent of the idea of referendums. I would agree with former Prime Minister Baroness Thatcher, when she quoted the former Deputy Prime Minister and then Prime Minister Clement Attlee as saying that referendums were the devices of demagogues and dictators. There is a large element of truth in

Aggregate	Classification	Coverage	Number Of Coding Reference	Reference Number	Coded By Initials	Modified On
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Nodes\\Manipulation Issues\\Used by party leaders to keep a party together or by government to avoid making decisions Document

Internals\\1974 Debate coded

No	0.0081	3
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1	AJC	01/11/2012 09:47
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It was only by a commitment to go back to the ballot box within 12 months that it was possible to hold the Labour Party together. It was only in this way that the pro and anti_european_economic_community wings of the Labour Party could be kept together for electoral purposes.

This does not surprise me at all. As I have said, it is precisely for this sort of political reason, and political manipulation, that referenda

2	AJC	01/11/2012 14:24
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When I asked the right hon. Member for Down, South just now whether he would like to see a referendum, he dodged the question. He went back to talking about full-hearted consent. He knows that he is on the record as saying that it is the wrong way to reorganise our political life, and he knows that the right device is a General Election.

The Labour Party could arrange a General Election next year, and the right hon. Member for Ebbw Vale could put into its manifesto a statement that the party's view is under these terms, we should stay in or we should come out. That is the right thing for it to do. It is only because it does not have the ability to do that, the unity to do it, that it is falling back on the device of a referendum, which will do us much more harm.

3	AJC	01/11/2012 16:09
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We believe, too, in the context of Europe that the referendum proposal by the Labour Party is a transparent attempt to preserve party unity at whatever costs, including the cost of prejudicing Britain's proper rôle in Europe through prolonged uncertainty.

Internals\\1992 Debate Coded

No	0.0037	2
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1	AJC	04/11/2012 15:38
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Despite the excellent historical insights of my hon. Friend, the whole purpose of a referendum so far has been largely to get a Government out of a problem rather than necessarily for some overreaching constitutional motivation. That was certainly the case in the 1970s when there was a referendum on our membership of the European Community.

2	AJC	04/11/2012 16:26
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Rather than parading masses of quotations from Burke, Wilkes and others, I shall focus on the referendum that took place in 1975, to which the right hon. Member for Bethnal Green and Stepney (Mr. Shore) referred as a great battle. I call it a great defeat. It was a defeat for the House and for the Government of the day. It is worth remembering that we had that referendum because the Government of the day were split from top to bottom on the issue and were incapable of taking a decision on it.

Internals\\2004 Debate Coded

No	0.0091	2
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1	AJC	15/08/2014 19:41
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The only people who have an interest in delaying the referendum after the treaty is adopted are the Government. The reason for that is that they do not want it before the general election; they want to defer it beyond the general election. The earliest that the general election might be is next spring or summer, so we are talking about a referendum in the autumn of 2005, which will be 15 months after the treaty setting out the constitution was adopted. What can possibly be the excuse or justification for that, other than proving what I firmly believe to be the case—that this referendum is nothing to do with asking the British people what they think about this issue but with getting the Prime Minister and his skin through the next general election?

Aggregate	Classification	Coverage	Number Of Coding Reference	Reference Number	Coded By Initials	Modified On
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2 AJC 15/08/2014 19:43

I am sure that my party would like to see such a measure on the statute book. Obviously, I cannot speak for the Liberal Democrats, who have been in favour of a referendum for a very long time, for slightly different reasons and rather more honourably than the Government, but I am sure that they would also like to see such a measure. If the Government do not accept my Bill, it will prove my point, which is that their desire for a referendum is nothing to do with seeking the public's decision.

Internals\\2010 Debate Coded

No 0.0012 1

1 AJC 16/08/2014 19:26

The Bill is bad law and dubious politics. It is an act of posturing by the coalition. The Government are trying to satisfy Eurosceptic Tory Back Benchers, but achieve neither of the objectives that they set out to achieve. The Lib Dems are a fig leaf to hide the Conservative's embarrassment at Britain's membership of the EU.

Nodes\\Manipulation Issues\\Used by people as a vote of confidence (= people do not answer the question)

Document

Internals\\1974 Debate coded

No 0.0107 4

1 AJC 25/10/2012 18:02

None of this, of course, made any difference to de_Gaulle. In effect, in all his referenda, he was asking for a personal vote of confidence on questions of policy, although, under the French constitution, those questions were the prerogative of a government responsible to parliament. In fact, the use of the referendum was essential to de_Gaulle_s constitutional policy, as it provided an alternative to parliament as a means of legitimising public policy.

In the end, as we know, the referendum proved de_Gaulle_s own undoing, as he went to the country on an issue of senate and local government reform. But, as always, the referendum was a vote of confidence in himself.

2 AJC 01/11/2012 14:58

Again, the referendum is a fallible instrument. We cannot be sure that people will vote on the merits of the issue. We cannot be sure that they will not be swayed by other considerations, whether party political allegiances or the popularity or unpopularity of the Government, or whatever else it may be. So there is the possibility of a perverse answer.

3 AJC 01/11/2012 16:06

What an irony if Britain's future for the rest of the century were to be decided by half a million people voting not so much about Brussels and the Community as about Rome and the Pope. To these and other questions we should like answers as soon as possible.

4 AJC 01/11/2012 17:34

There was an interesting article in the Guardian of 12th August, written by Social and Community Planning Research, which said: Our work makes us exceptionally cautious of the validity of a referendum as a method of discovering the popular will. A vote in a referendum in France has never been confined to the particular issue on which the referendum has been held. It has usually been decided on whether or not the General was dispensable.

We all know that in the mid_term of a Government's tenure of office by_elections and local authority elections are used by the electorate as an opportunity to punish the Government, and next year, should there be a General Election, or even a referendum on this

Aggregate	Classification	Coverage	Number Of Coding Reference	Reference Number	Coded By Initials	Modified On
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Internals\\2003 Debate Coded

No		0.0222	1	1	AJC	05/11/2012 03:16
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A principal problem with referendums is that, on the whole, people do not answer the question that is put to them. Let us consider the 1986 referendum in Spain on whether it should join NATO. I do not suppose that many Conservative Members wanted Spain to vote against joining. However, many people voted according to whether they liked the Government of the day, not on the issue.

Nodes\\Political Arguments

Document

Internals\\1974 Debate coded

Yes		0.0146	7	1	AJC	25/10/2012 15:56
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In 1972, the Norwegian referendum was held, but the result went against the labour government, who resigned.

2	AJC	25/10/2012 16:24
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The Norwegian labour party has been in disarray ever since, with a steady decline in its support from the voters. In last year's general election, it lost nearly one quarter of its votes.

3	AJC	25/10/2012 16:39
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Indeed, there are many labour members who feel, as I do, that the next demand for a referendum would come from the Scottish nationals, who would seek it on the subject of independence for Scotland, followed, perhaps, by one for wales, particularly if oil and gas are found in substantial quantities in the Celtic Sea.

4	AJC	25/10/2012 16:43
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referenda must be binding on the government of the day, that I am most concerned about the constitutional principle of introducing referenda as a new device in our decision_making process.

5	AJC	25/10/2012 17:48
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for it is up to the government, supported where necessary by a parliamentary majority, to decide how the question is to be framed, when it will be put, how much money is to be spent on the campaign, the length of the campaign, whether public funds will be made available to non_parliamentary pressure groups, and so on. To decide on each of those questions gives further power to the executive of

6	AJC	25/10/2012 18:06
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The antis won, but the result this is the serious part for honourable_members opposite to think about gave new prominence to non-parliamentary pressure groups. As Norwegians today accept, it diminished the authority of political leaders, it has led to a lack of decisiveness by their political leaders through fear of public reaction, and it has led to a growing alienation between the political parties

Aggregate	Classification	Coverage	Number Of Coding Reference	Reference Number	Coded By Initials	Modified On
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7 AJC 01/11/2012 13:54

The disadvantages of the referendum system are known to all honourable_Members. I mention but three. First, all of us here are elected on what we say at our elections. I have always said that I am in favour of the Common_Market. Many Labour Members have said that they are against it. But if the electorate were to decide over their heads that we either remain in or go out, what would be their attitude to promoting the legislation which arose either from staying in or coming out? Would they be prepared, having said that they disagreed with every word of the legislation, then to vote it through the Lobbies? Are we to put ourselves in the position in which we have to follow whole courses of action that are contrary to what we stood for at the election, and what we believed in at that time? Of course, this applies to Governments because they will find it is, in the main, part of their programme that we should or should not be members of the Common_Market, or whatever the question may be, and they will find it difficult if one whole section of their policy is decided over their heads by a referendum.

Internals\\1992 Debate Coded

Yes 0.0143 5

1 AJC 03/11/2012 17:28

The ordinary man in the street has moved on. Let us take the man in Thanet—Thanet man. Thanet man has moved on. He was very concerned about the European Community having federal powers that were too great, but Thanet man realised once the agreement was forged that it was far better to support the Government, to come onside and to work within the European Community and give greater credibility to the structures provided to represent him than he had in the past. Thanet man is now on the Government's side, and it would be a great disappointment if a referendum on this issue, or the opening up of divisions on this question, should once more lead Thanet man into a period of uncertainty and fear, given the great opportunity that we have to go forward to greater prosperity and

2 AJC 03/11/2012 17:48

This is not an issue upon which to have a referendum. Referendums have their problems. If we were to grant the Bill a Second Reading today, it would be a slap in the face for my right hon. Friend the Prime Minister and his ministerial colleagues who have achieved so much in balancing the fears and aspirations in respect of the Maastricht agreement, in extending British influence within the Community and in opening up the economic and political opportunities that the agreement presents. All that would be brought into question. In view of our commitment to the European Community, having already had a referendum on the issue, if we were to have yet another on every aspect of progress in Europe, it would be widely misunderstood in the Community and greatly resented in this country in particular.

3 AJC 04/11/2012 16:33

We should also consider whether the 1975 referendum managed, as my hon. Friend would seek to do, to isolate the issue of EC membership from other issues in the mind of the electorate. Michael Steed writing in The Economist on 14 June 1975 set out to analyse voting patterns across the country. The yes vote varied from 70 per cent. or more in the south to 30 per cent. in the Western Isles. His conclusion was that within a small margin of error people tended to vote along party lines and broadly reflected the yes-no split within

4 AJC 04/11/2012 16:34

So what was gained from the 1975 referendum? It has been plausibly argued by some that the referendum was detrimental to the country. Parliamentary life ground to a halt. Politicians took to the campaign trail and the Government were distracted from tackling the real issues. The Labour Government of the day were beset by the most appalling problems of economic mismanagement and so forth and were distracted from them, which caused commentators to feel—as the press commented—that the referendum had been a luxury that the Government and the country could ill afford. Interest in the referendum soon waned.

5 AJC 04/11/2012 17:55

Another problem with a referendum is that if, as some of my hon. Friends would no doubt like, it results in the Maastricht treaty being accepted, which is quite likely, we would be in an even worse state than we are today. We would have the endorsement of a treaty for reasons that were not clearly understood and the spurious underpinning of progress in Europe. Again, that would need to be understood, but it would not have been understood through the process of a referendum.

Aggregate	Classification	Coverage	Number Of Coding Reference	Reference Number	Coded By Initials	Modified On
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Internals\\2003 Debate Coded

Yes		0.0490	2			
				1	AJC	05/11/2012 03:15

Thank you, Madam Deputy Speaker. Referendums can render countries ungovernable. Let us consider California, where subsequent referendums were passed on a cut in taxes every year and on an annual increase in education spending. That made California almost ungovernable. I note that the policies are remarkably similar to those that Conservative Members are trying to advance—a miracle of increasing spending and cutting taxation—but I do not believe that the people of the world will subscribe to it.

				2	AJC	05/11/2012 03:18
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Would people vote against the quotation from Thucydides that starts the treaty because they had hated Thucydides at school? Why would people vote? Would it put Britain in a better position, after a referendum, to argue for a stronger treaty on our behalf, or would it put us in a weaker situation because we would not know what we wanted?

Internals\\2004 Debate Coded

Yes		0.0081	2			
				1	AJC	15/08/2014 20:22

My hon. Friend may have skated over clause 3(1). Does he not find it peculiar, as I do, that the hon. Gentleman has taken the position that the electorate for the referendum should be the same as that for the European parliamentary elections? I understand that there are about 600,000 French nationals resident in the UK. If the Bill is about defending the British position in terms of the constitution, does my hon. Friend not find it peculiar that all other EU nationals will be able to vote when they may have their own national interests in the

				2	AJC	15/08/2014 20:23
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For example, someone from Ireland might end up having two votes. They could be registered in Ireland to vote in domestic Irish elections. They would therefore have a vote in the Irish referendum, but they could be registered here for European elections because they lived here and paid taxes. They could therefore vote in two referendums and, although that might be a good thing, it is a bit odd. For the life of me, I do not understand why the hon. Gentleman has specified this electorate who are different from the electorate for UK

Internals\\2010 Debate Coded

Yes		0.0057	3			
				1	AJC	16/08/2014 18:53

The Bill tries to constrain parliamentary sovereignty on the one hand and protect parliamentary sovereignty on the other, using a referendum lock that does one thing and a sovereignty clause that does the opposite—a referendum lock that tries to bind future Parliaments and a sovereignty clause that makes it clear that the Government can do no such thing. It is all in the same Bill, which faces both ways at the same time.

				2	AJC	16/08/2014 19:04
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I am not a fan of referendums. Particularly in relation to treaty-making, they are unfortunate because they make it far more difficult for a Government to have the freedom to negotiate that they need. Of course there must be proper parliamentary scrutiny of that process. Notwithstanding the splendid work of the hon. Member for Stone (Mr Cash), I think the House still does European scrutiny very poorly because far too few Members want to take an active, engaged role in that process, much of which comes not from the Foreign Office but from every other Department of Government. It does not give a Government a strong hand to insist that there will regularly be

Aggregate	Classification	Coverage	Number Of Coding Reference	Reference Number	Coded By Initials	Modified On
				3	AJC	16/08/2014 19:04

believe the Government want to be able to repatriate some powers from the European Union to the United Kingdom. The process outlined in the Bill makes it almost impossible for them to be able to do so in the next five years. Other Governments will say, "You've already said you're not going to have any treaties because you reckon that you won't get a yes vote for any referendum." That is why the Bill binds the hands of the Government.

Nodes\\Political Arguments\\Other political arguments

Document

Internals\\1992 Debate Coded

No	0.0108	4
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1	AJC	03/11/2012 17:28
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The ordinary man in the street has moved on. Let us take the man in Thanet—Thanet man. Thanet man has moved on. He was very concerned about the European Community having federal powers that were too great, but Thanet man realised once the agreement was forged that it was far better to support the Government, to come onside and to work within the European Community and give greater credibility to the structures provided to represent him than he had in the past. Thanet man is now on the Government's side, and it would be a great disappointment if a referendum on this issue, or the opening up of divisions on this question, should once more lead Thanet man into a period of uncertainty and fear, given the great opportunity that we have to go forward to greater prosperity and

2	AJC	04/11/2012 16:33
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We should also consider whether the 1975 referendum managed, as my hon. Friend would seek to do, to isolate the issue of EC membership from other issues in the mind of the electorate. Michael Steed writing in The Economist on 14 June 1975 set out to analyse voting patterns across the country. The yes vote varied from 70 per cent. or more in the south to 30 per cent. in the Western Isles. His conclusion was that within a small margin of error people tended to vote along party lines and broadly reflected the yes-no split within

3	AJC	04/11/2012 16:34
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So what was gained from the 1975 referendum? It has been plausibly argued by some that the referendum was detrimental to the country. Parliamentary life ground to a halt. Politicians took to the campaign trail and the Government were distracted from tackling the real issues. The Labour Government of the day were beset by the most appalling problems of economic mismanagement and so forth and were distracted from them, which caused commentators to feel—as the press commented—that the referendum had been a luxury that the Government and the country could ill afford. Interest in the referendum soon waned.

4	AJC	04/11/2012 17:55
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Another problem with a referendum is that if, as some of my hon. Friends would no doubt like, it results in the Maastricht treaty being accepted, which is quite likely, we would be in an even worse state than we are today. We would have the endorsement of a treaty for reasons that were not clearly understood and the spurious underpinning of progress in Europe. Again, that would need to be understood, but it would not have been understood through the process of a referendum.

Internals\\2004 Debate Coded

No	0.0081	2
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1	AJC	15/08/2014 20:22
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Aggregate	Classification	Coverage	Number Of Coding Reference	Reference Number	Coded By Initials	Modified On
				2	AJC	15/08/2014 20:23

For example, someone from Ireland might end up having two votes. They could be registered in Ireland to vote in domestic Irish elections. They would therefore have a vote in the Irish referendum, but they could be registered here for European elections because they lived here and paid taxes. They could therefore vote in two referendums and, although that might be a good thing, it is a bit odd. For the life of me, I do not understand why the hon. Gentleman has specified this electorate who are different from the electorate for UK

Nodes\\Political Arguments\\Put Political Parties at risk

Document

Internals\\1974 Debate coded

Yes	0.0032	2
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1	AJC	25/10/2012 16:24
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The Norwegian labour party has been in disarray ever since, with a steady decline in its support from the voters. In last year's general election, it lost nearly one quarter of its votes.

2	AJC	25/10/2012 18:06
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The antis won, but the result this is the serious part for honourable members opposite to think about gave new prominence to non-parliamentary pressure groups. As Norwegians today accept, it diminished the authority of political leaders, it has led to a lack of decisiveness by their political leaders through fear of public reaction, and it has led to a growing alienation between the political parties

Internals\\2010 Debate Coded

Yes	0.0041	2
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1	AJC	16/08/2014 18:53
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2	AJC	16/08/2014 19:04
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I am not a fan of referendums. Particularly in relation to treaty-making, they are unfortunate because they make it far more difficult for a Government to have the freedom to negotiate that they need. Of course there must be proper parliamentary scrutiny of that process. Notwithstanding the splendid work of the hon. Member for Stone (Mr Cash), I think the House still does European scrutiny very poorly because far too few Members want to take an active, engaged role in that process, much of which comes not from the Foreign Office but from every other Department of Government. It does not give a Government a strong hand to insist that there will regularly be

Aggregate	Classification	Coverage	Number Of Coding Reference	Reference Number	Coded By Initials	Modified On
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Nodes\\Political Arguments\\Put the Government at risk

Document

Internals\\1974 Debate coded

No	Coverage	Number	Reference	Coded By	Modified On
	0.0075	3	1	AJC	25/10/2012 15:56

In 1972, the Norwegian referendum was held, but the result went against the labour government, who resigned.

2	AJC	25/10/2012 16:43
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referenda must be binding on the government of the day, that I am most concerned about the constitutional principle of introducing referenda as a new device in our decision_making process.

3	AJC	01/11/2012 13:54
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The disadvantages of the referendum system are known to all honourable_Members. I mention but three. First, all of us here are elected on what we say at our elections. I have always said that I am in favour of the Common_Market. Many Labour Members have said that they are against it. But if the electorate were to decide over their heads that we either remain in or go out, what would be their attitude to promoting the legislation which arose either from staying in or coming out? Would they be prepared, having said that they disagreed with every word of the legislation, then to vote it through the Lobbies? Are we to put ourselves in the position in which we have to follow whole courses of action that are contrary to what we stood for at the election, and what we believed in at that time? Of course, this applies to Governments because they will find it is, in the main, part of their programme that we should or should not be members of the Common_Market, or whatever the question may be, and they will find it difficult if one whole section of their policy is decided over their heads by a referendum.

Internals\\1992 Debate Coded

No	Coverage	Number	Reference	Coded By	Modified On
	0.0035	1	1	AJC	03/11/2012 17:48

This is not an issue upon which to have a referendum. Referendums have their problems. If we were to grant the Bill a Second Reading today, it would be a slap in the face for my right hon. Friend the Prime Minister and his ministerial colleagues who have achieved so much in balancing the fears and aspirations in respect of the Maastricht agreement, in extending British influence within the Community and in opening up the economic and political opportunities that the agreement presents. All that would be brought into question. In view of our commitment to the European Community, having already had a referendum on the issue, if we were to have yet another on every aspect of progress in Europe, it would be widely misunderstood in the Community and greatly resented in this country in particular.

Internals\\2003 Debate Coded

No	Coverage	Number	Reference	Coded By	Modified On
	0.0490	2	1	AJC	05/11/2012 03:15

Thank you, Madam Deputy Speaker. Referendums can render countries ungovernable. Let us consider California, where subsequent referendums were passed on a cut in taxes every year and on an annual increase in education spending. That made California almost ungovernable. I note that the policies are remarkably similar to those that Conservative Members are trying to advance—a miracle of increasing spending and cutting taxation—but I do not believe that the people of the world will subscribe to it.

2	AJC	05/11/2012 03:18
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Would people vote against the quotation from Thucydides that starts the treaty because they had hated Thucydides at school? Why would people vote? Would it put Britain in a better position, after a referendum, to argue for a stronger treaty on our behalf, or would it put us in a weaker situation because we would not know what we wanted?

Aggregate	Classification	Coverage	Number Of Coding Reference	Reference Number	Coded By Initials	Modified On
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Internals\\2010 Debate Coded

No		0.0016	1	1	AJC	16/08/2014 19:04
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believe the Government want to be able to repatriate some powers from the European Union to the United Kingdom. The process outlined in the Bill makes it almost impossible for them to be able to do so in the next five years. Other Governments will say, "You've already said you're not going to have any treaties because you reckon that you won't get a yes vote for any referendum." That is why the Bill binds the hands of the Government.

Nodes\\Political Arguments\\Would give more power to the executive

Document

Internals\\1974 Debate coded

No		0.0021	1	1	AJC	25/10/2012 17:48
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for it is up to the government, supported where necessary by a parliamentary majority, to decide how the question is to be framed, when it will be put, how much money is to be spent on the campaign, the length of the campaign, whether public funds will be made available to non_parliamentary pressure groups, and so on. To decide on each of those questions gives further power to the executive of

Nodes\\Political Arguments\\Would open demands for devolution

Document

Internals\\1974 Debate coded

No		0.0017	1	1	AJC	25/10/2012 16:39
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Indeed, there are many labour members who feel, as I do, that the next demand for a referendum would come from the Scottish nationals, who would seek it on the subject of independence for Scotland, followed, perhaps, by one for wales, particularly if oil and gas are found in substantial quantities in the Celtic Sea.

Aggregate	Classification	Coverage	Number Of Coding Reference	Reference Number	Coded By Initials	Modified On
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Nodes\\Practical Arguments

Document

Internals\\1974 Debate coded

Yes	0.0326	17
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1	AJC	25/10/2012 18:09
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Do the British people really want that? The only pool figures that I have seen, taken in the middle of 1974, showed that a majority of the electorate sampled certainly wanted a referendum, although even more would have preferred the decision to be taken at a general

2	AJC	25/10/2012 18:10
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But this shows the ambivalence of the electors attitude 75 per cent of the sample said that they did not feel that they were well enough informed to vote in a referendum on the european_economic_community. Only 18 per cent felt that they were.

3	AJC	25/10/2012 18:11
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Furthermore, the electors at that time showed less interest in voting in a referendum than at a general election. Only about three in five of those polled said that they would definitely vote, as opposed to the between 68 and 78 per cent who normally say that they will vote in a general election

4	AJC	26/10/2012 12:10
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The larger the magnitude of the question and the greater its complexity, the more reason for its being decided by members of parliament who are elected to take these decisions and who, through weeks of poring over documents and studying issues, become expert on the subject, who listen and participate in debates, and who finally cast their vote. One of my constituents put it more bluntly: if you have a dog you do not bark yourself.

5	AJC	01/11/2012 10:25
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What proof has the hon. Gentleman of the overwhelming desire of the British people, as he puts it, to take part in a referendum? I met none myself. Is it not true that the dedicated anti-Marketeer sees it as the easy way out?

6	AJC	01/11/2012 14:29
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If the referendum is held, it will still not settle the question of membership, because decision in such a matter will continue to have to be reviewed, month after month and year after year. Some Governments will want to stay in, whilst others will be doubtful. Some will want to renegotiate, some will not. The British people will be more in favour of membership at some times than at others.

7	AJC	01/11/2012 14:55
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A referendum is a blunt instrument, as we all recognise. People say say "Yes" or "No", but they cannot say "Yes, but", or "No, perhaps", and they cannot amend. The issues are not always susceptible to a straight "Yes" or "No" answer, and there are the psychological complications mentioned by my hon. Friend the Member for Mid-Sussex.

8	AJC	01/11/2012 14:56
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a referendum is an instrument that can be bent too easily to the changing breezes of public opinion and I hope that I make any judgments about public opinion with suitable humility. I recall the pacifist movement that swept the country in the 1930s around the time of the East Fulham by-election. If the issue of rearmament had been put to the people in a referendum at that time, the majority would surely have been hostile to it, and the consequences for the country would have been disastrous.

9	AJC	01/11/2012 15:09
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Despite all these arguments, it may be said that the public want a direct say, particularly on the issue of the Common Market. I want to try to examine this for a moment as honestly as I can. I found on the doorstep in both General Elections cross-currents on this matter, some electors keen to have a say, others definitely not keen. My hon. Friend the Member for Mid-Sussex has recalled the public opinion survey, which I also saw the other day, showing that about three-quarters of the electors apparently wanted a referendum but that roughly the same majority thought that they were not well enough informed to vote in it.

10	AJC	01/11/2012 16:20
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We must recognise that the cost of and the organisation for a referendum are not inconsiderable factors. It is as well to be open about this and not to pretend that there are no liabilities and that a referendum is just an asset.

Aggregate	Classification	Coverage	Number Of Coding Reference	Reference Number	Coded By Initials	Modified On
				11	AJC	01/11/2012 16:24
				Despite the Minister's speech, I remain a supporter of the concept of using the referendum in the constitutional machinery, although I deplore the timing of the proposed referendum on the question of our staying in the European Economic Community.		
				12	AJC	01/11/2012 16:25
				I regret that the Labour Party has tied itself quite so closely in the timing that it has put forward for a decision through the ballot box by saying that the decision must be reached within 12 months from last October. Despite that, I think that on occasion it is desirable to use the referendum and that it can and should have a place in our constitutional machinery.		
				13	AJC	01/11/2012 16:53
				If we reached an agreed question to put to the British people it would have to be one to which there was a simple yes or no answer. Few, if any political questions are capable of being answered in such a simplistic way. Even in one_s own domestic problems, right in one_s own home, there is hardly a question which is capable of a single yes or no answer. This is one of the reasons why the House is in disrepute. We tend to see things in terms of black and white. We go into the Lobbies to say yes or no, but in 99 cases out of 100 we do so with reservations. Because we go into a particular Lobby it does not mean that we are 100 per cent. for or against any proposition.		
				14	AJC	01/11/2012 17:14
				I should be deeply worried if we in Parliament started to make changes in our constitutional system based on what are called "gut" reactions and on facts we know to be untrue. This is not a good argument for following the emotions of the public rather than rational thoughts by which we are supposed to lead.		
				15	AJC	01/11/2012 17:14
				We demean the people in supposing that we can devise a question which merits a yes or no answer. The people's attitudes and views on the Common Market are far too complex to merit a simple "Yes" or "No".		
				16	AJC	01/11/2012 17:15
				We have heard nothing about how much money will be spent on the campaign.		
				17	AJC	01/11/2012 17:16
				More important, we do not know what percentage will be involved. The right hon. Member for Down, South spoke of the "outer margin of full_hearted consent. What does that mean? If we have an election in which only 35 per cent. of the people take part and 18 per cent. vote in favour of remaining in the Common Market, is that the full_hearted consent of the British people? I stress the 18 per cent. in favour, because that, as the hon. Member for Fife, Central Mr. Hamilton said, is the key. Will those who are now so vehemently supporting a referendum still do so if 18 per cent. of the population vote to keep us permanently in the Common Market?		
Internals\1992 Debate Coded						
Yes		0.0504	27			
				1	AJC	03/11/2012 17:27
				What are my objections to a referendum in this context? First, referendums are often defective because they are snapshots of public opinion and public opinion moves on. I believe that, on the EC and its development, opinions have changed not just among the public but in the House. As the arguments have been heard and as negotiations have proceeded, and as my right hon. Friends the Prime Minister and the Foreign Secretary have reassured the public and explained more clearly why it is in the public interest to forge such an agreement, public opinion has changed. Many people who were understandably hostile to everything connected with the Common Market now realise that it is in our interests.		
				2	AJC	03/11/2012 17:35
				My hon. Friend makes his position clear in his usual persuasive way. I remain concerned about referendums because they are a snapshot of public opinion.		
				3	AJC	03/11/2012 17:42
				However, I have not yet made the most persuasive argument against referendums generally. I believe that the most persuasive argument is that they are, and can be, a cruel hoax and confidence trick on the public because they often extricate a particular issue from their consequences and from the totality of Government policy. By putting a particular issue to a plebiscite, one can deliver a result which may be disastrous in terms of overall policy. That is very important because, on issues such as that contained in the Bill, we must consider the issue in terms of management of the economy, future influence over our own affairs and our own influence in the world. We cannot consider the issue simply in isolationist terms as a referendum would necessarily regard it.		

Aggregate	Classification	Coverage	Number Of Coding Reference	Reference Number	Coded By Initials	Modified On
				4	AJC	03/11/2012 17:43
				In a general election, people have an opportunity to consider all Government policies, while in a referendum people have an opportunity to consider only one, but one that might have implications for the rest of the Government policy. That is why there should generally be a self-denying ordinance exercised in respect of referendums.		
				5	AJC	03/11/2012 17:44
				If the public were asked in a referendum, "Should we come out of the CAP?" the majority might well say yes. However, if we also asked, "Are you in favour of paying more to farmers through a national subsidy deficiency scheme?", they would probably say no to that, because that would cost more money.		
				6	AJC	03/11/2012 17:52
				Of course not. There are well-defined areas where many of us could agree that they should be used. Of course I am not in favour of referendums—of the sort they have in Switzerland—on whether we should have new doors on the town hall. Of course we will not go in for that. However, this issue is rather bigger than new doors for the town hall.		
				7	AJC	03/11/2012 18:00
				Most important, does the person answering the question have a real understanding of the fundamentals or is he really answering another question, "Will you trust our Harold" or something like that? That was the reaction of many people in 1975. Were those who should be in the know aware at the time of the actual questions and issues?		
				8	AJC	04/11/2012 15:40
				The problem with a referendum is that often it is only practicable if the question can be reduced to its simplest form. That is not because the electorate cannot understand. Of course the electorate can understand many things about our political system and the policies put before it. That is why we usually get a sensible result at general elections and the Conservative party usually wins. Unless the question can be made simple, a referendum is not the right way to proceed.		
				9	AJC	04/11/2012 16:17
				However, this debate, like the many other debates in the intervening period, shows that the referendum did not end the arguments.		
				10	AJC	04/11/2012 16:17
				In 1979, there was a referendum on the Scotland Bill, which resulted in a majority in favour of change. Because of the rules that were imposed and because of the withdrawal of support by the Scottish National party, 'the will of the Scottish people was never put into effect, and the argument has not stopped. The debate goes on—the referendum did not resolve the issue.		
				11	AJC	04/11/2012 16:18
				When we approach the question that would be the basis of the referendum advocated by the hon. Member for Aldridge-Brownhills serious practical issues have to be addressed. What question will be put? The hon. Gentleman might have some idea, but it is not		
				12	AJC	04/11/2012 16:20
				Are the electorate to be given a whole copy of the treaty —the yellow document that has been waved about so much today—because if so, the purple document would have to go along as well. People would need to make up their minds on all the available information if they are to be asked only about the treaty. Will the question be about the principle of economic and monetary union? Although the hon. Member for Aldridge-Brownhills is more concerned about constitutional issues and the political union aspect of the treaty, others have their own interests such as the single currency and monetary union. Will the question be about the timetable to monetary union or about the United Kingdom's right to opt out?		
				13	AJC	04/11/2012 16:21
				Is what the Maastricht treaty says on common foreign and security policy different from the general principle that we conceded when we signed the North Atlantic treaty in 1949? How will immigration and asylum policies be developed in a continent facing all the pressures of increased immigration that may result from the economic instability in eastern Europe? Should there be a question about the social chapter opt-out that the Government have signed, which has led to our isolation on a whole series of issues? Those are some of the complications that might be involved in the questions. Those are the difficulties which would be faced by anyone seeking to draft a question to put before the British people.		
				14	AJC	04/11/2012 16:27
				One matter is how to make sure that the electorate is fully informed when asked to judge, in the simple yes-no, in-out way, a complex nexus of issues.		
				15	AJC	04/11/2012 16:27
				One matter is how to make sure that the electorate is fully informed when asked to judge, in the simple yes-no, in-out way, a complex nexus of issues.		

Aggregate	Classification	Coverage	Number Of Coding Reference	Reference Number	Coded By Initials	Modified On
				16	AJC	04/11/2012 16:28
				<p>Hon. Members may recall that, in 1975, there were three leaflets—a "yes" leaflet, a "no" leaflet, and a Government leaflet. They were distributed by post in the last 10 days of May. A Harris poll asked voters which leaflets they had seen, which they had read from cover to cover, and which they had found of help to them in making their decision. Eighty two per cent. of voters had seen the "yes" leaflet, 73 per cent. had seen the "no" leaflet, and 71 per cent. had seen the Government leaflet. About a quarter of voters had read each leaflet from cover to cover, but only 10 per cent. of voters found that the "yes" leaflet had helped their understanding of the issue, falling to only 8 per cent. for the "no" leaflet, and a measly 6 per cent. for the Government leaflet. That shows an understandable reaction. People generally show little concern for the fine print of complex and, frankly, rather dry legislation.</p>		
				17	AJC	04/11/2012 16:33
				<p>Of course, I agree with my hon. Friend that the British electorate are extremely sophisticated and able to make their own judgments. I do not suggest for one moment that one can argue against referendums on the basis that the British people are incapable of understanding the issues and making up their minds. I simply argue that the issues are complex and that the evidence that I gave from 1975 of the way in which the leaflets were read and the opinion of their helpfulness among the public makes one pause to consider.</p>		
				18	AJC	04/11/2012 16:36
				<p>Interest in the referendum soon waned and it was reduced almost to the status of a sideshow. Even the press showed little enthusiasm. I took the trouble to have that fact investigated. In the four weeks before polling day only 17.5 per cent. of lead stories in national daily newspapers referred to the referendum. Other issues took precedence—a railway strike, a strike at ITV, the sterling crisis, record inflation under a Labour Government and even the Bay City Rollers. On polling day that admirable organ of opinion the Daily Mail chose to lead with the news of new export orders to Saudi Arabia.</p>		
				19	AJC	04/11/2012 16:40
				<p>The phrasing of the question caused a lot of trouble in 1975 and it was again apparent today that phrasing the question remains a matter of controversy. Even on such an apparently simple issue as in or out of the Community, could the wording of the question sufficiently affect the answer?</p>		
				20	AJC	04/11/2012 16:53
				<p>One of the matters to be considered in Committee, if there is to be a full and proper referendum, would be the state of the electoral register on which that referendum would take place. At present, 3 per cent. or more of the electorate is missing from the electoral register. Much has been said about the importance of constituents and how they should be responded to in referendums and parliamentary democracy. Therefore, is not there a need to do something about ensuring that the register is correct? Should not we ensure that it is correct before the next general election?</p>		
				21	AJC	04/11/2012 16:56
				<p>Would there be a campaign to inform people of the true implications of the treaty? I am sure that my hon. Friends and those who take a different view would try to do that. How would the campaign be organised?</p>		
				22	AJC	04/11/2012 16:57
				<p>How could a question be formulated to isolate the issue of the treaty's ratification from the other issues of the day?</p>		
				23	AJC	04/11/2012 16:58
				<p>Asquith said that a referendum might be nominally and ostensibly on some particular point but that You would have the turmoil, the tumult and a large part of the expense of a general election; and I do not believe it would be possible ... under these conditions, completely to segregate the particular issue on which the referendum took place, and entirely to ignore the whole of the rest of the field</p>		
				24	AJC	04/11/2012 17:40
				<p>There are flaws in putting immensely complex questions to an already overburdened public who, through delegation and representative parliamentary democracy, want their own Members of Parliament to handle such matters. That is our way and our strength.</p>		
				25	AJC	04/11/2012 17:45
				<p>Another difficulty with a referendum is that we are discussing complicated issues. They cannot be segmented into elements on which a decision of yes or no could be taken. The decisions are interrelated and interactive and will lead to future problems and further decisions. That does not lend itself to a simple yes or no answer, or to a simple discussion and debate. However, it lends itself to proper debate in the House and to the proper use of the role of Members of Parliament.</p>		
				26	AJC	04/11/2012 17:56
				<p>I am also concerned that the Bill, its supporters having failed to win the argument in the House, is an attempt to take a second bite at the cherry by requiring a referendum outside. A referendum would solve nothing. Whatever the result, it would be unsatisfactory. The right way to protect the interests of the House is to increase the power of ordinary Members of Parliament.</p>		

Aggregate	Classification	Coverage	Number Of Coding Reference	Reference Number	Coded By Initials	Modified On
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27 AJC 04/11/2012 17:59

Conservative Members are under constant pressure from our constituents to have a referendum on capital punishment. I am against capital punishment and I am against holding a referendum on it. I cannot pretend, however, that it would be all that disastrous for our national interests if we had regular referendums on capital punishment. We all know what the result would be. Hanging would be brought back. Some capitalist Home Secretary would come under irresistible pressure to execute some murderer, probably a terrorist, and the terrorist would hang. Then we would discover that we had hanged the wrong chap. There would be great revulsion and another referendum, and capital punishment would be abolished the following year. It would not matter all that much if we had capital punishment in even years and did away with it in odd years, but foreign policy cannot be conducted on that basis.

Internals\\2003 Debate Coded

Yes 0.0973 5

1 AJC 05/11/2012 03:14

confess that I am not a big supporter of referendums. I believe that they are especially inappropriate when trying to deal with the intricacies of creating a treaty. Let us examine the facts. The draft constitutional treaty has 565 clauses, five protocols and two declarations. The vast majority are almost identical to those in previous treaties, but it is important to scrutinise the document line by line, clause by clause, 310not simply subject it to a question of yes or no.

2 AJC 05/11/2012 03:15

Although a referendum might be appropriate for "Pop Idol" when deciding whether Gareth Gates or Will Young should win, it is unsuitable for examining a treaty. That needs to be done with due diligence and only Parliament can do that. [Interruption.]

3 AJC 05/11/2012 03:17

believe that a referendum should be held only when the question is susceptible to a yes/no answer, and I maintain that this treaty is not susceptible to such an answer. Let us take article I.14. I believe that that article needs changing, and I hope that it will be amended. I am certain that the Government are trying to get it amended. But let us say that it stays in. Would that be the issue on which people voted yes or no, or would it be some other part of the treaty?

4 AJC 05/11/2012 03:18

Would people vote against the quotation from Thucydides that starts the treaty because they had hated Thucydides at school? Why would people vote? Would it put Britain in a better position, after a referendum, to argue for a stronger treaty on our behalf, or would it put us in a weaker situation because we would not know what we wanted?

5 AJC 05/11/2012 03:19

311The first condition, then, is that if we are going to have a referendum, it should be susceptible to a yes/no answer.

Internals\\2004 Debate Coded

Yes 0.0393 11

1 AJC 15/08/2014 19:39

The only matter of substance in my Bill to which the Government might object is the call for that referendum to be within six months. Who would want to delay the referendum beyond six months? Not even the most Eurosceptic Conservative Member would want to delay the referendum, because that is what we have been asking for. We are willing to abide by the decision of the British public, so we will not try to delay it. The House of Lords will not try to delay it. One of the reasons why the Government have changed their policy is that they feared that the House of Lords would introduce into the Bill a provision for a referendum.

2 AJC 15/08/2014 19:55

It is not so much how many months, but whether the Bill can be given adequate parliamentary scrutiny. That is what is at stake, not whether we set up an artificial guillotine or time frame. We need to get a treaty that is acceptable to the UK and recognises our red-line issues; in other words, one that does not encroach on the UK's veto powers on central issues and does not take over our foreign policy or our policy on defence, taxation, immigration and so on. The hon. Member for Stratford-on-Avon referred to many of those matters

Aggregate	Classification	Coverage	Number Of Coding Reference	Reference Number	Coded By Initials	Modified On
				3	AJC	15/08/2014 19:56
				As with the treaty of Nice, a Bill has to be published and introduced, and parliamentary time has to be set aside for scrutinising it in both Houses. Then, and only then, can we consider having a referendum. In other words, the timetable leading up to a referendum will be dictated by the process of parliamentary scrutiny—and we would have to ensure that the treaty received the closest possible scrutiny—and could not be arbitrarily set at six months.		
				4	AJC	15/08/2014 19:57
				Is there not another possibility that we should consider? What if, as a result of negotiations, the Conservatives did a U-turn and were no longer against a constitutional treaty? If there were unanimity among the major political forces in the country, there might not be a case for a referendum at that time. There might be a case for a referendum at some future date, but it would be premature to assume that the political position in the House would be the same a few months later.		
				5	AJC	15/08/2014 20:10
				Assuming that the Bill did not come into force until autumn, the first public holiday on which the referendum could be held might be Christmas day. Bearing it in mind that we have previously debated Christmas day trading, does my hon. Friend believe that it would be appropriate to hold the referendum on Christmas day, which is the implication of the Bill?		
				6	AJC	15/08/2014 20:13
				Surely another reason for it being wrong to exclude the Electoral Commission from the process in such a way is that, on the face of it, the Bill takes no account of any minor name changes to whatever treaty eventually emerges from the European negotiations. If the treaty were called the treaty establishing a constitutional framework for the EU, or if there were some other change to the wording that was not covered by the Bill, no referendum could be held. The Bill introduced by the hon. Member for Stratford-on-Avon (Mr. Maples), rather than enabling a referendum to be held, could prevent it.		
				7	AJC	15/08/2014 20:14
				If the promoter of the Bill is correct, although he is probably making it up on the hoof, there are two possible interpretations. One is a significant impact on the British economy from losing a working day, and the second, if it turns out to be a public holiday for ever more, is a significant bribe to the electorate, which he could claim as a result of his Bill to try to persuade people to vote the way that he wants.		
				8	AJC	15/08/2014 20:14
				I would have expected to know such a figure. I will not vote for any legislation today that makes a commitment to have a public holiday when I have no idea what the cost to the British economy might be. It would have helped the hon. Gentleman's case if he had been able to provide an explanatory note or impact assessment saying what the cost would be.		
				9	AJC	15/08/2014 20:15
				Of course, that only follows from the second of the three interpretations, which is that it should be a new public holiday. My first reading was that the referendum must take place on a day that is already a public holiday, which was my hon. Friend's understanding when he was looking to have it on Christmas day. Whether it is option one, two or three, it is simply not clear. The hon. Gentleman said that it was perfectly clear and then used a completely different formula and set of words, which, to his credit, were crystal clear, but they were not		
				10	AJC	15/08/2014 20:20
				There may be provisions that I am not aware of, but it seems that, if we want an informed debate about the referendum, there must be sufficient time for that information to be provided. I am sorry that I seem to be boring the hon. Member for Stratford-on-Avon (Mr. Maples), but there has to be time for that information to be duly provided. If that is not sufficient, how can Parliament be satisfied that the population of Britain will have a real chance to discuss these very important issues?		
				11	AJC	15/08/2014 20:24
				Friend the Member for Hendon should be in it, that it should feature the beauties of the European city of culture, which will be Liverpool in a few years' time, and that it should be narrated by Sir Sean Connery, the Secretary of State would have no say in the matter and must produce it. Who would pay for it? The taxpayer. The Bill does not state how much the referendum should cost. We are being asked to produce a blank cheque, which is irresponsible.		

Aggregate	Classification	Coverage	Number Of Coding Reference	Reference Number	Coded By Initials	Modified On
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Internals\\2010 Debate Coded

Yes		0.0021	1	1	AJC	16/08/2014 19:21
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We already know that there are referendums to elect mayors, and that processes are being introduced for electing police commissioners. All that is happening while this country is undergoing an age of austerity and billions of pounds of cuts are to be introduced in the coming years. Incurring extra expenditure in the future on the useless referendums set out in the Bill would be ludicrous. A treaty change may make perfect sense even to a Conservative Government, but they would be forced to get legislation through both Houses and put the

Nodes\\Practical Arguments\\Complex issues cannot be reduced to a yes or no answer

Document

Internals\\1974 Debate coded

No		0.0065	3	1	AJC	01/11/2012 14:55
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A referendum is a blunt instrument, as we all recognise. People say say "Yes" or "No", but they cannot say "Yes, but", or "No, perhaps", and they cannot amend. The issues are not always susceptible to a straight "Yes" or "No" answer, and there are the psychological complications mentioned by my hon. Friend the Member for Mid-Sussex.

2	AJC	01/11/2012 16:53
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If we reached an agreed question to put to the British people it would have to be one to which there was a simple yes or no answer. Few, if any political questions are capable of being answered in such a simplistic way. Even in one_s own domestic problems, right in one_s own home, there is hardly a question which is capable of a single yes or no answer.

This is one of the reasons why the House is in disrepute. We tend to see things in terms of black and white. We go into the Lobbies to say yes or no, but in 99 cases out of 100 we do so with reservations. Because we go into a particular Lobby it does not mean that we are 100 per cent. for or against any proposition.

3	AJC	01/11/2012 17:14
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We demean the people in supposing that we can devise a question which merits a yes or no answer. The people's attitudes and views on the Common Market are far too complex to merit a simple "Yes" or "No".

Internals\\1992 Debate Coded

No		0.0142	7	1	AJC	03/11/2012 17:42
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However, I have not yet made the most persuasive argument against referendums generally. I believe that the most persuasive argument is that they are, and can be, a cruel hoax and confidence trick on the public because they often extricate a particular issue from their consequences and from the totality of Government policy. By putting a particular issue to a plebiscite, one can deliver a result which may be disastrous in terms of overall policy. That is very important because, on issues such as that contained in the Bill, we must consider the issue in terms of management of the economy, future influence over our own affairs and our own influence in the world. We cannot consider the issue simply in isolationist terms as a referendum would necessarily regard it.

2	AJC	03/11/2012 17:43
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In a general election, people have an opportunity to consider all Government policies, while in a referendum people have an opportunity to consider only one, but one that might have implications for the rest of the Government policy. That is why there should generally be a self-denying ordinance exercised in respect of referendums.

Aggregate	Classification	Coverage	Number Of Coding Reference	Reference Number	Coded By Initials	Modified On
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3 AJC 04/11/2012 15:40

The problem with a referendum is that often it is only practicable if the question can be reduced to its simplest form. That is not because the electorate cannot understand. Of course the electorate can understand many things about our political system and the policies put before it. That is why we usually get a sensible result at general elections and the Conservative party usually wins. Unless the question can be made simple, a referendum is not the right way to proceed.

4 AJC 04/11/2012 16:20

Are the electorate to be given a whole copy of the treaty —the yellow document that has been waved about so much today—because if so, the purple document would have to go along as well. People would need to make up their minds on all the available information if they are to be asked only about the treaty. Will the question be about the principle of economic and monetary union? Although the hon. Member for Aldridge-Brownhills is more concerned about constitutional issues and the political union aspect of the treaty, others have their own interests such as the single currency and monetary union. Will the question be about the timetable to monetary union or about the United Kingdom's right to opt out?

5 AJC 04/11/2012 16:27

One matter is how to make sure that the electorate is fully informed when asked to judge, in the simple yes-no, in-out way, a complex nexus of issues.

6 AJC 04/11/2012 16:40

The phrasing of the question caused a lot of trouble in 1975 and it was again apparent today that phrasing the question remains a matter of controversy. Even on such an apparently simple issue as in or out of the Community, could the wording of the question sufficiently affect the answer?

7 AJC 04/11/2012 17:45

Another difficulty with a referendum is that we are discussing complicated issues. They cannot be segmented into elements on which a decision of yes or no could be taken. The decisions are interrelated and interactive and will lead to future problems and further decisions. That does not lend itself to a simple yes or no answer, or to a simple discussion and debate. However, it lends itself to proper debate in the House and to the proper use of the role of Members of Parliament.

Internals\2003 Debate Coded

No 0.0628 3

1 AJC 05/11/2012 03:14

confess that I am not a big supporter of referendums. I believe that they are especially inappropriate when trying to deal with the intricacies of creating a treaty. Let us examine the facts. The draft constitutional treaty has 565 clauses, five protocols and two declarations. The vast majority are almost identical to those in previous treaties, but it is important to scrutinise the document line by line, clause by clause, 310not simply subject it to a question of yes or no.

2 AJC 05/11/2012 03:17

believe that a referendum should be held only when the question is susceptible to a yes/no answer, and I maintain that this treaty is not susceptible to such an answer. Let us take article I.14. I believe that that article needs changing, and I hope that it will be amended. I am certain that the Government are trying to get it amended. But let us say that it stays in. Would that be the issue on which people voted yes or no, or would it be some other part of the treaty?

3 AJC 05/11/2012 03:19

311The first condition, then, is that if we are going to have a referendum, it should be susceptible to a yes/no answer.

Aggregate	Classification	Coverage	Number Of Coding Reference	Reference Number	Coded By Initials	Modified On
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Nodes\\Practical Arguments\\Complex issues require expertise

Document

Internals\\1974 Debate coded

No	0.0023	1	1	AJC	26/10/2012 12:10
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The larger the magnitude of the question and the greater its complexity, the more reason for its being decided by members of parliament who are elected to take these decisions and who, through weeks of poring over documents and studying issues, become expert on the subject, who listen and participate in debates, and who finally cast their vote. One of my constituents put it more bluntly: if you have a dog you do not bark yourself.

Internals\\1992 Debate Coded

No	0.0023	1	1	AJC	04/11/2012 16:33
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Of course, I agree with my hon. Friend that the British electorate are extremely sophisticated and able to make their own judgments. I do not suggest for one moment that one can argue against referendums on the basis that the British people are incapable of understanding the issues and making up their minds. I simply argue that the issues are complex and that the evidence that I gave from 1975 of the way in which the leaflets were read and the opinion of their helpfulness among the public makes one pause to consider.

Nodes\\Practical Arguments\\Cost

Document

Internals\\1974 Debate coded

No	0.0016	2	1	AJC	01/11/2012 16:20
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We must recognise that the cost of and the organisation for a referendum are not inconsiderable factors. It is as well to be open about this and not to pretend that there are no liabilities and that a referendum is just an asset.

2	AJC	01/11/2012 17:15
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We have heard nothing about how much money will be spent on the campaign.

Internals\\2004 Debate Coded

No	0.0089	3	1	AJC	15/08/2014 20:14
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If the promoter of the Bill is correct, although he is probably making it up on the hoof, there are two possible interpretations. One is a significant impact on the British economy from losing a working day, and the second, if it turns out to be a public holiday for ever more, is a significant bribe to the electorate, which he could claim as a result of his Bill to try to persuade people to vote the way that he wants.

Aggregate	Classification	Coverage	Number Of Coding Reference	Reference Number	Coded By Initials	Modified On
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2 AJC 15/08/2014 20:14

I would have expected to know such a figure. I will not vote for any legislation today that makes a commitment to have a public holiday when I have no idea what the cost to the British economy might be. It would have helped the hon. Gentleman's case if he had been able to provide an explanatory note or impact assessment saying what the cost would be.

3 AJC 15/08/2014 20:24

Friend the Member for Hendon should be in it, that it should feature the beauties of the European city of culture, which will be Liverpool in a few years' time, and that it should be narrated by Sir Sean Connery, the Secretary of State would have no say in the matter and must produce it. Who would pay for it? The taxpayer. The Bill does not state how much the referendum should cost. We are being asked to produce a blank cheque, which is irresponsible.

Internals\\2010 Debate Coded

No 0.0021 1

1 AJC 16/08/2014 19:21

We already know that there are referendums to elect mayors, and that processes are being introduced for electing police commissioners. All that is happening while this country is undergoing an age of austerity and billions of pounds of cuts are to be introduced in the coming years. Incurring extra expenditure in the future on the useless referendums set out in the Bill would be ludicrous. A treaty change may make perfect sense even to a Conservative Government, but they would be forced to get legislation through both Houses and put the

Nodes\\Practical Arguments\\Do not provide clear cut answers

Document

Internals\\1974 Debate coded

Yes 0.0021 1

1 AJC 01/11/2012 14:29

If the referendum is held, it will still not settle the question of membership, because decision in such a matter will continue to have to be reviewed, month after month and year after year. Some Governments will want to stay in, whilst others will be doubtful. Some will want to renegotiate, some will not. The British people will be more in favour of membership at some times than at others.

Internals\\1992 Debate Coded

Yes 0.0052 4

1 AJC 03/11/2012 17:44

If the public were asked in a referendum, "Should we come out of the CAP?" the majority might well say yes. However, if we also asked, "Are you in favour of paying more to farmers through a national subsidy deficiency scheme?", they would probably say no to that, because that would cost more money.

2 AJC 04/11/2012 16:17

However, this debate, like the many other debates in the intervening period, shows that the referendum did not end the arguments.

Aggregate	Classification	Coverage	Number Of Coding Reference	Reference Number	Coded By Initials	Modified On
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3 AJC 04/11/2012 16:17

In 1979, there was a referendum on the Scotland Bill, which resulted in a majority in favour of change. Because of the rules that were imposed and because of the withdrawal of support by the Scottish National party, 'the will of the Scottish people was never put into effect, and the argument has not stopped. The debate goes on—the referendum did not resolve the issue.

4 AJC 04/11/2012 17:56

I am also concerned that the Bill, its supporters having failed to win the argument in the House, is an attempt to take a second bite at the cherry by requiring a referendum outside. A referendum would solve nothing. Whatever the result, it would be unsatisfactory. The right way to protect the interests of the House is to increase the power of ordinary Members of Parliament.

Nodes\\Practical Arguments\\Only provide a snapshot of public opinion

Document

Internals\\1974 Debate coded

No 0.0043 2

1 AJC 01/11/2012 14:56

a referendum is an instrument that can be bent too easily to the changing breezes of public opinion and I hope that I make any judgments about public opinion with suitable humility. I recall the pacifist movement that swept the country in the 1930s around the time of the East Fulham by-election. If the issue of rearmament had been put to the people in a referendum at that time, the majority would surely have been hostile to it, and the consequences for the country would have been disastrous.

2 AJC 01/11/2012 17:14

I should be deeply worried if we in Parliament started to make changes in our constitutional system based on what are called "gut" reactions and on facts we know to be untrue. This is not a good argument for following the emotions of the public rather than rational thoughts by which we are supposed to lead.

Internals\\1992 Debate Coded

No 0.0088 4

1 AJC 03/11/2012 17:27

What are my objections to a referendum in this context? First, referendums are often defective because they are snapshots of public opinion and public opinion moves on. I believe that, on the EC and its development, opinions have changed not just among the public but in the House. As the arguments have been heard and as negotiations have proceeded, and as my right hon. Friends the Prime Minister and the Foreign Secretary have reassured the public and explained more clearly why it is in the public interest to forge such an agreement, public opinion has changed. Many people who were understandably hostile to everything connected with the Common Market now realise that it is in our interests.

2 AJC 03/11/2012 17:35

My hon. Friend makes his position clear in his usual persuasive way. I remain concerned about referendums because they are a snapshot of public opinion.

3 AJC 04/11/2012 17:40

There are flaws in putting immensely complex questions to an already overburdened public who, through delegation and representative parliamentary democracy, want their own Members of Parliament to handle such matters. That is our way and our strength.

Aggregate	Classification	Coverage	Number Of Coding Reference	Reference Number	Coded By Initials	Modified On
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4 AJC 04/11/2012 17:59

Conservative Members are under constant pressure from our constituents to have a referendum on capital punishment. I am against capital punishment and I am against holding a referendum on it. I cannot pretend, however, that it would be all that disastrous for our national interests if we had regular referendums on capital punishment. We all know what the result would be. Hanging would be brought back. Some capitalist Home Secretary would come under irresistible pressure to execute some murderer, probably a terrorist, and the terrorist would hang. Then we would discover that we had hanged the wrong chap. There would be great revulsion and another referendum, and capital punishment would be abolished the following year. It would not matter all that much if we had capital punishment in even years and did away with it in odd years, but foreign policy cannot be conducted on that basis.

Nodes\\Practical Arguments\\Other practical arguments

Document

Internals\\1992 Debate Coded

No 0.0098 6

1 AJC 03/11/2012 17:52

Of course not. There are well-defined areas where many of us could agree that they should be used. Of course I am not in favour of referendums—of the sort they have in Switzerland—on whether we should have new doors on the town hall. Of course we will not go in for that. However, this issue is rather bigger than new doors for the town hall.

2 AJC 04/11/2012 16:18

When we approach the question that would be the basis of the referendum advocated by the hon. Member for Aldridge-Brownhills serious practical issues have to be addressed. What question will be put? The hon. Gentleman might have some idea, but it is not

3 AJC 04/11/2012 16:21

Is what the Maastricht treaty says on common foreign and security policy different from the general principle that we conceded when we signed the North Atlantic treaty in 1949? How will immigration and asylum policies be developed in a continent facing all the pressures of increased immigration that may result from the economic instability in eastern Europe? Should there be a question about the social chapter opt-out that the Government have signed, which has led to our isolation on a whole series of issues? Those are some of the complications that might be involved in the questions. Those are the difficulties which would be faced by anyone seeking to draft a question to put before the British people.

4 AJC 04/11/2012 16:53

One of the matters to be considered in Committee, if there is to be a full and proper referendum, would be the state of the electoral register on which that referendum would take place. At present, 3 per cent. or more of the electorate is missing from the electoral register. Much has been said about the importance of constituents and how they should be responded to in referendums and parliamentary democracy. Therefore, is not there a need to do something about ensuring that the register is correct? Should not we ensure that it is correct before the next general election?

5 AJC 04/11/2012 16:56

Would there be a campaign to inform people of the true implications of the treaty? I am sure that my hon. Friends and those who take a different view would try to do that. How would the campaign be organised?

6 AJC 04/11/2012 16:57

How could a question be formulated to isolate the issue of the treaty's ratification from the other issues of the day?

Aggregate	Classification	Coverage	Number Of Coding Reference	Reference Number	Coded By Initials	Modified On
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Internals\\2004 Debate Coded

No		0.0079	2			
				1	AJC	15/08/2014 19:57

Is there not another possibility that we should consider? What if, as a result of negotiations, the Conservatives did a U-turn and were no longer against a constitutional treaty? If there were unanimity among the major political forces in the country, there might not be a case for a referendum at that time. There might be a case for a referendum at some future date, but it would be premature to assume that the political position in the House would be the same a few months later.

				2	AJC	15/08/2014 20:13
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Surely another reason for it being wrong to exclude the Electoral Commission from the process in such a way is that, on the face of it, the Bill takes no account of any minor name changes to whatever treaty eventually emerges from the European negotiations. If the treaty were called the treaty establishing a constitutional framework for the EU, or if there were some other change to the wording that was not covered by the Bill, no referendum could be held. The Bill introduced by the hon. Member for Stratford-on-Avon (Mr. Maples), rather than enabling a referendum to be held, could prevent it.

Nodes\\Practical Arguments\\People are not informed enough to make decisions

Document

Internals\\1974 Debate coded

No		0.0046	2			
				1	AJC	25/10/2012 18:10

But this shows the ambivalence of the electors attitude 75 per cent of the sample said that they did not feel that they were well enough informed to vote in a referendum on the european_economic_community. Only 18 per cent felt that they were.

				2	AJC	01/11/2012 15:09
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Despite all these arguments, it may be said that the public want a direct say, particularly on the issue of the Common Market. I want to try to examine this for a moment as honestly as I can. I found on the doorstep in both General Elections cross-currents on this matter, some electors keen to have a say, others definitely not keen. My hon. Friend the Member for Mid-Sussex has recalled the public opinion survey, which I also saw the other day, showing that about three-quarters of the electors apparently wanted a referendum but that roughly the same majority thought that they were not well enough informed to vote in it.

Internals\\1992 Debate Coded

No		0.0021	2			
				1	AJC	03/11/2012 18:00

Most important, does the person answering the question have a real understanding of the fundamentals or is he really answering another question, "Will you trust our Harold" or something like that? That was the reaction of many people in 1975. Were those who should be in the know aware at the time of the actual questions and issues?

				2	AJC	04/11/2012 16:27
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One matter is how to make sure that the electorate is fully informed when asked to judge, in the simple yes-no, in-out way, a complex nexus of issues.

Aggregate	Classification	Coverage	Number Of Coding Reference	Reference Number	Coded By Initials	Modified On
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Internals\\2003 Debate Coded

No		0.0146	1			
				1	AJC	05/11/2012 03:15

Although a referendum might be appropriate for "Pop Idol" when deciding whether Gareth Gates or Will Young should win, it is unsuitable for examining a treaty. That needs to be done with due diligence and only Parliament can do that. [Interruption.]

Nodes\\Practical Arguments\\People do not want or care about referendums

Document

Internals\\1974 Debate coded

No		0.0077	4			
				1	AJC	25/10/2012 18:09

Do the British people really want that? The only pool figures that I have seen, taken in the middle of 1974, showed that a majority of the electorate sampled certainly wanted a referendum, although even more would have preferred the decision to be taken at a general

				2	AJC	25/10/2012 18:11
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Furthermore, the electors at that time showed less interest in voting in a referendum than at a general election. Only about three in five of those polled said that they would definitely vote, as opposed to the between 68 and 78 per cent who normally say that they will vote in a general election

				3	AJC	01/11/2012 10:25
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What proof has the hon. Gentleman of the overwhelming desire of the British people, as he puts it, to take part in a referendum? I met none myself. Is it not true that the dedicated anti-Marketeer sees it as the easy way out?

				4	AJC	01/11/2012 17:16
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More important, we do not know what percentage will be involved. The right hon. Member for Down, South spoke of the "outer margin of full_hearted consent. What does that mean? If we have an election in which only 35 per cent. of the people take part and 18 per cent. vote in favour of remaining in the Common Market, is that the full_hearted consent of the British people? I stress the 18 per cent. in favour, because that, as the hon. Member for Fife, Central Mr. Hamilton said, is the key. Will those who are now so vehemently supporting a referendum still do so if 18 per cent. of the population vote to keep us permanently in the Common Market?

Internals\\1992 Debate Coded

No		0.0067	2			
				1	AJC	04/11/2012 16:28

Hon. Members may recall that, in 1975, there were three leaflets—a "yes" leaflet, a "no" leaflet, and a Government leaflet. They were distributed by post in the last 10 days of May. A Harris poll asked voters which leaflets they had seen, which they had read from cover to cover, and which they had found of help to them in making their decision. Eighty two per cent. of voters had seen the "yes" leaflet, 73 per cent. had seen the "no" leaflet, and 71 per cent. had seen the Government leaflet. About a quarter of voters had read each leaflet from cover to cover, but only 10 per cent. of voters found that the "yes" leaflet had helped their understanding of the issue, falling to only 8 per cent. for the "no" leaflet, and a measly 6 per cent. for the Government leaflet. That shows an 625 understandable reaction. People generally show little concern for the fine print of complex and, frankly, rather dry legislation.

Aggregate	Classification	Coverage	Number Of Coding Reference	Reference Number	Coded By Initials	Modified On
				2	AJC	04/11/2012 16:36
<p>Interest in the referendum soon waned and it was reduced almost to the status of a sideshow. Even the press showed little enthusiasm. I took the trouble to have that fact investigated. In the four weeks before polling day only 17.5 per cent. of lead stories in national daily newspapers referred to the referendum. Other issues took precedence—a railway strike, a strike at ITV, the sterling crisis, record inflation under a Labour Government and even the Bay City Rollers. On polling day that admirable organ of opinion the Daily Mail chose to lead with the news of new export orders to Saudi Arabia.</p>						

Internals\\2003 Debate Coded

No	0.0198	1				
			1	AJC	05/11/2012 03:18	

Would people vote against the quotation from Thucydides that starts the treaty because they had hated Thucydides at school? Why would people vote? Would it put Britain in a better position, after a referendum, to argue for a stronger treaty on our behalf, or would it put us in a weaker situation because we would not know what we wanted?

Nodes\\Practical Arguments\\Timing

Document

Internals\\1974 Debate coded

No	0.0033	2				
			1	AJC	01/11/2012 16:24	

Despite the Minister's speech, I remain a supporter of the concept of using the referendum in the constitutional machinery, although I deplore the timing of the proposed referendum on the question of our staying in the European Economic Community.

			2	AJC	01/11/2012 16:25	
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I regret that the Labour Party has tied itself quite so closely in the timing that it has put forward for a decision through the ballot box by saying that the decision must be reached within 12 months from last October. Despite that, I think that on occasion it is desirable to use the referendum and that it can and should have a place in our constitutional machinery.

Internals\\1992 Debate Coded

No	0.0018	1				
			1	AJC	04/11/2012 16:58	

Asquith said that a referendum might be nominally and ostensibly on some particular point but that You would have the turmoil, the tumult and a large part of the expense of a general election; and I do not believe it would be possible ... under these conditions, completely to segregate the particular issue on which the referendum took place, and entirely to ignore the whole of the rest of the field

Aggregate	Classification	Coverage	Number Of Coding Reference	Reference Number	Coded By Initials	Modified On
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Internals\\2004 Debate Coded

No	0.0224	6
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1	AJC	15/08/2014 19:39
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The only matter of substance in my Bill to which the Government might object is the call for that referendum to be within six months. Who would want to delay the referendum beyond six months? Not even the most Eurosceptic Conservative Member would want to delay the referendum, because that is what we have been asking for. We are willing to abide by the decision of the British public, so we will not try to delay it. The House of Lords will not try to delay it. One of the reasons why the Government have changed their policy is that they feared that the House of Lords would introduce into the Bill a provision for a referendum.

2	AJC	15/08/2014 19:55
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It is not so much how many months, but whether the Bill can be given adequate parliamentary scrutiny. That is what is at stake, not whether we set up an artificial guillotine or time frame. We need to get a treaty that is acceptable to the UK and recognises our red-line issues; in other words, one that does not encroach on the UK's veto powers on central issues and does not take over our foreign policy or our policy on defence, taxation, immigration and so on. The hon. Member for Stratford-on-Avon referred to many of those matters

3	AJC	15/08/2014 19:56
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As with the treaty of Nice, a Bill has to be published and introduced, and parliamentary time has to be set aside for scrutinising it in both Houses. Then, and only then, can we consider having a referendum. In other words, the timetable leading up to a referendum will be dictated by the process of parliamentary scrutiny—and we would have to ensure that the treaty received the closest possible scrutiny—and could not be arbitrarily set at six months.

4	AJC	15/08/2014 20:10
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Assuming that the Bill did not come into force until autumn, the first public holiday on which the referendum could be held might be Christmas day. Bearing it in mind that we have previously debated Christmas day trading, does my hon. Friend believe that it would be appropriate to hold the referendum on Christmas day, which is the implication of the Bill?

5	AJC	15/08/2014 20:15
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Of course, that only follows from the second of the three interpretations, which is that it should be a new public holiday. My first reading was that the referendum must take place on a day that is already a public holiday, which was my hon. Friend's understanding when he was looking to have it on Christmas day. Whether it is option one, two or three, it is simply not clear. The hon. Gentleman said that it was perfectly clear and then used a completely different formula and set of words, which, to his credit, were crystal clear, but they were not

6	AJC	15/08/2014 20:20
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There may be provisions that I am not aware of, but it seems that, if we want an informed debate about the referendum, there must be sufficient time for that information to be provided. I am sorry that I seem to be boring the hon. Member for Stratford-on-Avon (Mr. Maples), but there has to be time for that information to be duly provided. If that is not sufficient, how can Parliament be satisfied that the population of Britain will have a real chance to discuss these very important issues?