

Parliamentary debates in the House of Commons (12 July 1976)

Caption: On 12 July 1976, while the Nine seek agreement on the number and the distribution of seats in the directly elected European Parliament, in London, the House of Commons holds a debate on the size and composition of the Assembly, its legislative timetable and the status of its Members.

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Parliamentary debates in the House of Commons (12 July 1976)

European Parliament (Direct Elections)

7.0 p.m.

Mr Sydney Irving (Dartford):

[...]

We considered four matters — the size and composition of the Assembly, the date for elections, the period for which the Assembly should be elected and the status of members of the Assembly, with special emphasis on the dual mandate. I shall make a few brief comments on each of those, although the report speaks for itself.

On the matter of size, the Committee's finding follows the broad consensus of the evidence that we had, although we had suggestions ranging from as few as 45 members to upwards of 600. Our main concern was that the Assembly should be large enough to enable the component parts of the United Kingdom to have proper representation, and that that representation should match that of the smaller member States of the Community. Luxembourg had to be left out of our consideration and must be treated exceptionally anyway, as it has a population of only 350,000, whereas Northern Ireland has a population of 1½ million.

With that exception, we believe that population should be the other determining factor. The upper limit, however, should not be so large as to constitute difficulties for other countries that may wish to join the EEC. We decided to put the figure within upper and lower limits to allow the Government room for manoeuvre in the negotiations today and tomorrow.

I now turn to the date of the election. As it had been generally agreed that May or June 1978 should be the date, the Committee confined itself to discovering whether it was, in practice, possible to stick to that timetable. The Home Office evidence indicated that, assuming we were to use the present framework and practice of elections in the United Kingdom, although it would be a tight timetable, it was possible to complete preparations in time for May or June 1978.

Mr. Neil Marten (Banbury): The right hon. Member for Dartford (Mr. Irving) said that it was generally agreed that the date should be May or June 1978. By whom was it generally agreed? Why did not the right hon. Gentleman call more oral evidence?

Mr. Irving: The statement is made in the consultative document that there was general agreement. That general agreement is among Governments and no doubt the matter will be discussed in the debate tonight. There is a comprehensive summary about evidence attached to the report. We felt that all the evidence was there and that we should not get further elucidation by calling further oral evidence.

As to the day on which the results should be announced, there was strong evidence from the local authority associations and the chief officers against holding them on the same day as other elections. The local authorities associations told us:

“We cannot stress enough the probability of total confusion in the minds of the electorate if elections take place on the same day as other elections”.

The association also believed that to hold elections on the same day as other elections would be more expensive than holding them on separate days.

The Committee came to the conclusion that the Assembly should last four or five years. It thought that that was appropriate because it was in line with the four or five years which is the normal period for a fixed-term Parliament in Europe. The Committee expressed its preference for four years because that is divisible by two

and would enable the European Parliament, if it wished in future to alternate the election of members every two years.

The Committee decided that the declaration of results should be announced together, after the first ballot in any country which has more than one ballot. That is an obvious conclusion and I will not comment further on it.

The Committee was in no doubt that the operation of the dual mandate was burdensome on members who had to spend a week or more at Strasbourg every month, which would make it difficult for them to play a full part in their own Parliament. However, it seemed to the Committee that that was a matter for the individual to decide. But to have no dual mandate could mean little continuity after direct elections. That is important at least in the beginning until other means of relating Assembly membership, membership at Westminster and membership of devolved Assemblies is worked out.

The work of the Committee is still proceeding on the practical questions involved in the conduct of elections. The Committee hopes to produce its final report by 30th October this year. The Committee reserves the right to look again at its findings if that is thought justified by changing circumstances.

I should like to express the Committee's warmest appreciation of the excellent and strenuous work done by the clerks to the Committee, Mr. Limon and Mr. Clark. I hope that the report of the Committee will be of service to the House.

7.9 p.m.

Mr. Douglas Hurd (Mid-Oxon): I think that it would be for the convenience of the House if I were fairly brief in this limited debate and did not try to cover the whole of the ground covered by the report, but I must not be so brief that I forget to congratulate the right hon. Member for Dartford (Mr. Irving) on all his work as Chairman of the Select Committee and on the skilful way in which he has presented his report. The House is much in his debt, and we thank him.

I should also protest on behalf of the Opposition at the way in which the matter has been handled procedurally by the Government. We are debating the subject at the very moment when the Heads of Government are debating it in Brussels. It is something that the debate has been brought forward by a few hours as a result of representations by my right hon. Friend the Member for Chipping Barnet (Mr. Maudling), but that is not nearly good enough. If the reports just received are correct, the Heads of Government in Brussels have been discussing the matter for some hours. I understand that they are about to meet again and are accepted to agree on a formula that would give a total of 406 seats, with the United Kingdom having 80. I am also told that the British Government appear to have accepted the formula without waiting for this debate.

The Minister of State will be able to say whether what I have heard is correct. If it is anything like correct, it reveals a deeply unsatisfactory state of affairs that has come about directly as a result of the Government's failure in their management of the business of the House to give the need to discuss European matters its proper status.

There has been throughout a series of delays and a perfunctory handling of this very important matter. It has been clear since December 1974, and perhaps before, that the question was coming to the fore as a matter for Community discussion. Perhaps the Government, within their own terms of reference, were reasonable in arguing that we should not consider it and think deeply about it until after the referendum in June last year, but I have never been able to understand why they took so long to produce a Green Paper, which did not see the light of day until February 1976, eight months after the referendum.

Then we had the debate at the end of March, but it was not until 30th April, a month after the debate in which the Prime Minister announced that there would be a Select Committee, that the motion to set it up was tabled. There was another delay of a fortnight, and it was not until 17th May that the Select Committee was

set up.

A paradox has emerged. Some of my right hon. and hon. Friends and some Labour Members feel that the subject of direct elections is dangerous, because the powers of the House would be diminished, because powers would be filched from us by the European Parliament. I do not think that there is substance in that. It seems to me that there is clearly a need for a directly-elected European Parliament.

Mr. Arthur Lewis (Newham North-West): What the hon. Gentleman said earlier proves our point.

Mr. Hurd: It proves something else. I believe that if we want democratic control over the central institutions of the Community, we must have a directly-elected Parliament. The story of the past few months and the handling of this business does not show that we are losing powers to a European Parliament. It shows that we are simply not effectively using the powers that we have to control and influence what British Ministers do on our behalf in Brussels. The responsibility for that failure by the House to exercise its powers, which no one is taking away from us — the matter goes far beyond direct elections, and applies to almost every European subject that we are called upon to discuss — is a direct result of the perfunctory way in which the Government have handled the business of the House on this subject.

It is not the fault of the Minister of State, but he has a responsibility. We know that the Leader of the House is a know-nothing in European matters, to put it at its politest. That puts a great responsibility on the Minister to be active at his elbow, saying — to take an apparently minor example, though perhaps not so minor — that we must honour the commitments of the previous Leader of the House to have a Business Statement on Europe at the end of every month. We did not have one at the end of last month. That is the kind of slipping and shabby handling of the matter that we see. It is time that at any rate we on the Opposition side of the House made a substantial protest about the way in which the House is asked to take these European matters.

Mr. Marten: Let us have a vote tonight.

Mr. Hurd: I say to my hon. Friend, who intervenes from a sedentary position, that if we have taken the advice of the hon. Member for Southampton, Test (Mr. Gould) in a letter to *The Times*, that we should hold up the Select Committee's report even longer, we should even now be taking mountains of oral evidence when the Heads of Government are discussing the matter. We should then have the ludicrous situation that the House had condemned itself to even longer delays and we had ended up discussing something that was completely irrelevant.

We on this side of the House accept the Select Committee's conclusions, although we note that it has not yet begun to tackle the really sensitive and difficult political matters.

Mr. Ronald Bell (Beaconsfield): When my hon. Friend says "We on this side of the House", he of course means some of us on this side of the House.

Mr. Hurd: My hon. and learned Friend has been a Member for much longer than I, but I think he will accept that there is a convention that I am allowed to use those words and that he is then allowed to qualify them or to deny his support, as he wishes.

We accept in particular the rather cautious judgment in the report about the numbers of members of the European Parliament. There is a balance to be struck between the likely work load, future membership of the Community and the need effectively to represent the different parts of the United Kingdom. I think that in its rather cautious bracketing of numbers the Select Committee has got the balance about right.

It is worth emphasising that the Select Committee does not recommend any division of those numbers within the United Kingdom. It has not entered into what will be one of its most difficult tasks — what balance the Boundary Commission, if it is given the job, should strike between the different parts of the United Kingdom within whatever total is agreed.

For historical reasons, enshrined in statute, Scotland is over-represented here, if we think simply in terms of population per seat, and Northern Ireland is under-represented. There is no reason in logic why those considerations should necessarily apply in the representation of the United Kingdom in the European Parliament. In that respect, we start with a clean state. It will be a difficult balance to strike between the need for a proper proportionality and the need to show that each part of the United Kingdom is adequately represented.

I hope that we shall not exaggerate the importance of this numbers game. So often one might think, particularly reading some comments coming out of Scotland, that it was vital for Scotland to have an enormous representation. One would have the impression that in the European Parliament one would see all the Scottish Members sitting together and speaking and voting for Scotland. That is not so. The European Parliament is organised on the basis of political groupings which cross national boundaries. The Scottish Members — as no doubt the Welsh Members will be when that situation arises — are divided among the different groups to which they choose to give their allegiance.

Therefore, the numbers game is of limited importance. What is important — particularly with the powers of the European Parliament as limited as they are, and as they are likely to remain for some time — is not the quantity of representation but its quality. What we are talking about is the power to influence the line taken within each group and therefore, at one remove, the line taken by the Commission and the Council of Ministers.

[...]

Mr. Marten: On a point of order, Mr. Deputy Speaker. I heard a strong rumour which has come straight from the Common Market that the whole thing has already been agreed by the Council.

[...]

Mr. Hurd: If my hon. Friend had been able to be present at the beginning of the debate, he would have heard me refer to a report, which I had seen on the tape, possibly the one he saw. I asked the Minister to confirm or deny that. I protested in terms which perhaps my hon. Friend would accept as reasonably vigorous at the position in which that news, if true, placed this House and the debate.

I conclude with a word about the date and the recommendation of the Select Committee's report about May or June 1978. It has always seemed to me that there was no magic for Europe in that date.

There are two important considerations.

First, in each member State, particularly in this country, direct elections should take place in an orderly and acceptable way. We on this side of the House had in mind the need to find an orderly and acceptable way of fixing the boundaries of the constituencies.

The second consideration is that we should take part in direct elections at the same time and in the same week as our partners in the Community. I think that the argument for that is very strong. We all individually have our own ideas about what the priorities for Britain in the European Community should be — whether we should put all our effort into achieving reform of the CAP or a new common fisheries policy or a common foreign policy. We would disagree among ourselves about the priorities but we would agree that matters will arise in the Community in the next year or so where it will be vital that the bargaining and persuasive power of this country should be at its most effective, more effective than it has been hitherto.

Nothing would do more to weaken our bargaining power and to diminish Britain's weight inside the Community than our failure to come to the starting gate on direct elections at the same time as our partners. That would be a damaging blow to us well as to the Community.

We support the report and the recommendations of the Select Committee as far as they go, while recognising that it is only at the beginning of its task and the most difficult part of that task lies ahead. I urge the Government to bestir themselves in the management of business of the House so that the European dimension of our duties here gets proper recognition which it has not had hitherto. We on this side, but for the caveat mentioned by my hon. and learned Friend the Member for Beaconsfield (Mr. Bell), do what we can to make a success of the important advance in democracy in our Community which we believe that direct elections should represent.

The Minister of State for Foreign and Commonwealth Affairs (Mr. Roy Hattersley):

[...]

I must make progress, because, the Government's case having been set out, the object of this debate is to allow the House to express its opinion.

During the two-day debate in March the Government said that they favoured an Assembly of 350 Members or more. In such an Assembly Britain would receive enough seats, first, to enable proper representation for the nations in the United Kingdom, and secondly, to ensure that constituencies, although very large, were still manageable for a single Member being elected on the traditional pattern of British elections. The Select Committee urged the Government to strive for an Assembly of between 350 and 425 Members. That we shall gladly do and that the Prime Minister is in fact doing.

I have explained why in the Government's view the Assembly cannot be too small. I reiterate what the hon. Member for Mid-Oxon said about its being not too large. The Assembly must not be so large that it is unmanageable even when the accession of new member States increases its total membership. The Select Committee seems to the Government to offer the right balance between the lowest possible size and the largest manageable size, and certainly the Government accept that part of its recommendations.

Secondly, on the question of the date of direct elections, the majority of EEC members hope that direct elections can be held in May or June 1978. The then Prime Minister endorsed that hope at the European Council meeting on 1st and 2nd December last, but he qualified his endorsement in two ways, and I must repeat those qualifications now. First, we can implement the decision to hold direct elections only if and when Parliament carries the necessary legislation. Secondly, and equally obviously, we can remain in the proposed time scale only if the necessary administrative preparations which will follow the legislation can be made early enough for the elections to be held in good order.

Those are two important qualifications. It does not mean that the Government will not do their best to meet the timetable: they will. We shall use our best endeavours in good faith in the hope that we shall be ready by the spring of 1978. However, although we endorse the Select Committee's view that that is the time for which we should strive, out of fairness to our colleagues in Europe as well as out of honesty to the House, I must reiterate that there are two practical obstacles. If they can be overcome, all will be well. If they cannot, there will clearly be difficulties about the timetable which would make it impossible to hold the elections then.

The third major question being discussed this week in Brussels is the duration of the Parliament. That question has two sub-headings within the general heading. The first is whether the elections to the Parliament should be held on a single date or on different dates within the nine Member nations. The Green Paper which the House debated in March was specific about the Government's view on this question. Paragraph 20 read:

“On balance it seems best to have the whole European Assembly elected at the same time ... for a fixed period.”

I know very well that there are very many rival theories — for instance, that the elections to the Assembly should be held on the same dates as national General Elections. But it seems to the Government, and certainly to me, that there are many administrative as well as other difficulties in principle associated with

having a movable feast in Britain and a fixed feast in other parts of the Community.

The Select Committee said much the same in paragraph 16 of its report about having a single date for European elections, and the Government gladly agree. The Select Committee also said that a single date should be interpreted as covering a brief period of dates — Thursday by tradition in the United Kingdom, Sunday in France and Italy and in other EEC countries. I am absolutely sure that is right, and equally pleased to record that the Government subscribe to the same view as the Select Committee.

We share its view, too, almost exactly but not precisely, on the duration of the European Parliament which will eventually be elected. In paragraph 22 of the Green Paper the Government recommend a fixed term of five years. In paragraph 16 the Select Committee recommends four or five years. Then it announces a slight bias in favour of four years. The Government, too, favour four or five years, but they have a slight bias in favour of five.

I do not believe that this is a fundamental issue, and the Chairman of the Select Committee explained that the slight bias was because four was more easily divisible if we wanted a shorter term and rotating membership. The Government view stems from the fact that there was a strong feeling among our partners that five years was the right period, and we should like to meet them on that. It is the one issue on which the Government and the Select Committee disagree, but it is not a matter of principle, and, since the Committee has talked of four or five years. I am very near to embracing its proposal and announcing our agreement.

Concerning the issue of the so-called dual mandate, this is the system by which membership of the European Parliament is only open to Members of this House or by which membership of the European Parliament carries special automatic privileges in this House. I shall try to deal with the second point in passing in a moment. It is the intention, I think, of the Select Committee to deal with the second point, concerning automatic privileges for Members of the European Assembly, when it makes its second or next report. This evening I want to deal only with the issue of the formal obligatory dual mandate — a requirement which might say that no one was allowed to stand for election to the European Assembly who did not already hold a seat in this place.

The task to which my right hon. Friend the Prime Minister will turn his mind today and tomorrow is an attempt — I believe it will be successful — to ensure that there is no obligatory dual mandate throughout the whole of the EEC. It would then be left for us on some future occasion to decide whether we wished to have a dual mandate here in the United Kingdom.

In honesty I have to report that when that argument arises, whether here or somewhere else, I shall be emphasising the overwhelming disadvantages of the dual mandate. The burden it would place on Members of both places would be intolerable. It is a peculiar sort of universal suffrage which says there shall be a popular democracy in the EEC when only 600 Members of Parliament here and a number of peers are allowed to offer themselves as candidates.

Clearly, in regard to the minority parties, if I may so describe them — I refer to them in that way only in a numerical sense — it would be intolerable if they were told that they could not put up candidates for every seat, in the case of the Liberals, or for every seat in Wales, in the case of Plaid Cymru, in a General Election.

[...]

The dual mandate is an issue which the House, from Britain's point of view, can and no doubt will decide later. Some of us will urge the unacceptability of such a proposal. All the Prime Minister is doing today and tomorrow is to ensure that it does not become compulsory throughout Europe and that it shall be left for us to decide at a future time. The Government are subscribing basically to the recommendation of the Select Committee, and in doing so I am happy once more to endorse what the Committee decided.

I know that very many Members are anxious to be assured about the future consultations on direct elections after the European Council has finished and before the final decisions are formalised and the legal

implications finally determined. I am sorry — I say this frankly to my right hon. Friend the Member for Battersea North (Mr. Jay) — that it has not been possible, because of the procedural necessities, to adopt his amendment this evening, because I believe that we could have met him on that. I shall have been happy if on one occasion at least I had been able to put his mind at rest.

But let me put the position to him exactly. If, as is possible but not certain, the procedure for formalising direct elections is to be a convention, before ratification of that convention the Government would seek the approval of the House of a draft Order in Council, under Section 1(3) of the European Communities Act. That would require an affirmative resolution by both Houses, and would therefore make a further opportunity to debate the subject obligatory and unavoidable. If the procedures adopted were not a convention, I assure the House that the Government would want to provide a parliamentary opportunity — I am not sufficient of an expert on parliamentary procedure to describe exactly what it would be — to ensure that the House had the same chance of debating the subject as if the convention were the chosen means by which it was given legislative form.

Of course — this is always the final word on direct elections — Parliament will be asked to approve the necessary legislation which implements direct elections and makes the holding of direct elections possible. Therefore, whatever the form of the legislation of the Community's decision, Parliament will have the last word on whether direct elections are held in this country. None of us complains about that. Nobody in the Government is sorry that the long process of consultation which began in the last two days of March will continue. It is all part of our determination properly to consult Parliament and, through Parliament, the people.

[...]

7.48 p.m.

Mr. J. Enoch Powell (Down, South): This is a strange debate that we are having this evening. It is a humiliatingly strange debate. The subject which is before us is, I suppose, the most important, the most fundamental, subject for the very existence of this House and its authority that could be imagined. It is no other than whether there is to be established a separate and concurrent representation of the people of this country — a representation that is to operate within the framework of an organisation which has been given overriding powers over this Parliament, and which, by the confessed intention of those who approve our membership, is to extend its authority progressively over all the major spheres of our national existence.

That is the subject. But the Prime Minister is not here. The Foreign Secretary is not here. Perhaps I should add that the Leader of the House of Commons — the most pertinacious and eloquent enemy of this whole business — is not here. I expect he is not far away. He is certainly not so far away as the Prime Minister and the Foreign Secretary.

The Prime Minister and the Foreign Secretary are, with their fellow Prime Ministers and Foreign Secretaries, at this moment engaged in effectively deciding the very question which is the subject of this debate. Although we appreciate the courtesy — I do not use the word ironically — of the message that we received from the Prime Minister, what cannot be conveyed to the Prime Minister by the Minister of State is the view of this House, for no view on this subject will or can be taken by this House this evening.

It would be necessary to go very far back in our history to find a parallel to what is happening in this Chamber. I am inclined to think that we have to go as far back as the last days of the Rump, on the eve of its dismissal by Oliver Cromwell — the remnant of a House of Commons from which the power had departed and which knew perfectly well that the effective decisions about the government of the country were being taken in other ways and outside this Chamber.

Mr. Michael English (Nottingham, West): It came back, though.

Mr. Powell: The hon. Member for Nottingham, West (Mr. English) has jumped to the end of my speech. I

shall conclude with some such reflection as that.

The Minister of State says that it is not correct to say that the decision is being taken elsewhere. Let us examine this. If the European Council today or tomorrow comes to a conclusion, not merely will the authority of the Government be committed to that conclusion and that agreement, but, when it comes before us, in whatever form, for ratification, as did the Treaty of Brussels on 20th January 1972, we shall be told, as we were told then, that the honour of this country is already committed. Then, when the legislation is placed before us to implement that agreement in terms of our domestic law, once again, as through those long months of 1972, we shall be told in the time-honoured words that we are debating only the “nuts and bolts”, that, since we are implementing a convention or an agreement — by then it will be a treaty in some form or another — we are not able to depart from the ambit of it.

The reality is that the decision in this matter is being taken elsewhere. As Mr. David Wood writes in *The Times* today,

“For good or ill ... Westminster power has been passed elsewhere, into the keeping of ministers and later perhaps into an elected Parliament.”

There is some dispute about whether technically we are, by virtue of our accession to the European Economic Community, committed in principle, though we cannot be committed in particular, to participation in direct elections to a European Assembly and to agreement, which is impossible without us, to there being direct elections. There was an extremely cogent argument by a distinguished “silk” a day or two ago in the correspondence columns of *The Times* which argued that the commitment was solely to direct elections “with a uniform procedure” and that, if that was not what we were agreeing to or discussing, what we were agreeing to or discussing was something to which there was no commitment. There has also been the long debate, ably sustained by my hon. Friend the Member for Banbury (Mr. Marten) and others, about whether the wording of Section 138 of the Treaty of Rome necessarily implied acceptance, by accession to that treaty, of the duty sooner or later — and with good will — to comply with the principle of direct elections.

But these, though important, as the word of the law and the words of a treaty always are important, still miss the reality. Those who have taken part, usually less numerous than the attendance this evening, in our nocturnal debates upon various instruments of the European Economic Community have frequently remarked with varying degrees of irritation that, whatever we debate that comes from the European Community, before we are well started we seem to be back to square one, discussing whether we ought to belong to the European Economic Community at all.

That is not surprising, because everything which, even within that narrow ambit, comes before this House essentially poses the question “Will you go along with this, or will you insist through Ministers that, whatever others do, it shall be the choice and the will of this House only which shall prevail?”. So even in the smallest details that ultimate testing point is always present to the mind of the Chamber and to those taking part in debate. That is so *a fortiori* of this great, and essentially new, question. It is not merely that, as a matter of form, the agreement of the United Kingdom is necessary for it to proceed. It is because on so great a matter as this — the history of the European Economic Community has proved it — any nation which wishes can have its way. Therefore, the Government and, therefore, Parliament and, therefore — for it is ultimately the same thing — the people, are deciding *de novo* and without moral commitment whether they will create a parallel and in nature superior representation of the electorate of the country.

Nothing can bind a nation member of the Community to accept the principle of direct elections against the will of its Parliament or against the will of its people. If the refusal of one nation or another means the end of the European Economic Community in that form, so be it.

I do not believe that those whom we represent are fully seized of what it means that there should be direct elections to a European Assembly. It would be insulting to blame them, since it appears to me that many who sit in this House and have more opportunity to direct their minds to these matters are not seized of it. Yet in essence it is simple. It is that, if we create for an institution, for an embryo state, such as the European

Economic Community, a direct source of popular authority, sooner or later nothing can prevail against the expression of that popular authority and no artificial bounds can be set to its extension.

I quote once again from the article in *The Times* today, for I thought that it was extremely well expressed. It says:

“... the argument for a European Parliament is that once created on a popular vote it will demand and get more and more power.”

Indeed, by the very logic of the European Economic Community and by the very intentions of those who will it, that has to be so, since its power must extend coevally and co-equally with the extension of the authority of that state. So, on whatever side of this debate we may be, at least there should be no fluffing and muffling of the fact that, once again, even in three hours on the Adjournment, this is the Great Debate; and it is the Great Debate brought forward again unprejudiced.

Sir Anthony Royle: I personally take the view that I would not be upset if there were an increase in the powers of this Parliament along the lines the right hon. Gentleman is suggesting. Would he agree that if those powers are to be passed and agreed by this Parliament the matter must come again before this Parliament and the other nation Parliaments of the Nine?

Mr. Powell: Yes, and let us all understand what the debate will then be like; for we have been through this several times already. What shall we be told? We shall be told “the representatives of the very same people who sent you here, along with their other colleagues in the European Assembly” — the very persons to whom we in this House decided to entrust the popular mandate when we set up direct elections — “have asked for and have resolved in favour of an extension”. How will we, who exercise our powers by virtue of our representative character, say “nay” to that, when this is the next stage for which they ask and upon which they are resolved — especially when, very likely, they include a majority, for all I know, of the representatives of those sent from the United Kingdom? Whose authority is going to prevail — the authority of this provincial Parliament or the authority of the representatives of the electorate of the United Kingdom in the seat of that super-State to which this Parliament has conceded, broadening as ever by the extension of the treaties, overriding authority over all the essential and characteristic powers of this House?

Mr. Dykes: Will the right hon. Gentleman give way?

Mr. Powell: I hope the right hon. Gentleman will forgive me. I am sorry but I really must not. I do not think it is fair to hon. Gentlemen who will be taking part in a debate compressed into this dimension. I must deny myself of the pleasure to which the hon. Gentleman invites me.

I was about to conclude by reminding the House once again of what was the basis of the referendum — the statement which the Government, with full responsibility, made to the British people at the time of the referendum. It was that continued British membership of the Community depends upon the continued assent of Parliament — which, since we are periodically elected, means the continued assent of the electorate. So long as we are recognisable as a Parliament, the people of this country at every moment, either through this House, or by recreating this House, have the moral and legal right to withdraw their assent to what exists as well as to deny their assent to what will be proposed.

I do not know how that will happen or whether it will happen. I myself believe that when the people of this country, whose history is inseparable from that of this House, understand what is meant by their forfeiture already made on their behalf, let alone by the forfeiture of their independence and self-government which would be implicit in direct elections, then they will not suffer it. That is a judgment which every one of us must make for himself; but it ought to be understood, not just by the Government but by the world outside, that there are those, and they are not few, inside this House, and there are those, and they are not few, outside this House who are convinced from what they believe of the very character of Parliament and the British people that what we have done will not endure and that if we take this further step, that, too, will be a house built upon sand.

[...]