

Letter sent by Tony Benn to his constituents in Bristol South East (29 December 1974)


Caption: In a letter sent on 29 December 1974 to his electors, Tony Benn, British Labour MP, warns them of the likely consequences of Britain remaining in the common market.

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In 1975 you will each have the responsibility of deciding by vote whether the United Kingdom should remain a member of the European Common Market, or whether we should withdraw completely and remain an independent self-governing nation. That decision, once taken, will almost certainly be irreversible.

In both the 1974 General Elections I fully supported our manifesto on the handling of the Common Market question.

The present Government is now engaged in renegotiating the terms of entry along the lines set out in those manifestos and is solemnly pledged, whatever the outcome of those negotiations, to see to it that the final decision will be taken by the British people.

But we must recognise that the European Community has now set itself the objectives of developing a common foreign policy, a form of common nationality expressed through a common passport, a directly elected assembly, and an economic and monetary union which, taken together, would in effect make the United Kingdom into one province of a Western European State. The communiqué issued after the recent Paris summit makes these objectives clear.

Britain's continuing membership of the Community would mean the end of Britain as a completely self-governing nation and the end of our democratically elected Parliament as the supreme law-making body in the United Kingdom.

I am writing, not to argue a case, but to explain – as best I can – what effect British membership of the Common Market has had upon the constitutional relationship between a member of Parliament and his constituents.

THE FIVE BASIC DEMOCRATIC RIGHTS CHANGED BY COMMUNITY MEMBERSHIP

The Parliamentary democracy we have developed and established in Britain is based, not upon the sovereignty of Parliament, but upon the sovereignty of the people, who, by exercising their vote, lend their sovereign powers to Members of Parliament, to use on their behalf for the duration of a single Parliament only – powers that must be returned intact to the electorate to whom they belong, to lend again to the Members of Parliament they elect in each subsequent General Election. Five basic democratic rights derive from this relationship, and each of them is fundamentally altered by Britain's membership of the European Community.

FIRST: Parliamentary Democracy means that every man and woman over 18 is entitled to vote to elect his or her Member of Parliament to serve in the House of Commons, and the consent of the House of Commons is necessary before Parliament can pass any Act laying down new laws or imposing new taxation upon the people.

British membership of the Community subjects us all to laws and taxes which your Members of Parliament do not enact, such laws and taxes being enacted by Authorities you do not directly elect, and cannot dismiss, through the ballot box.

SECOND : Parliamentary Democracy means that Members of Parliament who derive their power directly from the British people, can change any law and any tax by majority vote.

British membership of the Community means that Community laws and taxes cannot be changed or repealed by the British Parliament, but only by Community Authorities not directly elected by the British people.

THIRD : Parliamentary Democracy means that British Courts and Judges must uphold all laws passed by Parliament, and if Parliament changes any law the Courts must enforce the new law because it has been

passed by Parliament which has been directly elected by the people.

British membership of the Community requires the British Courts to uphold and enforce Community laws that have not been passed by Parliament, and that Parliament cannot change or amend, even when such laws conflict with laws passed by Parliament, since Community Law over-rides British Law.

FOURTH : Parliamentary Democracy means that all British Governments, Ministers, and the Civil Servants under their control, can only act within the laws of Britain and are accountable to Parliament for everything they do, and hence through Parliament to the electors as a whole.

British membership of the Community imposes duties and constraints upon British Governments not deriving from the British Parliament, and thus in discharging those duties Ministers are not accountable to Parliament or to the British people who elect them.

FIFTH : Parliamentary Democracy, because it entrenches the rights of the people to elect and dismiss Members of Parliament, also secures the continuing accountability of Members of Parliament to the electorate, obliging Members of Parliament to listen to the expression of the British people's views at all times, between, as well as during, General Elections, and thus offers a continuing possibility of peaceful change through Parliament to meet the people's needs.

British membership of the Community, by permanently transferring sovereign legislative and financial powers to Community Authorities, who are not directly elected by the British people, also permanently insulates those Authorities from direct control by the British electors who cannot dismiss them and whose views, therefore, need carry no weight with them and whose grievances they cannot be compelled to remedy.

In short, the power of the electors of Britain, through their direct representatives in Parliament, to make laws, levy taxes, change laws which the Courts must uphold, and control the conduct of public affairs, has been substantially ceded to the European Community whose Council of Ministers and Commission are neither collectively elected nor collectively dismissed by the British people, nor even by the peoples of all the Community countries put together.

WHAT PARLIAMENTARY DEMOCRACY HAS ACHIEVED

These five rights have protected us in Britain from the worst abuse of power by Government, safeguarded us against the excesses of bureaucracy, defended our basic liberties, offered us the prospect of peaceful change, reduced the risk of civil strife, and bound us together by creating a national framework of consent for all the laws under which we were governed.

WE HAVE PROMISED A BALLOT BOX DECISION BECAUSE ALL THESE RIGHTS ARE IMPORTANT, AND NONE SHOULD BE ABANDONED WITHOUT THE EXPLICIT CONSENT OF THE PEOPLE.

I am not, of course, here addressing myself to the general political or economic arguments for or against entry, nor commenting on the view that the advantages of membership might outweigh the loss of democratic rights that I have described.

But no one who votes in the ballot box should be in any doubt as to the effect that British membership has had, and will increasingly continue to have, in removing the power the British people once enjoyed to govern themselves.

WE MUST ALL ACCEPT THE DECISION OF THE PEOPLE

Having campaigned so long to win for you the right to have a Referendum I am proud to serve in a Government that has promised that the final decision will be made by all the Electors through the ballot box.

The whole nation, and all the political parties, are divided on the Common Market question. We must respect the sincerity of those who take a different view from our own. We should all accept the verdict of the British people whatever it is, and I shall certainly do so.

BUT FROM NOW UNTIL THAT DECISION IS TAKEN, WE HAVE ALL A RESPONSABILITY TO DISCUSS THE ISSUES OPENLY, CALMLY, AND SERIOUSLY, *and it is in this spirit that I am writing to you as your Member of Parliament over the last 24 years.*