

Speech by Tony Benn (17 March 1972)

Caption: On 17 March 1972, in a speech delivered at the annual meeting of the Christian Socialist Movement in London, Labour MP, Tony Benn, criticises the stance adopted by the British Government towards the UK's accession to the European common market, and calls for a national referendum on the subject.

Source: BENN, Tony. Speeches. BODINGTON, Joan (Ed.). Nottingham: Spokesman Books, 1974. 303 p. ISBN 0-85124-091-7. (Spokesman Books). p. 113-116.

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URL: http://www.cvce.eu/obj/speech_by_tony_benn_17_march_1972-en-a3d116ff-3ebe-44ee-99b8-e2b038253def.html

Publication date: 13/09/2013

A Grave Breach of the Constitution

It would be an outrage if the French people are allowed to decide whether they want Britain in the Common Market, and the British people are denied the right to say whether they want to join.

This is the nub of the present political and constitutional crisis which Mr. Pompidou has high-lighted by his Press Conference in Paris yesterday.

What is at stake here is not a matter of Parliamentary procedure but an absolutely fundamental question of Government by consent against Government by *diktat*.

Mr. Heath is trying to usurp powers that do not and cannot belong to him, or to any Member of Parliament, in any Party, at any time.

First, he made improper use of the Royal Prerogative to sign a Constitutional Treaty that had not been approved in advance by Parliament or the electors.

Second, he drafted the Bill now before the House of Commons in such a way as to prevent essential amendments to it from being debated.

Third, he is using his Parliamentary majority to cut short the Commons debate by moving closures; and is likely to use the guillotine to bring the whole debate to an end when it suits him, as he has already done with the Rents Bill.

Fourth, he plans to advise the Queen to give her Royal Assent to a Bill which is, by definition, unconstitutional because it purports to bind future Parliaments, and hence the electors who will elect them.

Fifth, he has advised the Queen to visit France in circumstances which will now be used by Pompidou to help him in his Referendum campaign; after using the Royal Prerogative at home to prevent our people from having a Referendum or Election here.

Mr. Heath cannot get away with this. It is contrary to all British traditions of democracy, fair play and common sense.

What is at stake here is not some detail of Parliamentary procedure or legal nicety. It is absolutely basic.

If the British people are herded into a federation against their will, the whole fabric of our society will be threatened.

First, we shall find ourselves governed by laws we did not make and cannot change.

Second, we shall find ourselves taxed by people we did not elect and cannot remove.

Third, we shall find ourselves locked in to economic policies that may harm us and cannot be altered because they were devised to meet the needs of others.

Fourth, we shall be governed by European bureaucrats elected by no one for whom Ministers are only needed as a rubber stamp.

Fifth, we may find ourselves sucked into a European military machine with its own nuclear weapons shared by France, Britain and possibly Germany, over whose use the British people will have no control at all.

When the British people wake up to realise what is happening, there will be a veritable explosion of rage directed not just against Mr. Heath, but against any M.P. in any party who joins in a conspiracy to destroy 700 years of Parliamentary democratic self-government by stealth.

The strength of Parliament has always rested on the foundations of public faith in it.

Take that faith away and you destroy institutions for self-government that generations of British people have laboured long to create.

Once the people discover that Parliament has given away the people's rights, then there will be no logical argument for retaining the system.

Some voices will be raised to say that the only answer is an authoritarian Government in Britain, of extreme Right – or extreme Left – governing by decree.

And if such an extreme Government did come to power and changed the laws without Parliamentary approval, they could argue that they were only following the same constitutional practice as Mr. Heath had introduced in the Common Market Bill which does allow Government by – European – decree.

Leaders of all three parties have got to sit down quietly and think out this problem afresh.

The Conservatives have got to accept that a General Election must be held before the present Common Market Bill enters into force.

The Labour Party has got urgently to re-examine its own attitude to a referendum because in such an election the Labour Manifesto must offer the British people a distinct and separate choice on the Common Market issue to take place after a new Labour Government had tried to improve the terms to see whether these new terms were acceptable to the people.

The Liberal Party, which once stood for personal freedom, might well ask itself why its Parliamentary leaders are now keeping a Cabinet in power that is denying the people's freedom to choose their own future.

It is always difficult for political leaders to change their minds. But if circumstances change or the full implications of a course of action emerge slowly and take some time to appreciate, it is a sign of weakness, and not of strength, to stick woodenly to decisions arrived at under different circumstances and before the significance of what has happened had become apparent.

People will understand a man who says that he is ready to listen and learn. They will never trust anyone who seems to be wedded to a process of decision-making that is based on the belief that the people cannot be trusted.

The British people have faith in those of their leaders who have faith in them. They distrust leaders who distrust them. They respect those who respect them.

That is the whole essence of British democracy which has survived not because of Acts of Parliament or the details of procedure. It survived because people wanted it to survive. It rests on mutual confidence. Destroy that confidence and you destroy our whole system.

The idea of building a wider unity in Europe has inspired many men and women in Britain. It is a tragedy that now – just because of the way it is being enforced – it should have become the most divisive issue and should threaten the ideals that we hold so dear.

The case for a General Election or a Referendum has not been advanced to stop Britain entering the Common Market. It has been advanced to allow everyone to join in that decision.

It may well be that given an absolutely free and fair choice we would say 'Yes'. We certainly must also have the right to say 'No'.

The opposition to an Election or a Referendum has come from those who have so little faith in the British public that they are not prepared to put it out to the people to decide for themselves.

Democracy has always been about *how* you decide things. We have always accepted that the way you settle your differences is more important than the differences themselves. It is on that proposition that consent has been won and held for successive governments, even from amongst those who did not vote for them.

Take that away and you have nothing left.

No one wants to see British politics sink into the mush of a general consensus. Were that ever to happen, great issues would never be debated and resolved.

But it is even worse to pretend that there is a consensus based upon 'the whole-hearted consent of the British people' when that consent has neither been sought nor obtained.

It is the pretence that consent exists that is dividing old and valued political colleagues and friends one from another, and souring the minds of millions of people in Britain who are condemned by this pretence to be mere spectators to what seem like squabbles among politicians fought out under the arc lights of the Parliamentary arena.

We must rediscover national unity based upon acceptance that issues of supreme constitutional importance cannot be settled in the lobbies in the Palace of Westminster but must be settled in the ballot box which is the ultimate safeguard of our liberty.

The course upon which the British Government is now set can only intensify bitterness, and deepen cynicism. The ultimate consequences of which no one can now foresee accurately.

Everyone, pro- or anti-Market, Labour, Conservative or Liberal, should now agree to agree on the way in which the decision should be taken.

This means we must tell the British people the truth, trust the British people, and let the British people decide. There is no other way.