

# European Union (Referendum) Bill

Second Reading, Friday 10 January 2014

11.59 am

## Lord Owen (CB):

My Lords, the noble Lord, Lord Grocott, must be correct that the procedure that should be followed in a perfect world would be the one that he outlined. The trouble is that we do not live in a perfect world, and we never have done. Europe splits parties and families, and has been doing so for 40 years. That is what we have to grapple with on this issue.

As my noble friend Lord Roper knows, I supported a referendum in 1972, and was defeated in the argument in our group. I resigned over the issue, but it was not really the central core of that question. It is right that there was a vote—but in those days it was a vote on whether there should be referendum then, in that Parliament of 1972 to 1973. I think that this is a gimmick, in many respects. However, why are we here? We are here because successive Prime Ministers have given commitments to hold referendums and then have not done so. The country does not trust us. On this issue of Europe, they have seen party after party manoeuvre and manipulate, and they do not believe it—and they do not actually believe it, even if they say at a general election that there will be a referendum. I was told by the parties opposite at the last election that there would be no top-down changes in the National Health Service. And what have they done? We used to believe that the mandate meant something, but now we are told that the mandate cannot be trusted.

Under these circumstances, it seems not unreasonable for all three major parties to commit themselves to a referendum, because it is a settled will of the British people in my judgment that there should be a referendum. I personally believe that we should start negotiating that now; I do not accept at all that it is not possible to get to a situation in Europe where we could have a referendum in the early part of next year before there is a general election. That would be the best thing; we would have a lot of political parties actually trying to get a serious negotiation. Most people in Europe feel that this issue going on is debilitating to Europe, and damaging to confidence. We have not resolved the issue of the eurozone, which is not

yet safe. The whole situation that will come over the next year or so is hanging around—whether or not Britain will or not be in the European Union—is not good for Europe, not good for Britain, and not good for foreign investment or the world economy.

Personally, I do not have any particular wish to have a referendum in 2017. I agree very much with what has been said by the noble Lord, Lord Hannay, that that will not happen. There are juxtapositions of presidencies and general elections in Germany, which are crucial, and you would not opt to have it in 2017. So if it comes, it is more likely to be in 2016—but I would far prefer it to be at the end of this year or in 2015. As to the constitutional process, it would be madness for this House to reject the Bill, and to invoke the Parliament Act would be absurd. It would also be ridiculous for us to be bullied into not having proper constitutional discussions of these very important issues. We are actually saying that we do not like the Electoral Commission set-up on the question. I personally think that there is a very good reason to go along with it; why set up an Electoral Commission and then ignore its advice? The other thing that is absolutely crazy is to go again with what was done over the alternative vote and have a whole year in which you have announced an election. The provision that you must do this by December 2016 seems ridiculous, but I do not get very fussed about it because I do not think that there will be a referendum in 2017. Let us have a proper debate and make time for that. The Government may have to postpone starting the new Session, if it is so important to them.

I believe that what has happened has improved UKIP's chances. The politics of the Prime Minister's decision was wrong, I think—but that is his judgment and one for the Conservatives. It is a fact that this Bill comes to us not having been contested in the House of Commons, with great big majorities there. I think that the largest opposition vote was 240 to 30. Neither the Liberal Democrats nor the Labour Party wants to break cover and say that they will not have a referendum, but that is because it is quite obvious that the general public wants one. So my advice is to do it.

The referendum in 1975 settled the issue for a long time, and was salutary and important. We were not going into Europe in

1972 with the whole-hearted consent of the British people—and we did after that. When we were negotiating and when we held the first presidency in 1977, it was an inestimable help to have that referendum behind us. So there is another reason. And then, in the 1983 election, the proposition was put to the country to come out of the European Union without even a referendum. That was blown to smithereens in the election. We will never come out of the European Union without a referendum, and I believe that that is an important constitutional safeguard. So those who decry having referendums on anything, like the noble Lord, Lord Oakeshott, are not living in the modern world. Referendums are here on constitutional questions; they have been incredibly helpful in Northern Ireland and can be stabilising mechanisms if they are used wisely.

We are not using the referendum wisely in this case. This is a silly piece of legislation and should not be in front of us. Were we to vote, I would vote rather reluctantly for it, because any other vote shows to the general public that you do not want a referendum and that you are afraid of it. As to the question of how I vote, I would leave that open. I do not think that this renegotiation is trivial; I hope that in the European elections we will have a long period in which people advance their reform agendas. Let us hear what they are, and hear what the Social Democrats want.

On present conduct and performance, I do not think that the present Prime Minister is ideally suited to negotiating a good deal for us. It is quite likely that a new Labour Government coming in in 2015 would be in a far better position, for one practical reason: they are fully paid-up members of the social democratic grouping, which is hugely influential in the European Parliament. That is another thing that has changed dramatically since 1975. You do not make changes nowadays in European treaties or make any major reform without the European Parliament. I regret that, because I think that it has been given too much power, but the fact is that you cannot get through any substantive reform without a fair measure of support in the European Parliament. Therefore, getting a political party like the Labour Party, which can mobilise the Social Democrats, would be helpful. The fact is that the Conservative Party is not able to mobilise the Christian Democrats.

I have spoken for long enough and feel that I have said all that I intend to say on this debate. I do not intend to participate in Committee.