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The views expressed in this paper are entirely personal.

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Abstract

This paper identifies and charts a number of longer-term trends that led ultimately to the United Kingdom's 23 June 2016 in-out referendum on European Union membership. It shows in particular how a device, the referendum, until recently regarded as anathema to the British tradition of parliamentary democracy, was first legitimised, then constitutionalised and, simultaneously, popularised. And it shows how manifesto commitments for a referendum on the single currency morphed into commitments for a referendum on the Constitutional Treaty and then the Lisbon Treaty and then into referendum lock acts and, finally, the in-out referendum.

1. The world before referendums (1950-1967)

Butler and Kitzinger (1976, pp. 8-11) describe how the referendum, as a possible electoral device, had first been considered in UK politics in the 1890s. Subsequently, Arthur Balfour, Stanley Baldwin and Winston Churchill all dabbled with the idea as a means of resolving constitutional blockages, but the use of a referendum was never a realistic prospect. It is in any case clear that if the United Kingdom had responded positively to the 9 May 1950 Schuman declaration and if Clement Attlee and Herbert Morrison had subsequently signed the 18 April 1951 Treaty of Paris establishing the European Coal and Steel Community (admittedly, two very big ‘ifs’), there would surely have been no referendum. When, in May 1945, Churchill, the then-Prime Minister, suggested that a referendum be held on whether to extend the life of the wartime coalition until Japan had been defeated, the Deputy Prime Minister Attlee refused, sternly declaring:

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 only too often been the instrument of Nazism and Fascism (quoted in Bogdanor, 1981, p. 35).

What had happened in the meantime, as Attlee reminded the Prime Minister, was the use of the plebiscite by Germany’s National Socialist Party as a means of consolidating its power, in particular through the 19 August 1934 plebiscite that confirmed the assumption by Adolf Hitler of the functions of Chief of State in addition to those of Chancellor, and a similar use of the so-called plebiscitary election in fascist Italy in March 1929 and again in March 1934, also as a way of consolidating power.¹

I am indebted to my friend and colleague, Anthony Teasdale, for his comments, criticisms and suggestions regarding an earlier draft of this paper, and for many conversations and discussions over the years on the subject of why and how the UK seemed never able to achieve ‘escape velocity’ (see the concluding section of this paper). I would like to thank David Earnshaw, James Hanning, Tim King, Philippe Legrain and Sir Graham Watson for having read and commented on earlier drafts of this paper.

¹ Denis MacShane has pointed out that, before 23 June 2016, the last time a major European country withdrew from an international organisation on the basis of a referendum was the 12 November 1933 German decision to withdraw from the League of Nations (author’s notes from a 14 October 2016 talk given at the LSE European Institute’s *The European Union in Practice* seminar series).

In any case, none of the European Coal and Steel Community's six founding Member States found it necessary to organise a referendum – though some of them had been no strangers to referendums on constitutional issues in the recent past, and France would continue to organise referendums sporadically on other issues. For its part, the UK had certainly not held a referendum regarding the signature of the 4 April 1949 North Atlantic Treaty, with its mutual defence clause (nor the preceding 17 March 1948 Treaty of Brussels). Nor had the same Attlee government ever imagined holding a referendum regarding ratification of the 5 May 1949 Treaty of London, which created the Council of Europe and would soon produce the European Convention on Human Rights (which entered into force on 3 September 1953) and the European Court of Human Rights (21 January 1959).²

The same hypothetical claim could surely have been made about the 25 March 1957 Treaty of Rome. Though, following the Suez debacle, Harold Macmillan had only taken over from Anthony Eden at the beginning of that year, his Conservative government was still sitting on a 60 seat majority. France would switch from the Fourth to the Fifth Republic just over a year later via a constitutional referendum (28 September 1958), but the Treaty of Rome was signed and ratified without any such public approbation. Indeed, in all six founding Member States the Treaty was ratified through parliamentary procedures. In short, there was not a referendum in sight in 1957.

Nor would there have been a referendum had the UK's 1961 application not been vetoed by French President Charles de Gaulle (14 January 1963) and had accession negotiations been successfully brought to a conclusion. At the 8 October 1959 General Election, Harold Macmillan had been returned with a 100 seat majority. He had prepared meticulously for the application. With such a majority he could afford to ignore resistance within his own party and

² And nor would the Anthony Eden government see any reason to seek popular approval for the September 1955 Treaty of Association between the UK and the European Coal and Steel Community.

appoint dedicated pro-Europeans to key positions. Announcing the application to the House of Commons, Macmillan declared that:

No agreement will be entered into until it has been approved by the House after full consultation with other Commonwealth countries by whatever procedure they may generally agree (Macmillan, 1961).

Thus, the House of Commons and the Commonwealth had effective vetoes, but not the people. The subsequent 4 August 1961 vote in the House was unambiguous. The Government's proposal was approved by 313 votes to 4, with the Labour Opposition and some fifty Conservative MPs abstaining. There was no language about a referendum and no call for one. However, "The level of abstention suggested the absolute necessity of negotiating satisfactory entry arrangements" (Crowson, 2007, p. 29). It was a point MacMillan acknowledged when writing to thank his parliamentary whips: the principle of entry, and the terms of entry, were two different matters. It was a distinction Harold Wilson's Labour Party would exploit to good effect in 1974.

As to the people, one historian has observed that, "There was indeed an almost complete absence of any public opinion in the United Kingdom about the European Communities until 1962, by which time the negotiations for entry had already been underway for nine months" (Milward, 2012, p. x). Another historian adds:

Opinion polls showed two-thirds of voters did not know whether Britain was a member of EEC or EFTA, or else gave an incorrect answer. Throughout the negotiations those who approved of the government's initiative outweighed those who disapproved, although the proportion offering no opinion remained high (Crowson, 2007, p. 31).

The opportunities of 1951, 1957 and 1961 provide rich material for counterfactual historical analysis and certainly fell into the category of "Britain's great missed chances in Europe" (Denman, 1997, p. 222). History would, without a doubt, have been very different if the UK had managed to join the emerging EC at such relatively early stages in its development.

However, from the point of view of this paper, that first 1961 move contained significant seeds of future complications or, to put it another way, chickens that would come home to roost.

In the first place, the UK did not apply alone. The Danish and Norwegian economies were so closely tied to the UK economy (notably through the UK-created European Free Trade Association) that it made little sense for them to remain outside the EEC if and when the UK had joined it. They therefore sent in their applications shortly after the UK's application (Denmark on 10 August 1961 and Norway on 30 April 1962). Although Ireland was never an EFTA member, its economy was so closely tied to the UK's that it even anticipated the British application, applying on 31 July 1961. For its part, the EEC decided to organise the negotiations in parallel, as a package, although there was no mistaking the fact that the UK was the big fish.³ Subsequently, when de Gaulle rejected the UK's application at the eleventh hour, the three other countries withdrew their applications. But an enduring relationship had been established between the candidatures of the four countries – they would always be seen as a bloc (de Gaulle would later dismissively refer to the group as 'the British and their associates' (cited in George, 1994, p. 38) – and significantly all of them, with the sole exception of the United Kingdom, had constitutional provisions for the holding of referendums.

In the second place, *any* first application for membership of the EEC beyond that of the original founding six would have been significant.⁴ As such a major economy and powerful country with a trans-Atlantic tradition, the UK's application would have been additionally significant. But for it to bring three other candidate countries in its train was of massive significance. It meant that the six would become ten. It would have major repercussions on the

³ The Commission's 'package' approach could at least in part be attributed to the fact that it had already decided to negotiate with EFTA as a bloc, rather than with the individual member countries of that organisation. (Crowson, 2007, p. 28)

⁴ The honour of first *accession* could conceivably have fallen to Spain, but who now remembers Spain's 14 February 1962 application, renewed two years later? See, for example, Royo, 2002, p. 8 Of course, Francoism made Spanish accession politically unthinkable.

institutions (voting rights in the Council, additional Commissioners, MEPs, judges, and so on). And a French-inspired organisation would absorb four Anglo-Saxon/Nordic countries.

In the third place, as the July/August 1961 debate and vote in the House of Commons had demonstrated, the issue of the UK's relationship with the unfolding European integration process cut through both the main parties, as it has done ever since.⁵ This meant inevitably that any future referendum, were it to occur, would almost certainly have to be fought on a cross-party basis. Thus whether the 'beginning' of what would become the 'end' is traced back to Wilson's opening of the referendum Pandora's box in 1974 or Heath's refusal to open it in 1972, the proximate cause remained the same: large majorities of MPs in favour, combined with major divisions within the main parties.

Lastly, the UK's first application gave rise to a number of phenomena that would become increasingly familiar in the years to come.

A first was the organisation of new groups seeking to mobilise public and parliamentary opinion against entry. Some of these – for example, the Anti-Common Market League, Women Against the Common Market and Keep Britain Out – aspired to become national and non-partisan. Others – for example, Britain and the Common Market and the Labour Committee on Britain and the Common Market – sought to mobilise within the main political parties (see Richardson, 2016, for a good overview). If the people had been irrelevant to the politicians' calculations to date, that would no longer be the case. As Milward observed: "It can, though, be safely said that it was with the application that the people came for the first time to be an influential factor in the United Kingdom's relationship to the Communities" (2012, p. 341).

A second occurred on 22 November 1962 in the South Dorset by-election. A dissident anti-Common Market Conservative candidate, Sir Piers Debenham, won 5,057 votes, thus

⁵ Throughout the 1950s the Labour Party had remained hostile to the European integration process, but by the end of the decade economic realities had begun to convince the party's social democratic wing that a more constructive approach would be necessary. Abstention on the Common's vote was a means of maintaining a semblance of unity on the issue. See, for example, Daniels, 1998 and Kassim, 2010.

denying the official Conservative candidate, Angus Maude, victory (he won 13,079 votes) and gifting what had been a safe Conservative seat to the Labour candidate, Guy Barnett (who won 13,783 votes). This was the first example of what was to become a potent political force in the 1990s and again in the 2010s. It was not so much that Euro-sceptics might win seats (though UKIP in the European Parliament and Douglas Carswell in the House of Commons ultimately proved that they could), but that they could threaten the majorities of sitting MPs – particularly Conservative MPs. The potency of this threat was in inverse proportion to the size of the party's governing majority: the smaller the majority, the more powerful the threat.

2. Enter the concept of a referendum (1967-1972)

When the United Kingdom made a second application for membership on 10 May 1967, the other three countries rapidly followed (Denmark and Ireland on 11 May and Norway on 21 July). These new applications were at first similarly blocked by de Gaulle (27 November 1967). His successor, Georges Pompidou, had a change of heart and a 1-2 December 1969 Summit of the Six agreed that negotiations should start. But when, in early 1972, those negotiations had been successfully concluded and the EEC stood on the cusp of its first enlargement, the French President announced, on 16 March 1972, his decision to hold a referendum on the enlargement package. Ostensibly, Pompidou felt the change to be of such momentous significance that the approval of the French people should be sought. However:

While it is easy to grasp the international kudos to be gained by securing the French nation's approval for an enlargement of which he had been the principal architect, the appropriateness of such a dramatic procedure as a referendum on an issue on which there was scarcely any opposition (except among the Communists and a section of the Gaullists) was questionable. Indeed, it seemed like a political exercise for domestic consumption (Berstein and Rioux, 2000, p. 66).

France's referendum (23 April 1972), with 68% of those voting in favour of enlargement, was followed by a referendum in Ireland (10 May), which approved the constitutional amendment necessary for the Republic to accede, with almost 84% of those

voting in favour. Next, on 25 September, Norway held a popular referendum in which, after an animated public debate – and despite a large parliamentary majority in favour of joining, a 53.5% majority voted to reject membership. Lastly, on 2 October 1972, the Danish people voted in favour of membership by a 63.3% majority.

Meanwhile, in the UK, on 28 October 1971, after some 300 hours of debate, the sovereign House of Commons voted in favour of accession, with 356 in favour and 244 against – a majority of 112.⁶ Thirty-seven Conservative MPs voted against. Sixty-nine Labour MPs, led by Roy Jenkins, voted in favour. The Labour Party was badly split. The official party line was, as seen above, to oppose entry ‘on Tory terms’. Pro-accession Labour frontbenchers were instructed to remain silent during the debate – or toe the Party line. In July Prime Minister Edward Heath had rejected the need for a referendum, telling the Central Council of the Conservative Party’s National Union that the House of Commons had the constitutional sovereignty to decide (Crowson, 2007, p. 38).⁷ But this position of insistence on the sufficiency of parliamentary sovereignty was taken against a backdrop of apathetic, if not negative, public opinion. (Ibid.) The lack of popular support would later provide potent ammunition to those determined to argue that the people had been ‘cheated of’ or ‘denied’ their say.

In his pronouncements before the 1970 General Election Heath also seemed to have confused intentions or, at any rate, raised doubts:

In a speech in Paris in May, when it was becoming increasingly clear that an election was to be called, Heath had said that the EEC could not be enlarged without the ‘full-hearted consent of the peoples and Parliaments’ of the applicant countries. Heath later argued that anyone who knew the British constitution should have known that he was referring only to approval by Parliament and that he was not hinting at the possibility of a referendum. But the fact remained that he had referred to ‘peoples *and* Parliaments’ rather than to the people *through* Parliament. His words were to return to taunt and haunt him (Wall, p. 360).

⁶ It is an obvious point, but the longer the UK’s applications had taken, the farther the European integration process had gone, the greater the gap to be leapt had grown and hence the more to which Parliament had to agree. Moreover, as Crowson has pointed out (2007, p. 30), the longer the negotiations had taken, the more the calls grew for an alternative to be sought. Lengthy negotiations implied difficult negotiations.

⁷ The Conservative Party’s June 1970 manifesto had promised to open negotiations whilst avoiding overtly committing to entry, but Heath considered the General Election result to be a sufficient mandate.

In his memoirs, Heath insisted that “I could not have meant anything else, as the referendum was a device unknown to our constitution,” but he also admitted that “The complication arose because there was already talk of a referendum on the issue...,” concluding that “Perhaps I could have been more precise in my language when I talked of ‘full-hearted consent,’ but I will always maintain it was unfairly exploited” (Heath, 1998, pp. 362-363).

Heath duly signed the accession treaty in Brussels on 22 January 1972. But the parliamentary fight was not yet over. After a series of narrow parliamentary votes, Royal Assent was finally granted on 17 October 1972, with the UK formally acceding to the EC on 1 January 1973. This Act:

...represented a novel constitutional departure; one that was contested. The proposal for membership created divisions between, and within, both main parties. Although both Houses voted overwhelmingly in support of the principle of the membership, the short bill to give legal effect in UK law to membership was bitterly contested, the government achieving the second reading of the bill through a vote of confidence. The bill was opposed consistently by the Labour opposition and dissident Conservative back benchers, though passage of the bill was achieved eventually, courtesy of Liberals and some abstaining Labour MPs, and without amendment. The act enabled the United Kingdom to become a member of the EC, with important consequences for the UK constitution, including creating a juridical dimension unparalleled since before the Glorious Revolution of 1688. Parliament (...) provided for its own legislation to be subordinate to that of the EC, while adapting to the new situation through the creation of committees to scrutinise European documents (Norton, 19 November 2010).

To be clear: in formal terms, no referendum was held in the UK in 1972 because of the doctrine of the sovereignty of Parliament. But unlike in 1961 there *were* calls for one. Already, on 10 December 1969, a Conservative MP, Bruce Campbell, moved a bill arguing that the electors should have the right “to decide by way of referendum whether Great Britain should enter the European Economic Community”. He said:

The three major parties have all declared themselves to be in favour of this country joining the Common Market. It therefore follows that this question will never be an election issue and the people will have absolutely no chance of ever being able to express their views on it through the ballot box at a General Election (quoted in Butler and Kitzinger, 1976, p. 10).

Fifty-five MPs voted in favour of Campbell's bill. Then, in April 1972, the anti-Common Market Conservative MPs Neil Marten and Enoch Powell tabled an amendment to the European Communities Bill calling for a consultative referendum on entry. By then, Labour's position had changed. Indeed, Labour's Shadow Cabinet decided to support Marten's amendment (Roy Jenkins opposed the policy on principle and resigned as Deputy Party Leader and many Labour MPs abstained on the division). Moreover, as has been seen, there was a proliferation of referendums elsewhere on precisely the same issue: in Ireland and Denmark and Norway, and 'even' in France.⁸

This raises a moot point and another interesting counterfactual question: what if the UK had joined alone, in isolation, and there had been no other referendum? There would, then, have been less chance for the perception to arise that somehow the British people had been 'cheated' of their say (although people could still have reached that judgement independently of what might or might not have happened elsewhere). There would in particular have been no counter-examples of the Danish, Irish and Norwegian people having their say whilst the British allegedly did not. And there would have been no Norwegian counter-example of popular rejection of membership. After all, Norway and its brave people had been close to the British heart since the Second World War, and now they had voted to stay out of the EC, despite a massive parliamentary majority in favour of joining. (Nor, in the longer-term, would the 'myth' have been created of the Norwegian possibility of rejecting membership, but somehow prospering and maintaining a distinct identity all the same.)

Last but far from least, public opinion for much of the negotiating period was opposed to membership – by as much as a margin of two to one at times. As one newspaper reported on 1 January 1973:

⁸ Edward Heath would later declare: "The French referendum was an internal matter for President Pompidou and the French government and should not have made any difference to our own ratification of the Treaty. It is not for the British to cast aspersions on the referendum procedures in other countries, nor should we mimic them inappropriately" (Heath, 1998, p. 541).

Britain enters the European Common Market on New Year's Day almost equally divided on whether the historic move is a good idea, the latest public opinion poll showed Monday. The survey appeared to indicate a belated swing toward public acceptance of the act of membership. Earlier polls showed the British voters, some 60 percent, against entry. The newest survey found 39 percent of those asked were unhappy about joining the Common Market, 38 percent happy and 23 percent with no opinion (*Daily Mail*).

The UK's accession appeared not only to have been based on the doctrine of parliamentary sovereignty but also a strictly Burkean concept of parliamentarianism.⁹ From the outset, therefore, the circumstances of the UK's accession created the potential for it to be perceived or portrayed as having been achieved through parliamentary legerdemain and against the grain of public opinion. The absence of a written constitution did not help and, indeed, enabled those disposed to do so to indulge in such arguments as that the subsequent 1975 referendum result could not be legitimate because the UK could not vote to stay in something that it had not, in constitutional terms, properly joined.¹⁰ As will be seen below, in seeking to provide future clarity and avoid such ambiguity, the 1997-2001 Blair administration would in effect entrench the principle of the referendum in British constitutional life (see Section 9 below).

3. The referendum becomes a reality (1974-1975)

Thus were established various lines of argument that sought to undermine the fundamental basis of the UK's subsequent relationship with the EC – because of the *nature* of the accession process. But, echoing Macmillan's 1963 note to his advisers, another set of arguments would soon be established relating to the *terms* of entry.

⁹ Insistence on such a Burkean approach was also an important element in the success of the accession negotiations themselves. Stephen Wall quotes Britain's then Ambassador to France, Christopher Soames, reassuring French President Pompidou that what mattered were the declared policies of the two main parties and 'not the kerbside collections of the opinion pollsters.' (Wall, p. 341) Ironically, given that he unexpectedly called a referendum on the outcome himself, Pompidou was not interested in closing a deal with the UK if that deal would then be subject to the vagaries of British public opinion. Edward Heath was surely fully aware of that consideration.

¹⁰ This is a good example of the genre: <http://www.vernoncoleman.com/euillegally.html>

The accession negotiations were tough, but from Heath's point of view there was no doubt that the prize was to be grasped. This determination was epitomised by his all-or-nothing, obstacle-clearing role in the 20 May 1971 Paris bilateral summit meeting with Georges Pompidou (Margaret Thatcher Foundation, 2016). Although there was, Wall relates, a "degree of contrived theatricality which was envisaged from the outset" (p. 386), it was always intended that the Pompidou-Heath summit should succeed.¹¹

With this determined steer from the top, the UK had joined with a tacit acceptance among its negotiators that the entry terms it had been obliged to accept would have to be adjusted/re-negotiated at some point in the future. For example, Stephen Wall's authoritative account of the negotiations shows how British negotiators were always aware that the UK would end up, along with Germany, being a substantial net contributor and would need to revisit those terms subsequently (Wall, pp. 348, 377, 383). More generally, a Cabinet Ministerial Committee briefing paper concluded that:

We are likely to get further with the Six, and especially the French, if we seek alleviation in the application of Community rules to us rather than challenge those rules as being unsound or inappropriate to our case. ... Rather we should demonstrate to the Six that the unrestricted application to the enlarged Community of the financial arrangements agreed by the Six in December 1969 would place an intolerable and inequitable burden on our balance of payments (quoted in Wall, p. 362).

As a distinguished member of the UK's negotiating team more candidly put it:

In one sense the terms were irrelevant. No sensible traveller on the sinking Titanic would have said, "I will only enter a lifeboat if it is well scrubbed, well painted and equipped with suitable supplies of food and drink." Our historic task was to repair the mistakes of the past and to restore our position at the centre of European affairs. If, when we entered, we found any particular feature of Community arrangements intolerable, then our problems would have to be dealt with as part of the family. As the Community assured us, 'If unacceptable situations arose the very survival of the

¹¹ See "Condemned to succeed": the Heath-Pompidou summit which took Britain into the E.E.C, May 1971, at the Margaret Thatcher Foundation for the full records and text of that summit: <http://www.margaretthatcher.org/archive/heath-eec.asp>

Community would demand that the institutions find equitable solutions' (Denman, 1997, p. 233; see also pp. 243-244).¹²

Meanwhile, the Labour Party remained badly split on the issue of membership. Harold Wilson, its wily managerial leader, was able to exploit both the manner of the UK's accession and the terms on which it had entered, to fashion election-winning party unity. The Labour Party's February 1974 General Election manifesto argued that:

A profound political mistake made by the Heath Government was to accept the terms of entry to the Common Market, and to take us in without the consent of the British people... That is why a Labour Government will immediately seek a fundamental renegotiation of the terms of entry (cited in Denman, 1997, p. 247).

The politicking and calculations that led to the UK's 5 June 1975 referendum are well known (see Butler and Kitzinger, 1976, pp. 12-20). But in the light of what has subsequently occurred, the importance of the 1975 referendum cannot be over-estimated. Five particular aspects should perhaps be underlined.

To begin with, the referendum was the first-ever national plebiscite in British politics – *ever*. The longstanding eschewal of direct democracy was no more. The *principle* that a referendum might be held had been acknowledged by Parliament, sovereign though it had always been and would always remain, through the Referendum Act 1975. The distance between opposition to, or acceptance of, that principle was clearly far greater than the distance between acknowledging that a referendum *might* be held and arguing that a referendum *should* be held. The 1975 referendum was undoubtedly the thin end of a wedge.

Second, no matter what the language used about the consultative nature of any referendum result, the potential for discordance between what a majority of MPs, on the one

¹² This 'get in first and then sort things out' approach interestingly echoes advice Jean Monnet gave Edward Heath in 1961, during the first application – advice that Heath found 'tempting'. (Heath, 1998, p. 213) Wall cites Willy Brandt advising Heath in 1971 to stress to Pompidou 'the extent of the very great efforts made by Britain to move towards the Community and its policies.' (p.392) Clearly, Brandt's reasoning was that these concessions were not just a consequence of the UK joining after the Club had been founded but also necessary gestures to convince the French that the British were determined to close the deal this time around – no matter what the cost.

hand, and a majority of the people, on the other, believed had been irrevocably created. In 1975, those two majorities happened to concur; in 2016, they did not. That one day they might not, whatever the question, was always a possibility from the moment the principle of the 1975 referendum was conceded by the British Parliament. As of 1975, the dangerous potential for dissonance lurked. Logically, any parliament would have to bow to the majority view of the people it purported to represent. Thus, the 1975 referendum was the thin end of another wedge.

In this context, an exchange between Margaret Thatcher and Jeremy Thorpe during the 11 March 1975 Commons debate on the referendum illustrates how she had already well understood that potential for dissonance and had, in effect, foreseen the situation that would ultimately arise in June 2016:

Mrs. Margaret Thatcher

It is said that the referendum is advisory or consultative. I believe that if there is a high poll and a clear majority, the result will in fact be binding on Parliament, whatever one may say in law about parliamentary sovereignty. I cannot envisage that a Parliament, whatever individual Members might have thought, if there were a clear vote against—*[Interruption.]* It is not advisory or consultative in the event of a clear result. It would be binding on everyone. [Hon. Members: "No."] It would bind and fetter parliamentary sovereignty in practice...

Mr. Jeremy Thorpe

The right hon. Lady has enunciated a constitutional principle which some of us found a little difficult to understand. She said that in practice, if there were a large turn-out and a majority one way or the other, Parliament as a whole would be bound. Is she saying that that would over-ride the obligations that Members of Parliament entered into with their constituents at the previous election, which might be entirely different?

Mrs. Thatcher

...In law, the result could not fetter Parliament, but I believe that in practice it would... If there were an overwhelming decision one way or the other, I believe that in practice the decision in Parliament would follow the referendum result.
Excerpt from Hansard HC [888/304-17]. Also available at Thatcher, 1975.

Third, perhaps more subliminally, because the first-ever referendum in the United Kingdom (a constitutionally momentous occasion, after all) was a referendum about the UK's relationship with the European integration process, it created a sort of indelible link. Continued membership of the EU, it was implied, was an issue of such constitutional and political importance that it necessarily and quite logically could be addressed again by dint of a referendum. In retrospect, a principle of sorts had been established.

Fourth, another subliminal and perhaps negative link had been created. As one commentator has recently put it:

The vast majority of modern national referendums are about undertaking a new project, whether joining the EU, approving a new constitution or constitutional amendments, becoming a republic or an independent state. In these cases, the referendums invited countries to take a step forward into a new future – one in which life would be better than it had been before (Green, 2016).

Thus, if such a presumption about referendums being perceived as opportunities to step forward is accepted, it meant that any take-it-or-leave-it referendum about EU membership would imply that leaving might represent an improvement. As Green argues, on 23 June 2016, many voters believed that they were being invited to step forward into a better future – although arguably it was an *old*, or *previous* future, or opt alternatively for a validation of the status quo.

Fifth, by extension of the previous two points, the referendum device was not associated with accession *per se* (a decision that had, in any case, been 'denied' because of the 1972 decision taken on the basis of the doctrine of parliamentary sovereignty), but with the satisfactory nature of reform/renegotiation and subsequent *continued* membership. The irrevocable fact of the matter was that the UK had, for better or worse, already acceded to the EEC. Membership could thus be perceived of as having been a *fait accompli*.

Linking reform and a referendum was a monster that would *not* trouble successful Prime Ministers enjoying substantive parliamentary majorities, but would inevitably haunt 'weak' Prime Ministers with small majorities. Thus, in 1975, Harold Wilson, with a parliamentary

majority of just three seats, required public approval of the results of the renegotiations undertaken by James Callaghan. In 1984, Margaret Thatcher, with a parliamentary majority of 144, did not consider such popular approval for the Fontainebleau agreement, although both the 1975 and 1984 settlements were basically about the same issue – namely, the UK’s budgetary contributions and an acceptable rebate mechanism (related to the relative efficiency of British agriculture). In 1985, Margaret Thatcher (with the same massive majority) never for one moment countenanced a referendum about the Single European Act, constitutionally significant though it was (notably, for the introduction of qualified majority voting and a legislative role for the European Parliament). In 1993, on the other hand, John Major (majority of 21) was immediately under pressure to cede a referendum, although it was commonly recognised that he and his team had negotiated effectively and won satisfactory opt-outs, opt-ins and derogations from many of the Treaty’s most significant constitutional advances.

Sixth, although there was a clear majority (67 per cent) in favour of remaining, the result was neither a strong nor a particularly positive one:

The referendum was not a vote cast for new departures or bold initiatives. It was a vote for the status quo. Those who had denounced referenda as instruments of conservatism may have been right. The public is usually slow to authorise change; the anti-Marketeers would have had a far better chance of winning a referendum on whether to go in than one on whether to stay in. Before entry, to vote for going in would have been to vote radically. But after entry, it was at least as radical and unsettling to vote for leaving ... the verdict was not even necessarily a vote of confidence that things would be better in than out; it may have been no more than an expression of fear that things would be worse out than in (Butler and Kitinger, 1976, p. 280).

Lastly, the referendum and all that had preceded it had not only demonstrated that “Europe was now an issue for parliamentary rebellion” (Crowson, 2007, p. 43) but had legitimised such rebellion.

4. Maastricht and the Kraken reawaken (1992-1997)

From 1979 until the mid-1980s the UK's relations with the EEC were epitomised by Margaret Thatcher's combative attitude towards the EU and her determination to win the UK a proportionate budgetary rebate, culminating in the settlement reached at the June 1984 Fontainebleau European Council meeting. The subliminal impression given, once again, was of an unsatisfactory relationship arising out of unsatisfactory terms (unsatisfactorily renegotiated). In its 1983 election manifesto, the Labour Party, under Michael Foot, pledged to begin negotiations to withdraw from the EU "within the lifetime" of the following Parliament. It was notably such policy stances that had prompted Roy Jenkins (European Commission President, 1977-1981) and a number of pro-EEC Labour MPs to establish the Social Democratic Party in 1981.

Thereafter, though Thatcher's combative attitude continued, with the new French President of the European Commission, Jacques Delors, acting as sparring partner, it seemed that her second administration might develop a more constructive role. After all, the 1986 Single European Act might not have been entirely to Thatcher's liking, but its core objective of creating a single market by 1992 was a project to which she and her government could not only enthusiastically sign up but which she could unashamedly champion. The Labour Party too, under the reformist leadership of Neil Kinnock, was gradually converted to a pro-EU stance, helped by the creation of a flanking 'social Europe' that would lead to the 1989 signing of a Social Charter. But the latter was anathema to Thatcher. On 20 September 1988, she took advantage of a speech to the College of Europe to state: "We have not successfully rolled back the frontiers of the state in Britain, only to see them re-imposed at a European level with a European super-state exercising a new dominance from Brussels" (Thatcher, 1988). Frictions steadily grew with her Finance Minister, Nigel Lawson, and Foreign Secretary, Geoffrey Howe, over policy towards Europe and particularly towards the European Exchange Rate Mechanism.

Thatcher was increasingly sceptical about resurgent moves to create a European single currency. In protest at her interference, Lawson resigned on 27 October 1989. Howe, who had already been sidelined and appointed Leader of the House of Commons, resigned from that position on 1 November 1990. By 22 November 1990, Thatcher was gone and another subliminal message had been sent: 'Europe' had brought about the downfall of Margaret Thatcher – still a popular figure on the right and considered by many to have been the UK's greatest post-war Prime Minister. Just as importantly, Euroscepticism now had a doughty figurehead.

Although Europe had continued to be a source of division and friction within the two main political parties and between them, by the late 1980s membership was a given on both sides of the political divide. But by 1989 history was on the march. On 9 November 1989 the Berlin Wall fell and it became apparent that Germany would unify and that Europe was about to undergo major geo-political change. Momentum developed for the European project to respond through deeper political and economic integration. Space precludes a detailed account of the processes that led to the 7 February 1992 signing of the Maastricht Treaty (see, for example, Baun, 1996, and Dyson and Featherstone, 1999), which provided for both political and economic and monetary union (EMU). The Communities became a Union with citizens. Convergence criteria and a timetable were set for the EMU process. The Maastricht Treaty undeniably embodied a series of significant steps forward. The question was whether the UK would take all of those steps together with its fellow Member States. The pragmatic response of new Conservative Prime Minister John Major was to stay on board as far as possible and to negotiate opt-outs, opt-ins and derogations where the UK could not, or would not, take those steps. The most significant was the single currency. From the UK's point of view there were two basic questions to be answered. Should it give its assent to the creation of a single currency? And, if so, should it be a part of it? The Labour Party's answer to both questions was 'yes' (as

was that of the Liberal Democrats). For long, Labour had differentiated itself from the Conservatives by calling for ERM membership. But in 1990 Thatcher unexpectedly took sterling into the ERM. The Labour leadership concluded that differentiation could only be renewed through conditional support for membership of the currency union. Major's conclusion was, first, that he could not any more stand in the way of moves to a single currency (his proposals for a parallel currency had gained no traction) but should make sure that the envisaged EMU was constructed on firm foundations; and, second, that the UK should adopt a wait-and-see attitude to membership for sterling, by negotiating an opt-out.

Major's positions were unacceptable to the Euro-sceptics within his party, who believed that the answer to both questions should have been a resounding 'no'. At the 9 April 1992 General Election Major's Conservative Party won a fourth consecutive victory but with a majority of just 21 seats. Major had successfully negotiated and signed the Maastricht Treaty. Now he had to steer its ratification through parliament. Sterling's ignominious forced exit from the ERM on 16 September 1992 ('Black Wednesday') compounded a sense of outrage about the Treaty's plans for a single currency. A relatively small group of rebel backbenchers, combined with the behaviour of Euro-sceptical ministers and Labour Party tactics designed to cause maximum discomfort for the government (primarily because of the opt-out of the Social Chapter) made the ratification process fraught, leading Major at one stage to call for a motion of confidence. One of the demands of the sceptics was for the Treaty to be put to a referendum (as it was in Italy, Ireland, France and Denmark – whose people voted twice, as the joke went, 'until they got the right answer'). In an echo of Campbell's 1969 arguments (see above), they argued that, since all of the major parties favoured ratification, the British people had been denied any choice on the matter. On 7 June 1993, during the Treaty ratification debate in the House of Lords, the Euro-sceptics' figurehead, Thatcher, added her voice to those calling for a referendum (Thatcher, 1993, pp. 7-8).

Ultimately, the Maastricht Treaty was ratified and implemented – no small achievement given Major’s tiny majority. Major’s government subsequently soldiered on until 1997. European issues seemed never to go away. Major, who had begun his premiership wishing to put the UK at the heart of Europe, became increasingly Eurosceptical in his pronouncements, but it was never enough for the Euro-sceptics and the rebels, who were still determined to force a referendum.

It was in this context, in the run-up to the 1997 General Election, that the referendum Kraken was re-awoken, as frankly admitted by Michael Heseltine in what he has recently described as being “the worst judgement of my political career” (Heseltine, 2016, p.19). A lengthy discussion took place between Major and Chancellor Ken Clarke, with the Prime Minister pushing for the prospect of a referendum “to achieve the semblance of party unity” (Heseltine, 2016, p.19). The discussion moved on to the single currency and Heseltine, who was the Deputy Prime Minister, suggested:

As we were not going to do other than keep open the option in the light of events at an unpredictable time, we could consider a referendum if, after the election, we decided to join. This was the formula we agreed and which John subsequently announced. The limitations of the commitment were swept aside by the media. The rest is history, as David Cameron followed much the same route in his bid for the Tory leadership (Heseltine, 2016, pp. 19-20).

This was undoubtedly the turning point that would lead inexorably to the 23 June 2016 referendum. Once the Conservative Party had been returned to the Opposition benches, it accepted the idea of a referendum on the Constitutional Treaty and then the Lisbon Treaty. But its position could only morph in this way because the European integration process had been accelerated by the historical forces described above. The outcome of each of the EU’s Inter-Governmental Conferences was a fresh target at which the referendum camp could aim, whilst underlining that the integration process was gathering speed and heading inexorably in a ‘federalist’ direction, and equally emphasising each time that the British people had not ‘had their say.’ In effect, the Maastricht Treaty’s provisions on a single currency, and in particular

whether the UK should be in or out, became a proxy for the broader question of whether the UK should remain in, or leave, the Union itself. And when the prospects of sterling joining the single currency faded, one proxy was replaced by another (the Constitutional Treaty) and then another (the Lisbon Treaty).

5. The proliferation of referendum promises (1997-2015)

Major's referendum commitment did not only open the floodgates for his own party. It was followed by a flurry of referendum commitments from the other two mainstream parties. In the case of Tony Blair's Labour Party (uncertain, though this is now forgotten, of winning a sufficient majority to govern and assuming some sort of coalition arrangement with the Liberal Democrats would be necessary), there was a clear determination not to be outflanked tactically on the single currency issue¹³, but its manifesto also promised referendums on a whole platform of constitutional reform issues (voting system, devolution in Scotland and Wales, London mayor, regional governments). Where referendums were felt to be constitutionally appropriate – one more, on the single currency, did not feel so out of place. In addition to a referendum commitment on the single currency, the Lib Dems generalised their promise to 'constitutional issues' and 'any transfer of power to European institutions.' The latter was the first incarnation of what would later become the 'referendum lock' (see Table 1 below).

¹³ 'Blair was too referendum-happy for my tastes but he had no alternative in 1997 on the single currency,' declared Denis MacShane recently (author's notes from a 14 October 2016 talk given at the LSE European Institute's *The European Union in Practice* seminar series).

Table 1: The proliferation of referendum promises (1997-2015)

1997

Conservative Party	Referendum on single currency
Labour Party	Referendum on the voting system
	Referendums on devolution in Scotland and Wales ¹⁴
	Referendum on establishment of London mayor
	Referendums on regional governments
	Referendum on single currency
Liberal Democrat Party	Referendums for constitutional issues
	Referendum on ‘any transfer of power to European institutions’
	Referendum on single currency

2001

Conservative Party	We will keep the pound
	Referendum on ‘surrender’ of ‘any more of Parliament’s rights and powers to Brussels’
Labour Party	Referendum on the voting system
	Referendum on single currency
Liberal Democrat Party	Referendum on the voting system
	Referendums on elected regional assemblies
	Referendum on single currency

¹⁴ As Butler and Kitzinger presciently observed (1976, p. 289), the use of referendums in the context of devolution would be the logical consequence of their use in the European context – and so it proved to be the case, from 1979 onwards.

2005

Conservative Party	We will not join the euro Referendum on the Welsh assembly Referendum on the EU Constitutional Treaty
Labour Party	Referendum on the voting system Referendum on the EU Constitutional Treaty Referendum on single currency
Liberal Democrat Party	Referendum on the EU Constitutional Treaty Referendum on single currency

2010

Conservative Party	Referendum lock on ‘any proposed future treaty that transferred areas of power, or competences’ Never join the euro Referendum on any use of a ‘major’ ratchet clause in the Lisbon Treaty
Labour Party	Referendum on the voting system Referendum on reform of the House of Lords Referendum on single currency
Liberal Democrat Party	Referendum on national constitution In/out referendum ‘the next time a British government signs up for fundamental change in the relationship between the UK and the EU’ Referendum on single currency

2015

Conservative Party	No change to voting system No to the euro In/out referendum on a negotiated ‘new settlement for Britain in Europe’ before the end of 2017
Labour Party	‘We will ... give more power to people’ No to the euro In/out referendum lock on any ‘transfer of powers from Britain to the European Union’
Liberal Democrat Party	In/out referendum on ‘any Treaty change involving a material transfer of sovereignty from the UK to the EU’

By the 2001 General Election, the Conservatives had switched to a ‘keep the pound’ stance (hence negating any need for a referendum), but had meanwhile borrowed the Liberal Democrats’ 1997 ‘lock’ concept, promising a referendum if ‘any more of Parliament’s rights and powers’ were ‘surrendered’ to Brussels (see Table 1 above). With some of its reforms already implemented, the Labour Party now limited itself to two referendum promises – on the voting system and on the single currency. The Liberal Democrats promised both, and made an additional referendum commitment for elected regional assemblies.

The Conservatives maintained their stance on the single currency for the 2005 General Election (‘We will not join the euro’), but promised referendums on the EU’s Constitutional Treaty and on a Welsh Assembly. Labour added the EU Constitutional Treaty to its 2001 promises on the voting system and the single currency, whereas the Liberal Democrats limited themselves now to the single currency and the EU Constitutional Treaty. In 2001, the Conservatives further firmed up their commitment on the single currency. Now, they would ‘Never join the euro.’ But they not only revisited the referendum lock concept (promising a referendum on ‘any proposed future treaty that transferred areas of power, or competences’

(2001 manifesto)) but also promised a referendum on any use of a ‘major’ ratchet clause, as provided by the Lisbon Treaty. Since the Lisbon Treaty’s ratchet provisions were precisely designed to avoid heavy ratification procedures for minor Treaty changes, this promise would effectively prevent any Treaty change whatsoever. Labour added House of Lords reform to its existing commitments on the voting system and the single currency. The Liberal Democrats similarly promised a referendum on the single currency and further promised a referendum on a national constitution and an in/out referendum ‘the next time a British government signs up for fundamental change in the relationship between the UK and the EU’ (2001 manifesto).

By the 2015 General Election, the Conservatives had sought further to distinguish their position in negating the need to even contemplate referendums, promising ‘No change to the voting system’ and ‘No to the euro’ (2015 manifesto). But took the final, fatal step in promising an in/out referendum on a negotiated ‘new settlement for Britain in Europe’ before the end of 2017. Labour made a general promise to ‘give more power to people’ (2015 manifesto), and joined the Conservatives in saying ‘no to the euro’, but added a commitment to an in/out referendum on any ‘transfer of powers from Britain to the European Union (both from 2015 manifesto).’¹⁵ The Liberal Democrats, on the other hand, limited themselves solely to promising an in/out referendum on ‘any Treaty change involving a material transfer of sovereignty’.¹⁶ In

¹⁵ Already, in January 2013, Ed Miliband quietly signaled that he would not repeal the coalition Government’s Referendum Lock Act were Labour to win a majority in 2015. This meant that Labour had already effectively committed itself to holding a referendum on the result of any future IGC.

¹⁶ It should be noted that, although the former Lib Dem leader and Deputy Prime Minister Nick Clegg consistently opposed an ‘arbitrary’ EU referendum, on the grounds that a vote should only be held in the event of further treaty change (the Referendum Lock position, in other words), it is by no means clear that he would have stood in the way of Cameron’s 2015 manifesto commitment to an in-out referendum, had the coalition government continued after the General Election. On 15 May 2014 he was asked on BBC Radio 4’s *Today* programme if opposition to a referendum was a “die in the ditch” stance that would prevent a further coalition. He replied: “I’m going to disappoint you now by not drawing great red lines on what may or may not happen.” The *New Statesman* reported the same day that: ‘the odds are that he would accept an EU referendum as part of a second Tory-Lib Dem deal. The first reason is that it would dramatically enhance his bargaining power. In return for accepting Cameron’s ultimate red line, he could demand radical action in areas such as “fairer taxes” (the one red line he set out today) and constitutional reform. The second is that having granted the Lib Dems a referendum on the Alternative Vote in 2010, the Tories will be in a strong position to argue that he should make a similar concession.’ (*New Statesman*, 15 May 2014) Such analyses suggest that the theory that in 2015 Cameron had hoped for continued coalition as a way of letting him off the hook of his referendum commitment was a myth or, at best, wishful thinking.

1992 none of the three parties had promised a referendum on any EU matter (or on anything else). By 2015 all of them were promising in/out referendums on EU membership. In retrospect, Major's 1997 promise on the single currency had acted as a sort of trigger: in the 1990s, there was absolutely no prospect of an in-out referendum, but by 2015 an in-out referendum of some sort had become a racing certainty.

7. The proliferation of referendums in and about the EU (1997-2015)

During the same period, there was a proliferation of referendums elsewhere on EU matters (see Table 2): Ireland and Denmark voted on the Amsterdam Treaty; Ireland voted (twice) on the Nice Treaty; nine candidate countries held accession referendums in 2003 (Malta, Slovenia, Hungary, Lithuania, Slovakia, Poland, Czech Republic, Estonia, Latvia – only Cyprus among the candidate countries did not hold such a referendum); Denmark (2000) and Sweden (2003) rejected joining the single currency; Spain and Luxembourg approved the Constitutional Treaty whilst France and the Netherlands rejected it and further referendums were planned in six other Member States (including the UK); Ireland voted twice (again) on the Treaty of Lisbon; Croatia (2013) voted on accession; Ireland (2012) voted on the Fiscal Compact; Denmark (2014) voted on the Unified Patent Court; Greece voted (2015) on its bailout conditions; Denmark (2015) rejected opting-in to the area of Justice and Home Affairs. The sheer quantity not only made the holding of referendums on EU matters seem commonplace¹⁷ but further highlighted the absence of a referendum in the UK. Moreover, some Member States had rejected Treaties – most significantly, France and the Netherlands rejected the Constitutional Treaty – to the frustration of those Euro-sceptics who had wanted the UK to put a brake on the integration process. Lastly, a narrative grew about smaller countries being forced to reach ‘the right answer’; the Danish people rejected the Maastricht Treaty – and had to vote

¹⁷ See, for example, Mendez, Mendez and Triga, 2014 and Hobolt, 2009.

again; similarly, Ireland rejected the Nice and the Lisbon Treaties and had to vote again on each. The fact that substantive concessions and additional arrangements had been agreed each time was lost in the general impression created by Euro-sceptics that the EU was a conspiracy against the publics that it purported to serve.

Table 2: The proliferation of referendums in and about the EU (1997-2016)

The Amsterdam Treaty: Ireland (1998) and Denmark (1998)
The Treaty of Nice: Nice: Ireland (x2) (2001 & 2002)
The single currency: Denmark (2000) and Sweden (2003)
Accession: nine candidate countries in 2003 (Malta, Slovenia, Hungary, Lithuania, Slovakia, Poland, Czech Republic, Estonia, Latvia)
The Constitutional Treaty: Spain (February 2005), France (May 2005), Netherlands (May 2005) Luxembourg (July 2005)
The Lisbon Treaty: Ireland (x2) (2008 & 2009)
The Fiscal Compact: Ireland (2012)
Accession: Croatia (2013)
Unified Patent Court: Denmark (2014)
Bailout conditions: Greece (2015)
Justice and Home Affairs Opt-Out: Denmark JHA (2015)
EU-Ukraine Association Agreement: Netherlands (2016)

8. Tactics and contortions

As the inconsistency and changes on the referendum issue illustrate, the varying commitments entered into by the mainstream parties and their leaders were as much about tactics and party management as anything else. The contortions that party leaders had to go through in order to maintain some semblance of party unity or to win tactical electoral advantage led to situations that could be further exploited by Euro-sceptics and the pro-referendum camp. Five examples illustrate this point.

During the 1997 General Election campaign Conservative Prime Minister John Major, confronted with a rebellion over the single currency, but wanting to keep the two pro-European ‘big beasts’ (Kenneth Clarke and Michael Heseltine) in his government to maintain party unity,

declared: “Whether you agree with me or disagree with me, like me or loathe me, don’t bind my hands when I am negotiating on behalf of the British people.” This “negotiate and then decide [stance] did not persuade the Euro-sceptics and ... was difficult to sell to the electorate.’ (Butler and Kavanagh, 1997, p. 106). It was commonly regarded as being one of the more surreal moments in British political history and was caused essentially by managerial concerns about maintaining party unity rather than any matter of principle regarding membership of the future European single currency, about which John Major had always been openly sceptical. Other contortions would follow.

In April 2004, in the run-up to the June European elections, Tony Blair made a sudden U-turn on the draft Constitutional Treaty. Until then, the party line had been that the treaty was a clearing-up exercise and that, despite its title, it didn’t justify a referendum. Then, suddenly, it did. When news leaked out: “Party strategists recognised the astuteness of the move. The referendum could not be held until at least autumn 2005, safely after the next General Election, and the Conservatives’ position would enable Mr Blair to turn it into an ‘in or out of Europe’ issue’ (Butler and Westlake, 2005, p. 92). However, a senior Brussels official observed: “It’s a strategically brilliant move if you are concerned with British politics through 2005 but arguably strategically disastrous if you are concerned with Britain’s long-term position in Europe” (*Guardian*, 20 April 2004).

In his autobiographical account, Blair declares that “With deep misgivings, I accepted we had to promise a referendum on it. We couldn’t get the Constitution through the House of Lords without it, and even the Commons vote would have been in doubt” (Blair, p. 501). Later, he acknowledges:

Our polls were resolutely against and not many people believed we could shift them. As ever, I was more sanguine. I thought we might just turn it into a referendum that was effectively: in or out. If France voted yes, Britain might just follow. My advisers disagreed, but I rather fancied mounting a really big public argument on an issue I felt strongly about and on which I was right (Blair, 2010, p. 530).

But a better indication of Blair's inner judgement came when:

Towards the end of our stay, the news came through during dinner: France had voted no to the Constitution. I knew at once I was off the hook. It was true I fancied the fight, but it was also true that had I lost it, it would have been *au revoir*. You could almost feel the waves of relief coming over the English Channel and making their way down to Italy (Blair, 2010, p. 531).

In his political memoirs, Peter Mandelson gives a less guarded and more scathing account of what he described as 'the referendum fiasco' (Mandelson, 2010, p. 386):

None of this needed to become an election issue, but the Tories, much of the media, and a core of Labour ministers including Jack Straw, John Prescott and, latterly, Gordon (Brown), were pressing Tony to commit to a referendum before Britain signed up to the treaty. Tony was opposed to this: he felt that the proper route was to seek Parliament's approval. Not only would a referendum be an invitation for (Michael) Howard to rally the forces of Euroscepticism; we might lose it. Besides, the issue was a needless distraction before an already tough election campaign (Mandelson, 2010, p. 382).

Mandelson goes on to describe how Jack Straw remained adamant, and now added:

A cogent political argument: by being the one party leader opposing a referendum, Tony would look like a lone voice against giving the British people a direct say in the EU's future. Gordon and John echoed that message. In late April someone – Jack himself, Tony assumed – briefed reporters that the Prime Minister had changed his mind, and was now in favour of a referendum... Jack's briefings created the impression that he had been bounced into a U-turn. 'I intended to take the whole thing at a different pace,' Tony said. 'I've screwed myself on this.' He suddenly seemed not in control of events, and I told him so in no uncertain terms (Mandelson, 2010, pp. 382-383).

In other words, party management and tactical considerations had been the overriding concerns that led to the referendum commitment. In any case, the longer-term significance of this particular 'contortion' has almost certainly been under-estimated. At the time, when he heard about Blair's change of position, Elmar Brok, a leading German CDU/EPP Member of the European Parliament declared with bitter prescience; "This can only lead to calamity!"¹⁸ More recently, UKIP's former leader Nigel Farage declared. "Once Blair made the promise in 2004 I always thought it was achievable."¹⁹

¹⁸ As witnessed by an EU official who wishes to remain anonymous (interviewed by the author).

¹⁹ 4th October 2016 interview with the author.

The Constitutional Treaty was subsequently rejected by the French and Dutch electorates, but returned in a different format, after re-negotiation, as the Lisbon Treaty, and placed Blair's successor as Prime Minister, Gordon Brown, in an awkward position. On 5 March 2008, despite a rebellion by 29 of its own backbenchers, his government defeated a Conservative proposal to hold a referendum on the Treaty by 311 votes to 248. But Mr Brown: "Sparked anger by refusing to give the British people a say on the deeply unpopular treaty claiming that it was unnecessary because it was 'fundamentally different' from the constitution rejected by the French and Dutch three years earlier. ... furious businesswoman Etta Cohen ... said: 'You have broken a major manifesto promise. Why should we believe a single word you say?'" It was, continued the *Daily Mail* report "One of the biggest acts of political betrayal in modern British history" (15 April 2010). As a way of somehow differentiating his position from that of outright support for the Lisbon Treaty, Brown travelled late to Lisbon and signed the Treaty alone. The media and the sceptics were not convinced.

The issue meanwhile split the Liberal Democrat party, whose leader, Nick Clegg, had ordered his MPs to abstain from the vote on the Lisbon Treaty. In the event, a quarter of Lib Dem MPs defied his order and voted in favour of a referendum, with three frontbenchers resigning to do so. Clegg explained that he agreed with the government's stance on the Lisbon Treaty, but instead wanted a referendum on Britain's EU membership (that is, an in/out referendum) to end ambiguities in the country's relationship with Europe: "The prime minister once said that he would build a wider pro-European movement in Britain [which would not be achieved by blocking] the in-out referendum that the British people really want" (Euractiv 2008).

For his part, then-Opposition leader David Cameron declared that Brown's and Clegg's decisions meant that "people feel cheated and cynical because promises made are promises

being broken” (The Guardian, 13 December 2007). Less than two years later, Cameron, still in opposition, confirmed:

A complete U-turn on his "cast iron guarantee" that a Tory government would hold a public vote on the controversial treaty; the party chief said the Czech Republic's decision to ratify the agreement meant he could "no more hold a referendum on the treaty than ... a referendum on the sun rising in the morning." "The Lisbon treaty has now been ratified by every one of the 27 member states of the European Union, and our campaign for a referendum on the Lisbon treaty is therefore over. Why?" he asked. "Because it is no longer a treaty: it is being incorporated into the law of the European Union." Cameron said he understood how much the people of Britain would resent the fact there could not be a referendum but he claimed the "betrayal" was the Labour government's, "backed and matched" by the Liberal Democrats.' (*Guardian*, 4 November 2009)

Promising to ensure such a situation would never arise again, Cameron said that, if elected to government, he would change the law so that a referendum must be held before any further powers could be passed to the European Union:

We will make sure that this never, ever happens again. Never should it be possible for the British government to transfer power without the consent of the British people. If we win the next election, we will amend the European Communities Act 1972 to prohibit, by law, the transfer of power to the EU without a referendum. And that will cover not just any future treaties like Lisbon, but any future attempt to take Britain into the euro (*Guardian*, 4 November 2009).

The impression of these contortions, emphasised by political rhetoric, of promises not kept, was adeptly exploited by Nigel Farage in 2014:

The fact that we haven't had a referendum on this has made people very angry because we keep being promised one, don't we? Dave even gave us a cast-iron guarantee that 'If I become Prime Minister of Great Britain and Northern Ireland there will be a referendum on the Lisbon Treaty;' and then of course he let us down like a cheap pair of braces...so we are becoming cheesed off because time and again we are promised a referendum and it has not been delivered' (Farage, 2014).

The 2015 General Election enabled UKIP and Farage to segue off the back of this argument by pointing to the fact that, despite winning 12.7% of the total vote, UKIP returned only one MP, whereas the Liberal Democrats returned eight MPs having won just 7.9% of the total vote.

9. The rise of the referendum parties

No account of the Brexit referendum saga would be complete without mention of the growing role played by the referendum parties. In 1991 an LSE academic, Dr Alan Sked, founded the Anti-Federalist League, motivated essentially by anti-Maastricht Treaty sentiment. The League fielded 17 candidates in the 1992 General Election and all lost their deposits. In 1993 Sked stood personally as a candidate in the Newbury and Christchurch by-elections, but failed to make any sizeable electoral dent.

The Referendum Party was created on 27 November 1994 and bankrolled by a multi-millionaire, James Goldsmith, who had been elected as an MEP in France, as part of an anti-Maastricht Treaty coalition. The Referendum Party, like the Anti-Federalist League, was created as a reaction to the drafting and ratification of the Maastricht Treaty. In the 1997 General Election the Referendum Party fielded candidates in 547 constituencies. The party polled over 800,000 votes and finished fourth, with 2.6% of the vote, but did not win a single seat in the House of Commons. Moreover, ‘only a handful of Conservatives’ losses of seats’ could be blamed on the Referendum Party’s intervention. (Curtice and Steed, 1997, p. 308)

Neither the Anti-Federalist League nor the Referendum Party survived intact for long, but the confluence of important elements from both parties led to the establishment and consolidation of the United Kingdom Independence Party (from 1993 onwards). UKIP was to remain a relatively ineffectual political party (for a period there was debilitating rivalry with the Referendum Party) until, as part of its reformist programme, Blair’s first administration introduced proportional representation for the 1999 European elections. Following on from the ‘denial’ of a referendum on the Maastricht Treaty, the 1999 introduction of PR for European elections, coinciding with a historic and record low for turnout in the UK (24% - the record still stands), gave UKIP its first elected representation (three MEPs). The return of Eurosceptic representatives in other Member States enabled the party to join a political group within the

European Parliament and thus enjoy significant financial and other resources. As Farage happily admitted:

For us, the lifeblood of UKIP has been the European elections. Without the European elections, without getting three seats in 1999, without getting the resources that the European Parliament made available to us, without the letters ‘MEP’ after our names, UKIP would never have appeared on *Question Time*, or *Any Questions* or any of the major media programmes in this country. So *we* have always taken the European elections desperately seriously because without them and without proportional representation UKIP never had a chance, frankly, of winning any elective representation in the House of Commons (Farage, 2014).²⁰

UKIP’s elected presence in one parliamentary forum raised a subliminal question. While critics of the party asked why UKIP was entitled to so much representation in the media when it had so little representation in the House of Commons, those more sympathetic to the party’s arguments could equally reverse the question and ask why UKIP had so little representation in the House of Commons despite having sufficient representation in the European Parliament to merit appearing on such popular programmes.

The elected presence of the party enabled UKIP to force the mainstream parties together in their apparent sameness on the referendum issue and to outflank them by offering a simple and clear choice. It was this perceived threat to vulnerable Conservative backbenchers that forced both Major and later Cameron into referendum promises they would surely rather have avoided if they possibly could have done so.

The 2009 election of two (far right) British National Party MEPs enabled Farage to sanitise his party and his cause, by positioning himself and it to the left of the BNP. Despite increasingly playing the immigration card to the hilt and in a way that would have been considered toxic in the recent past in British politics, Farage avoided any practical alliance with Marine Le Pen’s *Front National* and was therefore able to distinguish himself from the ‘Far Right’ at home and abroad:

²⁰ It is a moot point as to what will happen if the UK no longer returns MEPs as of 2019, for UKIP would no longer have its European platform nor access to European resources, a prospect recently considered by Rankin (2016).

One of my concerns is that the Eurosceptic argument across the Continent is in great peril and is in great danger of being taken over by what we know as the Far Right, although actually in economic terms they are all hard-line, statist socialists. I do not want the voice of Euroscepticism across Europe to be the voice that is led by Marine Le Pen or others far worse than her... I think it is really, really important that the Eurosceptic voice is seen to be something that actually believes and embodies liberal democracy (Farage, 2014).

Moreover, as UKIP's momentum grew, the party was increasingly able to use its binary message to turn the European elections into a proxy for the 'denied' referendum. As Farage put it in 2014: "... so I think some people will choose to use these European elections, in the absence of a referendum, as their means of expressing the word 'no'" (Farage, 2014) .

10. The constitutionalisation of referendums

As seen in Sections 2 and 3 above, the absence of constitutional provisions about the organisation of and voting in referendums – in no small part because of their alien nature – contributed to the confusion surrounding the referendums in the 1970s. The 1975 referendum was necessarily enabled through a one-off Act of Parliament, for example, rather than by any reference to a standardised framework. The incoming 1997 Blair administration had promised to deliver a raft of constitutional and administrative reforms and had sought to legitimise these through the organisation of referendums at various levels. As a response to the absence of a standardised framework, and as part of an overall attempt to reform the United Kingdom's political processes, the first Blair administration therefore brought to Parliament the Political Parties, Elections and Referendums Act of 2000 which, inter alia, sought to codify how referendum votes and campaigns should be conducted. The chapter titles of the Act give a good idea of the Act's comprehensiveness:

- Referendum period;
- Date of poll;
- Referendum questions;

- Permitted participants;
- Declarations and notifications;
- Assistance for designated organisations;
- Designation of organisations to whom assistance is available;
- Applications for designation;
- Assistance available to designated organisations;
- Referendum expenses;
- Notional referendum expenses;
- General restrictions relating to referendum expenses incurred by permitted participants;
- Restriction on incurring referendum expenses;
- Restriction on payments in respect of referendum expenses;
- Restriction on making claims in respect of referendum expenses;
- Disputed claims;
- Financial limits;
- General restriction on referendum expenses;
- Special restrictions on referendum expenses by permitted participants;
- Donations to permitted participants;
- Control of donations to permitted participants;
- Returns as to referendum expenses;
- Auditor's report on return;
- Delivery of returns to Commission;
- Declaration of responsible person as to return;
- Public inspection of returns;
- Restriction on publication etc. of promotional material by central and local government
etc;

- Details to appear on referendum material;
- Referendum campaign broadcasts;
- Conduct of referendums;
- Chief Counting Officers, and counting officers, for referendums;
- Orders regulating conduct of referendums.

The Political Parties, Elections and Referendums Act of 2000 enshrined the referendum in British constitutional practice. No longer would it be possible to argue on principle that the referendum was alien to British parliamentary democracy, for Parliament itself had legislated the legal framework with which referendums might be called and organised. No longer would it be possible to argue that referendums were constitutionally inappropriate – their usage would henceforth be a matter of political choice, enabled through parliamentary acts. And, as if to confirm that usage, on 5 May 2011 the United Kingdom held a referendum on the Alternative Vote as a possible alternative to the first-past-the-post electoral system. Earlier the same year, on 8 March 2011, Parliament had adopted the European Union Act, which institutionalised the referendum lock that Cameron had promised after his ‘U-turn’ embarrassment about the Lisbon Treaty. There was now no constitutional reason why the country should not hold a referendum on any matter deemed appropriate by Parliament and there was in addition now actually a positive provision in favour of a referendum on any future EU treaty that ‘transferred areas of power, or competences’ (European Union Act, 2011).

In conclusion, the European Union Referendum Act of 2015, unlike the Referendum Act of 1975, was a standard constitutional device, foreseen and legislated for by Parliament in the more general framework of the Political Parties, Elections and Referendums Act of 2000.

11. Conclusion: chronicle of a referendum foretold and morals of the tale

As this paper has sought to show, the principle of the use of the referendum in UK politics was first legitimised, then constitutionalised and, simultaneously, popularised. What was once a theoretical though radical option is now an accepted element in the constitutional tool box: referendums are no longer rare nor exceptional. Moreover, the use of the referendum is a growing phenomenon worldwide and not just limited to Western Europe nor, indeed, to the European Union nor the UK (Qvortrop, 2014). And the referendum, rather than the general election, has increasingly become a primary vector for electorates to express preferences on European issues (Hobolt, 2009, Mendez, Mendez and Triga, 2014).

The 23 June 2016 referendum was not only ‘about’ David Cameron’s 2013 decision, nor was it only about the Conservatives and nor, ultimately, was it only about the United Kingdom. The UK’s mainstream parties had been toying with the idea since before the UK even joined the EEC in 1973 and had increasingly played with it after 1993. Indeed, the most proximate triggers for the slide down to 2016 were the quantum leaps in competences and powers foreseen by the Maastricht Treaty (notably, citizenship, the single currency, the Social Chapter, a common foreign and security policy) combined with slim parliamentary majorities and the rise of referendum parties – aided by the introduction of PR for European elections and the constitutionalization of referendums. The increasing incidence of referendums of various sorts elsewhere in the EU further encouraged the idea that in the UK it could, or should, be ‘only a matter of time.’

Indeed, only by taking an exceptionally short term view can one argue that the 2016 referendum was a purely Conservative affair. Just thirty years after one great Labour leader (Attlee) had declared the idea anathema, another (Wilson) had made the promise a major plank of his electoral manifesto. Twenty-six years later, another (Blair) had enshrined the principle in the constitution (having already promised referenda on the single currency and the

constitutional treaty). Just thirteen years after that, and thirty-nine years after Harold Wilson's commitment, Ed Miliband had promised an in-out referendum in the event of any further transfer of sovereignty.

Perhaps it was this underlying sense of inexorability across the mainstream political divide that led Craig Oliver, David Cameron's former communications director, to insist in an interview that it was: "naïve to suggest the government had not needed to call the referendum, adding: "You could either deal with it now or the reality is it would pop up again in a few months or a few years" (BBC, 2016).²¹

Taking the longer-term view about the UK's relationship with the European integration process reveals several underlying trends, linking together events and developments over many years, that collectively were leading, with increasing inexorability, to a second referendum on EU membership. If not, at first, inevitable, those trends became increasingly so. They were also, for anybody who cared to take that longer-term view, increasingly discernible. But generations of British politicians, condemned to live in the short-term environment of electoral cycles and pragmatic party management, were seemingly oblivious to them. 'Europe' was seen as something 'over there', an occasional and mostly irritating intrusion erupting into domestic politics, rather than a constant presence and process. The result was a disproportionate emphasis on reaction rather than action, on tactics rather than strategy and, perhaps, on international relations adventures rather than patient diplomacy closer to home. Not even Thatcher and Blair, despite long periods in office and large majorities, were able to develop and maintain a coherent EU policy. The probable truth is that the UK never managed to achieve escape velocity from the dynamics of the 1950-1970 period so convincingly described by Alan Milward (2012).

As I have argued elsewhere (Westlake, 2017), one last counterfactual question must remain tantalisingly unanswered: if the UK *had* held a referendum on the Constitutional

²¹ See also Oliver, 2016, p. 8.

Treaty²² and, as the polls suggested at the time, rejected it (as did the French and the Dutch), would that have been a more calamitous scenario than the UK voting to leave in 2016? Put another way, if the UK electorate had already rejected *something* about the EU, if it had put a metaphorical foot down and said ‘so far and no further,’ if it had managed ‘at last’ to have a say on something, would it still have felt sufficiently strongly to vote to leave the EU altogether?

In conclusion, it is reported that David Cameron believed his promised referendum would put the EU matter at rest within his party and the country at large for a long time. As the current and continued political, constitutional and juridical furore shows, he was mistaken in that belief.²³ Indeed, several learned observers warned that the opposite would probably occur, whatever the result (see, for example, Oliver, 2016, pp 26-27 on “The Question of Future Referendums”). And that is perhaps a final irony of the 23rd June 2016 referendum: neither the referendum as a device, nor relations with the EU as an issue, have gone away. On the contrary: they are still very much present and promise to remain so for a long time to come.

²² It should be recalled that Luxembourg persisted with its referendum after the Dutch and French rejections. If the British Government had so wished, it could also have persisted and although, as seen above, Tony Blair believed, with relief, that the French vote had let him ‘off the hook’, he was definitely up for the fight and thought such a referendum to be winnable, though other members of his government – notably Jack Straw – did not. (Blair, p. 531)

²³ And one could have imagined just as much, if not more, furore if the result had gone the other way.

Bibliography

- Banks, Arron, 2016, *The Bad Boys of Brexit: Tales of Mischief, Mayhem and Guerrilla Warfare in the EU Referendum Campaign*, Biteback, London
- Baun, Michael J, 1996, *An Imperfect Union: the Maastricht Treaty and the New Politics of European Integration*, Westview Books, Boulder, Colorado
- BBC, 2016, UK Politics (website), 7 August
- Bennett, Owen, 2016, *The Brexit Club: the Inside Story of the Leave Campaign's Shock Victory*, Biteback, London
- Berstein, Serge and Jean-Pierre Rioux, 2000, *The Pompidou Years, 1969-1974*, Cambridge University Press, Cambridge
- Blair, Tony, 2010, *A Journey*, Hutchinson, London
- Bogdanor, Vernon, 1981, *The People and the Party System: The Referendum and Electoral Reform in British Politics*, Cambridge University Press, Cambridge
- Butler, David and Dennis Kavanagh, 1997, *The British General Election of 1997*, Palgrave Macmillan, Houndmills
- Butler, David and Uwe Kitzinger, 1976, *The 1975 Referendum*, Macmillan, London
- Butler, David and Martin Westlake, 1995, *British Politics and European Elections 1994*, Macmillan, London
- Butler, David and Dennis Kavanagh, 1997, *The British General Election of 1997*, Macmillan, London
- Butler, David and Martin Westlake, 2000, *British Politics and European Elections 1999*, Palgrave Macmillan, Houndmills
- Butler, David and Martin Westlake, 2005, *British Politics and European Elections 2004*, Palgrave Macmillan, Houndmills
- Charlemagne, 2016, 'Au revoir, l'Europe,' *The Economist*, 6th August
- Crowson, Nicholas (N.J.), 2007, *The Conservative Party and European Integration Since 1945: At the heart of Europe?*, Routledge, Oxford
- Crowson, Nicholas (N.J.), 2010, *Britain and Europe: A Political History Since 1918*, Routledge, Oxford
- Curtice, Jon and Michael Steed, 1997, 'The Results Analysed,' in David Butler and Dennis Kavanagh, *The British General Election of 1997*.
- Daily Mail*, 1973, <http://www.dailymail.co.uk/wires/ap/article-3658942/Britain-joins-EU-1973.html>
- Daniels, Philip, 1998, 'From hostility to 'constructive engagement': The Europeanisation of the labour party', *West European Politics*, Volume 21, issue 1, pp. 72-96
- Denman, Roy, 1997, *Missed Chances: Britain and Europe in the Twentieth Century*, Indigo, London
- Dyson, Kenneth, and Kevin Featherstone, 1999, *The Road to Maastricht: Negotiating Economic and Monetary Union*, Oxford University Press, Oxford
- Euractiv, 2008. 'UK MPs Reject Referendum on EU Treaty'. 6 March, at: <https://www.euractiv.com/section/future-eu/news/uk-mps-reject-referendum-on-eu-treaty/>
- Farage, Nigel, 2014, 'These European Elections Matter,' lecture given at the LSE, 23 January - <http://www.lse.ac.uk/newsAndMedia/videoAndAudio/channels/publicLecturesAndEvents/player.aspx?id=2211>
- George, Stephen, 1994, *An Awkward Partner: Britain in the European Community*, Oxford University Press, Oxford

- Glencross, Andrew, 2016, *Why the UK Voted for Brexit: David Cameron's Great Miscalculation*, Palgrave Macmillan, Houndmills
- Green, Elliott, 2016, 'How Brexiteers appealed to voters' nostalgia,' LSE blog, 30 August, at: http://blogs.lse.ac.uk/politicsandpolicy/how-brexiteers-appealed-to-voters-nostalgia/?utm_source=feedburner&utm_medium=email&utm_campaign=Feed%3A+BritishPoliticsAndPolicyAtLse+%28British+politics+and+policy+at+LSE%29
- Harris, John, 2016, 'From the people who brought you Brexit: The bluster and blunder that birthed a new political era,' *New Statesman*, 18-24 November
- Heath, Edward, 1998, *The Course of my Life: the Autobiography of Edward Heath*, Hodder & Stoughton, London
- Heseltine, Michael, 2016, Edward Heath Memorial Lecture 2016, Salisbury, 21st July (available here as filmed: <http://www.arundells.org/edward-heath-memorial-lecture-by-lord-heseltine/>; and text here: <https://view.publitas.com/british-influence/edward-heath-memorial-lecture-2016/page/1>)
- Hobolt, Sara B, 2009, *Europe in Question: Referendums on European Integration*, Oxford University Press, Oxford
- Kassim, Hussein, 2010, 'The Labour Party and "Europe": An Awkward Relationship,' in Dyonissis G. Dimitrakopoulos (ed), *Social Democracy and European Integration*, Routledge, London, pp. 83-111
- Legislation, 2000, Political Parties, Elections and Referendums Act 2000, http://www.legislation.gov.uk/ukpga/2000/41/pdfs/ukpga_20000041_en.pdf
- Macmillan, Harold, 1961, 'Address given by Harold Macmillan on the United Kingdom's application for members to the EC (31 July 1961),' CVCE.eu
- MacShane, Denis, 2016, *Brexit: How Britain Will Leave Europe*, I.B. Tauris, London
- MacShane, Denis, 2016, *Brexit: How Britain Left Europe*, I.B. Tauris, London
- Mandelson, Peter, 2010, *The Third Man: Life at the Heart of New Labour*, Harper Press, London
- Margaret Thatcher Foundation, 2016, "'Condemned to succeed": the Heath-Pompidou summit which took Britain in to the E.E.C, May 1971,' 9 January, at: <http://www.margaretthatcher.org/archive/heath-eec.asp>
- McManus, Michael, 2016, *Edward Heath: A Singular Life*, Elliott & Thompson, London
- Mendez, Fernando, Mario Mendez and Vasiliki Triga, 2014, *Referendums and the European Union: A Comparative Inquiry*, Cambridge University Press, Cambridge
- Merkel, Angela, 2010, Speech at the opening ceremony of the 61st academic year of the College of Europe in Bruges, 2 November – available in translation at: <http://www.bruessel.diplo.de/contentblob/2959854/Daten/>
- Milward, Alan S., 2012, *The United Kingdom and the European Community Volume I: The Rise and Fall of a National Strategy 1945-1963*, Routledge, Oxford (paperback edition)
- Norton, Philip, 2010, 'The European Communities Act 1972,' posted on 19 November on Nortonview (blog) at <https://nortonview.wordpress.com>
- Oliver, Craig, 2016, *Unleashing Demons: The Inside Story of Brexit*, Hodder & Stoughton, London
- Oliver, Tim, 2016, *Why the EU Referendum Will Not be the End of the Story*, Federal Trust, London, February
- Outhwaite, William, 2017, *Brexit: Sociological Responses*, Anthem Press, London
- Qvortrup, Matt, 2014, *Referendums Around the World: The Continued Growth of Direct Democracy*, Palgrave Macmillan, Houndmills
- Rankin, Jennifer, 2016, 'Has Ukip killed its golden EU goose?' the *Guardian*, 3 December
- Richardson, David, 2016, 'Between politics and the public: the anti-EEC campaign in the 1960s,' at: https://www.academia.edu/1698969/Between_politics_and_the_public_the_anti-EEC_campaign_in_the_1960s

- Royo, Sebastián, 2002, 'The Experience of Spain and Portugal in the European Union: Lessons for Latin America,' University of Miami European Union Center, Working Paper Series, Vol. 2, N° 2, March
- Shipman, Tim, 2016, *All Out War: the Full Story of How Brexit Sank Britain's Political Class*, William Collins, London
- Spence, Alex, 2016, 'No regrets: An insider's guide to Brexit failure,' *Politico*, 8 August
- Thatcher, Margaret, 1975, Excerpt from Hansard, House of Commons 11 March 1975 debate at: <http://www.margarethatcher.org/document/102649>
- Thatcher, Margaret, 1988, 'Speech to the College of Europe ("The Bruges Speech")', 20 September, at: <http://www.margarethatcher.org/document/107332>
- Thatcher, Margaret, 1993, HLS [European Communities (Amendment) Bill] (speech), 7 June, at: <http://www.margarethatcher.org/document/108314>
- Wall, Stephen, 2012, *The Official History of Britain and the European Community, Volume II: From Rejection to Referendum, 1963-1975*, Routledge, Oxford
- Wallace, Helen, 2012, 'The UK: 40 Years of EU Membership,' *Journal of Contemporary European Research*, Vol. 8, issue N° 4
- Westlake, Martin, 2016, 'Chronicle of an Election Foretold: the Longer-Term Trends leading to the 'Spitzenkandidaten' procedure and the Election of Jean-Claude Juncker as European Commission President,' European Institute at the London School of Economics and Political Science (LSE), *Europe in Question Discussion Paper Series (LEQS)*, Paper N° 102/January
- Westlake, Martin, 2017, 'The inevitability of *that* referendum,' in William Outhwaite (ed)
- Wilding, Peter, 2017, *What Next? Britain's Future in Europe*, I.B. Tauris, London

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