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How to refuse a vote on the EU?
The case against the referendum in the House of Commons
(1974 – 2010)

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Abstract

Under what conditions do politicians oppose referendums especially to decide questions of European integration? Existing literature has identified reasons why governments and political parties pledge to hold non-mandatory referendums to ratify EU treaties or determine a country's participation in the EU project, and some studies have analysed the effect of voter demand and attitudes towards EU referendums. This study examines the positions politicians themselves take towards popular participation in decision-making on the EU. The paper presents a summative content analysis of parliamentary debates in the United Kingdom between 1974 and 2010, tracing MPs' arguments against using referendums to determine the UK's participation in EU integration. Our results indicate that the range of claims made by MPs in the House of Commons against referendums on European matters has narrowed over time, although opposing arguments have continued to fall into the same set of four argumentative strategies. We find that institutional arguments, reflecting a Burkean understanding of representative democracy, consistently predominate over arguments that cite practical, political and manipulation concerns.

Keywords

Content analysis; Parliamentary debates; Referendum; Computer assisted text analysis

1. Introduction

The literature on direct participation identifies several reasons why governments and political parties commit to holding referendums on EU matters when referendums are not constitutionally required (see Bjørklund 1982; Lijphart 1984; Butler and Ranney 1994; Bogdanor 1994; Closa 2007; Morel 1993, 2001, 2007; Schneider and Cederman 1996; Hug 2002, 2004; Qvortrup 2002, 2006; Tridimas 2007; King 2007; Finke and König 2009; Dür and Matteo 2011). Lijphart, for instance, argues that governments only submit issues to referendums if they are certain that they will win (1984: 204). King suggests that governments hold referendums only when they believe that the popular vote will likely provide a useful *ad hoc* solution to a particular political problem, such as resolving internal party divisions (2007: 279). For Morel (2001) and Hug (2002), referendums may be used to pass treaties that would otherwise not be ratified or they may be *de facto* obligatory even when they are not constitutionally required (as in Norway in 1994 and France in 2005). Schneider and Weitsman (1996) argue that governments may hold referendums to reinforce their bargaining position in the EU.

In light of these studies, one could explain why governments do *not* defer decision-making to the people with reference to the absence of the conditions identified in the literature. But a relevant source of information is the qualitative arguments used by political elites themselves against referendums. While much has been written about how voters approach referendums on European matters (see Hug and Sciarini 2000; Gary et al. 2005; Widfeldt 2004), little research has examined how politicians themselves conceive the issue or at least what stances on the subject they might make explicit (see Binzer-Holbot 2006). This lacuna is significant because: (a) one of the main obstacles to the legitimisation of the EU has often been identified as politicians' reluctance to let citizens involve themselves in, or simply express themselves on, the European project (see Wallace and Smith 1995), and (b) the ways in which political representatives perceive their own roles, and those of the people, are crucial to our understanding of the construction and development of the European Union (see Magnette 2003; Chadwick and May 2003).

Rather than offering normative insights into why governments refuse referendums (see Qvortrup 2002, 2007; LeDuc 2003; Kaufman and Waters 2004), we approach the question empirically by examining the rhetorical strategies deployed by politicians to argue against direct participation on European matters. The cases considered here are successive parliamentary debates in the UK on whether to hold referendums to ratify key European treaties or deal with the relationship between the UK and the EU more broadly from 1974 to 2010.

Our results show that over time the range of claims used by political representatives to argue against the use of the referendum has narrowed while the claims have consistently fallen into four key argumentation types, which we have coined *institutional*, *practical* and *political arguments* and *manipulation issues*. The results also reveal the predominance of *institutional arguments* over the three other types of argumentative strategies.

The paper proceeds as follows: in the remainder of the introduction we look at the constitutional foundations of the cases for and against direct participation and we justify the use of parliamentary debates as a source of data. In Section 2, we describe our method of analysis and corpus. Section 3 presents the main results. Section 4 offers a reflection on the findings. In the conclusion, we draw on the typology of arguments and the analytical framework developed in this study to propose some additional avenues for research.

1.1 Constitutional foundations of the cases for or against direct participation

The constitutional foundation of the case *for* the referendum in the UK is that if a proposed reform is thought to involve constitutional changes of great magnitude, the decision to adopt it (or not) should be given to the people. This criterion is in line with a *Lockean* rather than a *Burkean* view of democracy. According to John Locke, the establishment of a representative democracy implies not that the people have given up their rights in absolute terms, but that they have simply transferred the execution of their rights legitimately to another body in the form of a *concessio imperii*: a temporary and limited delegation of power. Although representatives have a vested authority, it is ultimately owed to the people. Giving greater weight to parliamentary sovereignty than to popular sovereignty is

inconceivable, since the former is granted by the latter. When matters of great importance arise, deferring decision-making to the people is a duty (see Locke 1690, Second Treatise, Art. 242).

The constitutional foundation of the case *against* the referendum is based on the notion that parliamentary sovereignty is derived from the Crown, to which all citizens are subject. The political tradition of representative democracy invests MPs with the duty to represent the best interests of the country, i.e. the Crown, rather than act as popular delegates. This distinction was touched upon by Edmund Burke in his now famous speech to his Bristol electorate on November 3rd, 1774. The representative is expected to exercise his informed judgment of the country's best interest and not be swayed by transient constituent opinions. In this light, direct or participatory forms of democracy are at odds with representative democracy.

If we accept Samuel Beer's conception of political culture as a dialectic between opposing bodies of thought (1965: 11), the political culture of political representation and democratic decision-making in the UK can be characterised in terms of Burke versus Locke, whereby the thoughts of the former on representation still resonate in arguments issued against direct participation while those of the latter on sovereignty (more precisely, on the transfer of sovereignty) continue to be inherent in arguments made for direct decision-making by the people.

1.2 Parliamentary deliberations as data

Investigating the position of politicians on popular participation is not easy. MPs could be invited to complete surveys or be interviewed but, in addition to well-known problems of elite interviews (i.e. access), these methods are unsuitable for observing retrospectively MPs views over time. Parliamentary debates offer a much more promising source of information.

Despite the centrality of parliamentary institutions, speeches made by elected representatives are often dismissed on the grounds that they fail to reflect 'real interests'. Rational choice institutionalists typically argue that political actors have a set of preferences and behave instrumentally to maximise their utility in the attainment of these preferences (Hall and Taylor 1996: 942). In this view, the behaviour of political actors is likely driven primarily by self-interest and affected by strategic calculation of how others are likely to behave (Shepsle and Weingast 1987). One might therefore consider deliberative assemblies as institutions wherein politicians use language instrumentally (i.e. to pass a bill or be re-elected).

Following this line of reasoning, the language used by representatives in Parliament to defend their stance hardly matters as it reflects only strategic calculations, not genuine beliefs. Why, therefore, study parliamentary discourse? This question converges with the argument that since referendums are controlled and 'pro-hegemonic',¹ it makes little sense *a priori* to study what political representatives have to say on the issue.

Yet, the fact that political representatives resort to certain kinds of arguments and dismiss others is in itself an important point that deserves close examination. The choice to resort to particular rhetorical strategies shows – at the very least – which arguments might be considered legitimate in the context of political debates and which are not. This point harks back to the distinction made by Quentin Skinner between empirical and conceptual reasons for studying parliamentary debates. At the empirical level, Skinner argues, disputes tend to revolve around the question whether 'speech-acts' of political representatives are sincere. However, this is not the most important question insofar as we cannot know with certainty what their real motives are. More interesting is to focus on what representatives are actually doing: that is, to consider their intentions in light of what is actually said or actioned on their part (Skinner 2002: 145-150). In sum, one could say that transitory beliefs become important in political debates only if they find expression. In that sense, the legitimating role of language is more important than a representative's real beliefs.

¹ Referendums are said to be 'pro-hegemonic' when they are used by the ruling elites only to strengthen their power (see Qvortrup 2002).

2 Method of analysis and corpus

To analyse parliamentary debates we use summative content analysis (see Hsieh and Shannon 2005). Unlike conventional approaches to qualitative content analysis, summative content analysis typically begins by identifying words and measuring their distribution within a corpus. After quantification of the manifest content (an exploratory phase) latent content analysis is performed – that is, the underlying meanings of words and themes are interpreted. To assist these tasks, we use two data analysis software packages: (a) Alceste for the quantification of manifest content via automatic descending classification, and (b) NVivo for identifying and manually coding the latent themes underlying the manifest content.

Alceste² relies on co-occurrence analysis, which is the statistical analysis of frequent word pairs in a corpus. Within the corpus, homogeneous subsets of words are automatically selected by the algorithm on the basis of their occurrence and co-occurrence in sentence segments (Brugidou 2003: 418). The software identifies statistical similarities and dissimilarities of words in order to classify repetitive language patterns. The procedure then leads to the selection of clusters (or classes). The program generates a classification of text units according to the pattern of co-occurrences of words within sentence segments. Alceste is not a technique for a priori hypothesis testing but for exploration and description. Unlike manual methods of qualitative analysis it is insensitive to meaning and context. Its advantage is that within a short time the researcher can gain an impression of a voluminous data corpus. (For more information about Alceste see Guerin-Pace 1998; Bara et al. 2007; Biquelet et al. 2012; Schonhardt-Bailey 2005.)

NVivo is a qualitative data analysis management tool. It assists thematic coding and the assessment of relationships between themes and variables (in our case, the type of argument and the year in which it was expressed).³ (For more information about NVivo see Lewins and Silver 2007.)

Our summative content analysis is thus a hybrid approach. Themes in the corpus are not purely generated automatically from the raw data. They do derive initially from the quantification of the corpus by Alceste, but are verified for internal consistency and applicability via qualitative reading and interpretation. This approach offers several advantages. First, themes do not emerge as *artefacts* based on researcher intuition or many readings of the corpus. Instead, the themes are generated by unobtrusive data elicitation based on word frequencies and co-occurrences. Second, the qualitative verification avoids hasty, naive interpretations. This step also enables the development of new themes overlooked by the automatic approach. Third, the two-step approach increases both the validity and the reliability of measurement. Thus the hybrid, or summative, approach to content analysis results in a robust coding frame and valid, reliable measurement due to the combination of the rigour of quantitative analysis with the depth of qualitative interpretation.

2.1 Corpus

Our corpus comprises seven House of Commons debates from 1974 to 2010 concerning whether to use referendums to ratify European treaties or to determine the relationship between the UK and the EU. While we would have liked to select one key debate per decade, this was not possible because debates about the referendum in each decade did not have equal salience. Interest in referendums receded in the 1980s due to discontent with the experience of the 1975 referendum. For instance, whether to submit the Single European Act in the 1980s to popular vote did not achieve the same prominence in debates as did the Maastricht Treaty in the 1990s or the EU Constitutional Treaty in the 2000s.⁴ To maintain a balance between the amounts of data for each decade, we included two

² ALCESTE stands for *Analyse des Lexèmes Co-occurents dans les Énoncés Simples d'un texte* (analysis of the co-occurring lexemes within the simple statements of a text). Its algorithm, based on Benzecri's contributions in textual statistics, was created by Max Reinert.

³ The full Alceste and NVivo reports produced for this research, the original dataset and the coding scheme are available on a webpage dedicated to this study.

⁴ The Amsterdam and Nice Treaties in the late 1990s and early 2000s, respectively, also generated fewer discussions about the use of the referendum.

debates from the 1980s as well as two from the 2000s on the Ratification of the EU Constitutional Treaty Bill (Table 1).

[Table 1 about here]

3 Results

We begin our analysis by looking at the results produced by Alceste for all seven debates combined. The software automatically selected six classes of key terms on the basis of term frequency and co-occurrences. The hierarchical descending clustering procedure first divided the six classes into two clusters (of two and four classes), and then into three clusters (each of two classes) (see Fig. 1). Following interpretation and labelling of the classes based on the terms associated with each class as well as on our familiarity with the corpus, we conclude that three clusters make substantive sense.

[Figure 1 about here]

[Table 2 about here]

The top cluster in Fig. 1 is comprised of two classes. As we see from Table 2, the first class contains terms such as *power, law, court, transfer, sovereign, clause, competence* and *justice*, and the second contains *treaty, qualified, voting, pillar, Rome, foreign*. Those two classes deal respectively with the **judicial issues** and **constitutional issues** at stake when considering the transfer of sovereignty from Parliament to supranational institutions, and we label them accordingly.

The first class that comprises the middle cluster in Figure 1 contains **procedural language** employed by MPs to address each other and structure their speeches in the House of Commons, i.e. *Hon, friend, member, Mr, gentlemen*. The second class focuses on the issue of the referendum, containing key terms such as *elect, referendum, people, electorate, question, general, issue*. We further classify the content of this class below. For the present, it suffices to note that the close link between procedural language and the **referendum issue** reflects the centrality of the latter theme within the debates.

The bottom cluster in Figure 1 is made up of a class containing key terms such as *community, world, operations, trade, country and budget*, which indicate **economic issues** associated with the EU. It is most similar to a class that distinguishes concerns pertaining to **agricultural issues** with key terms such as *food, manufacture, price, agriculture, industry and farm*.

The naming and interpretation of the classes produced by Alceste was not (and cannot be) simply based on the reading of the most frequent key terms associated with each class. Doing so would cause well-known problems of validity, where extracting key words from their context runs the high risk of misinterpretation. In order to interpret the software output soundly, we referred to the terms in context. These contextual units are ‘gauged sentences that [Alceste] automatically constructs based on word length and punctuation in the text’ (Schonhardt-Bailey 2005: 705).

Our next step is to look closely at the contextual units, or gauged sentences, in the Referendum Issue class, focussing on arguments against the use of the referendum. The sentences with the highest χ^2 value suggested that four main categories of arguments dominated the debates across time (see Table 3):

1. *Institutional arguments* point to the danger of introducing referendums in Britain because they would alter the UK tradition of parliamentary sovereignty, the Constitution and/or the role that representatives have been elected to perform, e.g. “I regard a referendum as being difficult to reconcile, even on a matter of this unique character, with responsible parliamentary government as we have it in this country.” (D. Lane, 1974, $\chi^2 = 16$)
2. *Political arguments* refer to the danger of introducing referendums in Britain because they might jeopardise party politics or the government in office, e.g. “In 1972, the Norwegian referendum was held, but the result went against the labour government, who resigned.” (T. Renton, 1974, $\chi^2 = 28$)

3. *Practical arguments* concern the difficulty of organising or funding a referendum, mobilising the electorate or framing a ‘Yes/No’ question, e.g. “Even on such an apparently simple issue as in or out of the Community, could the wording of the question sufficiently affect the answer.” (T.G. Jones, 1992, $\chi^2 = 27$)
4. *Manipulation issues* imply that results of a referendum could easily be manipulated by politicians, the media or by the people themselves, e.g. “This referendum has nothing to do with asking the British people what they think about this issue but with getting the Prime Minister and his skin through the next general election.” (J. Maples, 2004, $\chi^2 = 19$)

[Table 3 about here]

By identifying the most frequent key terms associated with our issue of interest, this exploratory phase enabled us to reduce the large amount of information pertaining to the case against referendums (1172 gauged sentences) to four major lines of argumentation. In other words, before moving on to a more interpretative phase of the analysis, this first phase enabled us to identify key recurring patterns in the data.

We proceed now to the results of the analysis using NVivo to assess the diversity and salience of the arguments voiced by MPs. The four categories of arguments that we derived from Alceste’s automatic extraction are the starting point of our subsequent analysis. Within these categories we identified 29 sub-categories of arguments, which are summarised in Table 4.

[Table 4 about here]

Our results indicate that from the 1970s to the 2010s the four categories of rhetorical strategies identified above have framed the case against direct participation (see Fig. 2). In each decade, MPs invoked arguments of each type and, while practical arguments increased relatively in salience in the 1990s and early 2000s, institutional arguments are regularly put forward in all debates, returning in 2010 to the most preferred type of argument (Table 5).

[Figure 2 about here]

What has changed over time, however, is the array of arguments representatives use to argue against citizens’ participation within those four categories. While 25 different reasons were invoked to counter the use of the referendum in debates in the 1970s, this dropped to 10 reasons in 2010, as depicted in Fig. 3.

[Figure 3 about here]

Constituting 42% of all arguments against direct participation across all debates, *institutional arguments* are the most common type of anti-referendum argument of UK MPs. In the 1970s, the Burkean case against the referendum was structured around two main institutional issues: (1) the claim that referendums weaken the role of Parliament and (2) the fear that they would set a precedent if introduced to the British political system. Also common was the belief that direct decision-making might jeopardise relationships between constituents and their elected representatives. In the 1980s, one of the main recurring points was simply that Parliament is responsible for making decisions on behalf of the electorate. The same argument also came top of the list in the 1990s. Critics of the referendum typically argued that if Parliament, after debating the question of the Maastricht ratification at length, was to refer the decision to the people, this would entail, as Conservative MP Tristan Garel-Jones put it, a ‘dereliction’ of duty on the part of political representatives.

In the 2000s, the institutional case against the referendum underwent a slight shift with two arguments becoming prominent: (1) referendums are only justified by substantial changes in the Constitution and (2) referendums were not held on previous matters of crucial importance. Labour

MPs Sir Stuart Bell and Marc Lazarowicz, for example, emphasised that the decision by Labour not to call a referendum on the EU Constitutional Treaty was perfectly legitimate given that former Conservative governments did not submit earlier European Treaties (such as Maastricht) to a referendum. Labour MPs, such as Chris Bryant, also emphasised that a referendum on the EU Constitution was unnecessary because the Treaty did not entail substantial changes to the way Britain would be governed. The same argument was also commonly expressed in 2010. Even for referendum supporters embracing a Lockean view of democracy (e.g. William Hague), some issues, such as future enlargement of the EU, were too mundane to deserve a referendum. All in all, the three paradigmatic institutional arguments identified here – namely, that referendums weaken the role of Parliament, undermine the responsibility vested in political representatives and contravene the UK tradition of parliamentary sovereignty – were echoed in 2010. By contrast, the claim that a referendum would jeopardise relationships between constituents and elected representatives had disappeared from the repertoire of arguments.

Over time, *practical arguments* have been the second most prominent type of argument expressed by MPs against the use of the referendum, making up 26% of all instances. In the 1970s, critics of direct participation objected that people did not want or care about referendums, preferring elected representatives to make decisions on their behalf. This view was often associated with the claim that complex issues require expertise and are not amenable to a Yes or No answer. Difficulty in finding an appropriate time to hold a referendum in addition to challenges of organisation and cost were also mentioned. Absent from the debates in the 1980s, practical arguments reappeared in the 1990s. For referendum opponents such as Anthony Nelson, referendums are often defective not only because intricate political matters cannot be decided by reducing them to a Yes or No question, but also because they are only ‘snapshots’ of public opinion, which is susceptible to change. Issues pertaining to citizens’ lack of expertise and their willingness to let elected representatives decide on their behalf were also mentioned along with the difficulty of finding an appropriate time to call a referendum. In the 2000s, the question of whether acceptance of the Treaty establishing a Constitution for Europe could be determined by a Yes or No answer was raised and established as an essential precondition for deferring decision-making to the people. Furthermore, arguments about the ‘complexity of the text’ under consideration were at times complemented by concerns about the ability of voters to make informed political choices. Though rare, the argument that the people lack the requisite knowledge to adequately take part in decision-making was still made in 2003–2004. For Labour MP Chris Bryant, for instance: ‘Although a referendum might be appropriate for Pop Idol when deciding whether Gareth Gates or Will Young should win, it is unsuitable for examining a treaty’.⁵ A further technical issue was the ‘timing’ of a referendum. During the second reading of the Bill, critics typically argued that the organisation of a referendum would delay the ratification process considerably. In 2010, except for very occasional issues pertaining to the cost and organisation of a referendum, practical arguments were rarely invoked.

Manipulation issues constitute the third most frequent category of arguments against the referendum invoked by MPs, at 24% of all instances. In the 1970s, parliamentarians worried that the framing of the question would have a considerable influence on the results. Drawing on the French experience with direct democracy, they also feared that people would not answer the question, but instead use the referendum as a means of evaluating the performance of the government. In addition, critics emphasised that dictators often utilised referendums with perverted effects. Understandably, perhaps, an important claim in the 1970s was that the Labour party leader only advocated a referendum to resolve internal divisions and keep the party together. The range of potential manipulation issues extended to at least two important concerns during that decade, namely that referendums reinforce the status quo and that the media would influence the results.

The 1980s saw an upsurge of criticisms pertaining to the potential manipulative effect that discrepancies in funding could have on the results of a referendum (categorised as *other manipulation issues*). Some critics were eager to point out that the 1975 campaign in favour of the referendum led by the Labour Government had benefitted from more funding than the ‘no’ campaign. Others pointed out that the public had been misled by the nature of the ‘deal’ Britain was signing up to in accepting continued membership of the EU, asking that the result of the 1975 referendum be reconsidered.

⁵ HC Deb 12 Nov 2003 c310.

While some MPs were demanding that a new referendum be held, opponents countered that this was simply a Eurosceptic manoeuvre to take the UK out of the EU.

In the 1990s, the claim that the framing of the question would influence the results reappeared, along with the claim that the media may influence the outcome of the vote. In the 2000s an important point of contention between advocates and opponents of the referendum pertained to the wording of the question to be put to the electorate. During the Second Reading of the Referendum Bill, a major objection of Labour MPs was that the Bill remained unclear as to who would draft the question. In the same debates, referendum critics often alleged that advocates simply instrumentalise the device to appeal to the people in terms of putting pressure on the government and also, assuming a 'no' result, to bring about British withdrawal from the EU. Less frequently than in previous decades, manipulation issues were still being mentioned in 2010. Critics of the referendum in this debate were keen to re-emphasise that supporters of the device sought a withdrawal from the EU. The old claim that referendums are tools for dictators still found resonance.

Finally, constituting 8% of all anti-referendum arguments in the corpus, *political arguments* were especially popular in early discussions, but they lost salience in subsequent debates. In the 1970s, MPs were particularly concerned that deferring decision-making to the people might put the Government at risk if the electorate cast a vote opposing the governmental line. Drawing on the Norwegian case, Conservative MP Tim Renton warned that if a referendum result went against the Government, it would have to resign. Often expressed as well was the fear that referendums put political parties at risk. Drawing again on the example of Norway, Renton maintained that direct participation diminishes the authority of political elites, leads to a lack of decisiveness by political leaders through fear of public reaction and causes alienation between political parties and the public. An important concern at the time – and one which would prove prescient – was that holding referendums would stimulate demands for devolution in Scotland and Wales.

Absent from the 1980s debates, political arguments reappeared in the 1990s. Once again, the fear that a referendum might put the Government at risk was expressed, albeit less recurrently than in the 1970s. An important political argument that emerged in the 1990s (categorised as *other political argument*) was that a referendum would be redundant because the manifestos of the main parties in 1992 had clearly stated their commitment to ratify the Maastricht Treaty, providing sufficient information on the matter for voters to understand and make up their minds. Over the last two decades, the claim that referendums put governments at risk was made episodically in Parliament; all the other political arguments identified above were almost never expressed.

4 Discussion

Overall, our results show that the range of claims used by elected representatives to argue against direct participation on European matters has narrowed, although the arguments have consistently fallen into the same four argumentation types, with institutional arguments predominant. Our results have important implications for the academic debate on direct participation.

First, one noticeable feature of the academic debate on the referendum is that the issue is now discussed on technical rather than normative grounds. Seeking to address the traditional criticisms of referendums, recent studies have intended to assess whether people were sufficiently informed to make political decisions (Haskell 2001; Magleby 1984; Lupia 1994) and whether they would be willing to participate on a more regular basis (Dalton et al. 2001). Crucially, they have focused on how new technologies could help with implementing certain forms of direct participation (Grossman 1995; Barber 1984; Toffler 1995). While in 1996 Ian Budge argued that 'the *new* challenge of direct democracy lies in the fact that it is now *technically* possible to bring citizens together to discuss public policy', which 'destroys the killer argument habitually used to knock direct democracy on the head' (1996: 1), our results suggest that the 'killer argument' typically advanced by representatives is that elections put them (i.e. representatives) in a legitimate position to make political decisions on behalf of the people. Hence, even if the existence of electronic communications means that physical proximity is no longer required for people to participate in decisions, it does not follow that representatives would concede to or facilitate their doing so.

Second, a recurring argument for using the referendum as a supplement to representative institutions is based on studies showing that most people regard referendums to be the least mediated

of all possible expressions of the popular will (Jahn and Storsved 1995: 25). Contemporary advocates argue that the direct process of popular decision-making via referendums has a legitimacy that indirect decisions made by elected representatives cannot match (Grande 2000; Weiler 1997). However, the debates analysed here show that the referendum is often perceived to be a strategic instrument to achieve political ends rather than a device for strengthening democracy. Even if parliamentarians accept the legitimacy of the decisions arrived at via referendums, they repeatedly raise concerns about the legitimacy of the *process* itself (classified as *manipulation issues* in our study). This finding is consistent with rationalist/strategic accounts of direct participation, which *inter alia* find that referendums are used to achieve party-political advantage and not held out of commitment to the principle of popular sovereignty or the belief that citizen participation is of value (Bogdanor 1994; Dür and Mateo 2011; Putnam 1988; Pierson 2000; Butler and Ranney 1994, King 2007). It is also in line with recent interpretations of why Prime Minister David Cameron promised a referendum on the UK's membership of the EU, a move perceived less as an endorsement of participatory values by the political elite and more as a political manoeuvre to appease Eurosceptic backbenchers within the Conservative Party (Emerson 2013; Grant 2013; Priestley 2013).

An implication of our finding that *institutional arguments* against the referendum consistently predominate over the other types of argument is that many MPs perceive their role as one of making decisions on behalf of the people and are deeply influenced by the view that politics is a division of labour. Indeed, it is precisely because an issue is of paradigmatic importance that, according to referendum critics, Parliament should remain the locus of decision-making. This finding shows the persistent appeal of Burke's view of representative democracy.

Parliament did agree to allow citizens to vote on the question of continued membership of the EU in 1975, but it did not intend to set a precedent. Afterwards, the referendum continued to be viewed with suspicion as being both 'un-British and unconstitutional'. Politicians also avoided giving a say to people on European matters out of belief that doing so would roll back the cumulative political and economic achievements of the European project and forestall further integration. Until the 1990s it was not particularly unusual even for politicians publicly to express this view. For a long time, the choice between realising participatory ideals and advancing the European project was a political dilemma, to which Lord Holme of Cheltenham gave expression in the debate on the Maastricht Treaty:

As one who supports referenda but who even more anxiously supports the EU, I say, in the words of Isaiah Berlin, that not all good things are compatible and that for me, and perhaps for some of my noble friends, progress towards the EU matters more.⁶

But denying the people the right to express themselves on a fundamental issue was increasingly difficult for MPs over time as the context changed. Citizens became better educated and informed on political issues (see Barber 1984; Budge 1996; Grossman 1995). In the same period, parliamentary prerogatives were being steadily eroded 'from below' (e.g., through the process of devolution to regional parliaments) and 'from above' (i.e., through the transfer of sovereignty to supranational institutions such as the EU). Since the end of the so-called *permissive consensus* in the 1990s (Lindbergh and Scheingold 1970), there has been a growing recognition of the need to involve national citizens in EU decision-making on a more regular basis (Wallace and Smith 1995). Some analysts characterise this change as a shift from *output legitimacy*, i.e. the ability of EU institutions to deliver policy outcomes, to *input legitimacy*, i.e. the ability of citizens to contribute to decisions (see Scharpf 1999; Lindgren and Persson 2010). The recognition of the need for popular consultation has been reflected in the election manifestos of major political parties in the UK, Germany and France since the late 1990s (Kittilson and Scarrow 2003; Allen and Mirwaldt 2010), the latest example being Cameron's pledge to hold a referendum on the UK's continued membership of the EU in June 2016.

These observations receive some corroboration in the findings of this study. First, it is proving increasingly difficult for critics of the referendum to argue that EU matters are too mundane to merit deferring decision-making to the people. Rather, partially transferring British sovereignty to the EU without popular consultation is now more and more viewed as a being disloyal to the people. Second, despite the prominence and recurrence of *institutional arguments*, the argument that

⁶ HL Deb 14 July 1993 c267

referendums threaten the traditional relationship between constituents and elected representatives has lost currency. Third, we find a reduction over time in the arguments that people are not informed enough to make decisions and do not want or care about referendums.

Hence, although many MPs still perceive their role as one of making decisions on behalf of the people, their view – at least as reflected in the arguments they deploy – is attenuated by acknowledgement that fundamental legislation should not be passed against the will of the people. The reduction in the range of *institutional arguments* suggests that although MPs may oppose referendums for reasons founded in the Burkean view of parliamentary representation, the Lockean view that Parliament is not all-powerful and direct participation has a modest role in checking Parliamentary power is gaining ground.

5 Conclusion and avenues for further research

Using a summative approach to content analysis, our study captures the variety of arguments in the UK Parliament levelled against direct participation on EU matters over the last four decades and reveals (1) a steady decrease in the range of arguments used, (2) a constant framing of the case against referendums around four key argumentative strategies, and (3) predominant use of *institutional arguments* over arguments citing practical, manipulation and political concerns.

The typology of arguments developed here could be used in a classical (quantitative) content analysis to test whether specific variables (i.e. party affiliation, affiliated party in opposition or government, constituency location in England, Wales, Scotland and Northern Ireland, etc.) are associated with the types of argument expressed by speakers. Drawing on a larger sample of data and using techniques such as document scaling, for instance, would open possibilities for predicting (rather than describing) the arguments likely to be espoused by political representatives in debates (see Lowe et. al 2011; Herzog and Benoit 2013).

Our taxonomy of arguments could also be tested and elaborated upon in a comparative perspective. While in the UK, sovereignty has traditionally been based upon the role of Parliament, this is not the case in other EU countries such as France, which has a political tradition where the people are the source of sovereignty. Using a form of directed content analysis (see Hsieh and Shannon 2005), further research could assess how direct participation on European matters is considered according to different democratic traditions. Another important question that could be addressed comparatively is whether the case against direct participation on EU matters differs from that on *non*-EU matters. After all, opponents of local or devolution referendums have gradually (and almost totally) lost ground in the UK Parliament. As suggested above, the objection might be less with direct participation itself and more with direct participation on EU issues specifically.

Finally, an important body of work is now devoted to the analysis of deliberative practices in democratic institutions (see Steiner et al. 2004; Bächtiger 2005; Weale et al. 2012). A central question raised in these studies is whether partisans in national legislatures practice reciprocity in political debates or talk past one another. Using argumentation analysis (see in particular the model developed by Toulmin 1969), further studies could assess whether partisans and opponents of EU referendums ‘speak the same language’ or whether their arguments are irreconcilable.

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Appendix

Table 1 Commons debates included in analysis

Date	Hansard reference	Initiator	Government	Topic
22 November 1974	HC Deb 22 November 1974 vol 881 cc1687-771	Tim Renton (Conservative)	Labour (Wilson)	Continued Membership of the EU
21 May 1980	HC Deb 21 May 1980 vol 985 cc507-15	Dennis Canavan (Labour)	Conservative (Thatcher)	Continued Membership of the EU
12 November 1982	HC Deb 12 November 1982 vol 31 cc769-828	Malcolm Rifkind (Conservative)	Conservative (Thatcher)	Continued Membership of the EU
21 February 1992	HC Deb 21 February 1992 vol 204 cc581-650	Richard Shepherd (Conservative)	Conservative (Major)	Ratification of the Maastricht Treaty
12 November 2003	HC Deb 12 November 2003 vol 413 cc307	John Maples (Conservative)	Labour (Blair)	Ratification of the EU Constitution
23 April 2004	HC Deb 23 April 2004 vol 420 cc565-608	John Maples (Conservative)	Labour (Blair)	Ratification of the EU Constitution
7 December 2010	HC Deb 7 December 2010 vol 517 cc191-273	William Hague (Conservative)	Conservative/ Lib Dem (Cameron)	Transfer of National Power to the EU

Figure 1 Hierarchical descending clustering of classes produced by Alceste

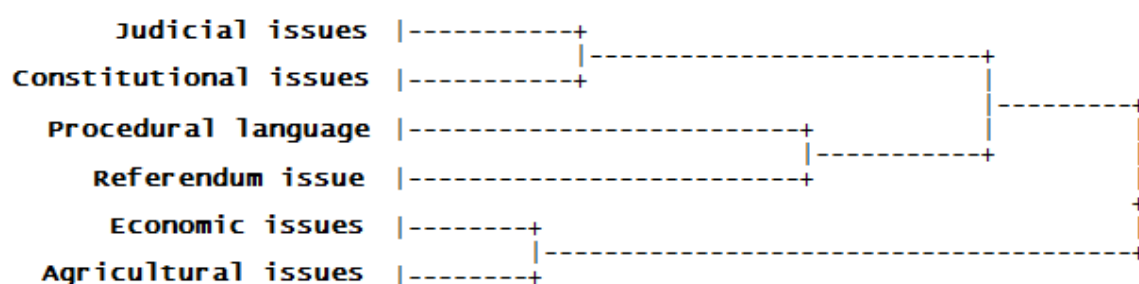


Table 2 Classes derived by Alceste from all debates combined and their first 10 ley terms according to χ^2 value

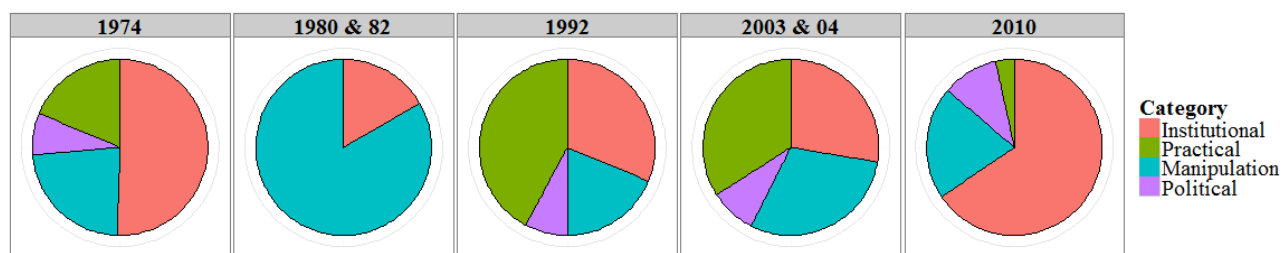
Classes	No. Sentences (% of total)	First 10 key terms
Judicial issues	655 (18%)	power (χ^2 452); law (χ^2 353); court (χ^2 287); EU (χ^2 224); transfer (χ^2 213); sovereign (χ^2 162); clause (χ^2 159); competence (χ^2 149); justice (χ^2 143); bill (χ^2 135)
Constitutional issues	261 (7%)	treaty (χ^2 290); qualified (χ^2 290); voting (χ^2 285); pillar (χ^2 225); rome (χ^2 192); foreign (χ^2 185); union (χ^2 183); maastricht (χ^2 177); superstate (χ^2 145); majority (χ^2 130)
Procedural language	868 (23%)	hon (χ^2 970) friend (χ^2 470) member (χ^2 466) mr (χ^2 424) gentleman (χ^2 142) I (χ^2 140) avon (χ^2 135) stratford (χ^2 135) he (χ^2 119) speech (χ^2 118)
Referendum issue	1172 (32%)	election (χ^2 285); referendum (χ^2 191); people (χ^2 185); electoral (χ^2 163); question (χ^2 131); general (χ^2 104); issue (χ^2 96); referenda (χ^2 96); part (χ^2 95); answer (χ^2 93)
Economic issues	381 (10%)	community (χ^2 348); operation (χ^2 192); trade (χ^2 188); countries (χ^2 184); trade (χ^2 140); budget (χ^2 140); develop (χ^2 125); fund (χ^2 122); economic (χ^2 115); currency (χ^2 94)
Agricultural issues	365 (10%)	food (χ^2 359); manufacture (χ^2 304); price (χ^2 283); agricultural (χ^2 258); industry (χ^2 257); farm (χ^2 247); cheap χ^2 (193); cost (χ^2 179); market (χ^2 173); export (χ^2 156)

Table 3 Referendum Issue class: first 10 arguments against the use of the referendum according to χ^2 value

Arguments against the referendum (Key Terms in Bold)	χ^2 value	Speaker (party)	Year
The norwegian parliament decided against it because the issue was too complicated . In 1972, the norwegian referendum was held, but the result went against the labour government , who resigned .	28	T. Renton (CON)	1974
I am going on to set out my argument , which I want to do briefly, which answers the hon. gentleman's question . however, we have just had a general election which, in part , asked the electorate whether it wished this issue to be decided in the ballot box .	27	D. Jay (LAB)	1974
Even on such an apparently simple issue as in or out of the community, could the wording of the question sufficiently affect the answer. Opinion polls were held prior to the referendum to try to find out whether that was so.	27	T.G. Jones (CON)	1992
In the end, as we know , the referendum proved de_gaulle_s own undoing, as he went to the country on an issue of senate and local government reform .	23	T. Renton (CON)	1974
In 1972 the labour government in norway made it plain that, although the referendum they held on europaean_economic_community membership was officially consultative only, they would accept the result as binding .	21	T. Renton (CON)	1974
They may be wrong in that, but that is the view of some people . the scottish and welsh situations are in the same category. once the precedent of a referendum on a constitutional matter is decided , wales and scotland could ask for a referendum and why not durham, too?	21	W. Hamilton (LAB)	1974
Fourthly, there have been objections on the grounds I accept that there is some validity in these of difficulty in formulating the question in an objective , unpartisan way .	21	E. Luard (LAB)	1974
I shall analyse that referendum and some of the questions , problems and difficulties that arise from it. one matter is how to make sure that the electorate is fully informed when asked to judge, in the simple yes no , in out way , a complex nexus of issues .	16	T.G. Jones (CON)	1992
The third objection is that the referendum will bind successor governments or even successor parliaments .	14	N. Ridley (CON)	1974
I repeat what has been said over and over again. we are committed as a party to the opportunity of making a decision in a general election .	14	A. Nelson (CON)	1992

Table 4 Categories and sub-categories of arguments against referendums and their frequency in the corpus

Categories	Sub-categories	No. of coded segments
Institutional arguments	Referendums go against the tradition of parliamentary democracy	59
	Referendums are only justified by substantial changes in the Constitution	11
	Holding a referendum would set a precedent	10
	Referendums were not held on other matters of crucial importance	9
	Referendum are binding	8
	Referendums jeopardise relationship between constituents and elected representatives	2
	Other institutional arguments	0
	Sub-total (% total)	99 (42%)
Practical arguments	Complex issues cannot be reduced to yes/no answers	13
	Timing	9
	People do not want or care about referendums	7
	Referendum are expensive	6
	Referendums only provide a snapshot of public opinion	6
	People are not informed enough to make decisions	5
	Referendums do not provide clear cut answers	5
	Complex issues require expertise	2
	Other practical arguments	8
	Sub-total (% total)	61 (26%)
Manipulation issues	The framing of the question would influence the vote	19
	Referendums are advocated by party leaders to keep their party together	8
	Referendums are tools of dictators	6
	Referendums are used by people as a vote of confidence	5
	Referendums are only advocated by those who want to take the UK out of the EU	4
	The media would influence the vote	3
	Referendums reinforce the status quo	2
	Other manipulation issues	11
	Sub-total (% total)	58 (24%)
Political arguments	Referendums put the Government at risk	7
	Referendums put political parties at risk	6
	Referendums would increase the power of the executive	1
	Referendums would open demands for devolution	1
	Other political arguments	4
	Sub-total (% total)	19 (8%)
Total Instances of Arguments		237 (100%)

Figure 2 Relative frequency of anti-referendum arguments by category in debates by decade**Table 5 Categories and sub-categories of arguments coded with NVivo**

Categories	Sub-categories	Examples	References
Institutional arguments	Referendums are binding.	<i>The referendum will bind successor Governments or even successor Parliaments.</i>	*name_NRidley *year_1974 *party_CON
	Referendums are only justified by substantial changes in the Constitution.	<i>Referenda should be advanced only when a substantial change in how we are to be governed is being proposed. If the ink is not yet dry on the document, how can the Conservatives already call for a referendum? They do not know whether the constitution will involve a substantial change.</i>	*name_CBryant *year_2003 *party_LAB
	Referendums were not held on other matters of crucial importance.	<i>The treaty about which we are concerned is more profound than others. It provides for legislation in all the national Parliaments, but it is no more terrifying for that. It flows from the original Stuttgart declaration and the Single European Act when there was no question of a referendum.</i>	*name_HDykes *year_1992 *party_CON
	Holding a referendum would set a precedent.	<i>Once the principle of holding a national referendum had been introduced it would be abundantly plain that pressure groups, from within parliament and from without, would demand further referenda from successive governments.</i>	*name_TRenton *year_1974 *party_CON
	Referendums go against the tradition of Parliamentary democracy.	<i>The holding of national referenda to decide issues of importance runs contrary to the principle of British parliamentary democracy.</i>	*name_TRenton *year_1974 *party_CON
	Referendums jeopardize relationship between constituents and elected representatives.	<i>If these [referenda] are introduced in our country they will have a profound and lasting effect on the relationship between Members of Parliament and the electorate.</i>	*name_TRenton *year_1974 *party_CON
	Other Institutional Arguments	<i>What are the implications of holding a referendum? Will two kinds of law be developed, on the one hand laws that are ratified by the people and, on the other, laws that are made only by Parliament?</i>	*name_JMoore *year_1974 *party_CON
Practical arguments	Referendums are expensive	<i>We must recognise that the cost of and the organisation for a referendum are not inconsiderable factors. It is as well to be open about this and not to pretend that there are no liabilities and that a referendum is just an asset.</i>	*name_GFowler *year_1974 *party_LAB

	Complex issues cannot be reduced to yes/no answers	<i>We demean the people in supposing that we can devise a question which merits a yes or no answer. The people's attitudes and views on the Common Market are far too complex to merit a simple "Yes" or "No".</i>	*name_JMoore *year_1974 *party_CON
	Referendums do not provide clear/cut answers	<i>If the referendum is held, it will still not settle the question of membership, because decision in such a matter will continue to have to be reviewed, month after month and year after year. Some Governments will want to stay in, whilst others will be doubtful. Some will want to renegotiate, some will not.</i>	*name_DWeitzman *year_1974 *party_LAB
	People do not want or care about referendums.	<i>Do the British people really want that? The only pool figures that I have seen, taken in the middle of 1974, showed that a majority of the electorate sampled certainly wanted a referendum, although even more would have preferred the decision to be taken at a General Election.</i>	*name_TRenton *year_1974 *party_CON
	Timing	<i>I deplore the timing of the proposed referendum on the question of our staying in the European Economic Community ...) I regret that the Labour Party has tied itself quite so closely in the timing that it has put forward for a decision through the ballot box by saying that the decision must be reached within 12 months from last October.</i>	*name_PGoodhart *year_1974 *party_CON
	People are not informed enough to make decisions	<i>(75 per cent of the electors) sampled said that they did not feel that they were well enough informed to vote in a referendum on the European Economic Community. Only 18 per cent felt that they were.</i>	*name_TRenton *year_1974 *party_CON
	Referendums only provide a snapshot of public opinion	<i>Referendums are often defective because they are snapshots of public opinion and public opinion moves on. I believe that, on the EC and its development, opinions have changed not just among the public but in the House.</i>	*name_ANelson *year_1992 *party_CON
	Complex issues require expertise	<i>The larger the magnitude of the question, the more reason for its being decided by members of parliament who are elected to take these decisions and who, through weeks of poring over documents and studying issues, become expert on the subject, who listen and participate in debates, and who finally cast their vote.</i>	*name_TRenton *year_1974 *party_CON
	Other practical arguments	<i>Someone from Ireland might end up having two votes. They could be registered in Ireland to vote in domestic Irish elections. They would therefore have a vote in the Irish referendum, but they could be registered here for European elections because they lived here and paid taxes. They could therefore vote in two referendums and, although that might be a good thing, it is a bit odd.</i>	*name_DCairns *year_2004 *party_LAB
Manipulation issues	The framing of the question would influence the vote.	<i>It is highly significant that in all the debate that is now developing on the subject of a referendum on our continued membership of the European Economic Community the question is not whether we should have the referendum but on how the question should be framed in order to obtain the answer that the executive wants.</i>	*name_WHamilton *year1974 *party_LAB

	Referendums reinforce status-quo.	<i>If my hon. Friends will look at the historical precedents they will find that the referendum has been shown in the past to be an instrument of conservatism at best a mechanism to maintain the status quo and at worst to put the clock back.</i>	*name_WHamilton *year_1974 *party_LAB
	Referendums are only advocated by those who want to take the UK at out the EU.	<i>I imagine that many of those who support the Bill hope that, if the matter were put to a referendum, the British public would say a firm no. Do they really believe that by going it alone and not taking part in the economic and political development of the European Community we shall enhance our sovereignty? What sort of world are we living in?</i>	*name_ANelson *year_1992 *party_CON
	Referendums are advocated by party leaders to keep their party together.	<i>The referendum proposal by the Labour Party is a transparent attempt to preserve party unity at whatever costs, including the cost of prejudicing Britain's proper role in Europe through prolonged uncertainty.</i>	*name_DLane *year_1974 *party_CON
	Referendums are used by people as a vote of confidence.	<i>The referendum is a fallible instrument. We cannot be sure that people will vote on the merits of the issue. We cannot be sure that they will not be swayed by other Considerations, whether party political allegiances or the popularity or unpopularity of the Government, or whatever else it may be. So there is the possibility of a perverse answer.</i>	*name_DLane *year_1974 *party_CON
	Referendums are tools of dictators.	<i>On the very day that Hitler announced Germany's withdrawal from the league of nations, he said that he would subject his decision to a plebiscite, using the semblance of democracy to thwart the democratic nations. A total of 96 per cent. of the electorate went to the poll, and 95 per cent approved Hitler's policy.</i>	*name_TRenton *year_1974 *party_CON
	The Media would influence the vote.	<i>I do not wish to refer to Hitler or Stalin, but there is no question in my mind that, given the means of control of the media in a modern Western style democracy, one can utilise the media to get the answer one wants. That is one of the awesome realities of Western society.</i>	*name_JMoore *year_1974 *party_CON
	Other manipulation issues	<i>Does my right hon. Friend accept that the referendum will not be a defence unless there are clear rules to prevent one side from pouring millions of pounds into its campaign, which in 1975 resulted in a prejudiced, biased, unfair provision of information for people to make a judgment?</i>	*name_DStoddart *year_1982 *party_LAB
Political arguments	Referendums put the Government at risk.	<i>In 1972, the Norwegian referendum was held, but the results went against the Labour Government, who resigned.</i>	*name_TRenton *year_1974 *party_CON
	Referendums would open demand for devolution.	<i>There are many labour members who feel, as I do, that the next demand for a referendum would come from the Scottish nationals, who would seek it on the subject of independence for Scotland, followed, perhaps, by one for Wales.</i>	*name_NRidley *year_1974 *party_CON
	Referendums would increase the power of the executive.	<i>(...) in our country, without any written constitution, there are limitless opportunities for further referenda and each would place more power in the hands of the government of the day.</i>	*name_HDykes *year_1992 *party_CON

Referendums put
political parties at
risk.

*As Norwegians today accept, it [the referendum]
diminished the authority of political leaders, it has
led to a lack of decisiveness by their political leaders
through fear of public reaction, and it has led to a
growing alienation between the political parties and
the public.*

*name_TRenton
*year_1974
*party_CON

Other political
arguments

*In a general election, people have an opportunity to
consider all Government policies, while in a
referendum people have an opportunity to consider
only one, but one that might have implications for
the rest of the Government policy. That is why there
should generally be a self-denying ordinance
exercised in respect of referendums.*

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