

A Bill of Two Halves: the Second Reading of the European Union Bill

PHILIP COWLEY and MARK STUART*

The idea that the political parties have swapped places with one another in the last 30 years over the European issue – Labour moving from opposition to muted enthusiasm ('constructive engagement'), while the Conservatives have moved from support to scepticism to outright hostility – will not (or at least should not) come as great surprise to anybody with even a passing knowledge of British party politics. Yet a second part of the transformation is less remarked upon. It is that as the two parties swapped places, they became increasingly united. It always used to be a truism of British party politics that Europe was an issue that divided both political parties. This is no longer true. The Second Reading of the European Union Bill on Wednesday, 9 February 2005, was the latest example of this. This short briefing note explains the rebellions that did take place – and discusses the possibility for future rebellion.

The rebellions (such as they were)

The European Union Bill is essentially in two parts: it enables the United Kingdom to ratify the European Union constitutional treaty, and to decide that ratification can take place only if there is a positive vote in a United Kingdom referendum. The Second Reading of the Bill saw three Conservative MPs defy their whip to vote in favour of the Bill, while three Liberal Democrats defied their whip to vote against the Bill. The three Conservatives who all spoke in favour of the Bill were Kenneth Clarke, David Curry and Quentin Davies, all long-standing pro-Europeans. (All three also abstained during the earlier vote on the Conservative Opposition reasoned amendment opposing the Bill). The three Lib Dems to vote against the Bill were John Burnett, Mike Hancock and Nick Harvey – the last a veteran opponent of the Maastricht Bill in the 1992-1993 session. (Burnett and Hancock were rebelling for a second time, having also supported the earlier Conservative opposition reasoned amendment). A rebellion of three Lib Dems was the largest Lib Dem rebellion of the session – although that it more evidence of the unity that the party shows on most whipped votes than anything else. No Labour MPs voted against the Bill, although there were some abstentions (see below).

The fact that only three Conservatives defied their party line is yet another piece of evidence that since 1997, far from being disunited on Europe, the Conservatives have become more united in their opposition to aspects of European integration. As Kenneth Clarke conceded in the debate: 'As the opinions of so many of my colleagues and of my party have changed so much over the years, I shall wait for them to veer back in my direction'. He might have a long wait.

Labour doubters

While the Conservative rebels were in favour of the Bill, but against the referendum (Clarke described the referendum as 'one of the weakest U-turns that the Government have performed on any issue in their history'), Labour doubters

* University of Nottingham. This paper draws on research funded by the Economic and Social Research Council. Further details are available from www.revolt.co.uk.

were in favour of the referendum, but against the Bill. Eurosceptic Labour MPs therefore faced a dilemma: did they welcome the Government's concession of a referendum on the treaty, or did they oppose the treaty on grounds of principle? As Ian Davidson, a leading Labour Eurosceptic pointed out in the debate: 'I recognise that this Government have lumped two issues together here: the referendum, of which I am in favour, and the constitution, which I oppose. There is therefore a dilemma about which way to vote'. Or as Austin Mitchell commented: 'This is a very curious Bill: in fact, it is a Bill of two halves. Five clauses deal with the referendum and just five with the treaty'. Since Labour MPs were being given the opportunity (as they had demanded) to campaign against the treaty in a referendum, most of them found it difficult to vote against a Bill that did exactly that. Long-standing Eurosceptics such as Davidson, Frank Field and Kelvin Hopkins who spoke against many aspects of the treaty in the debate, nevertheless voted with the Government on Second Reading. No Labour MPs opposed the principle of the Bill, although Austin Mitchell indicated in the debate that he would abstain, and one or two others did not vote, including Kate Hoey.

During the debate, the three Labour Euro-sceptics made clear their opposition to the substance of the treaty. Ian Davidson commented: 'I believe that the constitution is about the creation of a European superstate'. Austin Mitchell remarked: 'The constitution is an unnecessary, unwanted, unloved product of the European elite that has been foisted on the electorates of Europe, who are being conned into accepting it ... I am flatly opposed to this European verbiage-mountain of a constitution'. And Kelvin Hopkins claimed that, 'The thrust of today's EU is deeply anti-socialist and the neo-liberal philosophy is being driven forward'.

The Government therefore is not out of the woods yet in terms of future rebellions on the Bill. Labour MPs may yet object to specific clauses in the treaty on such matters as defence and foreign policy, and both timing and the wording of the referendum. For example, in the Second Reading debate, both Ian Davidson and Kelvin Hopkins objected to the fact that the Government proposes to hold the referendum on the day of another election, perhaps a local election. Austin Mitchell objected to the wording of the referendum: 'Should the United Kingdom approve the Treaty establishing a Constitution for the European Union?' Mitchell commented: 'That suggests that the constitution is a *fait accompli* ... It would be better to ask the people whether they want Britain to accept the "proposed" European constitution – a more honest wording, which would favour my side of the argument'.

The main problem for the Eurosceptic wing of the PLP – judging by recent signatories to backbench groups and early day motions – is that they number probably not much more than 30 strong adherents, and certainly no more than forty. Nor does the Campaign Group seek to present a united front on the issue; MPs such as Kelvin Hopkins and Dennis Skinner are vehemently opposed, whilst others, such as Lynne Jones, are strongly in favour. Other prominent Labour rebels, such as Peter Kilfoyle are also avidly pro-European.

During the Second Reading debate, Ian Davidson claimed: 'It is important to make it clear that the Government party is divided on this issue, just as the main Opposition party is'. In fact, both main parties are now more united on Europe than they have been for years.