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REFERENDUM

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(A Paper by Mr. Francis Pym)

Background

In a recent opinion poll 80% of Scots claimed they wanted a referendum and over 60% said they would vote for the Government's plans, including 49% of Tory voters.

There is also a strong feeling in Wales for a referendum, and the Conservative Party believes it could defeat the proposals for an Assembly.

The Government has indicated it is likely to accede to the request, provided it does not delay the legislation.

Questions to be decided

If we come out in favour of a referendum we must indicate when it should be held, the questions that should be asked and the constituency.

Purpose

The real purpose of a referendum would be different in Scotland from Wales. In Scotland the objective would be to halt any drift to independence; in Wales to halt devolution. However, to ask different questions in each would make the covert purpose of the referendum clear.

Possible Questions

1. A simple three choice question with independence, devolution as approved by Parliament, and status quo as the options. This could lead to a freak result e.g. Independence 35%, Devolution 35%, Status Quo 30%. The clear cut obvious rejection of independence may not be given. There is a danger of the highest vote going to independence. An officially recognised option of independence could give credibility to it.
2. A two choice question with independence one of the options. This would probably lead to a rejection of independence in Scotland though the timing would need to be right if the SNP were not to campaign for votes for independence in order to get devolution. The questions would not be relevant in Wales. The question would exclude either devolution or the status quo.
3. A two choice question with the alternative of devolution or the status quo would be relevant in Wales but in Scotland would not clearly demonstrate the lack of support for independence.
4. A two part question asking a) whether one wants Scotland/Wales to remain part of the UK and b) regardless of the answer to (a) whether if Scotland/Wales stays in the UK one wants an Assembly on the basis of what Parliament has approved or the status quo.

This could be advanced as an advisory referendum. It would pose both issues, though it is more complicated.

There is no feasible way of allowing the electorate to express a preference for a form of devolution other than that approved by Parliament e.g. the Conservative proposals.

TIMING

1. Any referendum before Committee stage would lead to difficulties in amending the Bill if it were felt the electorate had given their approval. Alternatively the electorate would not know the shape of the final package on which it was voting.
2. A referendum before Third Reading could give time for the package to be known and for Parliament to be advised by the electorate as to how to vote on Third Reading.
3. In a referendum after Third Reading it would be clear exactly what was on offer and the Bill would not be delayed. Presumably an amendment would be inserted bringing the Assemblies into operation by Order which could only be made if a referendum confirmed the proposals.

CONSTITUENCY

The Northern Ireland border poll was just held in Ulster. There would be difficulties if England voted against devolution and Wales and Scotland for. Such a rejection would hardly be acceptable as a reason for blocking the desires of Scotland and Wales, nor would it help in refusing independence if most Scots wanted it.

An English rejection before Third Reading could tie the hands of English MPs, creating a constitutional crisis.

General

1. Any referendum could be the first of many on this issue and give the SNP/PC something positive to aim for - another referendum. It would be difficult to oppose such a request once one had been held.
2. If independence were an officially recognised option that could in itself give it credibility.
3. Assent for devolution would give added authority to the scheme, thereby encouraging the Assembly members to make it work, and reject independence. If devolution for Wales were destroyed the Tories could claim the credit. On the other hand it would be more difficult to amend the specific proposals at a later stage.
4. It could allow the Party to unite on the terms of allowing the Scots and Welsh the final decision and meanwhile constructively amending the Bill in Committee.
5. As the first Party to come out in favour of a referendum, with a clear indication of the timing and the question, the Tories would be able to seize the initiative and present themselves as the Party willing to consult the people. It would allow the Tories to initiate a debate on their own terms.