

# **BREXIT: A LIKELY OUTCOME?**

# AN INVESTIGATION OF THE RELATIONSHIP BETWEEN THE UNITED KINGDOM AND THE EUROPEAN UNION

# BREXIT: ET SANDSYNLIGT RESULTAT?

## EN UNDERSØGELSE AF FORHOLDET MELLEM STORBRITANNIEN OG EU



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### Resumé

#### Brexit: Et sandsynligt resultat? En undersøgelse af forholdet mellem Storbritannien og EU

Den 23. juni 2016 stemte den britiske befolkning for at forlade EU. Resultatet kom som et chok for de fleste i EU og de respektive medlemsstater og mange undrer sig over, hvorfor den britiske nation valgte at trække sig fra det overnationale samarbejde efter 40 års medlemskab. På grund af den omstridte situation, da det er første gang, at et medlemsland skal til at udløse artikel 50 og dermed trække sig fra Unionen, er et speciale om Brexit ikke bare aktuelt og relevant men også vigtigt for, at vi kan forsøge at forstå, hvad der ligger i fremtiden for både Storbritannien og EU.

Dette speciale vil forsøge at tydeliggøre hvilke historiske, kulturelle og politiske faktorer, der har været medbestemmende for Storbritanniens forhold til EU og hvorfor disses faktorer mundede ud i Brexit. Teoretisk trækkes der på Roger Scruton og Thierry Baudets værker om nationalstaten, suverænitet, overstatsligt samarbejde og samfundsmæssig ansvarlighed. Teorier om flertalsdemokratiet og det konstitutionelle demokrati samt teorier om de juridiske og politiske strukturer i EU vil også være med til at danne et teoretisk grundlag for dette speciale. Endvidere vil specialet læne sig op af Scrutons teori om britisk konservatisme inklusiv ideer om One Nation Conservatism. Disse teorier er yderst relevante for at kunne undersøge UK-EU forholdet, da suverænitet er et område, som er meget vigtigt for briterne og den måde som det britiske samfund fungerer på. Derudover er det relevant at undersøge forskellige teorier om demokrati, da Storbritannien er et flertalsdemokrati imens EU læner sig op af den konstitutionelle demokratitradition, hvilket blandt andet har de konsekvenser, at de to enheder bruger forskellige juridiske og politiske institutioner. Teorier om britisk konservatisme inddrages tilmed, da ideologien har præget den politiske kultur og institutionerne i Storbritannien. Ydermere vil dette speciale komme ind på Storbritanniens historiske baggrund med en redegørelse om for eksempel britisk euroskepsis, de britiske, politiske og juridiske systemer og The Conservative Party.

Disse teorier vil blive undersøgt og anvendt i en række politiske taler fra politikere fra *The Conservative Party* og *The United Kingdom Independence Party,* som støttede henholdsvis kampagnen for at blive i EU og kampagner for at forlade EU. De politiske budskaber om EU og Storbritanniens rolle i det overnationale samarbejde analyseres i lyset af de teoretiske rammer for at vurdere de faktorer, som har påvirket landets forhold til EU og hvorfor Brexit skete.

Til denne diskussion tages udgangspunkt i, hvorvidt de forskellige teorier kan forklare styrker og svagheder af de politiske kampagner, hvilke faktorer der har været afgørende for Storbritanniens forhold til EU og hvorfor briterne valgte at "sige farvel" til EU. Det hævdes, at de forskellige opfattelser af demokrati samt de uoverensstemmende juridiske og politiske institutioner i Storbritannien og EU ligger til grund for de stærke argumenter som *Leave*-kampagnerne brugte. Mens svagheden ved *Remain*-kampagnen blandt andet kan forklares ved, at konservatisme, som i bund og grund har en euroskeptisk natur, er sammenflettet i britisk politisk kultur og institutioner.

Slutteligt kan det konkluderes, at Storbritanniens udtrædelse fra EU sandsynligvis var på grund af landets anderledes politiske kultur og institutionelle struktur, hvilket antages at have ligget til grund for briternes "nej"-stemme til at forblive et EU-medlemsland.

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### Introduction

On 23 June 2016, the United Kingdom chose to leave the European Union in one of the most controversial referenda in the country's history. To the British government and its European counterparts' surprise, the Leave campaign was victorious, winning with 52% of the vote. The somewhat shocking result sparked turbulent times in the UK, with severe economic shocks, the value of the pound plummeting and racist attacks on the rise. Although the UK has always been regarded as a difficult partner in EU cooperation, very few expected the country to turn its back on the union. This leads us to the question of why Brexit happened, what are the particularly British circumstances that led to this decision and way of thinking, and ultimately, why the British people wanted to leave the EU.

In order to understand the circumstances surrounding Brexit and the UK, we need to analyse concepts and ideas, such as the notion of the nation state and sovereignty, that are of crucial importance to understanding the British state. Boris Johnson, a key leader of the Leave Campaign, repeatedly stated that the aim of the Brexit vote was to "take back control" (Hope, 2016). This is a line that has been amplified and echoed by the leader of the United Kingdom Independence Party (UKIP), Nigel Farage, as well as several other prominent figures, who advocated for the UK to leave the EU. National sovereignty seems to be an issue that hits a nerve with the Brits and it's no secret that the UK has always mistrusted the supranational institutions of the EU. This mistrust of supranationalism was at the core of the Leave Campaign and the idea of the UK submitting itself to "a bunch of unelected old men in Brussels who most people cannot name and who we cannot vote for or remove" was repeated and spread by Eurosceptics, taking hold amongst voters (Farage, 2016a). Eurosceptics deem democracy, representative government and the rule of law in nation states incompatible with a supranational organisation, such as the EU.

This deep-rooted idea of national sovereignty is a key reason for the rise in Euroscepticism in the UK. The British people are particularly prone to a type of Euroscepticism coined by Catharina Sørensen as sovereignty-based Euroscepticism. People who experience this type of Euroscepticism become sceptical to anything that contests national sovereignty – hence the supranational components of EU cooperation are not looked upon favourably (Sørensen, 2009:8). Therefore,

Euroscepticism and reasons why people mistrust the EU as a supranational organisation are also essential for examining the issue of Brexit.

The UK's internal legal and political structures are also key to understanding why the nation has been such an arduous partner in EU cooperation and ultimately why the country chose to leave the union. It can be argued that the UK's national institutions clash to a large extent with EU institutions. The British parliamentary system, which dates to 1707 when the Acts of Union merged the political systems into one distinct parliament in Westminster, stands on the opposite end of the scale of democracy when compared to the EU's institutions, most notably the Court of Justice of the European Union (CJEU). The political activism of the CJEU and its prioritisation of "an ever closer union" is particularly problematic for the UK's relationship with the EU (Rasmussen, 2008:202). Additionally, the use of common law in the UK<sup>1</sup> has led to many legal issues for the island nation when implementing and harmonising EU legislation, as the EU operates under civil law, like many other EU member states. The UK's relationship with the EU has been marked with several legal discrepancies and issues, which has in turn led to the UK being granted opt-outs from EU cooperation, most notably in the area of Justice and Home Affairs and Schengen. These optouts are a sign of the UK trying to regain its national sovereignty and they serve to further amplify the mistrust of supranational institutions and the idea of securing British borders and increasing control.

The ideology of the British Conservative Party is also of crucial importance if we are to understand the circumstances surrounding Brexit and the UK's imminent departure from the EU. One Nation Conservatism - a strand of conservatism in which members of society are bound by obligations to each other - is particularly relevant in this context; it has become intertwined with British institutions and can be argued to be an essential part of British national loyalty. Additionally, conservatism's disregard for universalism or any alternative to the state are enlightening with regard to comprehending the result of the Brexit referendum (Scruton, 2001:41). Moreover, the Conservative Party's attitude to the EU, the rise of UKIP and David Cameron's subsequent

<sup>&</sup>lt;sup>1</sup> In this context, the UK is the term for England, Wales and Northern Ireland, as Scotland has a pluralist legal system that differs from its neighbouring counterparts.

renegotiation of the UK's membership is also central to explaining and understanding the results of the in/out referendum.

These circumstances and the sheer controversy of the Brexit referendum make an analysis of the UK's relationship to the EU relevant, particularly in the current political climate. In light of this, the following research question will be used as a focal point:

#### **Research question**

# Which historical, cultural and political factors have been influential in the UK's relationship with the EU and why did these factors result in Brexit?

In order to fully answer this research question, the following sub-questions will also be examined:

- To what extent are the UK's political and legal structures, as well as its political culture, incompatible with the EU, thereby making a withdrawal from EU cooperation a likely outcome?
- What role has the concept of the nation state and sovereignty played in the Brexit referendum?
- To what degree is conservatism intertwined in British institutions and to what degree is this discordant with the EU institutions?

#### Delimitation

This thesis will focus solely on the UK, the nation's political culture and relationship to the EU. Scotland has been deliberately omitted from this paper for numerous reasons: the nation voted with an overwhelming majority to remain in the EU and Scotland's issues and dilemmas are not comparable to the rest of the UK, as Scotland has maintained its own institutions, such as its pluralist legal system, church and schools. Hence, in this context the terms "UK" and "British" are used to discuss England, Wales and Northern Ireland, as well as the UK as a whole in relation to its status as an EU member state. In addition, the central point of this thesis is the British Conservative Party and its offspring party, the United Kingdom Independence Party (UKIP); other prominent political parties such as Labour and the Liberal Democrats will not be analysed. Moreover, the main focus of the analysis of this thesis will be on speeches given by key political

figures from the Conservative Party and UKIP during the period of the Brexit campaign which ran from 15 April 2016 until the day of the referendum on 23 June 2016.

#### Structure

This thesis will firstly investigate the theoretical framework of some of the issues at the core of British political culture. This includes an analysis of the concept of the nation state and sovereignty and the meaning this holds in the UK, an investigation of constitutional democracy and majoritarian democracy, as well as an examination of the legal structures within the EU. Conservatism as an ideology will also be explored. The thesis will subsequently investigate the historical background surrounding the UK-EU relationship and Brexit, including an analysis of British Euroscepticism, the institutions in the UK and the Conservative Party. This section aims to explain the circumstances surrounding Brexit and reasons why an in/out referendum on British EU membership was called. Speeches made by prominent political figures campaigning for both leave and remain votes during the Brexit campaign will be presented and analysed in the analysis section. The thesis will end with a discussion and a conclusion.

#### Method

The empirical evidence used in this thesis is made up of primary and secondary sources. The primary sources are political speeches made by Conservative politicians David Cameron, Michael Gove, Boris Johnson and George Osborne, as well as the UKIP politician Nigel Farage, while the secondary sources are made up of academic texts, journals and newspaper articles. I have chosen to focus on political speeches made during the Brexit campaign from both the remain and leave camp, because these paint an accurate picture of the key issues of the UK-EU relationship. In addition, the speeches can explain which reasons were most prominent in persuading the British people to vote to leave the EU and which reasons were too weak to convince the British people to vote to remain.

# Theoretical framework

This section describes the theories that are used to investigate and clarify the central issues of this thesis. Theories concerning the nation state and national sovereignty, constitutional democracy and majoritarian democracy, the internal structures of the EU and conservatism are detailed here.

## The nation state and sovereignty

Roger Scruton defines the nation state as:

... a people settled in a certain territory, who share institutions, customs and a sense of history and who regard themselves as equally committed both to their place of residence and to the legal and political processes that it governs (2006:12).

The ideas of territory and homeland are key to the definition of the nation. Scruton states that members of nations regard each other as neighbours, in comparison with tribes, for example, who regard each other as family (ibid.). This means that the notion of a shared physical space, i.e. territory, where one can settle and call home is entrenched in the concept of the nation. A shared territory requires a form of authority or power over the physical space. This territorial jurisdiction entails legislature and thereby also a political process; this associated political process results in a shared identity, which can be defined as the nation state (ibid.:14). The legitimacy of this territorial jurisdiction stems from a shared ancient past, while a shared language can serve to strengthen the feeling of belonging and togetherness (ibid.:15). The notion of homeland is essential to nations, as national loyalty arises from a fondness of a physical place and of the conventions and norms that are engrained there (ibid.:16). This emotional attachment to physical territory can be seen throughout time in the literature and art of nation states, which depict joy and pride in the connection between the people and the physical territory (ibid.).

Thierry Baudet on the other hand defines the nation as "a form of political loyalty stemming from an experienced collective identity" and a community that can be regarded as "both imagined and territorial" (2012:60f.). There is an imagined aspect to nations, as members of a national community are, in essence, strangers to each other: people are part of a group, where they do not know most of the members. Baudet cites this imaginary aspect of nationhood as vital, as it is impossible for members of a nation to have a personal relationship to each and every other member (ibid.:61). Baudet agrees with Scruton on the idea of territory playing a crucial role in the concept of the nation and affirms that:

A nation claims a particular piece of land and declares that it belongs to her. As such, it permits a social and political order that is also a relation among strangers who may have different ethnicities and religions – united as they are in their common commitment to their land (ibid.:62).

Hence, Baudet defines the nation and notion of belonging to a nation as "a shared political loyalty among a group of people", which is of an imagined size, meaning that membership can span to a group of great numbers, and which is centred on a certain physical territory (ibid.). In line with Scruton's views, Baudet emphasises that territory and its heritage are fundamental aspects of national loyalty (ibid.).

The nation signifies loyalty that originates from "an experienced collective identity", in which territory and patrimony are key (ibid.:60ff.). However, the "social bond" by way of common morals, allegiances and culture is also at the heart of the concept of the nation (ibid.:57). The idea of "we" is at the core of the nation, national identity and national loyalty. Collective decisions will only be embraced by individuals if there is a resilient feeling of "we" and without this, Scruton predicts social disintegration of democratic politics (2006:10). It is clear that borders are the key ingredient to creating a feeling of "we" and without clear territorial limits, a feeling of collective identity and loyalty is impossible to create.

In addition to the idea of a shared territory, the concept of the nation state is incomplete without the principle of citizenship. Scruton defines citizenship as "the relation arising between the state and the individual when each is fully accountable to the other" (2006:6). Citizenship involves mutual rights and obligations between the state and its citizens that are maintained and supported by the rule of law (ibid.). Citizenship means that individuals in society can trust each other, as they are bonded through a shared system and thereby shared laws and rules (ibid.:7). Citizens are therefore bound by their "mutual togetherness and reciprocal dependence" (ibid.:9). The societal tie to rules creates a togetherness, in other words a common foundation, which

creates a "we" between citizens – a feeling of membership. Membership is a crucial aspect of citizenship, the nation and any functioning society. Individuals can recognise the concerns and necessities of strangers as a matter of their own interest and understand that compliance with rules and laws is essential, even when it goes against their own individual desires, due to the concept of membership and the idea of belonging together. There are many other forms of social membership other than nationality, such as tribal or religious membership, however Scruton cites nationality as the only tie that serves to sustain democracy (ibid.:10).

Sovereignty is an intrinsic part of the nation state, but it is also a highly controversial term. Sovereignty denotes the uppermost political control over a political territory and is made up of internal and external sovereignty – both of which are needed if a cooperation of sovereign states is to exist (Baudet, 2012:40). Sovereign statehood consists of internal sovereignty, which is defined as "effective and independent governmental control" over a population and a clearly established territory, and external sovereignty, which can be described as the ability to interact with other sovereign states (ibid.:40f.). However, sovereignty becomes an issue when we discuss supranational obligations. Can a state still be described as truly sovereign when it is bound by decisions made by a supranational body? Baudet differentiates between formal sovereignty, "the constitutional independence of a state" and material sovereignty, which refers to "the location where political decisions are being taken" as well as the capacity to decide "as long and as far as the ultimate sovereign permits it" (ibid.:49ff.). Legislation affirms that supranational commitments of EU member states outrank national obligations, for example the CJEU has the power to overrule national courts and national laws. Although this constrains the material sovereignty of national parliaments within the EU, their formal sovereignty is still preserved, as they can choose to modify or override these supranational obligations at any time. Retaining the right to withdraw from supranational commitments is, therefore, of key importance to the formal sovereignty of a state (ibid.:50). The UK, for example, maintains its sovereignty in the sense that it can withdraw its EU membership at any time, however it remains bound by supranational decisions and obligations, and has therefore forfeited many components of its material sovereignty.

#### Supranationalism

Supranationalism is deemed a threat to the nation state and state sovereignty. Baudet defines supranationalism as establishing institutions and legislative constructions of a higher ranking than the state (2012:81). However, the aim of supranational organisations is not to engulf the nation state in order to form a new super-state. Supranational organisations want to take control of elements of state sovereignty, but they only want nation states to relinquish particular aspects of their sovereignty to a limited extent, in the sense that this renunciation of sovereign power should not expand to all areas (ibid.:85). Baudet describes the EU as "the guintessential supranational project", as the organisation rejects the idea of sovereignty for itself while also refusing it to its member countries (ibid.:145). The EU undermines the nation state, as its aim is to disband member states' national borders and state sovereignty (ibid.). One of the EU's main tasks is regulation and harmonisation to ensure that all member states are equally positioned on the single market. However, upholding a "level playing field" across European borders means in principle that no aspect of national policy is safe from supranational interference (ibid.:154). A clear-cut example of this stems from the 1963 Van Gen den Loos v. Netherlands case, which ruled that states are obliged to enact EU legalisation just like national legislation, thereby restricting state sovereignty in certain areas. This sovereignty was limited even further a year later, when the *Costa v. Enel* case established that EU law can overrule any discordant national legislation, thereby establishing that Community law outranks national law. Hence, the EU undermines the sovereignty of its states in many ways: for example, the single market will ultimately lead to further limitation of national sovereignty. Open borders within the EU may eventually lead to the need for supranational immigration and defence policies to safeguard the external boundaries of Europe (ibid.:155). Baudet argues that the logic of supranationalism is unsustainable, as it circles back to the idea of state sovereignty, which it consistently threatens and undermines (ibid.:156).

Another issue of supranationalism is accountability, which is described as a virtue of the nation state. The nation state is accountable to its citizens because they actively enforce accountability by using their right to opposition (Scruton, 2006:23). National loyalty is crucial in this regard, as it enables people to cooperate with opponents in order to build a better society, in which citizens are "sovereign over their own lives" (ibid.:25). The issue of transnational governance and the EU is

that this accountability is reduced. The EU is not accountable to its citizens in the same way as national parliaments. The chain of accountability that enables citizens to voice their opposition does not exist in the EU – bureaucrats are not forced to give up their jobs due to citizen opposition to EU regulations and directives in the same way that national governments and politicians can fall if there is widespread discontent to proposed legislation (ibid.:24ff.). The supranational nature of the EU institutions means that citizens no longer have the option of holding supranational governance accountable for actions (ibid.:25). Accountability can therefore be regarded as an offshoot of national sovereignty that is threatened by supranational authority (ibid.).

#### Multiculturalism

Supranational institutions undermine national sovereignty from above, however national sovereignty is also undermined from below by another phenomenon: multiculturalism. Multiculturalism rejects the idea of society based on a *Leitkultur* – a dominant culture bound by shared fundamental values (Baudet, 2012:158). Proponents of multiculturalism believe that the entire premise of a shared national culture, which nation states depend on for solidity and unity, is simply not sustainable in today's world (ibid.). Multiculturalism "emphasizes the differences between people within a state, instead of their similarities", meaning that assimilation into the dominant culture and sharing core values is an idea that is rejected in favour of diversity (ibid.:158f.). Multiculturalism negates the idea of society enforcing cultural or collective standards on groups within its territory and believes that the absence of a common culture or shared norms is in fact a society's greatest strength (ibid.:161). In a multicultural society, collective societal membership stems from "the tolerance of the other's otherness" instead of from the identification of a bond between oneself and others (ibid.). A multicultural society is therefore segregated, with multiple groups living disjointedly within the state (ibid.:169). The trend away from loyalty to the nation state and societal unity towards societies consisting of numerous groups who do not identify with one each other clashes with the premise of national identity (ibid.). Multiculturalism can, therefore, be regarded as a direct threat to the nation state. The ideology advocates the abolition of national borders, by destabilising national cohesion and identity from below.

#### Constitutional democracy v majoritarian democracy

According to Ronald Dworkin, democracy means "government by the people" (1999:15). However, this definition is neither explicit nor clear, as democracy spans a range of different representative methods, ways of allocating power and institutional structures. Mogens Herman Hansen, on the other hand, differentiates between democracy as a form of government and democracy as an ideology. As a form of government, democracy is a system where the government directly or indirectly belongs to the people, which is in line with Dworkin's definition. However, as an ideology, democracy means respecting and safeguarding freedom, equality and human rights (Hansen, 2012:39). The distinction between democracy as a system and an ideology is key to understanding the elements that constitute constitutional and majoritarian democracies.

The foundation of constitutional democracy is that collective decisions undertaken by political institutions treat "all members of the community, as individuals, with equal concern and respect" (Dworkin, 1999:17). Constitutional democracy builds on the principle of constitutionalism, in which political institutions ensure that people's rights are respected and protected (Hansen, 2012:59f.). This concept of democracy (which can be found in most EU member states) stands in stark contrast to majoritarian democracy. The central aim of the majoritarian notion of democracy is that:

... collective decisions always or normally be those that a majority of plurality of citizens would favor if fully informed and rational (Dworkin, 1999:17).

The majoritarian concept of democracy believes that the will of a political majority should always be carried out and that it is unfair when this does not happen, even in cases where there are strong counteracting grounds to justify opposing the majority (ibid.:16f.).

In majoritarian democracies, a directly-elected parliament exercises sovereignty and there is, in principle, no higher power (Hansen, 2012:61). There is a predominant belief that morals are lost or compromised if a political decision goes against the majority (Dworkin, 1999:21). Hence, the will of the political majority is the cornerstone of majoritarian democracy, while in constitutional democracies, the sovereignty of parliament is limited by the constitution and the judiciary (Hansen, 2012:61). Parliamentary sovereignty is not boundless here, because protecting human

rights is at the heart of constitutional democracies; these rights must be enshrined and protected by a constitution, which is upheld and safeguarded by constitutional courts (ibid.). Hence, the protection of human rights outranks the will of the political majority.

The critique of majoritarian democracies rests on the fact that that majority rule can potentially develop into a dictatorship of the majority, where minority and individual rights are disregarded (ibid.:62). Majoritarianism is based on the idea of government by the people, however this form of democracy does not acknowledge that this is only ensured if all members of the political community are "moral members" – equal citizens in a political community, where individuals can "make a difference in collective decisions" in a role that is not limited by conjecture about their "worth or talent or ability" (Dworkin, 1999:23f.). History has proven that majoritarianism does not recognise this necessary element of self-government, for example although German Jews could vote in elections during Hitler's rise to power, the Holocaust was certainly not a feature of their "self-government" (ibid.:23). Hence, majoritarian democracy means that the majority have the right to decide on behalf of the people, including a minority who may directly oppose the ruling majority (Hansen, 2012:236). Another criticism of majoritarian democracy is that parliamentary sovereignty is neither monitored nor controlled by a court of law (ibid.:62). However, parliamentary sovereignty is, arguably, held in check: with regular elections, members of parliament are held accountable to the people, from whom parliamentary sovereignty is converted, and this ensures a form of checks and balances of power.

The main criticism of constitutional democracy is that it is undemocratic. If we view democracy as a form of government, constitutional courts cannot be regarded as democratic institutions as judges are neither appointed by the people nor accountable to the people (ibid.:67). Indeed, it is claimed that the role of the judiciary "compromises democracy" (Dworkin, 1999:18). Arguments concerning political morality are often used to undermine the notion of constitutional democracy, as it is argued that judges cannot be true and fair, as genuine objectivity of morals, ethics and principles is impossible (ibid.:18f.). Nevertheless, the idea of directly-elected judges is alien in Europe, where the emphasis is on the impartiality and independence of courts, rather than their democracy (Hansen, 2012:68). However, Hansen's view of democracy as an ideology dispels this critique. Democracy as an ideology means respect for and protection of human rights; therefore,

the institution that best protects human rights is considered democratic (ibid.:66). Hence, constitutional courts that act as guardians of the constitution, in which human rights are enshrined, can be considered a democratic institution, especially as the court can safeguard human rights in cases where a parliamentary majority may wish to legislate in violation of the constitution (ibid.).

#### EU political and legal structures

The EU's political system and culture differs vastly from the UK, and this can be argued to be a crucial source of tension between the island nation and supranational cooperation. The EU's legislative power is made up of a so-called triangle of three institutions: the European Commission, the Council of the European Union and the European Parliament (hereinafter referred to respectively as the Commission, the Council and the Parliament). The Commission additionally acts as the EU's executive power. EU judicial competencies belong under the powers of the CJEU. The political system in the UK is, on the other hand, made up of a legislative power, the British parliament; an executive power, the government; and a judicial power, the Supreme Court.

The UK's political system is based on parliamentarianism, where the executive power, the British government, relies on the support of the legislative power, the British parliament, and legislation takes place in parliament. However, the EU's executive power does not rely on its legislative counterpart in the same way, as the Commission is not accountable to a political majority in the Parliament, in the way that a British government requires a parliamentary majority in order to maintain its position (Rasmussen, 2008:43). In addition, legislation is not a competence that solely belongs to Parliament, as in the UK. Instead, it is subject to the codecision procedure between the Parliament and the Council, based on an agenda set by the Commission. The Council is made up of ministers from the 28 member states and is argued to be reminiscent of the British parliament's role, with one key difference (ibid.:79). Both institution's main task is to legislate and both institutions are part of a bicameral system (ibid.). The Council is part of a system that has become more like a bicameral system due to the extended codecision powers between itself and the Parliament (ibid.). While, the British parliament is formally a bicameral system that is made up of the House of Commons and the House of Lords, where decisions made in each House usually

require the other's approval. However, the difference lies in the principle of parliamentary sovereignty. As the supreme legislative power, the British parliament can legislate on all matters, thereby making or overruling any law. The Council's competences are, on the other hand, the opposite, as it can only legislate in areas where EU treaties have granted it authority (ibid.).

The European Parliament gained the power of codecision in 1992 under the Maastricht Treaty, putting the institution on equal footing with the Council in terms of adopting European law. However, the codecision procedure does not mean that the Parliament can force the Council to bend to its will; in fact, the European Parliament can only block new legislative initiatives by veto (ibid.:150). While the British parliament represents the British population and has an indisputable popular democratic mandate, the same cannot be said for the European Parliament: due to a low voter turnout of on average 35%-40%, the institution's democratic mandate could be questioned (ibid.:104). Therefore, from a Brit's perspective, the EU's only directly-elected institution can be regarded as suffering from a democratic deficit, not only in terms of its mandate but also in terms of its authority and power over EU legislation, which are weak when compared with the UK system.

The UK and the EU systems also differ vastly with regards to the judiciary power. The CJEU is where the EU's judicial competencies lie and it is thereby outside of the legislative triangle. The CJEU's duties are to ensure that EU institutions and member states comply with EU law and to deliver judgment on cases brought before it that are within its competency areas (ibid.:115). The CJEU often overrules legislation passed by EU institutions and member states and can be described as a politically active constitutional court (ibid.:116). In addition, the CJEU is purpose-oriented and uses the method of teleological interpretation (ibid.:196). This means that the CJEU interprets legal provisions based on the legislative power's deliberate purposes and intentions. Hence, EU law is interpreted by the CJEU in view of the economic, social and legal purposes and objectives that the EU wishes to achieve. Therefore, the CJEU always acts in accordance with the goals set out in EU treaties, particularly the EU's objective of further integration and "an ever closer union". In fact, the goal of further integration is argued to be the CJEU's overriding principle, as the CJEU attaches less importance to the wording of EU treaties, instead deeming the declared goal of the EU, and thereby also of member states, of creating "an ever closer union"

among the peoples of Europe" as more important (ibid.:202). Teleological interpretation is, therefore, used by the CJEU in cases where a treaty article conflicts with the goal of further integration (ibid.). Hence, the interpretation of EU judges takes on a legislative role and this means that we can speak of the CJEU's "policymaking" or its judicial activism (ibid.).

#### The ideology of conservatism

Tradition, stability and continuity are key values that underlie conservative ideas. Conservatives believe in pre-existing, tried and tested structures and wish to preserve them by instilling them with the authority required to established "an accepted and objective public realm" (Scruton, 2001:24). This attachment to preserving things the way they are is where the reverence for tradition and customs stems from (ibid.).

"Loyalty, allegiance, community and tradition" are at the heart of conservatism (ibid.). According to conservatives, allegiance to society is vital to its functioning and survival. Conservatives advocate institutions and customs, such as family values, which develop this convention of allegiance (ibid.:23). Scruton describes the bond that connects citizens to society as "transcendent", meaning it is an instinctive, non-voluntary relationship; in other words, an inevitability (ibid.:22f.). Citizens are inclined to acknowledge the legitimacy of the state and society and are predisposed to grant this political order a certain authority (ibid.:23). It is also important to note that this societal loyalty has a higher value than that of individuality (ibid.:24). Scruton claims that individuals can only be so because they first and foremost identify themselves as a member of society or a member of a nation: in other words, social obligation "transcends" individualism (ibid.). Patriotism is also cited as a central part of conservative society. Scruton describes patriotism as "the individual's sense of identity with a social order" (ibid.:25). It is the acknowledgement that "we stand or fall together" and that respecting shared traditions is a vital common goal as they are symbolic of the membership shared in society (ibid.:26).

Under conservatism, laws are not developed based on principles or ideologies. They originate instead from pragmatism. Moreover, laws "are not designed, they evolve", with reform coming gradually and in times of practical need, rather than stemming from idealism (Kingdom & Fairclough, 2014:37). Another key element of conservatism is the importance of "the authority of

established government" and its ranking above the values of individual rights and freedoms (Scruton, 2001:8). Scruton, in fact claims that according to conservative thought, there should be no higher power than the state:

No serious conservative can believe that there ought to be a power greater than that of the state, a power that can, if it chooses, put itself beyond the reach of law (ibid.:23).

Hence, as the state is deemed the highest power, conservatism is not built on the idea of universal human rights, deeming it unrealistic that all individuals are equally granted abstract rights regardless of their loyalty (ibid.:41). However, the statement above can also be interpreted in relation to conservatism's attitude to the EU and other supranational bodies. Conservatives are sceptical of supranationalism, as it is a power that outranks the nation state and can limit its sovereignty.

#### One Nation Conservatism

One Nation Conservatism is widely acknowledged to stem from Benjamin Disraeli and his book from 1845 entitled *Sybil: The Two Nations*. The book details the glory days of industrialisation, while drawing attention to its dangers of creating a gap between the rich and poor, thereby splitting the UK into two nations. Disraeli feared that industrialisation would divide the UK and believed that it was the upper classes' duty to address this problem by taking care of the poor and vulnerable groups in society to ensure that the UK remained one nation. The inherent value of patriotism cements the idea of social obligation between citizens. Scruton claims:

... it is hard to deny its [patriotism's] power to instil a measure of generosity even into the meanest spirit, or to quieten the instinct to profit from another's helplessness of loss (ibid.:25).

One Nation Conservatism means that more affluent groups in society are obliged to assist poorer groups. Despite wealthier groups' position in society, under one nation conservatism they should not exploit this at the expense of other "helpless", poorer groups. Therefore, One Nation Conservatism is based on the idea of the elite, which later developed to encompass the state, having a societal duty towards citizens and their welfare in order to keep the nation together and avoid a split or gap in British society.

#### Discussion

Scruton and Baudet agree that the nation should be understood as a territorially anchored community that is imaginable in terms of size. Loyalty to this physical space stems from the idea of "we" - a collective identity that arises from a spatially fixed bond of shared conventions, traditions and customs that are entrenched in the landscape. Borders and boundaries are of crucial importance to the presence of "we" and a collective identity cannot exist without this. However, Scruton and Baudet differ slightly on their interpretation of the threat of supranationalism towards the nation state. Scruton claims that supranationalism's lack of accountability is the largest danger to the nation state (2006:24). He claims that the only construct that has achieved "accountability to strangers" is the nation state (ibid.). This means that individuals within the supranational EU do not feel accountable or duty-bound to each other, as they do within the boundaries of the nation state, where citizens share a collective identity. However, Baudet argues that the danger to citizen accountability stems from multiculturalism, which itself is intrinsically linked to supranationalism. In a multicultural society, strangers do not experience the same feelings of societal obligation and responsibility, as citizens who share a collective national identity built on a social bond that in turn is based on shared core values. Citizens of multicultural societies live in segregated groups within the nation state and lack the feeling of "we", which is crucial for citizens to feel obligated to each other. For Baudet, the biggest challenge of supranationalism is its effect on the material sovereignty of nation states. In contrast to Scruton, Baudet claims that nation states formal sovereignty is not compromised by EU membership because member states are free to withdraw from supranational cooperation at any time. However, the EU does infringe upon member states' material sovereignty, in the sense that political decisions are made in Brussels. Scruton, however, makes no distinction, claiming that the EU completely encroaches on nation state sovereignty.

Dworkin distinguishes between "statistical collective action" and "communal collective action" as ways of justifying majoritarian and constitutional democracies. "Statistical collective action" is the sum of individual wishes, in other words, the statistic of what a collection of individuals want (Dworkin, 1999:20). "Communal collective action" is understood as decisions made by "a distinct entity – the people as such" rather than a sum of individual desires (ibid.). "Statistical collective

action" justifies the majoritarian premise of democracy, as political decisions are made in line with the will of a majority of individuals (ibid.). Therefore, according to Dworkin, the key distinguishing factor between majoritarian and constitutional democracies is how collective action is understood: a collective of individual wants or a "general will of the people" (ibid.). However, Hansen does not make the same distinction, instead focussing on the idea of democracy as a form of government and democracy as an ideology as a way of justifying majoritarian and constitutional democracies (Hansen, 2012:39). Defining democracy as an ideology justifies constitutional democracy and any political decision taken that goes against the will of the political majority, as long as it is in the name of protecting human rights, equality and liberty – the foundations of democratic ideology. Hence, according to Hansen, the definition of democracy and what it means is essential to understanding the differences between majoritarian and constitutional democracies.

The concept of majoritarian democracy is compatible with Baudet and Scruton's ideas on supranationalism. Majoritarianism means that there is no higher power than the will of the political majority. This is an idea that Baudet and Scruton agree with, as they are critical of supranational structures with powers that outrank the nation state and therefore the national political majority. On the other hand, the premise of constitutional democracy seems to clash with Baudet and Scruton's ideas on supranationalism. For Scruton, accountability is an essential element of a well-functioning democratic society. However, constitutional courts are not accountable to citizens in the way parliaments are and judges are not directly elected by the people. Here, constitutional democracy shares key elements with supranationalism, which are criticised by Scruton. We can also see a resemblance between Baudet's definition of supranationalism as legislative structures that rank higher than the state, and the concept of constitutional democracy, where the judiciary has the power to override and thereby outrank the state's legislative and political institutions. However, if we take Dworkin's interpretation of constitutional democracy as a form of "communal collective action", where people act as one unit and express the wishes of the people, we can see similarities with Baudet and Scruton's ideas of national collective identity and a feeling of "we". They would, however, argue that "communal

collective action" is impossible without the societal "we" bond between citizens, which forms the foundation of "the general will of the people".

The foundations of conservatism – loyalty and tradition – are relatable to the theory of the nation state. According to Scruton and Baudet, loyalty towards the collective is an essential element of the nation state. This almost hereditary bond between individuals and the collective society is also vital to conservatism. Conservatism can be seen as an elaboration of Scruton's idea of "we", in the sense that conservatism requires the allegiance of all citizens towards a common collective. In addition, conservatives' attitude towards supranationalism is in line with this theory of the nation state and sovereignty: for conservatives, the state must be the highest power. However, Scruton also alludes to an incompatibility between conservatism and constitutional democracy, claiming that the state must have the capacity to place itself beyond the scope of law (Scruton, 2001:23). In a constitutional democracy, the state's actions are subject to judicial review, however according to Scruton, in a conservative society the state should not have to submit itself to a judicial authority, as it is the supreme power. Moreover, conservative ideology clashes with ideas on multiculturalism. Conservatives advocate full loyalty to the state and national traditions, while multiculturalism promotes a move away from national allegiance towards the creation of multiple groups with their own loyalties and customs within the nation state.

# Background

This section will detail the historical background of the UK in the context of European cooperation, as this is an essential foundation for understanding the country's relationship with the EU and the result of the referendum. This section will account for Euroscepticism in the UK and its origins, British institutions and the extent to which they differ with the EU and, finally, the development of the British Conservative Party and its influence on British political culture.

#### Euroscepticism

Euroscepticism is a phenomenon that is in no way exclusive to the UK. Eurosceptic tendencies and opposition to the EU is on the rise across Europe. However, since becoming a member of the EU, the UK has been known for its Eurosceptic reputation and has been regarded as a difficult party in European cooperation. Indeed, the country has historically had lower levels of support for European integration than other member states. 56% of Brits do not trust the EU and only 55% of Brits believe completely that they are a citizen of the EU, compared with 71% of Belgians, 74% of Danes, 77% of Germans and 78% of Poles (European Commission, 2016:79ff.). At the UK's last general election in 2015, UKIP received almost four million votes,<sup>2</sup> while the Conservatives won a majority, riding on Eurosceptic messages and the promise of an in/out referendum on EU membership. Euroscepticism has now reached its peak in the UK, but it is important that we understand what Euroscepticism means and where these tendencies originate from in order to fully understand the result of the Brexit referendum.

Catharina Sørensen defines Euroscepticism broadly as:

# ... a sentiment of disapproval... directed towards the EU in its entirety or towards particular policy areas or developments (2009:6).

However, not all Eurosceptics want to see the complete collapse of the EU. Eurosceptic public opinion can be regarded in terms of hard Euroscepticism and soft Euroscepticism: the former entails the outright rejection of the EU, while the latter involves rejection of or scepticism towards certain elements of the European project. Sørensen further categorises Euroscepticism into four

<sup>&</sup>lt;sup>2</sup> Due to the UK's first-past-the-post system, UKIP only received one seat in Westminster. However, its share of the vote and public popularity drastically increased from 3% in the 2010 general election to 13% in 2015.

different types: economic Euroscepticism, sovereignty-based Euroscepticism, democratic Euroscepticism and political Euroscepticism. Economic Euroscepticism means that one is less likely to support the EU if they believe that European integration and cooperation is not financially beneficial (ibid.:8). Sovereignty-based Euroscepticism is experienced if one feels that the EU threatens national sovereignty (ibid.). Citizens may believe that the EU is a financial success, but find the supranational elements of the EU problematic and conflicting with feelings about national sovereignty (ibid.). Democratic Euroscepticism centres on concerns about the structural framework of the EU and its institutions, for example dissatisfaction with the role of the European Parliament or feeling unheard by the institutions (ibid.). Finally, political Euroscepticism involves assessing the EU in line with the same divisions that embody national politics; this may involve, for example, scepticism from conservatives about socialist Commission proposals (ibid.). According to Sørensen, the most prominent type of Euroscepticism in Britain is sovereignty-based Euroscepticism, as Brits are particularly distrustful of supranational collaboration - for example, Brits are less inclined towards joint decisions in EU policymaking than other member states (ibid.:12).

#### The origins of Euroscepticism in the UK

It is clear that the issue of national sovereignty is a key element of Euroscepticism in the UK. According to Ben Wellings, the complex UK-EU relationship is due to "a competing understanding of sovereignty" (2012:8). In the UK, sovereignty is regarded as a prized inheritance that had been hard fought for in the past (ibid.). Sovereignty was regarded as "a totem of independence, greatness and liberty" and the application and practice of sovereignty is precisely what gave the UK its noteworthy position in history (ibid.:228). Sovereignty is considered intrinsically interlinked with freedom and the history of the UK and it is something that nationalists wish to defend – both internally, against those seeking to change the UK's domestic structure as a country made up of four nations, and externally against the EU (ibid.:8). However, the British understanding of sovereignty contrasts with the European viewpoint. On the continent, sovereignty was regarded as the root of problems and conflict. Europeans believed, unlike the British, that renouncing sovereignty would secure liberty and contemporary history shows that loosening sovereignty has

indeed ensured freedom in Europe (ibid.:45). The architects of the EU deemed sovereignty a drawback rather than an asset in the face of the events of the first half of the twentieth century (ibid.:228). The six founding states of European cooperation considered pooling sovereignty as the only way to retain their state sovereignty and national authority, as it ensured that the countries' respective coal and steel sectors could not be used for war (Liddle, 2014:8). Even though the end goal of European integration has never been fully stated or understood, it is clear that European integration encompasses some relinquishing of sovereignty (Wellings, 2012:228). Hence, there is a clear conflict in the understanding of sovereignty between the UK and Europe. The British deem national sovereignty to be "the institutional manifestation of the UK's greatness and freedom", while Europeans regard it as quite the opposite (ibid.).

These two understandings of sovereignty are hinged on different interpretations of the past in terms of the post-war narrative dominant in the UK and Europe. In Europe, the post-war period was characterised by "cataclysm and then renaissance" (ibid.:78). However, this was not a narrative shared by the UK, where a narrative of "victory and decline" prevailed (ibid.). The European narrative is characterised by the memory of war and the notion of peace. The EU was essential for ensuring peace on the European continent after a period of unprecedented conflict from 1914 until 1945 and this argument is often used to legitimise the EU. Modern Europe has been heavily influenced by the oppressive dictatorships experienced in the twentieth century and by the Holocaust, and this collective past is used to remind people that despite its flaws the EU is a better alternative than the previous years blemished by war and totalitarian rule (ibid.:213ff.). A European narrative that emphasised the importance of European integration for securing and strengthening peace was effective across a continent that houses member states with varying histories, but bound by a common experience of war (ibid.:48). However, the UK was not part of this core group, having experienced World War II differently to its European neighbours. WWII was considered to be the UK's "finest hour". The war demonstrated the strength of British sovereignty, proving the merit and importance of "standing alone" against an enemy (ibid.:229). Roger Liddle coins this narrative the "Dunkirk myth", claiming that this myth bolstered a national viewpoint that contradicted history – that having faced the Nazis alone, the UK could thrive and succeed without any commitment to continental Europe (Liddle, 2014:xxxvii). The "Dunkirk myth"

further strengthened the idea of the UK as an exceptional and special nation – a notion that, in the post-war period, was unrealistic and served only to fuel a profound distrust of Europe and continental cooperation (ibid.:6). Hence, the UK simply did not share the European outlook in the post-war period, as the nation's heritage was based around a victory over the Nazis rather than a shared memory of complicity in genocide (Wellings, 2012:213). In the UK, collective memory referred to the glory days of WWII, which epitomised the UK's former global and historic significance, while collective memory in Europe rested on an aversion to war as a way of binding Europe together. Despite emerging from WWII victorious, the post-war period in the UK was characterised by decline. The UK's global status diminished from global power to a middle-ranking status, while on the continent, the post-war period was typified by cross-border cooperation and integration that revived and bolstered European power and status (ibid.:9). In the UK, however, European integration became "a symbol of national decline and diminished sovereignty", leading to bitter nationalism and scepticism towards European cooperation (ibid.).

#### The legacy of the British empire

As a former global empire, the UK has different historical roots which influence its relationship with the EU. At its height between 1890 and 1922, the British empire was the largest in history, with a territory spanning almost one quarter of the world's land and housing around one quarter of the global population at the time. The British empire and subsequent decolonisation after WWII has resulted in a strong Commonwealth community of nations that were formerly under British control. There has been a constant assumption in British politics that the UK has an international viewpoint and world-wide interests, as opposed to a European outlook (Liddle, 2014:xxxiv). Due to its imperial past and Commonwealth connections, the UK regards itself as "a global power with a global reach", moving at the core of "three circles of influence", namely the Commonwealth, the transatlantic link and Europe: this attitude simply strengthens the idea that the UK should not obligate itself to Europe to the detriment of its world-wide standing (ibid.). Therefore, the UK had no real motivation to advocate for European cooperation, as it already held strong global links and instead, the UK focussed on strengthening its links to the Commonwealth (Wellings, 2012:83f.). Just after WWII, the UK's international status and stature peaked and it had the opportunity to be

a leader in Europe, but the nation was instead "trapped by [its] history and imperial past" (Liddle, 2014:xx). In addition, the UK had already distanced itself from Europe in the nineteenth century, becoming isolated and holding an almost self-righteous attitude of superiority in the nineteenth century (Varouxakis, 2010:149). Georgios Varouxakis mentions issues such as the UK's arrogance from its part in defeating Napoleon, the UK's general wealth, power and status in the nineteenth century and the scale of its empire through the Victorian period as reasons for the nation's "attitude of isolationism and complacent superiority" (ibid.).

Furthermore, the UK had not experienced a large-scale "constitutional shake-up" resulting from bloodshed or turmoil since the 1600s and this enhanced British ideas of national strength as well as the reluctance towards constitutional alterations (ibid.). The notion of "British specialness" was reinforced by the solidity and endurance of British institutions, compared with revolts and disorder experienced in many continental countries in the past (Liddle, 2014:xxxvii). It's clear that the UK only began to look to Europe when it became a shrunken power after WWII. The country had arguably been competing with the USA for world power status since the 1890s and the UK was forced to accept its diminished status after the Suez Crisis of 1956 ended in the nation's humiliation (Varouxakis, 2010:150f.). It is only after the shocked realisation of the need for a new role in the world and in the light of the country's depleted and weakened global standing that the UK decided to begin negotiations to join the European community, as Europe was regarded by some as "a necessary substitute" for the disintegrated empire (ibid.:151ff.).

#### **British Institutions**

The institutions in the UK differ greatly from the EU institutions, and these discrepancies are significant for understanding the relationship between the UK and the EU. This section will delve into the concept of parliamentary sovereignty, legal traditions in the UK and the Conservative Party.

#### The sovereignty of parliament

The British parliament officially consists of the monarch, the House of Lords and the House of Commons. The Queen is formally the Head of State and Head of the executive, legislature and judiciary and officially holds many prerogative powers (Kingdom & Fairclough, 2014:394). The

House of Lords is the upper house of the British parliament and can be described as one of the more controversial elements of British government, as it is an undemocratic branch: members are not elected by the British public, but rather appointed by the Queen, the Church of England or hold membership due to their aristocratic heritage. The House of Lords shares many roles with the House of Commons such as making laws and scrutinising the government, and parliamentary legislation must be approved by both chambers. The House of Commons is the lower house of the British parliament, consisting of 650 elected MPs that represent the British people's interests. Due to the system of parliamentarianism, the government is established from the political party that has majority support within the House of Commons. Hence in theory, the doctrine of parliamentary sovereignty ensures that the Commons – and thereby, indirectly the British people – have control over the government (ibid.:432).

The doctrine of parliamentary sovereignty lies at the heart of British politics. Parliament is the highest ruler and no institution stands above it (Baron & Herslund, 2011:51). Parliamentary sovereignty entails:

... the right to make or unmake any law whatever; and... that no person or body is recognized by the law of Britain as having a right to override or set aside the legislation of Parliament (Kingdom & Fairclough, 2014:97).

Hence, the British parliament is free to pass whatever legislation it sees fit: it is not constrained by existing laws and it is not bound by legislation from any other institution (ibid.:438). Therefore, the principle of parliamentary sovereignty leaves little room for effective judicial review, as parliament's power outstrips that of British courts, or indeed of any other institution. The sovereignty of parliament is in fact described as "a description of the relationship between Parliament and the courts" (Wright, 2000:38). Courts in the UK are obliged to acknowledge parliamentary legislation as supreme and an Act of Parliament is the fundamental manifestation of law (ibid.). Consequently, parliamentary sovereignty has a monopoly on legislation, and therefore it can be difficult for international law to take effect in the UK (Baron & Herslund, 2011:59). International and EU law only become applicable in the UK when parliament passes the legislation on a national level and this can be argued to be a source of difficulty and tension in the UK-EU

relationship. In other words, the sovereignty of parliament means that the British parliament is an unopposed and unrestricted institution with a supreme position of power that is accepted by other institutions, particularly the judiciary system.

Furthermore, the UK is a majoritarian democracy, as the legislative power in the form of the elected majority embodies the legitimate and authentic representative of the people's will (ibid.:50). There is no higher power than the will of the political majority, embodied by a directly-elected parliament. However, many European countries and the EU itself are based on a differing form of democracy, namely constitutional democracy, and this difference is a source of tension for the UK's functioning within the EU. Constitutional democracies such as Germany and France place more importance on fundamental rights that are enshrined in constitutional democracy, the principle of human rights is elevated above the state's interests and the will of the political majority (ibid.:62). The sovereignty of parliament is not unrestricted as a constitution and the judiciary power keep parliament in check and ensure the protection of citizens' rights. This form of democracy is evident in the structure of the EU due to the prominent role of the CJEU, which often intervenes in EU and national legislation, overriding national parliamentary sovereignty in the name of citizens' rights.

#### The historical roots of the sovereignty of parliament

It is additionally important to note how embedded the doctrine of parliamentary sovereignty is in British history. Fundamental ideologies about state sovereignty, legitimacy and the division of powers are vital to understanding the underpinnings of the British parliament and its fundamental differences with the EU. The English political philosopher Thomas Hobbes developed ideas about legitimate government and the division of power in his 1651 publication *Leviathan*. The Hobbesian viewpoint argues that the state should possess absolute authority and power, as people can only survive their egoistic tendencies if they submit to shared laws (ibid.:36). The sovereign power can be embodied by one person, for example the monarch, or a group of people, for example an elected body, and the state has unlimited power to regulate society in order to protect its citizens from each other and external threats (ibid.). However, the English philosopher John Locke took another approach to the relationship between the state and its citizens. The Lockean viewpoint argues that sovereignty remains with the people, who voluntarily give up part of their freedom to the state in order to protect their own and others' rights (ibid.:37). The state ensures the freedom and safety of its citizens but does not have any independent rights or interests itself (ibid.). The UK has a Hobbesian view of power as there is no higher power than the sovereignty of parliament, while continental Europe has a more Lockean view of power, with no higher sovereign power than citizens themselves and their fundamental rights.

The differences between the Hobbesian and Lockean viewpoints serve as the foundations for the two different traditions in the historical roots of European constitutional traditions, namely the Melfi tradition and Magna Carta tradition (ibid.:38). The Melfi tradition's main emphasis is on the protection of the sovereign power's rights, while Magna Carta is based on the protection of citizens and their rights against infringement by the state (ibid.:37). Despite beginning in the Magna Carta tradition in 1215, the UK is categorically closer to the Melfi tradition today, due to its doctrine of parliamentary sovereignty and its Hobbesian understanding of the structure of society (ibid.:60).

#### The Supreme Court

The UK Supreme Court is the country's final court of appeal. The judiciary formally belonged under the House of Lords, which acted as the final court of appeal in the UK until the 2005 Constitutional Reform Act established the Supreme Court. This constitutional change improved judiciary independence, however the judiciary is still not on a par with the executive and legislative powers. Due to the doctrine of parliamentary sovereignty, judicial review in the UK is regarded as "abhorrent" (Kingdom & Fairclough, 2014:695). The Supreme Court's judicial review capabilities are much more restricted than the CJEU or constitutional courts in other member states and it can certainly not be described as politically active. While actions of the European Parliament and Commission are subject to judicial review, this is far from the case in the UK, as there is no institution that outranks parliament (Rasmussen:2008:105). The Supreme Court does not have the power to overrule the British parliament due to the principle of parliamentary sovereignty (The UK Supreme Court, 2017). This principle means that the court does not possess the power to veto legislation (Kingdom & Fairclough, 2014:97). This stands in stark contrast to matters on the continent, as the CJEU often overrules legislation passed by EU institutions and member states (Rasmussen, 2008:116).

The UK Supreme Court is far from enjoying an equal standing to the other branches of government. In 1998, the Human Rights Act empowered the court with the authority to decide if British law abides by provisions in the European Convention on Human Rights (ECHR) (Kingdom & Fairclough, 2014:95). If the court finds that there is a discrepancy between British law and the ECHR, it can submit a declaration of incompatibility. However, this does not void the legislation and the task of deciding whether legislation should be changed is instead transferred to the government and parliament (Baron & Herslund, 2011:60). Hence, the judicial arm's capacity to review the executive authority in the UK is also restricted (Kingdom & Fairclough, 2014:94).

#### Common law

Unlike most EU countries, the British legal system is based on common law, a legal tradition which involves courts making decisions based on parliamentary legislation and previous court rulings and their premises. Hence, common law is centred on precedent and is "an accumulation of court decisions in specific legal cases through history" (ibid.:89). Case law in the UK is constantly being developed, as judges may use their tact when passing judgement and potentially create further precedent by reaching conclusions that differ from past judgements (ibid.:694). The British common law system has evolved over time, largely due to the continuity in the country, stemming from the fact that the UK has remained undefeated since 1066 (Wright, 2000:17). The principles that form the basis of common law are constitutionalism and liberty and the legal tradition was flexible enough to adapt to new developments through history, such as industrialism and urbanisation, the changing equilibrium of the classes and the increase in calls for reform and democracy (ibid.)

Common law tradition stems from the fact that the provisions of the British constitution are uncodified, meaning they are not drafted in one document – hence the commonly held idea that the UK does not have a written constitution. The British constitution is based on several texts that stem from different periods dating back to the middle ages as well as a range of conventions within the nation's parliamentary tradition (Baron & Herslund, 2011:18). The constitution is

defined as uncodified because a popular revolution, where a new ruling class has deleted all signs of the old regime, has never taken place in the UK (Kingdom & Fairclough, 2014:86f.). However, the legal system in all other EU countries (with the exception of Ireland) and the EU itself is based on civil law. In contrast to common law, civil law is a system built on a specific legal text; in other words, civil law is codified (Tamm, 2009:98). The source of law in the civil law system is legal codes and statutes that are intended to encompass all legal contingencies and possibilities. Codification is an important characteristic of civil law and courts usually pass judgement on cases using legal codes, without reference to past cases or precedent.

The differing legal traditions have implications for the Supreme Court and its EU counterpart, the CJEU. The Supreme Court is bound to history due to common law and is orientated towards the past, as it must use previous judgements and precedent in its rulings. The CJEU on the other hand does not have the same historic ties and can therefore be described as forward-looking and oriented towards the future due to its civil law basis.

#### The British Conservative Party

The British Conservative party is one of the oldest and most successful political parties in the world, appearing in the eighteenth century and ruling the country for the majority of the two subsequent centuries (Bale, 2016:3). The party was not out of power for more than six years in the period between 1915 and 1997 (Seawright, 2010:ix). The Conservatives' extended period of electoral success resulted in the political organisation being branded as the UK's national party that attracts all citizens, mostly due to its image of continuing tradition, values and beliefs of the UK (ibid.:ixff.).

#### Attitude to Europe

When David Cameron was elected as party leader in 2005, he pledged to pull the Conservatives out of the centre-right, pro-EU European People's Party (EPP), in order to win the support of Eurosceptics within the party (Liddle, 2014:199). He formed a new European Parliament group made up of anti-integrationists, the Alliance of European Conservatives and Reformists (AECR). David Cameron and the Conservatives used the concept of Europealism to reclassify their attitude to the EU (Leruth, 2017:50). Europealism is similar to soft Euroscepticism, but differs in the way

that Eurorealists fully highlight their support for the EU and European integration (ibid.:50f.). Eurorealism is a practical, flexible and anti-federal view of the EU, where the notion of subsidiarity is central, with the goal of reforming institutional structures in order to increase the role of national parliaments in European decision-making (ibid.:50).

According to Tim Bale, the Europe issue has always been key for Conservatives, regardless of the fact that most voters did not share the same interest (2016:378). These Conservative Eurosceptics were a combination of "Little Britainers", preoccupied with the idea of national sovereignty, and business-minded individuals who were concerned that the EU held the UK back from obtaining its full trading potential (ibid.). Cameron had never directly challenged these backbenchers, which meant that Conservative MPs advocating for the UK to leave the EU felt that they could "push him further" (ibid.). Eurosceptic tendencies within the Conservatives continued and within the first eighteen months of the majority Conservative government, there were 22 "rebellions" on the topic of the EU, engaging over 60 Conservative backbenchers (ibid.:379). By summer 2012, the support for an in/out referendum from within the Conservative Party was growing, as over 100 Conservative backbenchers had signed a letter demanding a referendum on EU membership (Liddle, 2014:215). Not all Conservatives shared Cameron's ideas of Eurorealism. Therefore, Cameron promised to set out a policy on a new agreement with the EU and the option of a referendum, and did so in his Bloomberg speech in January 2013.

In short, the Conservative Party's attitude towards Europe under Cameron cannot be characterised as pro-European. Even Conservatives who support the EU are not shy about demanding that the organisation change, which undermines the support and presents a negatively charged image of European cooperation. At best, Conservatives support the EU only on the condition of reforming the organisation and the UK's agreement and relation to it.

#### Cameron's renegotiation

Cameron set out his renegotiation aims in two political speeches: the Bloomberg speech and the Ipswich speech. While Cameron phrased EU membership very positively in his Bloomberg speech, referring to EU cooperation as a "family" and strongly emphasising the UK's historical ties to the continent, he also set out his new vision for a reformed EU and reformed British membership

(Cameron, 2013a). The speech is a prime example of Cameron's Eurorealist tendencies: his support for European integration is clear, while his pragmatic approach to reforming the EU in order to achieve more flexibility for British agreements is prominent. He makes it clear, that although the EU is flawed, it is best for the UK to stay under renegotiated terms. Cameron's renegotiation centred around four key principles: economic governance, competitiveness, sovereignty and immigration. One of the British prime minister's key negotiation points concerned the fairness of EU cooperation with regards to eurozone and non-eurozone member states. He wanted equal and fair opportunities for all member states, regardless of their affiliation with the euro, with the option of protecting non-eurozone countries so that they can also gain economically from the single market. Cameron was fairly successful in renegotiating this area, securing mechanisms that give "the necessary reassurances" to non-eurozone countries and ensuring that British taxpayers will not be responsible for the eurozone (Sparrow, 2016). Cameron also set out to renegotiate EU competitiveness, advocating for the EU to remove its bureaucratic burdens and enter new trade agreements with growing markets in Asia and South America. Cameron was also largely successful in obtaining his aims in this area, achieving "a clear long-term commitment" to boosting competition, implementing better regulation and lowering administrative burdens" (ibid.). Renegotiating the issue of sovereignty was of crucial importance to Cameron, as he sought to retransfer competencies from Brussels back to member states, and strengthen national parliaments by giving them more power in relation to the EU. He additionally argued for a break from the "one size fits all approach" as well as a new understanding of the principle of "an ever closer union" so that member states who wish to pursue closer integration may do so, while other member states have full freedom to opt-out (Cameron, 2013a). Cameron's renegotiation was arguably also successful in the area of national sovereignty. He attained his goal of exemption from "an ever closer union" and secured a "red card system", granting national parliaments more power in EU decision-making by giving them the power to club together and reject EU legislation (Booth, 2016). However, with a voting threshold of 55%, triggering a red card would require a large number of national parliaments to defy their domestic governments and the red card system would only apply to subsidiarity issues and only to new legislation (ibid.).

Cameron set out his aims in relation to immigration in his Ipswich speech, where he stated that he wishes to end the "'something for nothing' culture" by restricting EU immigrants' access to benefits in the UK (Cameron, 2013b). He wanted to stop the British taxpayer "endlessly paying" for non-British citizens' welfare (ibid.). He aimed to enforce a four-year ban on social and work benefits for EU immigrants, as well as a ban on child benefit for non-British nationals that would be sent back to other EU countries. He additionally aimed to limit immigrants' access to social services such as social housing, ensure that the cost of NHS care would be claimed back from immigrants' country of origin, and drastically lower the levels of immigration to the UK from the EU. Cameron intended to reduce the number of EU immigrants entering the UK while also ensuring that they cannot access the same welfare services as British citizens. Hence, he signifies a break with two fundamental EU principals, namely the principle of free movement and the principle of non-discrimination for EU citizens. However, Cameron was less successful in achieving his aims for immigration in his renegotiation. His proposal for banning social benefits for EU immigrants was rejected as it was in violation of key EU principles. He did, however, achieve an "emergency brake" on work benefits for up to four years in periods of high pressure on member states, subject to approval by the EU (Sparrow, 2016). Nevertheless, with regard to the salient issue of immigration and social welfare, Cameron had not fulfilled his promises of new, better terms for the UK. Many regarded the prime minister's renegotiation as a failure; he had failed to defend the British welfare system. The UK has a liberal welfare model which is financed by the taxpayer and based on the idea that everyone contributes to the welfare system and therefore, everyone can make use of benefits when they need to. The model builds on the idea of a collective identity and a collective belonging to society, where citizens take responsibility for each other. This liberal welfare model dates back to the post-WWII period, where a social policy was drawn up with emphasis on universal and equal social benefits for the entire population (Abrahamson, 2016:129). It was dubbed "the citizenship model", as it is not an individual's status on the labour market that is significant, but whether they have legal residence status within the territory (ibid.). However, the EU principle of free movement of people means that EU immigrants can come to the UK and enjoy benefits without contributing to the system. Therefore, Brits regard their welfare system as being exploited by foreigners who have no obligation to support the system. Hence, as Cameron failed to secure the British welfare system against immigrants from other EU member

states and the issue of immigration is so salient amongst political parties and the British public, those who advocated for the UK to leave the EU already held a strong advantage.

# United Kingdom Independence Party

The United Kingdom Independence Party (UKIP) was founded in 1991, originally under the name The Anti-Federalist League, and is a Eurosceptic, right-wing, populist political party. The party was formed due to dissatisfaction with the Maastricht Treaty, in an attempt to gather opposition to the EU and the Euro (Ford & Goodwin, 2014:21). Originally regarding itself as a pressure group, with the aim of bringing the Conservative Party around to hard Euroscepticism, UKIP has developed into a reckonable political force, making considerable advances in elections since 2013 (ibid.:108). Hard Euroscepticism and full rejection of the UK's EU membership has been "central to the party's identity" (ibid.:195). Many believe that the pressure from UKIP for an in/out referendum is one of the main reasons why the Conservative government agreed to hold the vote. UKIP is described as "a splinter on the Conservative right"; a political party that emerged due to conflict within the Conservative Party over European integration in the early 1990s (Hayton, 2016:401). Many UKIP politicians defected from the Conservative Party amid issues over the EU. Indeed, UKIP's narrative employs three "interrelated traditions": British Euroscepticism, British conservatism, and populism (ibid.:406). UKIP's populist rhetoric is what distinguishes it from the Conservative Party, as it separates itself from the political establishment in the name of the sovereignty of the British people.

# Analysis

This section will examine political speeches made by Conservative and UKIP politicians who played a significant role in the three major Brexit campaigns, namely the two official campaigns, *Britain Stronger in Europe* and *Vote Leave*, and the unofficial campaign spearheaded by UKIP, *Leave.EU*. The section is divided between speeches made by politicians campaigning for the UK to leave the EU and politicians advocating for the UK to remain. These sections are further divided by different prominent topics and messages in each campaign.

## Campaigning to leave the EU

The former Major of London and Conservative MP Boris Johnson emerged as a key figurehead of the *Vote Leave* Campaign, as he did not believe that the prime minister had delivered on renegotiating and reforming the EU (Watt, 2016). He delivered his first major political speech on 9 May 2016, taking the stance that voting to leave the EU does not make one any less of a European. Michael Gove, Conservative MP and Lord Chancellor, Secretary of State for Justice at the time, also played a prominent role in the run up to the in/out referendum, leading the *Vote Leave* campaign. His political speech dating from 19 April 2016 focussed primarily on the issues of EU legislation and economic issues in an attempt to convince British voters to support his efforts to leave the EU. Nigel Farage, leader of UKIP, was also (unsurprisingly) a primary political campaigner for leaving the EU, endorsing the alternative campaign, *Leave.EU*. His final political speech of the referendum campaign was given on 22 June 2016 and centres on criticism of the EU institutions and the principle of free movement of people. Although *Leave.EU* was not designated as the official campaign in favour of withdrawing from the EU by the Electoral Commission, it held considerable influence, racking up over half a million supporters in the run up to the referendum (Leave.EU, 2017).

#### The EU institutions

A prevailing message in the campaigns advocating for British citizens to vote leave in the referendum concerned the CJEU and EU legislation, which were deemed major intrusions in British affairs. Johnson, Gove and Farage all use the tagline "take back control", declaring that the UK no

longer has sovereign control over its national legislation. Gove claims that the UK is a "hostage" to the EU and its constitutional court (Gove, 2016: line 167). He states:

And if we try to object, the European Court of Justice - the supreme court of the EU - can force us to submit to the judgment of others regardless of what our population, our parliament or even our own judges might think is right (ibid.:115-117).

Gove paints a picture of a European court that holds supreme control over British legislation and the British parliament. Farage, on the other hand, spells out in very simple terms how EU legislation functions in relation to British domestic processes:

We are members of a political union. European law is supreme. The European Court of Justice overrules our parliament and our courts (Farage, 2016b: lines 43-45).

The idea of an institution that can overrule parliament is alien in the UK and is a convincing argument for leaving the EU. The theory of constitutional and majoritarian democracy can explain why this argument was particularly effective during the campaign. As the UK is a majoritarian democracy, it can be argued to be incompatible with the constitutional tradition of the EU, where a constitutional court, the CJEU, limits the legislature's power by keeping it in check. As the UK has never had a constitutional democratic tradition, where a judicial institution can interfere on legislative and executive matters, CJEU actions and encroachments on British law are regarded as intrusive and threatening towards British sovereignty. In comparison, other member states with a tradition of constitutional democracy, such as Germany, do not experience CJEU interference as threatening towards national sovereignty in the same way, as the country has its own national constitutional court which limits the legislative and executive powers in order to safeguard the rights of citizens. Brits simply cannot relate to the CJEU, as there is no similar construct on a national level. Additionally, in the UK the will of the political majority is supreme and anything that overrides this is regarded as a threat to British democracy. The concept of parliamentary sovereignty also demonstrates why messages concerning the danger of the CJEU were effective in convincing the British public to vote against remaining in the EU. Due to the doctrine of parliamentary sovereignty in the UK, it is unthinkable for Brits that an institution other than the

British parliament has the authority to pass or override laws. Gove emphasises this incompatibility, stating that the CJEU:

... has consistently ignored and overruled any body which stands in its way. Even decisions made and agreed by every EU state have been overturned if the court thinks they impede integration (2016:143-145).

The Conservative politician underlines the fact that the CJEU stands above the British parliament in the EU legislative hierarchy – a structural element that Brits do not have in their national system. In the UK, there is no institution that can overrule the British parliament – even the British judicial power is limited by parliament - however Gove explicitly states that the CJEU does exactly that. A system where the parliament is not the absolute legislative power and is subject to decisions made by a non-British institution is deemed undemocratic by the British people. For Brits, the British parliament is "the only acceptable source for laws and rules over their lives" (Macshane, 2015:152). Therefore, the message that the CJEU forces the British parliament to enact legislation that it does not agree to is particularly effective in persuading the British public to vote against remaining in the EU.

In addition, Gove argues that the CJEU is an unrestricted power that does as it pleases regardless of the desires of member states:

The Court has the power and freedom to interpret the Treaties as it wishes – which is always in the service of greater European integration... (2016:110-111).

This viewpoint relates to the differences in the legal structures in the EU and the UK. The CJEU is a forward-looking, politically active institution, while its UK equivalent, the Supreme Court, can be described as the opposite, as it is bound by precedent and previous historical developments. The CJEU interprets EU law in accordance with the objectives of the EU, such as the goal of further integration. This means that the court also takes on a political role and thereby assumes both legislative and judicial powers. However, the UK Supreme Court acts very differently and is not bound by the purposes of the legislative power, as the CJEU is, but instead must pass judgement based on precedence. Highlighting this additional difference between the British and EU legal structures serves to further strengthen Leave campaigners' arguments against the EU.

The advocators for the Leave campaign continue to claim that the EU institutions are a threat to British national sovereignty, stating that the Council of the EU is a danger to British national interests. Johnson states:

Look at that list of Lisbon competences – with 45 new fields of policy where Britain can be outvoted by a qualified majority – and you can see why the House of Commons Library has repeatedly confirmed that when you add primary and secondary legislation together the EU is now generating 60 per cent of the laws passing through parliament (2016: lines 35-38).

The notion of qualified majority voting (QMV) overruling the UK is echoed by Gove:

It is a fact that the European Communities Act 1972, and subsequent judgments, make clear that EU law, as decided by QMV and interpreted by the ECJ, trumps the decisions of, and laws passed by, democratically-elected politicians in Britain (2016:118-120).

The QMV procedure used in the Council of the EU means that the UK – and any other member state for that matter– can be outvoted and might have to agree to regulations or directives which they may not have a mandate for from their national parliament. The notion of the EU overruling or decidedly bypassing the British parliament and its directly-elected MPs would certainly cause a stir in the UK, where the British parliament is the supreme legislative authority. This is further emphasised by Johnson, claiming that the UK is "drowned out around the table in Brussels" and "outvoted far more than any other country" (2016:311-312). In light of the theoretical background concerning the discrepancies between the British and EU legal and political structures, it becomes clear why these messages, alongside Farage's use of simple and populist language centred on the issue of the loss of national sovereignty, persuaded the British public to take his side in the EU referendum:

*I want us to vote for us to become a normal country. Because normal countries make their own laws. Normal countries are in charge of their destiny and their future.* (2016b:93-96).

In addition, Baudet's theory about supranationalism can also explain why messages concerning the EU institutions were particularly effective in swaying British voters. As supranational structures provide the means to "defend a non-national law", they ultimately destabilise political and legal structures on the domestic level (2012:237). Supranational law dilutes the feeling of national belonging, as the law is processed by an external entity instead of the national unit (ibid.:239). As supranational institutions such as the CJEU are "out of reach of the national balances of powers" and judges may have a different understanding of politics and legal interpretations, this contributes to a "gradual dismantlement of borders" and the deterioration of the rule of law (ibid.). EU institutions are therefore deemed dangerous by politicians promoting an "out" vote in the Brexit referendum, and their arguments are compelling to a British audience, as they portray an image of a dissolved nation state brought about from above by supranationalism.

#### The principle of free movement and immigration

The issue of immigration and the principle of free movement of people is also central to the Leave campaigns. With increasing numbers of immigrants migrating to the UK from the EU in recent years, particularly following the expansion of EU borders towards Eastern Europe, this has been a hot topic for Eurosceptics in the Brexit referendum. The principle of free movement of people and thereby the EU's control over UK border access to EU citizens is questioned by all three advocators of the "out" vote:

... I think it bewilders people to be told that this most basic power of a state – to decide who has the right to live and work in your country – has been taken away and now resides in Brussels (Johnson, 2016:57-59).

Ideas about the nation state, supranationalism and multiculturalism shed light on why the principle of free movement of people and EU immigration has been so salient in the British public sphere and why arguments concerning this topic were so effective in the Brexit referendum. According to the theory of the nation state and sovereignty, it is crucial that nations have full control over their territory. Nations should have the ability to decide for themselves who crosses their borders and it's vital that national institutions are the supreme power that cannot be overruled. Supranational organisations are therefore regarded as a threat to the nation state and state sovereignty, as they demand the renunciation of certain elements of national sovereignty and can thereby override national institutions. According to Baudet, supranationalism "actually nourishes the idea that national law is of no particular authority and could be easily overridden"

(2012:237). The supranational laws concerning immigration are, therefore, detrimental to nation states. Moreover, the mass migration that is legitimised by EU law is deemed a threat to the British nation by the Leave campaigns, as they claim that it will ultimately lead to multicultural societies. Multiculturalism is regarded as an erosion of the nation state and a threat to the British nation. Representative government and the rule of law infers a common collective identity, a "shared internalized idea of morality" and a general viewpoint or *Leitkultur* in society (ibid.:182ff.). British judges only have authority in society amongst minority groups if there is "a sense of shared community", with all members of society experiencing a collective feeling of belonging (ibid.:189). However, this feeling is not present in multicultural societies - something which is regarded as the natural consequence of mass immigration from other EU member states, enabled by the supranational principle of free movement. As representative government and the rule of law presuppose social unity in the form of sovereignty and nationality, both supranationalism and multiculturalism are "in their very principle, irreconcilable with them" (ibid.:177). According to Baudet's theories, supranationalism and multiculturalism are predestined to defy the cohesion of the nation state and undermine representative government, the rule of law and the welfare state (ibid.:236f.). Therefore, arguments concerning the principle of free movement of people and EU immigration are particularly convincing for the British public, as they portray a government that has lost control over its own territory, both from above and below, that will ultimately lead to the destabilisation of the British national state.

Another message related to immigration and free movement of people concerns the British welfare system. EU immigration is depicted as harmful to the UK's domestic interests:

At the moment any EU citizen can come to the UK to settle, work, claim benefits and use the NHS. We have no proper control over whether that individual's presence here is economically beneficial, conducive to the public good or in our national interest. [...] As long as we are in the EU we cannot control our borders and cannot develop an immigration policy which is both truly humane and in our long term economic interests (Gove, 2016:18-19, 30-32).

Johnson echoes these ideas, stating that the NHS and other public services are overburdened and strained by large numbers of EU immigrants entering the UK without holding a job offer or any

qualifications (2016, 48-51). Farage goes a step further, by inferring the loss of British nationality and citizenship due to EU open borders:

... but we don't even have a British passport anymore! We got a European Union one, which of course is available for up to 508 million people (2016b, 46-47).

The UKIP politician states that free movement of people has diminished the value of British citizenship, while also indirectly implying that EU free movement principles mean that British borders and public services will be overrun with mass EU immigration, with millions of immigrants given equal status with native Brits. Maintaining sovereign control over borders is essential for the functioning of the British welfare system. Border control and the area of immigration has always been a very delicate issue in the UK, due to the country's liberal welfare model. Social welfare is financed solely by taxpayers and while Brits do not mind paying for other UK citizens who contribute, have contributed or will contribute to the system and are part of the British collective, they do not wish to pay for people coming from outside the system, who have no obligation to contribute to the welfare fund and who are not part of the British "we". Under the British welfare model, people residing in British territory are entitled to social benefits: this is first and foremost reserved for British citizens, however it also encompasses people who hold legal residence status in the country, such as EU citizens, who are entitled to take up residence in the UK should they so desire due to the fundamental principles of the EU (Abrahamson, 2016:34). The Leave campaigners allude to a potential disintegration of the British welfare system from within the EU, as British welfare is based on a collective feeling of "we" that simply cannot exist without clear territorial borders that remain under the control of the sovereign state. National loyalty to the welfare state is impossible without a feeling of collective identity, which in turn cannot be created without clear borders. The politicians claim that the EU has removed the UK's competencies over its own national borders, and thereby portray the EU as a clear threat to the British welfare system. The ideology of One Nation Conservatism also underlies this line of argument. Under One Nation Conservatism, the elite have a moral obligation towards citizens and their well-being - in other words, they have a duty to keep society united. According to this theory, as part of the political elite, politicians promoting an "out" vote are simply fulfilling their role of protecting the British people and safeguarding their welfare. As EU immigration and the principle of free movement of people are considered to be a strain on the Treasury, the labour market and public services in the UK, the Leave side are simply undertaking their duty of looking after British citizens and prioritising their prosperity above anything else.

#### Human rights and asylum and refugee policy

The Leave campaigns also touch on the loss of British sovereignty in the area of human rights and home affairs, namely asylum and refugee policy. Johnson states that it is "worrying" that the CJEU can pass judgement on human rights issues, including matters related to UK border control (2016:55), while Gove states:

We have given away control over how we implement the vital 1951 UN Convention on asylum to the European court. We cannot even deport convicted murderers (2016:21-23).

These statements relate to the Charter of Fundamental Rights of the EU, which became legally binding when the Treaty of Lisbon entered into force in December 2009. The charter encompasses the rights and freedoms of the EU, including articles relating to asylum matters and refugees. In other words, human rights became a treaty-bound area for EU member states. Politicians supporting an "out" vote find the charter problematic due to the UK's opt-outs. The opt-outs mean that the UK should have supreme authority over its borders, as the nation is not included in the Schengen agreement, and over matters relating to asylum seekers and refugees as it is also excluded from EU cooperation in the area of Justice and Home Affairs. However, in spite of the UK's opt-outs, the CJEU can still interfere in UK affairs concerning human rights and asylum due to the inclusion of the charter in the Treaty of Lisbon.

The UK feels that its power and authority has been restricted and infringed by the CJEU, as the court can deliver judgments against the British parliament on matters relating to areas that the island nation specifically chose not to cooperate in. For example, the UK can no longer deport criminals or terrorists as they wish: the decision must instead reflect a balance between whether the criminal is a real danger to the state and the criminal's human rights. The CJEU often rules in favour of human rights, thereby going against the British state in many cases, which is a breach of sovereignty that the Leave campaigns cannot support. For example, the CJEU ruled against the British state when UK courts ordered the automatic deportation of the daughter-in-law of Abu

Hamza, a radical Islamist cleric convicted of terrorism charges, after she committed a crime. The CJEU overruled the UK and prohibited the deportation of the woman, despite her criminal background, due to her son's EU citizenship, as deporting the single mother would violate her son's rights as an EU citizen to live in the European territory. Gove highlights this case in his speech to demonstrate the restrictions that the EU legal system enforces on the UK.

The theory of constitutional and majoritarian democracy can partially explain why the Leave campaigns find the CJEU's intervention with national affairs so problematic. The UK's institutions are old in comparison with its European neighbours and the UK has never experienced a major abuse of the system, where directly-elected representatives have misused their power to limit the rights of citizens. On the contrary, other EU member states, such as Germany, have a history of the parliamentary system being exploited. For example, Hitler abused a majority in the Bundestag to pass laws that stripped minorities of basic human rights. This meant that the country needed an entirely new democratic system to ensure that abuse on this scale could never happen again. Therefore, democracy in Germany and in the EU is built around the idea of protecting human rights, rather than upholding a political majority. The CJEU interferes in national legislation as a way of protecting European citizens and safeguarding their rights. However, since the UK does not share the same experiences of misusing power and political majorities, it has never seen a need to change its majoritarian democratic tradition to a constitutional democracy. The CJEU is instead regarded as meddling in British affairs and infringing on British parliamentary tradition. In the UK, parliament is regarded as the supreme source of law. Therefore, the message that the CJEU forces the British parliament to enact legislation that it does not necessarily agree with, and in areas that the nation had obtained an opt-out from, is particularly effective in persuading the British public to vote against the EU.

Moreover, as a politically active institution, the CJEU has a dynamic and expansive interpretation of matters related to immigration, human rights and asylum. According to the Geneva Convention, a refugee is defined as: ... someone who is unable or unwilling to return to their country of origin owing to a wellfounded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group, or political opinion (The UN Refugee Agency, 2010:3).

According to the UN, a refugee is a person who is subject to oppression, discrimination or maltreatment and the definition emphasises "the protection of persons from political or other forms of persecution" (ibid.). The phrase "well-founded fear of being persecuted" infers that purely the risk of harm or injury does not suffice for classification as a refugee or asylum seeker, and that there must be a real and substantiated fear or presence of prejudiced persecution in order to qualify for refugee status. Indeed, the UN definition is phrased in such a way as to deliberately rule out certain types of migrants who are not subject to persecution, such as people fleeing war and natural disasters, economic migrants or internally displaced persons (Zamfir, 2015). However, the EU defines asylum seekers and refugees in a much broader sense. In recent years and in the light of international conflict, the EU has expanded the UN interpretation of refugees to include persons fleeing violence and war. For example, immigrants from Syria, who are fleeing violence but are not necessarily subject to personal persecution as detailed in the Geneva Convention, are granted access to EU borders as asylum seekers and refugees. This extensive interpretation of who can be classified as a refugee and the politically active role of the EU's constitutional court is problematic for Eurosceptics, as they feel that the UK has lost its sovereign competences in the area of home affairs, as the CJEU can, in a sense, redefine agreements that the UK is party to and overrule British national competences.

#### *Democracy and the democratic deficit*

Another central message of both the *Vote Leave* and *Leave.EU* campaigns is that the EU is "antidemocratic" and "an erosion of democracy" (Johnson, 2016:10, 40). Gove states that voting to remain within the EU means voting to "give away more power and control to unaccountable EU institutions" (2016:54-55). Farage even claims that the EU is becoming "a United States of Europe", with the EU anthem and flag, building an army and an EU police force (2016b:80, 49-50). The notion of unaccountability within the EU is a key theme emphasised by all three politicians. Johnson claims that the EU's unaccountability stems from a lack of trust and shame within the institutions, which is due to a lacking common European identity and awareness (2016:239-241). Moreover, he states that Brits most certainly do not feel loyalty towards the EU flag and that they have "a growing sense of alienation" with the EU (ibid.:248-249). Johnson plays on the idea of a democratic deficit here, and Sørensen's democratic Euroscepticism underpins this political message, as there is a clear dissatisfaction with the internal structures of the EU institutions and an overwhelming feeling of being unheard within the supranational cooperation.

However, Scruton's ideas on supranationalism and citizenship provide a more nuanced understanding of this attitude to the EU. According to Scruton, a feeling of societal accountability exists when citizens are connected through a common system, laws and rules, which creates a feeling of togetherness and membership (2006:7). However, this accountability does not exist on an EU level, as every member state has its own system of laws and rules. The UK for example has a completely different legal system to other member states, as well as a different understanding of democracy, different democratic traditions and a different political culture. Furthermore, accountability is a feature of the nation state that is simply not present in supranational constructions in the same way. Citizens cannot voice opposition to the EU in the same way that they can voice opposition to their national parliaments. Citizens can potentially force government officials or politicians to give up their jobs, however the European Commission is not subject to the same accountability process; EU civil servants are not forced to resign due to popular demand. In the UK, for example, the sense of a British "we" means that legislators are accountable to the British population. However, the absence of a European "we" means that the European Commission is not accountable to its citizens and it cannot be rejected in the same way that national legislative and executive powers can. Baudet's ideas about supranationalism are also important for understanding Eurosceptics' attitude to EU democracy. Supranationalism is claimed to undermine the nation state from above, as supranational organisations progressively take over the nation state's obligations. The lack of accountability within the EU, both between citizens of different member states and between all European citizens and the transnational governance, the general lack of popular support for the EU and supranationalism encroachment on statehood are key arguments used by the Leave campaigns to persuade the British public of the EU's undemocratic core.

The democratic deficit in the EU institutions is further elaborated and emphasised as a vital reason for the UK leaving the supranational cooperation:

It is a fact that the EU is a multi-national federation with no democratically elected leader or Government, with policies decided by a central bureaucracy, with a mock parliament which enjoys no popular mandate for action... (Gove, 2016:34-36)

Gove continues by comparing the EU to the Habsburg, Russian and Ottoman empires, to fully underline the idea that the organisation is in direct conflict with democracy (2016:37-39). The differences between the UK and EU institutions can provide an explanation for this negative attitude towards the EU. The British system of parliamentarianism requires a strong authoritative parliament, as the executive power is reliant on the support of parliament. However, the political system in the EU differs vastly from this. A political majority in the European Parliament cannot hold the European Commission responsible in the same way that the British parliament has a hold over the domestic government. In other words, the European Parliament is comparatively weaker than the British parliament, as it does not hold the same sway over legislative or executive matters. Therefore, the British population will not feel that the EU can be trusted unless "there is some parliamentary control over its decisions" (Macshane, 2015:165). Since Brits have a different understanding of the importance of parliamentary power than their European neighbours, due to the doctrine of parliamentary sovereignty and the institutional discrepancies between the UK and the EU, the argument that the EU is undemocratic with a "mock parliament" can be particularly convincing for voters considering voting "out". Baudet's ideas on borders can also explain why the EU institutions are experienced as undemocratic. The European Parliament does not achieve the same heights of representation as its national counterparts due to a lack of collective identity and shared loyalty in the EU (Baudet, 2012:183). As there is no clearly defined European "we", the EU will never be regarded as fully legitimate or representative; in other words, the democratic deficit will remain.

Furthermore, conservative ideology can also explain why the Leave campaigns deem the EU undemocratic. According to the theory of conservatism, political and legal institutions "evolve" slowly over time, arising from pragmatism and not idealism (Kingdom & Fairclough, 2014:37). This

ideology stands in stark contrast to the EU: an artificially constructed organisation based on idealism. Due to conservatism, British institutional structures are deeply ingrained in society and Brits find it difficult to accept the relatively sudden change in the domestic democratic set-up. Indeed, the British public "will never accept that 700 years of their parliamentary history is on the way out" (Macshane, 2015:205). The conservative strands in British society are therefore another important component in understanding the success of the Leave campaigns in the Brexit referendum.

#### The economy and free trade

The question of how much it costs the UK to be a member of the EU and whether membership really is financially beneficial was a fundamental element of the referendum campaign. The Leave campaigns insisted that the UK would be financially better off outside the EU, that the UK pays too much to the EU and that the EU was holding the country back in terms of economic growth and trade. Leave campaigners repeatedly insisted that the UK pays far more to Brussels than it gets in return. Gove states that the UK hands over £350 million to the EU on a weekly basis,<sup>3</sup> has transferred "the staggering sum of over half a trillion pounds" to the EU since 1975 and that even after accounting for the British rebate and money that is invested on British soil, the EU receives £10.6 billion of taxpayers' money (2016:263-264, 268, 287-289). Johnson additionally argues that being a member of the single market has not increased British exports or economic growth. Instead he claims that "many countries were better off being outside [the EU], and not subject to the bureaucracy", adding that the EU has instead been "a microclimate of scandalously high unemployment" (2016:157-158, 166-167). Farage claims that 88% of the UK economy "does not and never has traded with our European neighbours", but in spite of this, all businesses must comply with EU customs regulations (2016b:34-35). He continues to claim that the advantages of Single Market membership "are far outweighed" by the costs (ibid.:41-42). Sørensen's notion of economic Euroscepticism clearly underlies these ideas about the EU. Leave campaigners do not

<sup>&</sup>lt;sup>3</sup> The official Leave campaign drove around the country in a red campaign bus with the phrase "We send the EU £350 million a week, let's fund our NHS instead" emblazoned on the side of the vehicle. After the referendum, *Vote Leave* admitted that the UK does not send £350 million a week to Brussels, that this slogan was a lie as they could not guarantee that the money would be invested in the NHS and that the true expenditure figure was not that high. This falsified figure and argument has been a point of tension for Remainers and others who are dissatisfied with the referendum result and the way the Leave campaign was run.

deem the supranational cooperation to be financially advantageous to Britain, instead claiming the complete opposite; that EU cooperation is in fact detrimental to British economic interests. Moreover, this way of thinking can be traced back to old conservative thinking under Margaret Thatcher, when she stated, "I want my money back!", continually claiming that the UK pays too much to Brussels and, subsequently, successfully negotiating an annual budget rebate for the UK.

Another key message in the politicians' speeches is that the UK would be a stronger trading partner without its EU membership. Instead of being in the Single Market, the Leave campaigners advocate the use of bilateral agreements, where the UK can negotiate for itself. There is a widespread belief that the UK would be able to negotiate more advantageous trade deals on its own rather than as part of the EU:

The EU after years of trying still doesn't have trade deals with the US, China or India. But if we vote to leave we can take control of our trade negotiations and seal those deals more quickly. [...] An independent Britain could choose to strike free trade agreements with emerging economies and lower tariffs, extending new opportunities to developing nations and in the process, allowing prices in Britain to become cheaper (Gove, 2016:241-243, 255-257).

Furthermore, the idea that the EU holds the UK back in terms of trade is also a central message in the Leave campaigns' efforts to convince voters to reject the UK's membership of the EU. They promote the idea that outside the EU, the UK can revive its ties to (current and former) Commonwealth nations and other global markets by negotiating free market access through bilateral agreements, which would supposedly be more profitable than anything the EU could ever negotiate:

It is absurd that Britain – historically a great free-trading nation – has been unable for 42 years to do a free trade deal with Australia, New Zealand, China, India and America. [...] In trying to compute the costs and benefits of belonging to the Single Market, we should surely add the vast opportunity cost of not being able to do free trade deals with the most lucrative and fastest-growing markets in the world – because we are in the EU (Johnson, 2016:73-74, 207-209).

The notion that the UK would thrive as a lone nation without any international commitments and this elevated picture of the UK's global position and trading power stems back to the country's imperial past and former standing as a world power. The idea that the UK is a global leader is still prominent in British politics – it is a notion that has existed for hundreds of years and has not yet floundered. Indeed, the underlying idea in British politics is that the UK should be focussed on global rather than European matters due to its historical standing (Liddle, 2014:xxxiv). Therefore, the prospect of the UK renouncing its EU commitments and returning to its former glory days as a thriving global power is particularly attractive to the British public. The image of the UK as a reckonable global force that would be economically better off standing alone, outside of any supranational links, is a persuasive argument in favour of the UK's withdrawal from the EU that plays on British history.

#### Campaigning to remain in the EU

Former British prime minister, David Cameron, and George Osborne, former Chancellor of the Exchequer, supported the official Remain campaign, *Britain Stronger in Europe*. The prime minister delivered his speech on 9 May 2016 and primarily focussed on the importance of the UK's membership of the EU for national and international peace and security. Osborne delivered his speech, with input from three Conservative politicians, on 18 April 2016. His political messages centred on the economic benefits of remaining in the EU and the economic costs of leaving, as well as what alternative trade agreements with the EU could look like for the UK.

## The economy and free trade

In his speech, the Chancellor of the Exchequer at the time mainly focusses on the financial matters and the economy as reasons for voting to remain within the EU. He states that being part of the EU has resulted in an increase of approx. 75% in trade with other EU member states (Osborne, 2016: lines 89-90). He additionally states that the economic benefits of being part of the EU far outweigh the financial costs of membership:

The net direct cost is equivalent to a little over 1 pence for every £1 we raise in taxes. But we have also received over £1 trillion of overseas investment into Britain, much of it driven by the fact we are in the EU and its Single Market. Indeed, we have received more of this

overseas investment than any other EU member state – and that drives better jobs and rising living standards too, bringing money into the exchequer to spend on public services (ibid.:101-106).

However, it is significant that both Osborne and Cameron emphasis the costs of leaving the EU more than the benefits of remaining within the union. In other words, they stress the negative side of the argument rather than the positive. Both politicians repeatedly highlight that the costs of leaving the EU will directly affect British families, costing around £4,300 per household and that the UK would be "permanently poorer" in the event of Brexit (Osborne, 2016:328, 170, 331, Cameron, 2016: lines 30, 33). Osborne also underlines the importance of the EU to the British services sector, which makes up 80% of the nation's GDP and workforce (2016:230-232). This almost negative attitude towards the EU is characteristic of the Conservative Party. Despite campaigning for the UK to remain inside the EU, neither politician speaks outright about the positive aspects of EU membership: they choose instead to focus on the negative financial consequences of leaving the EU, which does not contribute to a positive picture of the UK's position in the EU and instead depicts an idea of the EU being the lesser of two evils.

The Conservative politicians also discuss the importance of the EU for trade deals. Osborne states that UK trade with countries outside the EU, such as South Korea and Chile, has drastically increased due to trade deals negotiated by the union, and that without the EU the UK would "do less trade with the rest of the world" (2016:189-191, 316-317). He emphasises that it would take the UK decades to renegotiate the trade deals that the country already has in place through the EU (ibid.: 194-196). The former Chancellor of the Exchequer additionally outlines three alternative trade deals for the UK in the event of Brexit, with the help of three Conservative party colleagues. He presents the Norway model, the WTO model and the Canada model as substitutes for EU membership. According to the politician, the UK economy would shrink by 7.5% under the WTO model, suffer an annual lasting GDP decrease of 4% under the Norway model, and the Canada model, which would be the best possible bilateral deal for the UK, would be detrimental to the British services and farming industries (ibid.: 222-223, 171-172, 275-277). He states that none of these models can supply the UK with anywhere near the same level of economic advantages as the country enjoys under its current trading status:

Under any of these alternative models of the kind of relationship Britain might have with its principal export markets our influence is diminished; we trade less; we receive less investment; our openness and interconnectedness to Europe is reduced (ibid.:310-312).

Both politicians supporting the Remain side emphasis that without its EU status, the UK's "ability to influence global trade rules" would be severely diminished (ibid.:316). Cameron affirms that EU membership ensures and strengthens British global trade and foreign investment, while also pointing out the advantages of "the huge trade deals in prospect between the EU and the United States and other large markets" (2016:82-83). However, the argument that the island nation needs the EU for international trade is largely ineffective due to prevailing public opinion in the UK. Due to the country's former status as a global empire and world power, many Brits today still do not understand that the UK does not hold the same sway over international trade and politics as it once did. This way of thinking is only encouraged by the Leave campaigns, which claim Brexit will not lead to a loss of influence on a European or global scale, but that the UK will instead "gain in clout" (Johnson, 2016:311). Indeed, it can even be argued that Cameron himself undermines his own arguments by continually insisting that the UK has "a global role and a global reach" and that the nation's global status is not denoted by its EU membership or any other supranational ties (2016:308).

Furthermore, a central message overriding the *Britain Stronger in Europe* campaign is that no one really knows what an "out" vote will look like. The UK does not know what kind of trade deal it will get with the EU once it chooses to leave the union and no one can predict what the island nation's future relationship to the continent will look like. Cameron succinctly sums up voting to leave the EU as "a leap in the dark" (2016:83-84). This was dubbed "Project Fear" by the Leave campaigns, who were critical of these claims, rejecting the Remain side's arguments as pessimistic and "scaremongering" (Hirst, 2016). Indeed, the Remain campaign "relied heavily" on so-called "Project Fear" arguments, where politicians emphasised the financial risks of leaving the EU (The Economist, 2017). However, this way of thinking on the Remain side can also be traced back to the ideology of conservatism. Conservatism does not advocate abrupt or sudden political changes; on the contrary, stability and continuity are considered fundamental to the functioning of society. Withdrawing from the EU and plunging into unknown waters in terms of trade and international

relationships would be a huge political change for the UK after more than 40 years of EU membership.

#### Reforming the EU

Institutional reforms of the EU also make up a key part of the Remain campaign's political messages. Cameron states "the EU is not perfect" (2016:108-109) and that the UK should stay in the EU "despite its faults and its frustrations" (ibid.:15). Neither politician fully supports the EU and neither politician talks in a completely positive manner about the EU. It is clear throughout the campaign that "there was little effort to put out a positive message about the EU" (The Economist, 2017). In fact, whenever they discuss the positive aspects of EU membership, the idea of reform is always underlying it and the belief that the EU is flawed; Cameron states that he wants the UK "to stay in a reformed EU", while Osborne talks of the benefits that future reform of the EU will bring to the UK (Cameron, 2016:143-145, Osborne, 2016:108). Strands of Eurorealism are prominent throughout the Remain campaign, and not even the British prime minister comes forward as a full and true supporter of the EU. This form of soft Euroscepticism is detrimental to the case supporting continued UK membership of the EU. Although the Eurorealist notion supports the EU, it is centred on the fundamental need for institutional reform (Leruth, 2017:50f.). Liddle neatly explains why Eurorealism is an issue in the Remain campaign:

Too often when the British case for the EU is made, it is coupled with a strong rhetoric on the need for reform which carries with it a heavy implication of negativity (Liddle, 2014:255).

This means that pro-EU politicians, such as Cameron and Osborne, should be cautious of putting too much emphasis on the topic of EU reform, as otherwise the British people will simply not see the relevance of their nation continuing as a member state – which is arguably what happened (ibid.). This lack of positivity about the EU within the Remain campaign is a main reason as to why the campaign was unsuccessful in securing an "in" vote in the referendum.

#### Security and peace

The main political message promoted by the former British prime minister in the *Britain Stronger in Europe* campaign concerns national security. Cameron repeatedly states that the UK needs to collaborate with its European counterparts in order to protect itself against international threats such as terrorism, epidemics and climate change:

... the dangerous international situation facing Britain today, means that the closest possible cooperation with our European neighbours isn't an optional extra – it is essential. We need to stand united. Now is a time for strength in numbers (2016:151-153).

Cameron emphasises that the UK is more secure with its EU affiliation and outright rejects the idea of isolationism (ibid.:15-16, 186). He also highlights the fact that the UK will remain connected to the EU, regardless of whether voters choose to remain or leave the union:

And if things go wrong in Europe, let's not pretend we can be immune from the consequences. [...] The threats affect us whether we're in the EU or not, and Britain washing its hands of helping to deal with them will only make the problems worse (ibid.:201-202, 210-212).

The politician attempts to debunk the "Dunkirk myth", stating that despite the nation's "heroism" during WWII, standing alone had not been desired by the British political elite, who subsequently after the war also advocated for future European cooperation (ibid.:172). However, Cameron's endeavours to persuade Brits of the importance of standing together with European allies falls short as voters rebuffed continued cooperation with the continent. The UK's history as a powerful global empire, as well as the events of WWII can partially explain this. Despite Cameron's active efforts to set the record straight about WWII and the UK's "finest hour", this myth and imperial history are so deeply rooted in British political culture that it is simply too difficult to change the mindset of an entire population.

Cameron also talks about the value of EU membership for strengthening the UK's position in the international arena. He discusses the sanctions implemented against Russia after the invasion of Crimea, stating that without EU affiliation and support, the UK and its former leader would have had problems taking action against Russian hostility (ibid.:342-349). He states, "... our EU membership, like our membership of other international organisations, magnifies our national power" (ibid.:305-307). The British prime minister additionally states the importance of the UK-EU relationship for strengthening other international cooperative units, such as NATO and the UN; he

states that the EU is "a vital reinforcement" to NATO and that a British withdrawal from the EU would "weaken the solidarity and the unity of the west as a whole" (ibid.:223-224). The reason why this line of argument proved itself weak in the referendum campaign can be partly explained by the British understanding of sovereignty. In the UK, sovereignty is of the utmost importance to ideas related to national freedom and history. It is something that has been defended and prized throughout history and it is, therefore, not something that Brits are willing to give up lightly. In contrast, the European understanding of national sovereignty is centred around ideas of conflict and war; the continent believes that relinquishing sovereignty in international units, such as the EU and NATO, positively, as it is an effective way of ensuring peace and ending conflict. The UK, on the other hand, views this negatively as it is deemed an encroachment of national symbolism. Cameron's arguments for the importance of pooling sovereignty in the EU as a way of strengthening the UK and organisations concerned with international security go directly against the British interpretation of sovereignty and are therefore not particularly successful in persuading voters.

The former prime minister uses arguments concerning foreign and security policy as this has been a historically important topic for the UK. As an island nation, foreign and defence policy has always been particularly crucial for Brits and the UK has one of the highest expenditures on defence in the EU (Eurostat, 2017). Although Cameron correctly insists that the UK remains fully sovereign in its security and foreign policy due to its veto in EU cooperation in this area, his arguments about the UK needing the EU for international security and as an essential part of the nation's foreign and defence policy are not particularly compelling. Despite emphasising the value of EU membership and the fact that the USA has openly called for the UK to remain an EU member state, Cameron seems to undermine his own point by declaring the USA to be the UK's "principal and indispensable ally, the guarantor of our security" (2016:381-383). Indeed, the UK's special relationship with the USA is the nation's most significant bilateral collaboration and the USA also proclaims the UK to be its closest ally (U.S. Department of State, 2017). A shared mother tongue, morals and democratic principles serve as a foundation to the UK-USA bilateral relationship, which have been strengthened throughout the past century due to alliances in WWI, WWII, the conflicts in Iraq and Afghanistan and founding NATO (ibid.). However, the USA's global power status is also of significance, as a close UK-USA relationship gives the UK "unique access to and co-operation with the one super-duper power in the world" (Beech, 2011:352). In other words, close affiliation with the American global power also strengthens the UK's global reach. The two nations have common foreign and security policy goals and frequently confer with each other on foreign policy matters; UK foreign policy is therefore harmonised with foreign policy in the USA (U.S. Department of State, 2017). The central role of the USA in British foreign and security policy is characterised by conservative thought that stems back to Thatcher. Under Thatcherism, conservative politicians looked towards the USA instead of towards Europe in terms of foreign policy, and this is a way of thinking that remained under Cameron's leadership (Beech, 2011:350). As discussed earlier, a key element of British conservatism is Euroscepticism and this strand of thinking is of vital importance to the nation's foreign policy. The UK does not prioritise the EU in this policy area but instead prefers "the sphere of influence of the US" (ibid.:353). Moreover, conservative ideology is based on pragmatism and foreign policy under the Conservative Party has centred on the preservation of UK national interests (ibid.:359). Hence, it is only natural for the UK to steer its foreign and defence policy towards the USA – the world's leading power. Foreign and security policy has therefore never been seen in a European light in the UK and has instead been directed towards the USA for several years. As this has been ingrained in conservative ideals for many years Cameron's arguments for remaining within the EU for the sake of international security and foreign policy are, therefore, unconvincing.

Cameron additionally discusses the importance of the EU for ensuring peace on the continent:

Can we be so sure that peace and stability on our continent are assured beyond any shadow of doubt? Is that a risk worth taking? [...] The European Union has helped reconcile countries which were once at each others' throats for decades. Britain has a fundamental national interest in maintaining common purpose in Europe to avoid future conflict between European countries (2016:191-192, 195-197).

The EU was founded in the post-WWII period as a reaction to the horrors of the global conflict and immense bloodshed on the European continent. Indeed, the EU promoted the idea of European

cooperation and integration due to its fundamental narrative that is based on the experience of conflict and the hope for lasting peace. This is a narrative that was shared by many continental countries who held collective memories of war. However, the UK did not share these common experiences and memories, having emerged from the war as a victorious country that had faced the Nazis alone, and therefore, the island nation did not consider European cooperation in the same way as its neighbours. As a result, the idea of the EU as a necessary organisation for securing peace on the European continent has never been particularly prominent in British political culture and this argument employed by Cameron in the referendum campaign is, therefore, not particularly convincing to a British audience. Moreover, the former prime minister undercuts his own case for remaining within the EU by emphasising the uniqueness of the UK. He claims that the British nation is "special, different, unique", while also repeating that the UK is "a great country" with formidable military and economic influence (ibid.:116, 98-102). His conservative notions are prominent here, as he highlights the superiority of the UK as a nation that has remained unconquered for a millennium with institutions that have withstood the test of time for over a hundred years and a political culture that is "rightly suspicious of ideology" (ibid.:116-118, 121-122). This part of the speech arguably plays directly into the hands of the Leave campaigns, as Cameron does not seem to directly oppose the idea of withdrawing from the EU with these statements. The EU is based on idealism and pooling sovereignty – two elements that Cameron strongly disassociates the UK from, by emphasising the pragmatism and resilience of the country. By additionally emphasising the specialness of the UK, he also does not help set the record straight about the UK's position in the international arena. In fact, the Conservative politician arguably undermines his own campaign for remaining within the EU.

# The significance of silence: immigration, intergovernmental EU cooperation and the EU institutions

It is imperative to also examine the topics that the Remain side, represented here by Cameron and Osborne, did not touch upon in their political speeches, if we are to understand why the majority of the British public voted to leave the EU. The issue of immigration and free movement of people is barely mentioned by either Conservative politician, which is detrimental to the campaign as this issue was the Leave campaign's "key weapon" (The Economist, 2017). Cameron mentions UK

border control only in the context of national security, highlighting the UK's opt-out from Schengen and thereby the nation's preservation of border control as a way of promoting EU cooperation as crucial to national security (2016:257-258). It is notable that he does not relate this key point to immigration or free movement of people. The lack of discourse on this topic is significant, as Cameron went to great lengths to secure a new, reformed deal with the EU for the UK in which immigration played a central role. Immigration from the EU and its strain on British public services, such as the NHS and the school system, is a vital topic in the in/out referendum and has been an issue that has gained momentum and salience in British politics and amongst the British public in recent years. Moreover, this was one of Cameron's key renegotiation points in his efforts to secure a better deal for the UK within the EU. Despite the fact that Cameron did not achieve all of his goals in the renegotiation in the area of immigration, it is remarkable that he chooses not to delve into the subject in his speech or defend the criticism from the opposing campaign. The notion of the NHS and other public services in the UK collapsing under the strain of increased EU immigration and British taxpayers eternally paying for the welfare of foreign nationals is not countered by Cameron or Osborne. Brits are very proud and protective of their liberal welfare model and its effective functioning depends on strong territorial borders. Therefore, the absence of the topic of immigration in both politicians' speeches only serves to weaken the arguments in favour of remaining in the EU.

The true nature of EU cooperation is another topic that is not fully detailed by the Remain campaign. Cameron defines the EU as a "close culture of intergovernmental cooperation between governments" (ibid.:220-221). He emphasises the British vision of the EU as an intergovernmental organisation, where the UK has full veto rights, stressing the fact that the UK can veto decisions related to foreign policy (ibid.:337-340). However, the conservative politician fails to mention the fact that most policy areas in the EU are subject to QMV, including areas that are of particular importance to the UK such as immigration. Despite his insistence that the UK is better off with a place at the EU negotiation table, he does not reveal that the UK is often outvoted in policy areas where QMV applies, meaning that British views may not be taken into account in EU decision-making. Cameron talks about the positive aspects of intergovernmental EU cooperation, but he neglects to address the fact that the EU is moving away from intergovernmental collaboration

towards supranational cooperation. The absence of this topic works in the Leave campaigns' favour, as their discussion of the overbearing supranational aspects of EU cooperation stands stronger than Cameron's arguments, which simply pass over the subject.

In addition, the issue of the EU institutions is scarcely discussed by the Conservative Remainers. Firstly, Cameron and Osborne use the terms "EU" and "Europe" interchangeably. Instead of speaking of the EU system, its institutions and policies, they often refer to "Europe" or "the continent". Their failure to distinguish between the political and geographical terms certainly does not add clarity to the Brexit referendum and does nothing to strengthen the main arguments for the UK to maintain its EU affiliation. Furthermore, Cameron only mentions the criticisms of the EU institutions once in his speech, where he acknowledges that the CJEU encroaches on UK sovereignty and that the UK must give up a certain degree of its national autonomy to participate in the EU. However, he simply dismisses this criticism as a necessity in the name of national security, "... the closest possible security cooperation is far more important than sovereignty in its purest theoretical form" (ibid.:300-301). However, the argument that a loss of national sovereignty is a mandatory price to pay in the fight against terrorism is not particularly convincing for British voters. Firstly, due to the legacy of the British empire and the "Dunkirk myth", the idea of the UK successfully standing alone against external forces, as well as the notion of the UK as a strong world power, is still dominant in British political culture. Many British people still believe this myth and would therefore believe that the UK can fight terrorism and deal with matters of national security on its own, without backing and support from the EU. Secondly, the British concept of sovereignty means that many voters would disagree with Cameron's statement: national sovereignty in the UK is closely guarded and considered to be emblematic of the country's status as an independent, prosperous and free nation (Wellings, 2012:228). Brits are reluctant to give this up, particularly to a supranational organisation which very few people identify with. Thirdly, by claiming that it is essential to relinquish sovereignty to the CJEU due to security cooperation, Cameron is indirectly defying the British doctrine of parliamentary sovereignty, which is fully ingrained in the nation's political culture. Cameron seems to endorse the infringement of the British parliament, as he claims that the EU is in a better position to keep the nation safe from security threats. It is easy to see how some of the British public could interpret the prime ministers statement as meaning that national security and the fight against terrorism are more important than the functioning of British democracy, and therefore choose to vote to leave the EU in order to end the impingement on democracy.

On the other hand, Osborne does not focus on the EU institutions at all and makes no effort to defend the EU's institutional set-up against the harsh criticism of the Leave side. Purposefully ignoring this important aspect of EU cooperation, which has been consistently criticised by the Leave campaigns, weakens the Remain side's arguments in favour of the EU. Due to the large differences in the British and EU political and legal systems, it is important to explain why the EU functions the way that it does. For example, the absence of the doctrine of parliamentary sovereignty in the EU is an element that the British population finds particularly problematic: the fact that the CJEU can overrule the British parliament at any time is regarded as dangerous and intrusive by Brits. Perhaps if the Remain campaign had made efforts to explain the differences between the constitutional democracy prominent in the EU and the majoritarian democracy form found in the UK, emphasising that the EU constitutional court only interferes with national parliaments in matters that concern fundamental citizen rights, then their arguments for remaining in the EU would have been more persuasive.

# Discussion

This section will detail a discussion and evaluation of the extent to which the theoretical framework of this paper can explain which historical, cultural and political factors influenced the UK-EU relationship and why the British people voted to leave the EU. The theories will be discussed individually and relevant information from the analysis section will be used to confirm or disprove the main theoretical points and ultimately answer the research question of this paper.

## The nation state and sovereignty

According to Baudet and Scruton, sovereignty, national territory and borders are essential to the nation state and the functioning of representative government and the rule of law. In other words, nation states must retain sovereign control over their affairs if society is to function. The political loyalty that is a necessary component of the nation state is derived from "an experienced collective identity", where citizens feel accountable to each other and to the state (Baudet, 2012:60). There is, therefore, a societal connection between citizens within nation states, which creates a feeling of belonging that enables the rule of law and government to function. According to this theory, supranationalism and multiculturalism threaten the rule of law in nation states. Supranational structures erode the nation state from above by undermining domestic political and legal institutions, while multiculturalism destabilises the nation state from below by discouraging societal and national loyalty and instead promoting allegiance to separate groups within society who do not identify with core national values, and both supranationalism and multiculturalism weaken the national "we" feeling (ibid.:237ff.). Baudet's ideas on the importance of borders partially explain why the EU institutions are experienced as undemocratic by Eurosceptic Brits. Indeed, EU institutions are experienced as illegitimate due to the lacking collective identity and loyalty within the EU. The absence of a clearly defined European "we" in the EU means that the supranational organisation will never be regarded as fully valid or representative; in other words, the democratic deficit and dissatisfaction with the EU will remain until a feeling of belonging that encompasses the populations of member states is created, and according to this theory, this feeling can only be created under national boundaries within a domestic and clearly defined territory. The theoretical framework concerning borders and nation states can, therefore, account for the probability of the Brexit referendum outcome to a certain degree. However a full understanding of Brexit is impossible without taking the British political context into account, such as the Eurosceptic nature of British political culture, embodied by the Conservative Party and UKIP.

Ideas relating to national sovereignty certainly played a prominent role in the Brexit referendum campaigns. One of the Leave campaigns' main focuses was the threat that the EU poses to UK sovereignty. Politicians promoting an "out" vote stated that EU institutions such as the CJEU and the Council of the EU infringe on British sovereignty and allude to the ultimate disintegration of the British nation state, as the EU's constitutional court can overrule the judiciary and legislative branches in the UK and the UK can be outvoted on policy decisions in the Council of the EU. Although the Remain campaign claimed that pooling sovereignty in the EU and participating in supranational cooperation provides the UK with more security, for example against terrorism, these arguments proved ineffective. This cannot solely be explained by Baudet and Scruton's theories; historical factors also come into play. The UK has a different understanding of national sovereignty than its European neighbours, as it is a prized element of British political culture and is a symbol of the nation's status. This lends to the commonly held idea in British political culture of the UK being a special, unique and great. This is something that the Remain campaign under the former British prime minister's leadership emphasised, thereby undermining their own arguments and indirectly implying that the country would thrive on its own without supranational ties. Although the theory provides a solid explanation as to why arguments concerning the topic of immigration were particularly effective in the referendum campaigns, it must also be considered in combination with British political culture and history, in particular the nature of the British welfare state. Hence, the theory of the nation state and sovereignty can provide a useful explanation for Brexit when combined with the UK's historical and cultural background.

## Constitutional democracy v majoritarian democracy

The UK's democratic traditions are vastly different to the traditions present in the EU: the UK is a majoritarian democracy, where the will of the political majority is supreme, while the EU is a constitutional democracy, where the protection of human rights is the principle aim. Dworkin's theory on constitutional democracy and Hansen's ideas on majoritarian democracy are vital for evaluating the extent to which the UK's political and legal structures are incompatible with the EU

and whether Brexit was likely. The Leave campaigns repeatedly highlighted the institutional differences between the UK and EU, with particular focus on the role of the EU's constitutional court, which they regard as invasive and meddlesome, as the UK is not accustomed to constitutional interference due to its majoritarian democratic tradition. On British soil, the will of the political majority should always be implemented, even in cases where there are compelling or fundamental reasons to oppose it. The fact of the matter is that the UK does not have an equivalent constitutional court on a national level: the UK Supreme Court certainly does not correspond to the CJEU, as it does not have a higher position over the British parliament or other institutions as the CJEU does in an EU context. The Supreme Court is, in fact, subordinate to the British parliament, as the institution does not possess the power of veto over the parliament and it cannot override parliamentary decisions. The CJEU's intervention in British affairs is arguably a cornerstone of the difficulties that the UK has experienced in its relationship with the EU and is certainly a reason as to why Brexit was plausible. The values that lie at the heart of the UK and EU fundamentally clash: the UK deems the will of the political majority to be absolute, while the EU will always regard the protection of human rights higher than the wishes of a political majority. This is a fundamental incompatibility between the British nation and the EU. The theory of constitutional and majoritarian democracy can, therefore, explain to a large extent why a British withdrawal from the EU was a likely outcome.

However, this theory alone cannot explain why the UK chose to leave the EU and Brexit must be seen in a wider context. For example, the UK's historical background is a vital component to understanding the results of the in/out referendum, and an analysis of Brexit would be incomplete without also taking factors such as the nation's imperial past and the durability and age of the British institutions into account. Moreover, some would criticise Dworkin's theory on democratic tradition, as his ideas take the American constitution and the USA as a starting point, which could be deemed as incomparable to the situation in Europe. Nevertheless, Dworkin's understanding of the majoritarian and constitutional democratic traditions is relevant in a European context, and even more so when supplemented and contrasted with Hansen's differing interpretations of democracy.

## EU political and legal structures

Theories concerning the political and legal structures of the EU are also significant for assessing the probability of the UK leaving the EU and the impact of historical, cultural and political factors on the UK-EU relationship. The theoretical framework demonstrates the vast differences between the legislative powers in the UK and the EU: the British political system is based on parliamentarianism, while the EU parliament is comparatively weaker. The executive power in the UK is fully reliant on the support of the legislative power, however, the European Commission is not accountable to its parliament in the same way. This political difference has been emphasised as problematic by the Leave campaigns: the British government is indirectly accountable to its citizens, while the Commission is not subject to the same process. The lack of influence that the EU legislative branch has over the executive power is difficult for Brits to relate to, as this is a key element of their political system. In addition, the European Parliament does not have sole control over legislation due to the codecision procedure. This is yet another element of the EU political system that the British people find difficult to understand. For many Brits, the EU is regarded as undemocratic due to the weak position of its parliament, and this is a line of argument that the Leave campaigns successfully employed in the Brexit referendum. In a British national context, democracy is ensured when parliament is the supreme political power, but this is simply not the case in an EU context. This theory portrays a clear discordance between the political structures of the UK and the EU, which debatably made Brexit a feasible course of action.

The legal structures in the UK and the EU are also dissimilar. The CJEU is a politically active institution that employs teleological interpretation so that the court also takes on a legislative role in its rulings and can act independently of other institutions, while the UK Supreme Court can be described as its opposite: the British court is bound by historical precedence in its rulings and is outranked by the national legislative power. The two institutions have distinct legal traditions as their foundation, which explain the institutional differences: the CJEU is based on civil law, while the UK Supreme Court is based on common law. The politically active role of the CJEU is deemed problematic by Eurosceptics, as they are not used to interference from a judiciary power. The *Britain Stronger in Europe* campaign omits this issue from its political messages and barely mentions the CJEU or its seemingly overbearing role in British affairs. This weakens their

arguments for remaining a part of EU cooperation, as the Leave campaigns repeatedly criticised the legal traditions of the EU, while politicians supporting a vote to remain did nothing to discourage the negativity surrounding the EU institutions. Overall, the theory concerning the political and legal structures of the EU can explain the result of the Brexit referendum to a large extent, as the Leave campaigns effectively utilised the differences to convince voters of their cause. The theory additionally demonstrates how Brexit was a probable outcome, due to the underlying institutional differences between the British national context and the supranational EU setting. Nonetheless, in order to fully understand the UK-EU relationship and why it broke down, this theory must be considered in combination with ideas on British history and political culture. The doctrine of parliamentary sovereignty and the British understanding of sovereignty are, for example, crucial to understanding why the political and legal institutions in the EU are misunderstood and looked upon negatively by Brits.

# The ideology of conservatism

Conservatism forms an indispensable part of the referendum campaigns and can help explain why the British people voted to leave the EU and the likelihood of such an outcome. "Loyalty, allegiance, community and tradition" are fundamental principles of conservatism (Scruton, 2001). The idea of shared traditions and culture is also vital to conservatism, as they are emblematic of societal membership (ibid.:26). The ideology of conservatism is, therefore, closely related to ideas on the nation state and national sovereignty, as conservatives also regard feelings of national and societal belonging very highly. In addition, One Nation Conservatism is also a key component of the ideology, based on the notion of the elite upholding a moral and societal obligation towards citizens and their welfare. Conservatism is deeply intertwined with British institutions and this is discordant with the EU institutions to a large extent. For example, the British welfare state is based on a liberal model where One Nation Conservatism plays a key role. The system is based on societal allegiance to the nation state, as taxpayers finance other citizens' welfare. This clashes with the EU system and principle of free movement of people, as EU citizens can immigrate to the UK and benefit from the welfare system without sharing the feeling of loyalty or contributing to the welfare system. Politicians promoting a vote to leave the EU applied this line of argument in their campaigns, stating that EU membership undermines the British welfare state. The Remain campaign, however, failed to utilise arguments concerning the welfare state in the UK or the issue of immigration and their silence on this matter diluted their cause, as the welfare state is a fundamental element of British society.

Moreover, the compatibility of British conservatism and the EU is questionable. Euroscepticism and Eurorealism are key elements of conservatism in the UK. Conservative politicians who were part of the Remain campaign were Eurorealists, meaning that they held a pragmatic view of the EU with a central goal of institutional change. This form of soft Euroscepticism formed a central pillar of the Remain campaign, which weakened the campaign as a whole, as Conservative Remainers did not openly declare full and positive support for the EU as it currently stands. Instead, Conservative support for the EU was veiled in the notion of fundamentally reforming the supranational organisation, presenting a negative picture of the EU, which did nothing to encourage the British public to vote to remain. Indeed, this line of argument could have been interpreted as suspicious and untrustworthy, as the politicians did not promote membership of the current supranational structure, but referred to a future and yet unknown cooperative unit. The Eurorealist ideology present in the British Conservative Party served to undermine the Remain campaign and can be argued to be discordant with EU cooperation, thereby making a UK withdrawal from the EU a likely outcome.

In addition, conservatism as an ideology can be argued to be incompatible with the EU. Conservatism does not advocate idealism or the implementation of legislation that is based on morals, principles or ideology. Instead, conservatives believe in pragmatism and the gradual evolution of laws over time. However, the EU is an artificially constructed organisation, based on idealism and universalism. This ideological difference alludes to a fundamental clash between the values of British and EU institutions and arguably indicates that the dissolution of the UK-EU relationship was a probable consequence. On the other hand, as conservatism does not advocate sudden or abrupt changes in society or the political system, as it regards continuity and constancy highly, and withdrawing from EU cooperation after more than 40 years of membership is a very sudden change to British politics, the extent to which conservative ideology alone can explain why Brexit happened is limited.

# Conclusion

In conclusion, the UK's political culture and its internal political and legal structures have been highly influential in the nation's relationship with the EU and these factors made leaving the EU a probable outcome. The British nation and the EU have fundamental differences at their cores, which lends to the often fraught and difficult UK-EU relationship. These differences are deeprooted, institutional and historic, making the results of the Brexit referendum to a large extent likely.

The UK's political culture is discordant with the EU in many ways, which has made EU cooperation for Brits difficult and has ultimately contributed to Brits voting to leave the EU. Firstly, the British historical narrative concerning the EU does not match that of other member states. The UK did not join the EU on the same premise as its European neighbours. The EU was founded in the aftermath of WWII, with the idea of pooling sovereignty in order to maintain and promote peace on the European continent, however, the UK emerged from the war as a glorious victor, with a national collective memory of British sovereignty playing a crucial role in the nation's "finest hour". Hence, the British understanding of sovereignty and the understanding of sovereignty on the European continent clash: Brits associate sovereignty with national pride and regard it as a symbol of the nation's greatness, while other EU member states relate sovereignty to the memory of war and conflict. In addition, the UK's former status as a global empire underlies the nation's discordance with the EU. Having previously ruled most of the world, the UK has never fully comprehended the importance of close European ties, instead maintaining a global outlook, for example by looking to the USA in terms of foreign and defence policy instead of to European neighbours. This way of thinking is clearly visible in the Remain and Leave campaigns, as politicians promoting an "out" vote emphasis the idea of the UK thriving without its EU ties both in terms of the economy and establishing new and better trade deals, while the Remain side fails to dismantle the elevated image of the UK as a global power, undercutting their own arguments for staying in the EU by falling back on old notions of the UK as a special and unique nation.

Furthermore, the prominence of conservatism in British political culture has been detrimental to the UK-EU relationship and the possibility of the UK continuing as a EU member state. The British

Conservative party is profoundly Eurosceptic – even those politicians who advocated for an "in" vote, including the former British prime minister, were Eurorealists and promoted continued EU membership on the condition of fundamental reform. In other words, there were no openly, positive and fully pro-EU politicians from the ruling political party on the Remain side during the referendum campaign. Moreover, the core principles of conservatism are arguably incompatible with the EU, as conservatism is based on pragmatism and disassociates itself from idealism or rules based on pure ideology. One Nation Conservatism is arguably also incompatible with EU cooperation, as this strand of thinking requires sovereign control over national borders in order to function optimally. A feeling of national belonging and collective identity is crucial for One Nation Conservatism and the British liberal welfare state to operate and this can only be created within a national territory with clear boundaries. This alludes to a fundamental clash with the EU principle of free movement of people and EU immigration, as national loyalty and a feeling of societal membership is vital to the functioning of the welfare state in the UK, which in turn is only possible with clear national borders, which the nation state has sovereign control over. This line of argument was key for the Leave campaign, as politicians highlighted the burden that EU immigration imposes on British public services and the threat this poses to the British state's ability to care for its own citizens. The argument for remaining within the EU was severely weakened by the absence of this topic in key political speeches made by the Remain campaign.

The UK's internal political and legal structures are also mismatched with the EU. The UK is a majoritarian democracy with a doctrine of parliamentary sovereignty. The EU, on the other hand, is a constitutional democracy that contains a constitutional court that can overrule any institution and member state. Therefore, the UK and the EU have different understandings of democracy: the UK understands the aim of democracy to be about upholding the will of the political majority, while the EU understands democracy to be about preserving and protecting human rights. This means that the UK and the EU also have differing institutional setups. The UK's political system is based on parliamentarianism, meaning that the British parliament plays a decisive role in the executive, legislative and judiciary powers. There is no higher power than the British parliament and not even the British judiciary, the UK Supreme Court, can overrule it. This is a fundamental difference with the EU system, where the European Parliament is comparatively weaker and by no

means the supreme authority as it is subject to a codecision procedure in legislative matters and can be overruled by the CJEU. Indeed, the CJEU is a key cause of grievance for Brits, as they are not accustomed to interference in national affairs from a constitutional court. For the British people, it is simply incomprehensible that an institution other than the British parliament can legislate on national matters and this is a core reason as to why the CJEU has been subjected to criticism and negativity from the island nation. The disparities between the UK and EU systems were stressed by the Leave campaigns, claiming that the EU infringes on British sovereignty and the supranational structures ultimately undermine the functioning of the nation state and the rule of law. The Remain campaign failed to fully address these issues, which further weakened their campaign to stay within the EU.

To sum up, the UK's differing institutional setup, historical background and political culture made withdrawing from the EU a likely outcome and these factors form the underlying reasons as to why the British people voted in favour of Brexit.

# Bibliography

Abrahamson, Peter (2016). "Socialpolitikmodeller". *In*: Møller, Iver Hornemann & Larsen, Jørgen Elm (Eds.). *Socialpolitik* (pp. 129-154) (4<sup>th</sup> ed.). Copenhagen: Hans Reitzels Forlag

Bale, Tim (2016). The Conservative Party: From Thatcher to Cameron. Cambridge: Polity Press

Baron, Irene & Herslund, Michael (2011). "Magten og borgerne – rettigheder i forfatninger". *In:* Baron, Irene, Fich, Christian & Herslund, Michael (Eds.) *Fra Leviathan til Lissabon. Magt og rettigheder i europæiske forfatninger* (pp. 35-74). Copenhagen: Jurist- og Økonomforbundets

Baudet, Thierry (2012). *The Significance of Borders: Why Representative Government and the Rule of Law Require Nation States.* Leiden: Brill

Beech, Matt (2011). British Conservatism and Foreign Policy: Traditions and Ideas Shaping Cameron's Global View. *The British Journal of Politics and International Relations,* Vol 13, 348-363

Booth, Stephen (2016, February 21). *What did the UK achieve in its EU renegotiation?* URL: <u>http://openeurope.org.uk/today/blog/what-did-the-uk-achieve-in-its-eu-renegotiation/</u> Accessed: 31/03/2017

Cameron, David (2013a, January 23). *EU Speech at Bloomberg*. URL: <u>https://www.gov.uk/government/speeches/eu-speech-at-bloomberg</u>. Accessed: 20/03/2017

Cameron, David (2013b, March 25). *David Cameron's immigration speech*. URL: <a href="https://www.gov.uk/government/speeches/david-camerons-immigration-speech">https://www.gov.uk/government/speeches/david-camerons-immigration-speech</a> Accessed: 31/03/2017

Cameron, David (2016, May 9). *PM speech on the UK's strength and security in the EU, 9 May 2016*. URL: <u>https://www.gov.uk/government/speeches/pm-speech-on-the-uks-strength-and-security-in-the-eu-9-may-2016</u> Accessed: 17/04/2017

Dworkin, Ronald (1999). Freedom's Law: The Moral Reading of the American Constitution. Cambridge, Massachusetts: Harvard University Press European Commission (2016). *Standard Eurobarometer 86 Autumn 2016*. URL: <u>http://ec.europa.eu/commfrontoffice/publicopinion/index.cfm/Survey/getSurveyDetail/instrume</u> <u>nts/STANDARD/yearFrom/1974/yearTo/2016/surveyKy/2137</u> Accessed: 07/05/2017

Eurostat(2017).Governmentexpenditureondefence.URL:http://ec.europa.eu/eurostat/statistics-

explained/index.php/Government expenditure on defence Accessed: 25/04/2017

Farage, Nigel (2016a, June 20). Nigel Farage: Why you should vote for Brexit this Thursday. *Independent*. URL: <u>http://www.independent.co.uk/voices/eu-referendum-brexit-nigel-farage-on-why-you-should-vote-to-leave-a7091021.html</u> Accessed: 22/10/2016

Farage, Nigel (2016b, June 22). *Final speech of the EU Referendum*. URL: <u>https://www.youtube.com/watch?v=H5wJHhfpzSA</u> Accessed: 17/04/2017

Ford, Robert & Goodwin, Matthew (2014). *Revolt on the Right: Explaining support for the radical right in Britain*. London and New York: Routledge

Gove, Michael (2016, April 19). *The Facts of Life say Leave: Why Britain and Europe Will Be Better Off After We Vote to Leave.* URL: <u>https://www.politicshome.com/news/uk/foreign-affairs/media-</u> <u>interview/73993/michael-goves-full-brexit-speech-19-april-2016</u> Accessed: 17/04/2017

Hansen, Mogens Herman (2010). *Demokrati som styreform og som ideologi.* Copenhagen: Museum Tusculanums Forlag

Hayton, Richard (2016). The UK Independence Party and the Politics of Englishness. *Political Studies Review*, 14:3, 400–410

Hirst, Chris (2016, May 5). Why 'Project Fear' is a good thing for Remain. *Politico*. URL: <a href="http://www.politico.eu/article/why-project-fear-is-a-good-thing-for-remain-brexit-referendum-election-branding-leave-campaign/">http://www.politico.eu/article/why-project-fear-is-a-good-thing-for-remain-brexit-referendum-election-branding-leave-campaign/</a> Accessed: 17/04/2017

Hope, Christopher (2016, June 24). Boris Johnson hails Brexit victory - full statement. *The Telegraph*. URL: <u>http://www.telegraph.co.uk/news/2016/06/24/boris-johnson-hails-brexit-victory--full-statement/</u> Accessed: 22/10/2016

Johnson, Boris (2016, May 9). The liberal cosmopolitan case to Vote Leave. URL: <a href="http://www.voteleavetakecontrol.org/boris">http://www.voteleavetakecontrol.org/boris</a> johnson the liberal cosmopolitan case to vote lea <a href="http://www.voteleavetakecontrol.org/boris">ve.http://www.voteleavetakecontrol.org/boris</a> johnson the liberal cosmopolitan case to vote lea <a href="http://www.voteleavetakecontrol.org/boris">ve.http://www.voteleavetakecontrol.org/boris</a> johnson the liberal cosmopolitan case to vote lea

Kingdom, John & Fairclough, Paul (2014). *Government and Politics in Britain*. (4<sup>th</sup> ed.) Cambridge: Polity Press

Leave.EU (2017). About us. URL: http://leave.eu/about/ Accessed: 12/04/2017

Leruth, Benjamin (2017). "Is 'Eurorealism' the new 'Euroscepticism'? Modern conservatism, the European Conservatives and Reformists and European integration". *In:* Fitzgibbon, John, Leruth, Benjamin & Starin, Nick. *Euroscepticism as a Transnational and Pan-European Phenomenon* (pp. 46-62). London and New York: Routledge

Liddle, Roger (2014). *The Europe Dilemma: Britain and the Drama of EU integration*. London, New York: I. B. Tauris

Macshane, Denis (2015). Brexit: How Britain will leave Europe. Cornwall: I. B. Tauris

Osborne, George (2016, April 18). *HM Treasury analysis on the EU referendum: George Osborne's speech*. URL: <u>https://www.gov.uk/government/speeches/hm-treasury-analysis-on-the-eu-referendum-george-osbornes-speech</u> Accessed: 17/04/2017

Rasmussen, Hjalte (2008). EU-ret i grundtræk – grundlove, institutioner og lovgivere i EU og Danmark. Frederiksberg: Samfundslitteratur

Scruton, Roger (2006). Britain and the Need for Nations. Suffolk: St Edmundsbury Press

Scruton, Roger (2001). The Meaning of Conservatism. Basingstoke: Palgrave

Sparrow, Andrew. (2016, February 2). EU deal key points: what Cameron wanted and what he got. *The Guardian*. URL: <u>https://www.theguardian.com/politics/2016/feb/02/eu-deal-key-points-what-cameron-wanted-and-what-he-got</u> Accessed: 31/03/2016

Sørensen, Catharina (2009). Love me, love me not... A typology of public Euroscepticism (SEI Working Paper No 101 & EPERN Working Paper No 19). Sussex: Sussex European Institute

Tamm, Ditlev (2009). *Global retskultur: en indføring i komparativ ret på historisk grundlag*. Frederiksberg: Samfundslitteratur

TheSupremeCourt(2017).FrequentlyAskedQuestions.URL:https://www.supremecourt.uk/faqs.html#1eAccessed: 15/02/2017

The UN Refugee Agency (2010). *Convention and Protocol Relating to the Status of Refugees*. URL: <a href="http://www.unhcr.org/3b66c2aa10">http://www.unhcr.org/3b66c2aa10</a> Accessed: 07/05/2017

U.S. Department of State (2017). U.S. Relations with United Kingdom. URL: <u>https://www.state.gov/r/pa/ei/bgn/3846.htm</u> Accessed: 25/04/2017

Varouxakis, Georgios (2010). "Mid-Atlantic Musings: The 'Question of Europe' in British Intellectual Debates, 1961-2008". *In:* Lacroix, Justine and Nicolaïdis, Kalypso (Eds.). *European Stories: Intellectual Debates in Europe in National Contexts* (pp. 147-166). Oxford: Oxford University Press

Watt, Nicholas (2016, February 21). Boris Johnson to campaign for Brexit in EU referendum. TheGuardian.URL:https://www.theguardian.com/politics/2016/feb/21/boris-johnson-eu-referendum-campaign-for-brexit-david-cameronAccessed: 31/03/2017

Wellings, Ben (2012). English Nationalism and Euroscepticism: Losing the Peace. Oxford: Peter Lang

Why Brexit won. (2017, January 7). The Economist, 63-64

Wright, Tony (Ed.). (2000). *The British Political Process: An Introduction*. London and New York: Routledge

Zamfir, Ionel (2015, October 17). Refugee Status Under International Law. *European Parliamentary Research Service Blog*. URL: <u>https://epthinktank.eu/2015/10/27/refugee-status-under-international-law/</u> Accessed: 26/04/2017

## Appendix

- 1. David Cameron's speech
- 2. Nigel Farage's speech
- 3. Michael Gove's speech
- 4. Boris Johnson's speech
- 5. George Osbourne's speech

## 1. David Cameron's speech on the UK's strength and security in the EU, 9 May 2016

In 45 days' time, the British people will go to polling stations across our islands and cast their ballots in the way we have done in this country for generations. They will, as usual, weigh up the arguments, reflect on them quietly, discuss them with friends and family, and then, calmly and without fuss, take their decision.

But this time, their decision will not be for a Parliament, or even two. They will decide the destiny
of our country, not for 5 years or for 10, but in all probability for decades, perhaps a lifetime. This
is a decision that is bigger than any individual politician or government. It will have real,
permanent and direct consequences for this country and every person living in it.

9 Should we continue to forge our future as a proud, independent nation while remaining a member
10 of the European Union, as we have been for the last 43 years? Or should we abandon it?

Let me say at the outset that I understand why many people are wrestling with this decision, and why some people's heads and hearts are torn. And I understand and respect the views of those who think we should leave, even if I believe they are wrong and that leaving would inflict real damage on our country, its economy and its power in the world.

15 I believe that, despite its faults and its frustrations, the United Kingdom is stronger, safer and
16 better off by remaining a member of the European Union. Better off? Certainly.

17 We are part of a single market of 500 million people which Britain helped to create. Our goods 18 and, crucially, our services – which account for almost 80% of our economy – can trade freely by right. We help decide the rules. The advantages of this far outweigh any disadvantages. Our 19 20 membership of the single market is one of the reasons why our economy is doing so well, why we 21 have created almost 2.4 million jobs over the last 6 years, and why so many companies from 22 overseas – from China or India, the United States, Australia and other Commonwealth countries 23 invest so much in the UK. It is one of the factors – together with our superb workforce, the low 24 taxes set by the British government, and our climate of enterprise – which makes Britain such an 25 excellent place to do business.

All this is alongside – let us note – our attractive regulatory environment. According to the OECD, it is second only to the Netherlands, itself an EU member – giving the lie to those who claim that the British economy is being strangled by regulation from Brussels.

If we leave, the only certainty we will have is uncertainty. The Treasury has calculated that the cost to every household in Britain would be as high as £4,300 by 2030 if we leave. £4,300. The overwhelming weight of independent opinion – from the International Monetary Fund to the OECD, from the London School of Economics to the Institute for Fiscal Studies – also supports the fact that Britain will suffer an immediate economic shock, and then be permanently poorer for the long-term.

35 The evidence is clear: we will be better off in, and poorer if we leave.

As Charles Dunstone, the founder of Carphone Warehouse, an entrepreneur not averse to risk, has
said: "In my experience there are calculated risks, there are clever risks, and there are unnecessary
and dangerous risks. And from all I can conclude, Brexit sits firmly in the latter camp."

So the onus is on those who advocate leaving to prove that Britain will be better off outside the
EU. Those advocating Brexit have spent many years preparing for this moment. And yet they seem
unable to set out a clear, comprehensive plan for our future outside the EU.

Some admit there would be a severe economic shock, but assert nonchalantly that it would be 'a
price worth paying'. Others are in denial that there would be a shock at all. And they can't agree
what their plan for post-Brexit Britain would look like.

One minute we are urged to follow Norway, the next minute Canada. A few days later Switzerland offers the path forward, until it becomes clear that their arrangement doesn't provide much access for services to the EU's single market – and services, as I've said, are almost 4 fifths of the British economy.

49 Most recently, the Leavers have noticed that a number of European countries that sit outside of 50 the EU have negotiated separate trade arrangements with the EU. They called this collection of 51 countries the 'European free trade zone'. But in fact, this doesn't exist: it is a patchwork of 52 different arrangements, all of them far inferior to what we have now. They have gone on to suggest that Britain might join this non-existent zone, just like Albania. Seriously? Even the Albanian Prime Minister thought that idea was a joke. The Leave campaign are asking us to take a massive risk with the future of our economy and the future of our country. And yet they can't even answer the most basic questions. What would Britain's relationship be with the EU if we were to leave? Will we have a free trade agreement, or will we fall back on World Trade Organisation rules? The man who headed the WTO for 8 years thinks this would be and I quote "a terrible replacement for access to the EU single market."

Some of them say we would keep full access to the EU single market. If so, we would have to accept freedom of movement, a contribution to the EU budget, and accept all EU rules while surrendering any say over them. In which case, we would have given up sovereignty rather than taken it back.

Others say we would definitely leave the single market – including, yesterday, the Vote Leave campaign – despite the critical importance of the single market to jobs and investment in our country. I can only describe this as a reckless and irresponsible course. These are people's jobs and livelihoods that are being toyed with. And the Leave campaign have no answers to the most basic questions.

69 What access would we try to secure back into the single market from the outside? How long 70 would it take to negotiate a new relationship with the EU? What would happen to the 53 trade 71 deals we have with other markets around the world through the EU?

The Leave campaign can't answer them because they don't know the answers. They have no plan.
And yet sceptical voters who politely ask for answers are denounced for their lack of faith in
Britain, or met with sweeping assurances that the world will simply jump to our tune.

If you were buying a house or a car, you wouldn't do it without insisting on seeing what was being offered, and making sure it wasn't going to fall apart the moment you took possession of it. So why would you do so when the future of your entire country is at stake? The British people will keep asking these questions every day between now and 23 June, and demanding some answers. Nothing is more important than the strength of our economy. Upon it depends the jobs andlivelihoods of our people, and also the strength and security of our nation.

81 If we stay, we know what we get – continued full access to a growing single market, including in 82 energy, services and digital, together with the benefit of the huge trade deals in prospect between 83 the EU and the United States and other large markets. If we leave, it is – genuinely – a leap in the 84 dark.

But my main focus today will not be on the economic reasons to remain in the EU, important though they are. I want to concentrate instead on what our membership means for our strength and security in the world, and the safety of our people, and to explain why, again, I believe the balance of advantage comes down firmly in favour of staying rather than leaving.

Because this decision is a decision about our place in the world, about how we keep our country
safe, about how Britain can get things done – in Europe and across the world – and not just accept
a world dictated by others.

92 So today I want to set out the big, bold patriotic case for Britain to remain a member of the EU. I 93 want to show that if you love this country, if you want to keep it strong in the world, and keep our 94 people safe, our membership of the EU is one of the tools – one of the tools – that helps us to do 95 these things, like our membership of other international bodies such as NATO or the UN Security 96 Council.

Let us accept that for all our differences, one thing unites both sides in this referendum campaign.
We love this country, and we want the best future for it. Ours is a great country. Not just a great
country in the history books, although it surely is that. But a great country right now, with the
promise of becoming even greater tomorrow.

101 We're the fifth largest economy in the world. Europe's foremost military power. Our capital city is 102 a global icon. Our national language the world's language. Our national flag is worn on clothing 103 and t-shirts the world over – not only as a fashion statement, but as a symbol of hope and a 104 beacon for liberal values all around the world. People from all 4 corners of the earth watch our films, dance to our music, flock to our galleries and theatres, cheer on our football teams andcherish our institutions.

107 These days, even our food is admired the world over. Our national broadcaster is one of the most 108 recognised brands on the planet, and our monarch is one of the most respected people in the 109 world. Britain today is a proud, successful, thriving nation, a nation the world admires and looks up 110 to, and whose best days lie ahead of it.

We are the product of our long history – of the decision of our forebears, of the heroism of our parents and grandparents. And yet we are a country that also has our eyes fixed firmly on the future – that is a pioneer in the modern world: from the birth of the internet to the decoding of the genome.

If there is one constant in the ebb and flow of our island story, it is the character of the British people. Our geography has shaped us, and shapes us today. We are special, different, unique. We have the character of an island nation which has not been invaded for almost a thousand years, and which has built institutions which have endured for centuries.

As a people we are ambitious, resilient, independent-minded. And, I might add, tolerant, generous, and inventive. But above all we are obstinately practical, rigorously down to earth, natural debunkers. We approach issues with a cast of mind rooted in common sense. We are rightly suspicious of ideology, and sceptical of grand schemes and grandiose promises.

So we have always seen the European Union as a means to an end – the way to boost our prosperity and help anchor peace and stability across the European continent – but we don't see it as an end in itself.

We insistently ask: why? How? And as we weigh up the competing arguments in this referendumcampaign, we must apply that practical rigour which is the hallmark of being British.

Would going it alone make Britain more powerful in the world? Would we be better able to get our way, or less able? Would going it alone make us more secure from terrorism, or would it be better to remain and cooperate closely with our neighbours? Would going it alone really give us more control over our affairs, or would we soon find that actually we had less, and that we had given up a secure future for one beset by years of uncertainty and trouble with no way back?
Would going it alone open up new opportunities, or would it in fact close them down and narrow
our options?

That is certainly the approach I have taken to judging whether Britain is stronger and safer inside the European Union or leaving it. And I have just one yardstick: how do we best advance our national interest? Keeping our people safe at home and abroad, and moulding the world in the way that we want – more peaceful, more stable, more free, with the arteries of commerce and trade flowing freely.

140 That is our national interest in a nutshell – and it's the question that has confronted every British 141 prime minister since the office was created: how do we best advance Britain's interests in the 142 circumstances of the day?

143 If my experience as Prime Minister had taught me that our membership of the EU was holding 144 Britain back or undermining our global influence, I would not hesitate to recommend that we 145 should leave. But my experience is the opposite. The reason that I want Britain to stay in a 146 reformed EU is in part because of my experience over the last 6 years is that it does help make our 147 country better off, safer and stronger.

148 And there are 4 reasons why this is the case.

First, what happens in Europe affects us, whether we like it or not, so we must be strong in Europeif we want to be strong at home and in the world.

Second, the dangerous international situation facing Britain today, means that the closest possible cooperation with our European neighbours isn't an optional extra – it is essential. We need to stand united. Now is a time for strength in numbers.

Third, keeping our people safe from modern terrorist networks like Daesh and from serious crime that increasingly crosses borders means that we simply have to develop much closer means of security cooperation between countries within Europe. Britain needs to be fully engaged with that. Fourth, far from Britain's influence in the world being undermined by our membership of the EU, it amplifies our power, like our membership of the UN or of NATO. It helps us achieve the things we want – whether it is fighting Ebola in Africa, tackling climate change, taking on the people smugglers. That's not just our view; it's the view of our friends and allies, too.

162 Let me go through them in turn.

First: Europe is our immediate neighbourhood, and what happens on the continent affects us profoundly, whether we like it or not. Our history teaches us: the stronger we are in our neighbourhood, the stronger we are in the world. For 2,000 years, our affairs have been intertwined with the affairs of Europe. For good or ill, we have written Europe's history just as Europe has helped to write ours. From Caesar's legions to the wars of the Spanish Succession, from the Napoleonic Wars to the fall of the Berlin Wall. Proud as we are of our global reach and our global connections, Britain has always been a European power, and we always will be.

170 We know that to be a global power and to be a European power are not mutually exclusive. And 171 the moments of which we are rightly most proud in our national story include pivotal moments in 172 European history. Blenheim. Trafalgar. Waterloo. Our country's heroism in the Great War. And most of all our lone stand in 1940, when Britain stood as a bulwark against a new dark age of 173 174 tyranny and oppression. When I sit in the Cabinet Room, I never forget the decisions that were 175 taken in that room in those darkest of times. When I fly to European summits in Brussels from RAF 176 Northolt, I pass a Spitfire just outside the airfield, a vital base for brave RAF and Polish pilots 177 during the Battle of Britain. I think of the Few who saved this country in its hour of mortal danger, 178 and who made it possible for us to go on and help liberate Europe. Like any Brit, my heart swells 179 with pride at the sight of that aircraft, or whenever I hear the tell-tale roar of those Merlin engines 180 over our skies in the summer. Defiant, brave, indefatigable.

But it wasn't through choice that Britain was alone. Churchill never wanted that. Indeed he spent the months before the Battle of Britain trying to keep our French allies in the war, and then after France fell, he spent the next 18 months persuading the United States to come to our aid. And in the post-war period he argued passionately for Western Europe to come together, to promote free trade, and to build institutions which would endure so that our continent would never again see such bloodshed. Isolationism has never served this country well. Whenever we turn our back
on Europe, sooner or later we come to regret it. We have always had to go back in, and always at a
much higher cost.

The serried rows of white headstones in lovingly-tended Commonwealth war cemeteries stand as silent testament to the price that this country has paid to help restore peace and order in Europe. Can we be so sure that peace and stability on our continent are assured beyond any shadow of doubt? Is that a risk worth taking? I would never be so rash as to make that assumption.

193 It's barely been 20 years since war in the Balkans and genocide on our continent in Srebrenica. In 194 the last few years, we have seen tanks rolling into Georgia and Ukraine. And of this I am 195 completely sure. The European Union has helped reconcile countries which were once at each 196 others' throats for decades. Britain has a fundamental national interest in maintaining common 197 purpose in Europe to avoid future conflict between European countries.

And that requires British leadership, and for Britain to remain a member. The truth is this: what happens in our neighbourhood matters to Britain. That was true in 1914, in 1940 and in 1989. Or, you could add 1588, 1704 and 1815. And it is just as true in 2016. Either we influence Europe, or it influences us. And if things go wrong in Europe, let's not pretend we can be immune from the consequences. The international situation means cooperation with Europe is essential

Second, the international situation confronting Britain today means that the closest possible cooperation with our European neighbours isn't an optional extra. It is essential for this country's security and our ability to get things done in the world. We see a newly belligerent Russia. The rise of the Daesh network to our east and to our south. The migration crisis. Dealing with these requires unity of purpose in the west.

Sometimes you hear the Leave campaign talk about these issues as if they are – in and of themselves – reasons to leave the EU. But we can't change the continent to which we are attached. We can't tow our island to a more congenial part of the world. The threats affect us whether we're in the EU or not, and Britain washing its hands of helping to deal with them will only make the problems worse. Within Europe they require a shared approach by the European democracies, more than at any time since the height of the Cold War. It is true, of course, that it is to NATO and to the Transatlantic Alliance that we look to for our defence. The principle enshrined in the North Atlantic Treaty – that an attack on one is an attack on all – that remains the cornerstone of our national defence. That fundamental sharing of national sovereignty in order to deter potential aggressors. That is as valid today as it was when NATO was founded in 1949. It is an example of how real control is more important than the theory of sovereignty.

The European Union – and the close culture of intergovernmental cooperation between governments which it embodies – is a vital tool in our armoury to deal with these threats. That is why NATO and top military opinion – British, American, European – is clear that the common purpose of the EU does not undermine NATO, it is a vital reinforcement to it. And they are equally crystal clear: Britain's departure would weaken solidarity and the unity of the west as a whole.

Now some of those who wish us to leave the EU openly say that they hope the entire organisation will unravel as a result. I find this extraordinary. How could it possibly be in our interests to risk the clock being turned back to an age of competing nationalisms in Europe? And for Britain, of all countries, to be responsible for triggering such a collapse would be an act of supreme irresponsibility, entirely out of character for us as a nation.

Others suggest that Britain stalking out could lead to and I quote "the democratic liberation of an entire continent". Well, tell that to the Poles, the Czechs, the Baltic States and the other countries of central and eastern Europe which languished for so long behind the Iron Curtain. They cherish their liberty and their democracy. They see Britain as the country that did more than any other to unlock their shackles and enable them to take their rightful place in the family of European nations. And frankly they view the prospect of Britain leaving the EU with utter dismay. They watch what is happening in Moscow with alarm and trepidation.

Now is a time for strength in numbers. Now is the worst possible time for Britain to put that atrisk. Only our adversaries will benefit.

Now third, the evolving threats to our security and the rise of the Daesh network mean that we have to change the way we work to keep our people safe. Security today is not only a matter of hard defence, of stopping tanks – it is also about rooting out terrorist networks, just as it is about detecting illegal immigrants, stopping human trafficking and organised crime. And that makes
much closer security cooperation between our European nations essential.

I have no greater responsibility than the safety of the people of this country, and keeping us safe from the terrorist threat. As the Home Secretary said in her speech a fortnight ago: being in the EU helps to makes us safer. We shouldn't put ourselves at risk by leaving. One of her predecessors, Charles Clarke, reiterated that only this morning. And the message of Jonathan Evans and John Sawers, former heads of MI5 and MI6 respectively, is absolutely unmistakable: Britain is safer inside the European Union.

During the last 6 years, the terrorist threat against this country has grown. Our threat level is now at 'Severe', which means that an attack is 'highly likely'. Indeed such an attack could happen at any time. But the threat has not only grown, it has changed in its nature. The attacks in Paris and Brussels are a reminder that we face this threat together – and we will only succeed in overcoming it by working much more closely together.

These terrorists operate throughout Europe; their networks use technology to spread their poison and to organise beyond geographical limits. People say that to keep our defences up, you need a border. And they're right. That's why we kept our borders, and we can check any passport – including for EU nationals – and we retain control over who we allow into our country.

But against the modern threat, having a border isn't enough. You also need information, you need data, you need intelligence. You need to cooperate with others to create mechanisms for sharing this information.

And, just as the Home Secretary said a fortnight ago, I can tell you this: whether it's working together to share intelligence on suspected terrorists; whether it's strengthening aviation security; addressing the challenge of cybercrime; preventing cross-border trade in firearms; tackling the migration crisis; or enhancing our own border security, the EU is not some peripheral institution, or a hindrance we have to work around – it is now an absolutely central part of how Britain can get things done. Not by creating a vast new EU bureaucracy. Nor by sucking away the role and capabilities of our own world beating intelligence and law enforcement agencies. But because their superb work depends on much closer cooperation between European governments andmuch faster and more determined action across Europe to deal with this new threat.

As the historian Niall Ferguson observed, it takes a network to defeat a network. And European measures are a key weapon. The European Arrest Warrant allows us to bring criminals and terrorists, like one of the failed 21/7 Tube bombers who had fled to Italy, we can bring them back to the UK to face justice straight away. Our membership of Europol gives us access to important databases that help us to identify criminals. And we have begun to cooperate on DNA and fingerprint matching across borders, too. These tools help us in real-time, life-or-death situations.

One of the Paris attackers, Salah Abdeslam, was only identified quickly after the attack because
the French police were able to use EU powers to exchange DNA and fingerprints with the Belgians.
Before this cooperation, DNA matching between 2 countries didn't take minutes, it could take
over 4 months.

In the last few months alone, we have agreed a new Passenger Name Records directive, so that EU countries will have access to airline passenger data to enable us to identify those on terror watchlists. These new arrangements will also provide crucial details about how the tickets were bought, the bank accounts used and the people they are travelling with. And the EU has recently switched on a new database, called SIS II, which is providing real-time alerts for suspected jihadists and other serious criminals.

287 Now I don't argue that if we left we would lose any ability to cooperate with our neighbours on a 288 bilateral basis, or even potentially through some EU mechanisms. But it is clear that leaving the EU 289 will make cooperation more legally complex - and make our access to vital information much 290 slower and more difficult. Look at for instance Norway and Iceland: they began negotiating an 291 extradition agreement with the EU in 2001 and yet today it is still not in force. And of course we 292 will miss out on the benefits of these new arrangements, and any that develop in future. Now you 293 can take the view that we don't need this cooperation – that we can just do without these extra 294 capabilities. That in my view is a totally complacent view. Especially in a world where the 295 difference between a prevented attack and a successful attack can be just 1 missing piece of data; 296 1 piece of the jigsaw that the agencies found just too late.

You can also decide, as some on the Leave side seriously do, that even though working together is helpful for keeping us safe, it involves giving up too much sovereignty and ceding too much power over security cooperation to the European Court of Justice. My view is this: when terrorists are planning to kill and maim people on British streets, the closest possible security cooperation is far more important than sovereignty in its purest theoretical form. I want to give our country real power, not the illusion of power.

Fourth, Britain's unique position and power in the world is not defined by our membership of the EU, any more than it is by our membership of the Commonwealth or the UN Security Council or the OECD or the IMF or the myriad other international organisations to which we belong. But our EU membership, like our membership of other international organisations, magnifies our national power.

308 Britain is a global nation, with a global role and a global reach. We take our own decisions, in our 309 own interests. We always have done, we always will do. In the years since we joined the EU, we 310 have shown that time and again with British, national, sovereign decisions about our foreign and 311 defence policy taken by British prime ministers and British ministers.

Liberating the Falkland Islands in a great feat of military endeavour. Freeing Kuwait from Iraq. And, more recently, our mission to prevent Afghanistan continuing to be a safe haven for international terrorists.

As I speak here today, we are flying policing missions over the Baltic states. Training security forces in Nigeria. And of course, taking the fight to Daesh in Syria and Iraq. So the idea that our membership of the EU has emasculated our power as a nation – this is complete nonsense.

Indeed, over the last 40 years, our global power has grown, not diminished. In the years before we joined the EU, British governments presided over a steady retrenchment of our world role, borne of our economic weakness. The decision to retreat East of Suez and abandon our aircraft carriers was taken in 1968. Since then, starting with the transformation of our economy by Margaret Thatcher, we have turned around our fortunes. In the 21st century, Britain is once again a country that is advancing, not retreating, We have reversed the East of Suez policy, we are building permanent military bases in the Gulf, we are opening embassies all around the world, particularly

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in Asia. We have a new strategic relationship with both China and India, have committed to spending 2% of our GDP on defence – 1 of only 5 NATO nations to be meeting that target. Our expertise in aid, development and responding to crises is admired the world over. We are renewing our independent nuclear deterrent. Our 2 new aircraft carriers will be the biggest warships the Royal Navy has ever put to sea.

These are the actions of a proud, independent, self-confident, go-getting nation, a nation that is confident and optimistic about its future, not one cowed and shackled by its membership of the European Union.

On the contrary, our membership of the EU is one of the tools – just one - which we use, as we do our membership of NATO, or the Commonwealth, or the Five Power Defence Agreement with Australia, New Zealand and our allies in South East Asia, to amplify British power and to enhance our influence in the world.

Decisions on foreign policy are taken by unanimity. Britain has a veto. So suggestions of an EU army are fanciful: national security is a national competence, and we would veto any suggestion of an EU army. And as we sit in Britain's National Security Council, time and again I know that making Britain's actions count for far more means working with other countries in the EU.

341 Let me just take 3 specific examples of what I mean.

342 When Russia invaded Crimea and Eastern Ukraine, there was a real risk of a feeble European response, and of a split between the United States and Europe. I convened a special meeting of 343 the key European countries in Brussels, agreed a package of sanctions, and then drove that 344 345 package through the full meeting of EU leaders – the European Council – later that same evening. I 346 could not have done that outside the EU. An example of Britain injecting steel into Europe's 347 actions; delivering sanctions which have been far more effective because 28 countries are 348 implementing them, not just the UK. And at the same time, we maintained that crucial unity 349 between Europe and the US in the face of Russian aggression.

350 On Iran, again, it was Britain that pushed hardest for the implementation of an EU oil embargo 351 against that country. And it was the embargo which helped bring Iran to the negotiating table, and ultimately led to the UN sanctions that led to Iran abandoning its ambition to build a nuclearweapon. Who led those negotiations? It was the EU, with Britain playing a central role.

And on Ebola, it was Britain that used a European Council to push leaders into massively increasing Europe's financial contribution to tackling the disease in West Africa, thereby helping to contain and deal with what was a major public health emergency.

If Britain left the EU, we would lose that tool. The German Chancellor would be there. The French President. The Italian Prime Minister. So would the Maltese, the Slovak, the Czech, the Polish, the Slovene, as well as all the others. But Britain – the fifth largest economy in the world, the second biggest in Europe – would be absent, outside the room. We would no longer take those decisions which have a direct bearing on Britain.

Instead we would have to establish an enormous diplomatic mission in Brussels to try and lobby participants before those meetings took place, and to try and then find out what had happened at them once they broke up. Would we really be sitting around congratulating ourselves on how 'sovereign' we feel, without any control over events that affect us?

What an abject act of national retreat that would be for our great country, a diminution of Britain's power inflicted for the first time in our history not by economic woe or military defeat, but entirely of our own accord.

And when it comes to the strength of our United Kingdom, we should never forget that our strength is that of a voluntary union of 4 nations. So let me just say this about Scotland: you don't renew your country by taking a decision that could, ultimately, lead to its disintegration.

372 So as we weigh up this decision, let's do so with our eyes open. And, of course, there is something 373 closely connected to our power and influence that is absolutely vital: and that's the view of 374 Britain's closest friends and allies.

375 Before you take any big decision in life, it's natural to consult those who wish you well, those who 376 are with you in the tough times as well as in the good. Sometimes they offer contradictory advice. 377 Sometimes they don't have much of a view. That's not the case here. Our allies have a very clear 378 view. They want us to remain members of the European Union. Not only our fellow members of 379 the EU – they want us to stay, and could be resentful if we chose to leave. The Leave campaign 380 keep telling us that there is a big world out there, if only we could lift our sights beyond Europe. 381 But the problem is they don't seem to hearing what that big world is saying. There is our principal 382 and indispensable ally, the guarantor of our security – the United States – whose President made 383 the American position very plain, as only the oldest and best friends can. And then there are the 384 nations to which we are perhaps closest in the world, our cousins in Australia and New Zealand, 385 whose prime ministers have spoken out so clearly. The Secretary-General of NATO says that a 386 weakened and divided Europe would be "bad for security and bad for NATO". Only on Thursday, 387 the Japanese Prime Minister – whose country is such a huge investor and employer in the United 388 Kingdom – made very clear that Japan hoped the UK would decide to remain in the EU. So too 389 have big emerging economies like Indonesia.

390 And then there are our major new trading and strategic relationships – China and India – in whom 391 some of the Leave campaign claim to invest such great hopes, at least when they're not saying 392 they want to impose hefty tariffs on them. They too want us to remain in the EU. So from America 393 to Asia, from Australasia and the Indian sub-continent, our friends and our biggest trading 394 partners, or potential trading partners, are telling us very clearly: it's your decision. But we hope 395 you vote to stay in the European Union. By the way, so too are our own Dependent Territories -396 Gibraltar and the Falkland Islands – with whom we have such a special bond and for whom we 397 have a special responsibility.

398 And so? Next month we will make our choice as a nation. I am very clear. Britain is stronger and 399 safer in the EU, as well as better off. And the EU benefits from Britain being inside rather than out. 400 This is a Europe that Britain has helped to shape. A continent that Britain helped liberate not once 401 in the last century, but twice. And we always wanted 2 things from the EU. One: the creation of a 402 vast single market; one we thought would benefit our economy enormously and spread prosperity 403 throughout our neighbourhood. And two: a Europe in which Britain helped the nations which 404 languished under Communism return to the European fold; nations who still look to us as a friend 405 and protector and do not want us to abandon them now.

We've got both of those things. We did all that. And imagine if we hadn't been there. Who would have driven forward the single market? Who would have prevented Europe from becoming a protectionist bloc? Who would have stopped the EU from becoming a single currency zone? Who would have stood up and said no to those pushing for political union? Who would have done these things?

Because the truth is that if we were not in it, the European Union would in all likelihood still exist. So we would still have to deal with it. Now we have the opportunity to have what we have always wanted: to be in the single market, but out of the euro. To be at the European Council, with our full voting and veto rights, but specifically exempted from ever closer union. To have the opportunity to work, live and travel in other EU countries, but to retain full controls at our border. To take part in the home affairs cooperation that benefits our security, but outside those measures we don't like. And to keep our currency.

That is, frankly, the best of both worlds. No wonder our friends and allies want us to take it. To lead, not to quit. It is what the Chinese call a win win. The Americans would probably say it's a slam dunk.

We are Britain. No one seriously suggests any more that after 40 years in the EU, we have become less British. We're proud. We're independent. We get things done. So let's not walk away from the institutions that help us to win in the world. Let's not walk away from the EU, any more than we would walk away from the UN, or from NATO. We're bigger than that.

So I say – instead, let us remain, let us fight our corner, let us play the part we should, as a great
power in the world, and a great and growing power in Europe. That is the big, bold, and patriotic
decision for Britain on 23 June.

*Source:* <u>https://www.gov.uk/government/speeches/pm-speech-on-the-uks-strength-and-security-</u> <u>in-the-eu-9-may-2016</u>

## 2. Nigel Farage's final speech of the EU referendum campaign, 22 June 2016

1 Well, good morning everybody.

It's the end of a very long referendum campaign, and I suppose in a way for myself and UKIP, it's been a very long road to get to this point. I have to say with some degree of pride, that without us this referendum would never, ever have happened. It is in many ways our referendum. And I think we've changed the political agenda. Not just for the vote coming tomorrow, but I suspect we've changed it for the foreseeable future.

We've even changed the political language! I've heard people talking about Australian style points systems. I've heard people saying will the real David Cameron please stand up. I've heard people talking about the number of German cars on our roads and French cheese and wine in our shops. I've even heard people talking about Independence Day. And the banner, the banner that we've been standing on now for a very long time, Believe in Britain, appears to now have gained widespread use.

13 I think for all of us in UKIP, and I certainly include myself in this, it has at times been a long and 14 quite lonely and difficult road but I'm enormously proud of the way in which we have managed to 15 change British politics and I hope it reaps a huge dividend for our nation tomorrow.

16 Now there's been a lot of talk, a lot of sound and fury about what will happen economically. What 17 will happen in terms of immigration numbers, whether we stay or leave this club. But nobody in 18 this campaign has really talked about the club, has really talked about what the European Union 19 really is.

And just think back, the last referendum on this forty-one years ago. The British public were being asked to remain in a common market. A common market about trade, it will be good for the economy, nothing to do with politics at all, because, of course we could veto things or opt-out of things.

And the referendum in 2016 has taken a very similar trajectory. Because the Remain camp talk endlessly about the single market, the biggest free trade zone in the whole of the world. And whenever a question is asked about further political integration, about perhaps a European army, about one of David Cameron's lifetime political dreams of Turkey possibly joining. We're told, no
no no no no! Don't worry about that, we've got a veto or we've got an opt-out. They've tried, the
Remain side, to use the term single market in exactly the same way as they used the term
common market forty years ago. We are not, folks, part of a free trade zone. That is not what it is.
It is a customs union, or perhaps in simple English, a big business cartel.

Now we joined this originally for the benefit of not having tariffs – high tariffs as they were in the olden days with our European neighbours. But now we find ourselves inside this customs union with the regulations that are made affect the 88% of the British economy that does not and never has traded with our European neighbours.

We find ourselves for the benefit of tariff-free free trade having to accept unlimited free movement of people. We find ourselves prohibited from making our own deals with the rest of the world.

And for all of this, and for a trade deficit in excess of 60 billion pounds a year, we pay a membership fee, and this point by the way is not contentious, our net membership fee is 34 million pounds a day. The benefits of not having those now relatively tiny tariffs are far outweighed by our current costs of being part of this single market.

But of course, the real agenda isn't about the economy. The real agenda is political. We are members of a political union. European law is supreme. The European Court of Justice overrules our parliament and our courts. And yet, and this is the last time in this campaign I'm going to do this [*Farage reaches in his pocket and shows his British passport*] but we don't even have a British passport anymore! We got a European Union one, which of course is available for up to 508 million people.

And let's stop pretending what this European project is. They have an anthem. They're building an army. They've already got their own police force and of course they've got a flag. And at the end of the day tomorrow when people vote they must make a decision: which flag is theirs? And I want us to live under British passports and under the British flag. I'll tell you something – if this referendum tomorrow was about joining the European Union, given those costs that I've outlined, I think we would overwhelming reject it. So, who are those supporting our continued membership of the union? Who are the remain side?
Well, some are the dreamers, generally of an older political generation. People who believed in
the European project from day on. People like Lord Hesseltine, who still very unapologetically says
he looks forward to the day that Britain joins the euro. But they, in reality, are very few in number.

59 Now, the remain side really is about the vested interests: the big corporate businesses who for the 60 first time in history are able through the European Commission to effectively write the rules for 61 their own businesses to the detriment of their small and medium-sized competitors. And, of 62 course, there's almost an entire political and bureaucratic class in favour of all of this. After all, 63 there are 10,000 people working for the European institutions in Brussels who earn more than 64 David Cameron. If you're part of that set, what's not to like!

And then of course there's Mr. Cameron. He's a Remainer. And incidentally, I don't know if anyone can tell me where the leader of Britain's Stronger in Europe is. I haven't seen Lord Rose for some weeks. Perhaps he was just simply too honest when he told the Parliamentary Select Committee that if we left the European Union that workers' wages in Britain would go up.

Mr. Cameron wants you to remain. He told you he was going to get a great deal for this country.
He got very little. He came back insisting that it is legally enforceable. It is not. And I expect that if
we were to side with Mr. Cameron tomorrow that the European Parliament would begin unpicking
that deal before the summer recess.

And today he makes yet another, frankly, dishonest pitch to the public when he tells us that if we vote to remain we are voting for further reform. Mrs. Thatcher at the height of her powers was incapable of reforming the political direction of the European Union. Tony Blair, who said at the start of his 6-month presidency of the EU that he would turn the union around failed completely to do it and surrendered much of our rebate.

The word reform in Brussels, ladies and gentlemen, means something different. It means a greater, deeper drive towards centralisation. A deeper commitment to fulfilling the dreams of the original founders: the fulfilment of a United States of Europe. That is what it is all about. 81 So, this referendum is actually quite simple. This referendum is the people versus the 82 establishment. And one of the enduring images that I shall keep from this referendum is when I 83 tried to give Britain's ailing fishing industry the opportunity to give voice to what has happened to 84 their communities, by taking a small flotilla up the Thames. And I thought the sight of a multi-85 millionaire former rock star shouting abuse, making a variety of hand gestures (some of which got 86 published in the papers and some didn't) and not directed just at me, that would have been ok, 87 but directed at our fishermen - that image for me says it all. That actually it's the vested interests. 88 It's the rich. It's the big business. It's those who are doing very nicely thank you, against pretty 89 much everybody else.

We can do better than this. Tomorrow we can vote for real change. Tomorrow we can vote to put power back in the hands of people. We can vote to take control of our country back. We can vote to get our borders back. We can vote to get our pride and self-respect as a nation and in who we are as a people back. I want us tomorrow to vote for Britain to become independent. I want us to vote for us to become democratic. I want us to vote for us to become a normal country. Because normal countries make their own laws. Normal countries are in charge of their destiny and their future.

97 If you've never voted before because you think voting won't change anything then tomorrow is 98 your opportunity to make a difference. Go out and do it. Vote with your heart. Vote with your 99 soul. Vote with pride in this country and its people and together we can make tomorrow our 100 Independence Day. A big day in our national history. A day that is good for us and a day that is 101 good for the rest of Europe too because other nations will follow us.

102 I believe the passion and commitment is on our side of the argument. I believe that most of our 103 voters would crawl over broken glass to get down to that polling station tomorrow. But we need 104 the others. We need the people who agree on the street or in the pub or in the café. We need 105 them, the non-voters, to go out and vote for their country tomorrow. I'm optimistic that they're 106 going to do it. It may be tight. It may be narrow, but I genuinely believe we are going to win this.

107 Thank you.

Source: https://www.youtube.com/watch?v=H5wJHhfpzSA

## 3. Michael Gove's speech - the facts of life say leave: why Britain and Europe will be better off after we vote leave, 19 April 2016

One of the most striking things about the debate on Britain's future relationship with Europe is
 that the case for staying is couched overwhelmingly in negative and pessimistic terms, while the
 case for leaving is positive and optimistic.

4 Those of us who want to Leave believe Britain's best days lie ahead, that our country has 5 tremendous untapped potential which independence would unleash and our institutions, values 6 and people would make an even more positive difference to the world if we're unshackled from 7 the past.

8 In contrast, the In campaign want us to believe that Britain is beaten and broken, that it can't 9 survive without the help of Jean-Claude Juncker and his Commission looking after us and if we 10 dare to assert ourselves then all the terrors of the earth will be unleashed upon our head. It treats 11 people like children, unfit to be trusted and easily scared by ghost stories.

Indeed, if you listen to some of those campaigning for Britain to stay in the European Union, you
would think that for Britain to leave would be to boldly go where no man has gone before.

14 In fact, of course, it would be to join the overwhelming majority of countries which choose to 15 govern themselves. The In campaign ask repeatedly 'what does out look like?' - as if the idea of 16 governing ourselves is some extraordinary and novel proposition that requires a fresh a priori 17 justification.

Democratic self-government, the form of Government we in Britain actually invented, has been a roaring success for most of the nations who've adopted it. While we enjoyed democratic selfgovernment we developed the world's strongest economy, its most respected political institutions, its most tolerant approach towards refugees, its best publicly funded health service and its most respected public broadcaster.

Under democratic self-government countries such as Australia, Canada, the USA and New Zealand
all enjoy excellent economic growth, global influence, the ability to control their own borders, to

act independently either to close their borders or open them to more refugees, and strong,
durable, trusted security links.

And democratic self-government has manifestly brought benefits to India, Japan, Norway,
Switzerland, South Africa, South Korea and scores of other nations all making their way in the
world. Indeed the truth is that it is membership of an organisation like the European Union which
is an anomaly today.

The former President of the Commission himself, Manuel Barroso, likes to describe the EU as an 'empire ... because we have the dimension of empires'. The facts suggest he has a point though not quite the one he intended.

34 It is a fact that the EU is a multi-national federation with no democratically elected leader or 35 Government, with policies decided by a central bureaucracy, with a mock parliament which enjoys 36 no popular mandate for action and with peripheries which are either impoverished or agitating for 37 secession. It's a fact that also describes Austria-Hungary under the Habsburgs, the Russian Empire 38 under Nicholas the Second, Rome under its later Emperors or the Ottoman Empire in its final 39 years. It is hardly a model for either economic dynamism or social progress. Which is why we 40 should not be surprised that the countries of the EU are proving neither particularly economically 41 dynamic or socially progressive.

It's a fact that youth unemployment in Spain is 45.3%, in Portugal it is 30.0%, and in Greece it is 51.9%. It's a fact that in Spain, Portugal and Greece eurozone austerity policies have meant cutting spending on health, welfare and public services. It's a fact that not a single one of the world's top 20 universities is in the Eurozone. It's a fact that euro bailouts have meant taxpayers money from across the EU has gone into paying off the bankers who got European nations into a mess in the first place.

And yet we are somehow expected to believe that if Britain left the organisation which gave us the economic disaster of the euro and turned the world's richest continent into its slowest growing, that it's this country which would be acting irrationally. The only thing that's irrational is the picture the In campaign paints of life as an independent nation.

97

52 Some of the In campaigners seek to imply, insinuate and sometimes just declare, that if we left the 53 EU we would not be able to take the train or fly cheaply to European nations. If, by some miracle, 54 we somehow managed to make it to distant Calais or exotic Boulogne we would find that - unique 55 among developed nations - our mobile telephones would no longer work. And heaven help us if 56 we fell ill, as citizens from a country outside the EU we would be barred from all of Europe's 57 hospitals and left to expire unmourned in some foreign field.

58 But the consequences wouldn't end with the Continent becoming a no-go zone. According to 59 some In campaigners, independence also means the devastation of large areas of our national life. 60 Our football teams would be denuded of foreign players, so Premier league matches would have 61 to become - at best - five-a-side contests. And we'd better not schedule those fixtures for dark 62 evenings because there'd be no electricity left for the floodlights after our energy supplies would 63 had suffered a shock akin to the meltdown of a nuclear power plant.

The City of London would become a ghost town, our manufacturing industries would be sanctioned more punitively than even communist North Korea, decades would pass before a single British Land Rover or Mr Kipling cake could ever again be sold in France and in the meantime our farmers would have been driven from the land by poverty worse than the Potato Famine. To cap it all, an alliance of Vladimir Putin, Marine Le Pen and Donald Trump, emboldened by our weakness, would, like some geopolitical equivalent of the Penguin, Catwoman and the Joker, be liberated to spread chaos worldwide and subvert our democracy.

I sometimes think that the In campaign appears to be operating to a script written by George R.R Martin and Stephen King - Brexit would mean a combination of a Feast for Crows and Misery. It's a deeply pessimistic view of the British people's potential and a profoundly negative vision of the future which isn't rooted in reality.

The idea that if Britain voted to leave the European Union we would instantly become some sort of hermit kingdom, a North Atlantic North Korea only without that country's fund of international good will, is a fantasy, a phantom, a great, grotesque patronising and preposterous Peter Mandelsonian conceit that imagines the people of this country are mere children, capable of being frightened into obedience by conjuring up new bogeymen every night. The truth is that the day after Britain voted to leave the European Union we would not fall off the edge of the world or find the English Channel replaced by a sulphurous ocean of burning pitch. Quite the opposite. We would be starting a process, a happy journey to a better future. But, crucially, a journey where we would be in control, whose pace and direction we would determine for ourselves. And whose destination we could choose. By contrast, if we stay in the EU we give up control. Because just as leaving is a process, not an event, so staying in the EU means accepting a process, not settling for a resting place.

87 Before I explain how the process of leaving would work for Britain and Europe, let me first say a88 little about the risks of staying.

If we vote to stay, the EU's bosses and bureaucrats will take that as carte blanche to continue taking more power and money away from Britain. They will say we have voted for 'more Europe'. Any protests on our part will be met with a complacent shrug and a reminder that we were given our own very special negotiation and our own bespoke referendum and now we've agreed to stay and that's that. Britain has spoken, it's said "oui" and now it had better shut up and suck it up. In truth, if we vote to stay we are hostages to their agenda.

Brussels has already set out their official timetable for the next great transfer of powers from EU
members to EU institutions after our referendum is safely out of the way. It's all there in the "Five
Presidents' Report".

98 It's a fact that under the Qualified Majority Voting rules of the Lisbon Treaty, which the 99 Conservative Party campaigned against, the Eurozone countries have a permanent and 100 unstoppable majority allowing them to set the agenda and overrule British interests. Worse, under 101 the terms of the recent deal we've struck with the other EU nations we've surrendered our veto 102 on their next leap forward. Some might argue that we're insulated from that process because 103 we're outside the Eurozone and we're no longer committed to the goal of "ever closer union". Wrong. The Eurozone nations can vote together to impose rules on every EU state - whether in or 104 105 out of the euro. And we can't veto that. Deleting the phrase 'ever closer union' offers no 106 protection. It's a fact that as a phrase - or doctrine - in its own right, 'ever closer union' has only

been cited in 0.19% of cases before the ECJ and has not been relevant to any of the ECJ's seminaljudgments that expanded its power.

The In camp cannot name a single decision of the court that would have been decided differently had the phrase never been in the Treaties. The Court has the power and freedom to interpret the Treaties as it wishes - which is always in the service of greater European integration, regardless of what our deal might say about "ever closer union". The inclusion of the phrase has not been a driving factor in the EU's expansion. Removing it makes no difference and will not stop the next EU power grab.

And if we try to object, the European Court of Justice - the supreme court of the EU - can force us to submit to the judgment of others regardless of what our population, our parliament or even our own judges might think is right.

It is a fact that the European Communities Act 1972, and subsequent judgments, make clear that
EU law, as decided by QMV and interpreted by the ECJ, trumps the decisions of, and laws passed
by, democratically-elected politicians in Britain.

Further, the European Court now has the perfect legal excuse to grab more power - the Charter of
 Fundamental Rights, which goes even further than the older post-war European Convention on
 Human Rights.

Of course, we were promised that we had a cast-iron opt-out. The Blair Government originally said the Charter would have all the force in our law of 'The Beano'. In which case Dennis the Menace must be the single most powerful figure in European jurisprudence, because the ECJ has now informed us that our opt-out was worthless and has started making judgments applying the Charter to UK law.

The ECJ can now control how all member states apply the crucial 1951 UN convention on asylum and refugees because the Charter incorporates it in EU law. So Britain has lost control of a vital area of power and the European Court will increasingly decide how our policy must work.

132 The ECJ has recently used the Charter to make clear that it can determine how our intelligence 133 services monitor suspected terrorists. How long before the ECJ starts undermining the Five Eyes intelligence sharing agreements that have been a foundation of British security since 1945 andwhich are the source of jealousy and suspicion in Brussels?

The ECJ recently used the Charter to make clear that the European Court - not our Parliament - will decide the issue of whether convicted felons can vote and if so how far this right should be extended. The ECJ used the Charter to tell us that the European Court will decide whether we can deport Abu Hamza's daughter-in-law. It has even used the Charter to increase the price of insurance for women. How long before the ECJ uses other provisions in the Charter to erode even more of our independence?

How far will the European Court go? We know it does not see itself bound by anything other than a drive to deepen integration. It has consistently ignored and overruled any body which stands in its way. Even decisions made and agreed by every EU state have been overturned if the court thinks they impede integration. The Court has rejected deals on human rights which the EU nations agreed at the time of the Lisbon Treaty. It has also overridden the deal that the Danes did with the EU on citizenship in 1992.

We know that it is entirely up to the European Court itself how to interpret the terms of our recent new deal - there is no appeal and nothing we can do about its decisions, just as there was nothing we could when it sank our supposed opt-out from the Charter.

Don't just take it from me. The former Attorney General - and In campaigner - Dominic Grieve said only last year: "the European Court of Justice in Luxembourg has predatory qualities to it that could be very inimical to some of our national practices".

154 It is clear that if we vote to stay we are voting to give away more power and control to 155 unaccountable EU institutions this year and every year. If we vote to stay the EU can then press 156 ahead with the plans outlined in the "Five Presidents' Report" which I mentioned a moment ago.

157 Those plans include:

• The transfer of powers over tax - so we lose vital fiscal freedoms.

The transfer of powers over the financial system - so we are less able to guard against a
 repeat of the 2008 financial crisis

161 162 • The transfer of powers over the heart of our legal system - so we are less able to safeguard the integrity of the contract and property law which is crucial to attracting global investors

163 If we vote to stay we also risk paying even more of the bills for the euro's failure. We were told in 164 2010 that we would not be liable for any more euro bailouts. Yet in 2015 those assurances turned 165 out to be wrong. If we vote to stay, British taxpayers will inevitably be paying ever higher bills for 166 years to come as the EU uses its growing and unchecked power to transfer resources to subsidise 167 failure. If we vote to stay we are not settling for the status quo - we are voting to be a hostage, 168 locked in the boot of a car driven by others to a place and at a pace that we have no control over.

In stark contrast, if we vote to leave, we take back control. The day after we vote to leave we holdall the cards and we can choose the path we want.

171 The leader of the In campaign, Stuart Rose, has acknowledged that there will be no turbulence or 172 trauma on Independence Day. "Nothing is going to happen if we come out ... in the first five years, 173 probably," he confessed, and admitted "There will be absolutely no change."

And just as it is the case that when Britain votes to leave nothing in itself changes overnight, so the process and pace of change is in our hands. There is no arbitrary deadline which we must meet to secure our future - and indeed no arbitrary existing "model" which we have to accept in order to prosper. It has been argued that the moment Britain votes to leave a process known as "Article 50" is triggered whereby the clock starts ticking and every aspect of any new arrangement with the EU must be concluded within 2 years of that vote being recorded - or else... But there is no requirement for that to occur - quite the opposite.

Logically, in the days after a Vote to Leave the Prime Minister would discuss the way ahead with the Cabinet and consult Parliament before taking any significant step. Preliminary, informal, conversations would take place with the EU to explore how best to proceed. It would not be in any nation's interest artificially to accelerate the process and no responsible government would hit the start button on a two-year legal process without preparing appropriately. Nor would it be in anyone's interest to hurry parliamentary processes. We can set the pace. We will repeal the 1972 European Communities Act, which automatically gives EU law legal force. But we can change it on our terms at a time of our choosing. After we establish full legal independence we can then decide which EU-inspired rules and regulations we want to keep, which we want to repeal and which we wish to modify. It is also important to realise that, while we calmly take our time to change the law, one thing which won't change is our ability to trade freely with Europe.

The In campaign often argues that we would find it impossible to reach a trading agreement with EU nations after we vote leave. While there are, of course, some questions up for negotiation which will occupy our highly skilled Foreign Office civil servants, resolving them fully and properly won't be any more complicated or onerous than the day-to-day work they undertake now navigating their way through EU recitals, trialogues and framework directives.

198 Indeed, if we vote to stay, that work will only grow more complex, and negotiations in the EU will 199 only become more burdensome. But if we vote to leave, the need for this bureaucratic 200 processology will come to an end. The core of our new arrangement with the EU is clear.

There is a free trade zone stretching from Iceland to Turkey that all European nations have access to, regardless of whether they are in or out of the euro or EU. After we vote to leave we will remain in this zone. The suggestion that Bosnia, Serbia, Albania and the Ukraine would remain part of this free trade area - and Britain would be on the outside with just Belarus - is as credible as Jean-Claude Juncker joining UKIP. Agreeing to maintain this continental free trade zone is the simple course and emphatically in everyone's interests.

As our European friends adjust to the referendum result they will quickly calculate that it is in their own interest to maintain the current free trade arrangements they enjoy with the UK. After all they sell far more to us than we do to them. In 2015, the UK recorded a £67.7 billion deficit in the trade of goods and services with the EU, up from £58.8 billion in 2014.

German car manufacturers, who sell £16.2 billion more to us each year than we sell to them, will insist their Government maintains access to our markets. French farmers, who sell us £1.37 billion worth of wine and other beverages, £737 million more than we sell to them, will insist on maintaining access to our supermarkets. Italian designers, whose fashion houses sell the UK £1.0
billion of clothes will similarly insist on access to our consumers.

216 It has been suggested that, in a fit of collectively-organised and intensively-sustained international 217 pique, all 27 nations of the EU would put every other priority aside and labour night and day for 218 months to bury their own individual differences and harm their own individual economic interests 219 just to punish us. Now I accept that some in the Brussels elite will be cross at our temerity in 220 refusing to accept their continued rule. But the idea that the German government would damage 221 its car manufacturers - and impoverish workers in those factories - to make a political point about 222 Britain's choices; or the French Government would ignore its farmers - and damage their welfare -223 to strike a pose; or the Italian Government would undermine its struggling industries just to please 224 Brussels, is ridiculous.

And the idea that all of them - and 24 other nations - would have as their highest economic priority in the months ahead making it more difficult to sell to Britain - and the belief that they would bend all their diplomatic, political and financial muscle to that sole end - is preposterous.

228 Why would any of them wish to commit an act of profound economic self-harm? And if any of 229 them did, why would the other EU nations let them?

230 It is sometimes claimed that we will only get free trade if we accept free movement. But the EU
231 has free trade deals with nations that obviously do not involve free movement. You do not need
232 free movement of people to have free trade and friendly co-operation.

Indeed, worldwide, it's been countries outside the EU's bureaucracy which have been selling more
and more goods to EU nations. Over the last five years exports of goods from the United States to
the EU increased faster than the exports from the UK to the EU.

Indeed the amount we sold to Europe actually declined after the EU moved to setting more and more common bureaucratic rules in the name of the so-called 'Single Market'. After joining the EEC in 1972 our trade with it did grow. And in 1993, 51.7% of our exports went to the EU. After 1993, however, our trade with the EU flatlined then declined. Now 56.3% of our exports go to countries outside the EU. Of course increased trade isn't the property of politicians, it's testament to the endeavours and hard work of British entrepreneurs and British workers.

And it's certainly no thanks to the EU's trade negotiators. The EU after years of trying still doesn't have trade deals with the US, China or India. But if we vote to leave we can take control of our trade negotiations and seal those deals more quickly.

We can strip out the protectionism and special interests that drag down EU negotiations, and focus more energetically on reducing barriers to trade - to create more jobs for British workers, greater opportunities for British exporters, and cheaper prices for British consumers.

Instead of having to wait until every concern raised by 27 other nations is addressed during negotiations we can cut to the chase. It's striking how successful countries outside the EU have been at negotiating trade deals. Switzerland has opened markets of \$40 trillion while Canada has negotiated 10 trade deals since 2009 alone.

Critically, new deals could include enhanced arrangements for developing nations. At the moment the EU maintains a common external tariff on goods of up to 183%. That means produce from Africa or Asia's poorer nations costs far more to import than it should. By maintaining such a punitive level of tariffs on imports the EU holds developing nations back.

An independent Britain could choose to strike free trade agreements with emerging economies and lower tariffs, extending new opportunities to developing nations and in the process, allowing prices in Britain to become cheaper. Leaving the EU would thus help the poorest nations in the world to advance and it would help the poorest people in this country to make ends meet. This is just one of a number of ways in which leaving the European Union allows us to advance more progressive policies.

Taking back control of our trade policy would strengthen our country's economic power. But that's not the only direct benefit of voting to leave. If we left the EU we would take back control over nineteen billion pounds which we currently hand over every year - about £350 million each and every week. Now it is true that we get some of that money back - £4.4 billion through a negotiated rebate - and £4.8 billion in money the EU spends in this country on our behalf. But it is also vital to
note that the amount we give to the EU is due to go up - and up - and up.

From £19.1 billion this year to £20.6 billion in 2020-21. Since 1975, we have already sent the staggering sum of over half a trillion pounds to Brussels. If we vote to stay we will send about another £200 billion to Brussels over the next decade.

It is also important to recognise that our rebate is not a permanent and unalterable feature of our membership anchored in the treaties. It's a negotiated settlement - which has had to be renegotiated before - and which could be eroded, whittled away or rendered less and less significant in future negotiations. One of the reasons we have the rebate is fear Britain might leave. Once we've voted to stay then it will be open season on that sum.

I also acknowledge that some of the money we send over we get back - whether in support for farmers or scientists - although we don't control exactly where it goes. And we don't know how efficiently that money is allocated to those who really need it because of the opaque nature of the EU's bureaucracy. Indeed there's a lot of evidence the money sticks to bureaucratic fingers rather than going to the frontline.

The physicist Andre Geim, the genius who won the Nobel prize for his work on graphene, said of the EU's science funding system, 'I can offer no nice words for the EU framework programmes which ... can be praised only by Europhobes for discrediting the whole idea of an effectively working Europe.'

In any case, no-one arguing that we should Vote Leave wants us to reduce the amount we give to our farmers or our scientists. Indeed some of us believe we should give more. The only British citizens we want to deprive of European funding are our MEPs. We'd like to liberate them to flourish in the private sector. Yet, even if we acknowledge the rebate and the sums already spent here, £10.6 billion of taxpayers money is given to the EU in a year. That's twice the UK's science budget and twice Scotland's school budget.

Just think what we could do with this money. It could be invested in new infrastructure, apprenticeships and science. It could be deployed in our NHS, schools and social care. It could pay 293 for tax cuts, enterprise allowances and trade missions. It could pay for fourteen Astute Class Submarines. It could enhance this nation's security, productivity, social solidarity and 294 295 competitiveness. And the economic benefits of Leaving wouldn't end there. We would also be able 296 to reduce the regulatory costs imposed on British business. The cost of EU regulation on British 297 companies has been estimated by the independent think tank Open Europe at about £600 million 298 every week. Now some of those costs are incurred in a good cause. But many EU regulations - such 299 as the Clinical Trials Directive, which has slowed down and made more expensive the testing of 300 new cancer drugs, or absurd rules such as minimum container sizes for the sale of olive oil, are 301 clearly not wise, light-touch and proportionate interventions in the market.

They also show how the so-called Single Market is, as Jacques Delors promised, a vehicle for expanding the power of the EU, not a tool for expanding free trade. If we leave the EU, we can, progressively, reduce the burden of EU regulation and help generate new jobs and industries. We can also insulate ourselves from new EU rules that other nations are planning which are designed to hold back innovation. It is striking that EU institutions have already repeatedly tried - and will of course continue to attempt - to fetter the tech companies that are changing the world economy.

As Harvard's Professor John Gillingham has pointed out, the development of fifth generation (5G) telecoms technology and the arrival of the "internet of things" promise massive productivity gains. But the EU has tried to stand in the way of the companies driving this change. Professor Gillingham argues that the EU's stance is 'guerrilla warfare' which is 'futile as well as selfdefeating. It can only accelerate the rate of European decline.' And the figures back him up.

The EU and its members are projected to grow more slowly than other advanced economies in the years ahead. Eurozone members are projected to grow at 1.5% while the US is projected to grow at 2.4%, China at 6.5%, New Zealand at 2.0%, Australia at 2.5% and India at 7.5%

But it's not just freedom from EU regulation that leaving would liberate us to enjoy. We could alsobenefit economically from control of immigration.

At the moment any EU citizen can come to the UK to settle, work, claim benefits and use the NHS. We have no proper control over whether that individual's presence here is economically beneficial, conducive to the public good or in our national interest. We cannot effectively screen new arrivals for qualifications, extremist connections or past criminality. We have given away
 control over how we implement the vital 1951 UN Convention on asylum to the European court.
 We cannot even deport convicted murderers.

Further, there are five more countries - Albania, Macedonia, Montenegro, Serbia and Turkey - in the queue to join the EU - and the European Commission, as we have just experienced ourselves during the recent negotiation process, regards 'free movement' as an inviolable principle of EU membership.

Yesterday's report from the Treasury is an official admission from the In campaign that if we vote to stay in the EU then immigration will continue to increase by hundreds of thousands year on year. Over 250,000 people came to Britain from Europe last year. As long as we are in the EU we cannot control our borders and cannot develop an immigration policy which is both truly humane and in our long term economic interests.

It is bad enough that we have to maintain an open door to EU nationals - from the shores of Sicily to the borders of the Ukraine - it's also the case that as the price of EU membership, we have to impose stricter limitations on individuals from other nations whom we might actively want to welcome. Whether it's family members from Commonwealth countries, the top doctors and scientists who would enhance the operation of the NHS or the technicians and innovators who could power growth, we have to put them at the back of the queue behind any one who's granted citizenship by any other EU country.

340 I think we would benefit as a country if we had a more effective and humane immigration policy, 341 allowing us to take the people who would benefit us economically, offering refuge to those 342 genuinely in need, and saying no to others. And my ambition is not a Utopian ideal - it's an 343 Australian reality.

Instead of a European open-door migration policy we could - if a future Government wanted it have an Australian points-based migration policy. We could emulate that country's admirable record of taking in genuine refugees, giving a welcome to hard-working new citizens and building a successful multi-racial society without giving into people-smugglers, illegal migration or subversion of our borders. So leaving could mean control over new trade deals, control over how we can help developing nations, control over economic rules, control over how billions currently spent by others could be spent, control over our borders, control over who uses the NHS and control over who can make their home here.

Leaving would also bring another significant - and under-appreciated - benefit. It would lead to the reform of the European Union. At different points In campaigners like to argue either that Brexit would lead to EU nations using their massive muscle to punish us, or that Brexit would lead to contagion and the collapse of Europe - just as Yugoslavia and the Soviet Union collapsed following secession from those unions. Manifestly both cannot be true. An EU without the UK cannot simultaneously be a super-charged leviathan bent on revenge and a crumbling Tower of Babel riven by conflict.

360 But both points have a grain of truth. There will be anger amongst some in European elites. Not 361 because the UK is destined for a bleak, impoverished future on the outside. No, quite the 362 opposite.

What will enrage, and disorientate, EU elites is the UK's success outside the Union. Regaining control over our laws, taxes and borders and forging new trade deals while also shedding unnecessary regulation will enhance our competitive advantage over other EU nations. Our superior growth rate, and better growth prospects, will only strengthen. Our attractiveness to inward investors and our influence on the world stage will only grow.

But while this might provoke both angst and even resentment among EU elites, the UK's success will send a very different message to the EU's peoples. They will see that a different Europe is possible. It is possible to regain democratic control of your own country and currency, to trade and co-operate with other EU nations without surrendering fundamental sovereignty to a remote and unelected bureaucracy. And, by following that path, your people are richer, your influence for good greater, your future brighter.

So - yes there will be "contagion" if Britain leaves the EU. But what will be catching is democracy.
There will be a new demand for more effective institutions to enable the more flexible kind of
international cooperation we will need as technological and economic forces transform the world.

We know - from repeated referenda on the continent and in Ireland - that the peoples of the EU are profoundly unhappy with the European project. We also know that the framers of that project - Monnet and Schumann - hoped to advance integration by getting round democracy and never submitting their full vision to the verdict of voters. That approach has characterised the behaviour of EU leaders ever since. But that approach could not, and will not, survive the assertion of deep democratic principle that would be the British people voting to leave.

383 Our vote to Leave will liberate and strengthen those voices across the EU calling for a different 384 future - those demanding the devolution of powers back from Brussels and desperate for a 385 progressive alternative.

386 For Greeks who have had to endure dreadful austerity measures, in order to secure bailouts from 387 Brussels, which then go to pay off bankers demanding their due, a different Europe will be a 388 liberation. For Spanish families whose children have had to endure years of joblessness and for 389 whom a home and children of their own is a desperately distant prospect, a different Europe will 390 be a liberation. For Portuguese citizens who have had to endure cuts to health, welfare and public 391 services as the price of EU policies, a different Europe will be a liberation. For Italians whose 392 elected Government was dismissed by Brussels fiat, for Danes whose opt-out from the Maastricht Treaty has been repeatedly overridden by the European Court, for Poles whose hard-won 393 394 independence has been eroded by the European Commission, a different Europe will be a 395 liberation.

For Britain, voting to leave will be a galvanising, liberating, empowering moment of patriotic renewal. We will have rejected the depressing and pessimistic vision advanced by In campaigners that Britain is too small and weak and the British people too hapless and pathetic to manage their own affairs and choose their own future.

400 But for Europe, Britain voting to leave will be the beginning of something potentially even more 401 exciting - the democratic liberation of a whole Continent.

If we vote to leave we will have - in the words of a former British Prime Minister - saved ourcountry by our exertions and Europe by our example.

We will have confirmed that we believe our best days lie ahead, that we believe our children can build a better future, that this country's instincts and institutions, its people and its principles, are capable not just of making our society freer, fairer and richer but also once more of setting an inspirational example to the world. It is a noble ambition and one I hope this country will unite behind in the weeks to come.

*Source:* <u>https://www.politicshome.com/news/uk/foreign-affairs/media-interview/73993/michael-goves-full-brexit-speech-19-april-2016</u>

# 4. Boris Johnson's speech at Vote Leave HQ, 9 May 2016

I am pleased that this campaign has so far been relatively free of personal abuse – and long may it
so remain – but the other day someone insulted me in terms that were redolent of 1920s Soviet
Russia. He said that I had no right to vote Leave, because I was in fact a "liberal cosmopolitan".

4 That rocked me, at first, and then I decided that as insults go, I didn't mind it at all – because it was 5 probably true. And so I want this morning to explain why the campaign to Leave the EU is 6 attracting other liberal spirits and people I admire such as David Owen, and Gisela Stuart, Nigel 7 Lawson, John Longworth – people who love Europe and who feel at home on the continent, but 8 whose attitudes towards the project of European Union have been hardening over time.

9 For many of us who are now deeply sceptical, the evolution has been roughly the same: we began 10 decades ago to query the anti-democratic absurdities of the EU. Then we began to campaign for 11 reform, and were excited in 2013 by the Prime Minister's Bloomberg speech; and then quietly 12 despaired as no reform was forthcoming. And then thanks to the referendum given to this country 13 by David Cameron we find that a door has magically opened in our lives.

We can see the sunlit meadows beyond. I believe we would be mad not to take this once in a lifetime chance to walk through that door because the truth is it is not we who have changed. It is the EU that has changed out of all recognition; and to keep insisting that the EU is about economics is like saying the Italian Mafia is interested in olive oil and real estate.

18 It is true, but profoundly uninformative about the real aims of that organization. What was once 19 the EEC has undergone a spectacular metamorphosis in the last 30 years, and the crucial point is 20 that it is still becoming ever more centralizing, interfering and anti-democratic.

You only have to read the Lisbon Treaty – whose constitutional provisions were rejected by three EU populations, the French, the Dutch and the Irish – to see how far this thing has moved on from what we signed up for in 1972. Brussels now has exclusive or explicit competence for trade, customs, competition, agriculture, fisheries, environment, consumer protection, transport, trans-European networks, energy, the areas of freedom, security and justice, and new powers over culture, tourism, education and youth. The EU already has considerable powers to set rates of indirect taxation across the whole 28-nation territory, and of course it has total control ofmonetary policy for all 19 in the eurozone.

In recent years Brussels has acquired its own foreign minister, its own series of EU embassies around the world, and is continuing to develop its own defence policy. We have got to stop trying to kid the British people; we have got to stop saying one thing in Brussels, and another thing to the domestic audience; we have got to stop the systematic campaign of subterfuge – to conceal from the public the scale of the constitutional changes involved. We need to look at the legal reality, which is that this is a continuing and accelerating effort to build a country called Europe.

Look at that list of Lisbon competences – with 45 new fields of policy where Britain can be outvoted by a qualified majority – and you can see why the House of Commons Library has repeatedly confirmed that when you add primary and secondary legislation together the EU is now generating 60 per cent of the laws passing through parliament.

The independence of this country is being seriously compromised. It is this fundamental
democratic problem – this erosion of democracy - that brings me into this fight.

People are surprised and alarmed to discover that our gross contributions to the EU budget are now running at about £20bn a year, and that the net contribution is £10 bn; and it is not just that we have no control over how that money is spent.

No one has any proper control – which is why EU spending is persistently associated with fraud. Of
course the Remain campaign dismisses this UK contribution as a mere bagatelle – even though you
could otherwise use it to pay for a new British hospital every week. But that expense is, in a sense,
the least of the costs inflicted by the EU on this country.

It is deeply corrosive of popular trust in democracy that every year UK politicians tell the public that they can cut immigration to the tens of thousands – and then find that they miss their targets by hundreds of thousands, so that we add a population the size of Newcastle every year, with all the extra and unfunded pressure that puts on the NHS and other public services.

In our desperation to meet our hopeless so-called targets, we push away brilliant students from
Commonwealth countries, who want to pay to come to our universities; we find ourselves hard

pressed to recruit people who might work in our NHS, as opposed to make use of its services – because we have absolutely no power to control the numbers who are coming with no job offers and no qualifications from the 28 EU countries. I am in favour of immigration; but I am also in favour of control, and of politicians taking responsibility for what is happening; and I think it bewilders people to be told that this most basic power of a state – to decide who has the right to live and work in your country – has been taken away and now resides in Brussels.

And, as I say, that is only one aspect of a steady attrition of the rights of the people to decide their priorities, and to remove, at elections, those who take the decisions. It is sad that our powers of economic self-government have become so straitened that the Chancellor of the Exchequer has to go around personally asking other finance ministers to allow him to cut VAT on tampons, and as far as I can see we still have not secured consent.

65 It is very worrying that the European Court of Justice – Luxembourg, not Strasbourg – should now 66 be freely adjudicating on human rights questions, and whether or not this country has the right to 67 deport people the Home Office believes are a threat to our security; and it is peculiar that the 68 government is now straining at the gnat of the Convention and the Strasbourg court, whose 69 rulings are not actually binding on UK courts, while swallowing the camel of the 55-article charter 70 of Fundamental rights, which is fully justiciable by the European Court in Luxembourg, when you 71 consider that it is the rulings of this court that are binding and that must be applied by every court 72 in this country, including parliament.

It is absurd that Britain – historically a great free-trading nation – has been unable for 42 years to
do a free trade deal with Australia, New Zealand, China, India and America.

It is above all bizarre for the Remain campaign to say that after the UK agreement of February we are now living in a "reformed" EU, when there has been not a single change to EU competences, not a single change to the Treaty, nothing on agriculture, nothing on the role of the court, nothing of any substance on borders – nothing remotely resembling the agenda for change that was promised in the 2013 Bloomberg speech.

In that excellent speech the Prime Minister savaged the EU's lack of competitiveness, its
 remoteness from the voters, its relentless movement in the wrong direction.

82 As he said -

'The biggest danger to the European Union comes not from those who advocate change, but from
those who denounce new thinking as heresy. In its long history Europe has experience of heretics
who turned out to have a point.

6 'More of the same will not see the European Union keeping pace with the new powerhouse 87 economies. More of the same will not bring the European Union any closer to its citizens. More of 88 the same will just produce more of the same - less competitiveness, less growth, fewer jobs.

89 'And that will make our countries weaker not stronger

90 That is why we need fundamental, far-reaching change.'

91 He was right then.

We were told that there had to be "fundamental reform" and "full-on" Treaty change that would
happen "before the referendum" – or else the government was willing to campaign to Leave.

94 And that is frankly what the government should now be doing. If you look at what we were 95 promised, and what we got, the Government should logically be campaigning on our side today.

We were told many times – by the PM, Home Sec and Chancellor - that we were going to get real
changes to the law on free movement, so that you needed to have a job lined up before you could
come here. We got no such change.

99 We were told that we would get a working opt-out from the Charter of Fundamental Human 100 Rights – which by the way gives the European Court the power to determine the application of the 101 1951 Convention on Refugees and Asylum, as well as extradition, child protection and victims' 102 rights. We got nothing.

103 We were told that we would be able to stop the Eurozone countries from using the EU institutions104 to create a fiscal and political union. Instead we gave up our veto.

105 The Five Presidents' report makes it clear that as soon as the UK referendum is out of the way, 106 they will proceed with new structures of political and fiscal integration that this country should 107 have no part in, but which will inevitably involve us, just as we were forced – in spite of promises to the contrary – to take part in the bail-out of Greece. They want to go ahead with new EU rules
on company law, and property rights and every aspect of employment law and even taxation –
and we will be dragged in.

To call this a reformed EU is an offence against the Trades Descriptions Act, or rather the EU Unfair
 Commercial Practices Directive that of course replaced the Trades Descriptions Act in 2008. The
 EU system is a ratchet hauling us ever further into a federal structure.

We have proved to ourselves time and again that we cannot change the direction. We cannot change the pace. We cannot interrupt the steady erosion of democracy, and given that we do not accept the destination it is time to tell our friends and partners, in a spirit of the utmost cordiality, that we wish to forge a new relationship based on free trade and intergovernmental cooperation.

We need to Vote Leave on June 23, and in the meantime we must deal with the three big mythsthat are peddled by the Remain campaign.

120 The first is the so-called economic argument. The Remainers accept that there is a loss of political121 independence, but they claim that this trade-off is economically beneficial.

122 The second argument we might broadly call the peace-in-Europe argument – that the EU is 123 associated with 70 years of stability, and we need to stay in to prevent German tanks crossing the 124 French border.

The third argument is more abstract, but potent with some people. It is that you can't really want to leave the EU without being in some way anti-European, and that the Remain camp therefore have a monopoly on liberal cosmopolitanism.

128 All three arguments are wholly bogus.

The most important mistake is to think that there is some effective and sensible trade-off between the loss of democratic control and greater economic prosperity. The whole thrust of the Remain argument is that there is a democratic cost, but an economic benefit – that if we accept that 60 per cent of our laws are made in Brussels, we will see some great boost in our trade and our exports and in the overall economic performance of the EU. This is turning out to be simply false.

The loss of democratic control is spiritually damaging, and socially risky – and the economic benefits of remaining subject to the Single Market law-making machine, as opposed to having access to the Single Market, are in fact very hard to detect.

What the government wants is for us to remain locked into the Single Market law-making regime, and to be exposed to 2500 new EU regulations a year. What we want is for Britain to be like many other countries in having free-trade access to the territory covered by the Single Market – but not to be subject to the vast, growing and politically-driven empire of EU law.

There is a good deal of evidence that this is the more sensible position to be in. Take the two relevant 20 year periods, before and after the creation of the Single Market, in other words from 143 1973 to 1992, and from 1992 to 2012.

144 Now when the single market dawned, we were told that it was going to be a great dynamo of job 145 and wealth creation – 800 billion euros, the Cecchini report said, of extra European GDP. We were 146 told that it was going to send exports whizzing ever faster across borders. So what happened?

Did Britain export more to the rest of the EEC 11, as a result of the Single Market? On the contrary, the rate of growth slowed, as Michael Burrage has shown this year. British exports of goods were actually 22 per cent lower, at the end of the second 20 year period, than if they had continued to grow at the rate of the 20 years pre-1992. And before you say that this might be just a result of Britain's sluggish performance in the export of manufactured goods, the same failure was seen in the case of the 12 EEC countries themselves.

We were told that goods would start pinging around the EEC as if in some supercharged cyclotron; and on the contrary, the rate of growth flattened again – 14.6 per cent lower than the previous 20 years when there was no single market.

So what was the decisive advantage to Britain, or any other country, of being inside this system, and accepting these thousands of one-size-fits-all regulations? In fact you could argue that many countries were better off being outside, and not subject to the bureaucracy. In the period of existence of this vaunted single market, from 1992 to 2011, there were 27 non-EU countries whose exports of goods to the rest of the EU grew faster than the UK's; and most embarrassingly of all – there were 21 countries who did better than the UK in exporting services to the other EEC11.

So where was this great European relaunch that was supposed to be driven by the 1992 Single Market? In the 20 years since the start of the Single Market, the rate of growth in the EU countries has actually been outstripped by the non-EU countries of the OECD. It is the independent countries that have done better; and the EU has been a microclimate of scandalously high unemployment. This year the US is projected to grow by 2.4 per cent, China by 6.5 pc, NZ by 2 pc, Australia by 2.5 pc and India by 7.5 pc. The Eurozone – 1.5 per cent.

All that extra growth we were promised; all those extra jobs. The claims made for the Single Market are looking increasingly fraudulent. It has not boosted the rate of British exports to the EU; it has not even boosted growth in exports between the EU 12; and it has not stopped a generation of young people – in a huge belt of Mediterranean countries – from being thrown on to the scrapheap.

What has that corpus of EU regulation done to drive innovation? There are more patents from outside the EU now being registered at the EU patent office than from within the EU itself. The Eurozone has no universities within the top 20, and has been woefully left behind by America in the tech revolution – in spite of all those directives I remember from the 1990s about les reseaux telematiques; or possibly, of course, the EU has been left behind on tech precisely because of those directives.

180 There are plenty of other parts of the world where the free market and competition has been 181 driving down the cost of mobile roaming charges and cut-price airline tickets – without the need 182 for a vast supranational bureaucracy enforced by a supranational court.

183 I hear again the arguments from the City of London, and the anxieties that have been expressed.
184 We heard them 15 years ago, when many of the very same Remainers prophesied disaster for the
185 City of London if we failed to join the euro. They said all the banks would flee to Frankfurt. Well,
186 Canary Wharf alone is now far bigger than the Frankfurt financial centre – and has kept growing
187 relentlessly since the crash of 2008.

As for the argument that we need the muscle of EU membership, if we are to do trade deals – well, look, as I say, at the results after 42 years of membership. The EU has done trade deals with the Palestinian authority and San Marino. Bravo. But it has failed to conclude agreements with India, China or even America.

Why? Because negotiating on behalf of the EU is like trying to ride a vast pantomime horse, with 28 people blindly pulling in different directions. For decades deals with America have been blocked by the French film industry, and the current TTIP negotiations are stalled at least partly because Greek feta cheese manufacturers object to the concept of American feta. They may be right, aesthetically, but it should not be delaying us in this country.

197 Global trade is not carried on by kind permission of people like Peter Mandelson. People and198 businesses trade with each other, and always will, as long as they have something to buy and sell.

But it is notable that even when the EU has done a trade deal, it does not always seem to work in Britain's favour. In ten out of the last 15 deals, British trade with our partners has actually slowed down, rather than speeded up, after the deal was done.

Is that because of some defect in us, or in the deal? Could it be that the EU officials did not take account of the real interests of the UK economy, which is so different in structure from France and Germany? And might that be because the sole and entire responsibility for UK trade policy is in the hands of the EU commission – a body where only 3.6 per cent of the officials actually come from this country?

In trying to compute the costs and benefits of belonging to the Single Market, we should surely
add the vast opportunity cost of not being able to do free trade deals with the most lucrative and
fastest-growing markets in the world – because we are in the EU.

When you consider that only 6 per cent of UK business export to the EU 28; and when you consider that 100 per cent of our businesses – large and small – must comply with every jot and tittle of regulation; and when you consider that the costs of this regulation are estimated at £600m per week, I am afraid you are driven to the same conclusion as Wolfgang Munchau, the

economics commentator of the FT, who said, "whatever the reasons may be for remaining in theEU, they are not economic."

And so I return to my point; that we must stop the pretence. This is about politics, and a political project that is now getting out of control. To understand our predicament, and the trap we are in, we need to go back to the immediate post-war period, and the agony and shame of a broken continent.

There were two brilliant Frenchmen – a wheeler-dealing civil servant with big American connexions called Jean Monnet, and a French foreign minister called Robert Schuman. They wanted to use instruments of economic integration to make war between France and Germany not just a practical but a psychological impossibility.

It was an exercise in what I believe used to be called behavioural therapy; inducing a change in the underlying attitudes by forcing a change in behaviour. Their inspired idea was to weave a cat's cradle of supranational legislation that would not only bind the former combatants together, but create a new sensation of European-ness.

As Schuman put it, "Europe will be built through concrete achievements which create a de facto solidarity." Jean Monnet believed that people would become "in mind European", and that this primarily functional and regulatory approach would produce a European identity and a European consciousness.

Almost 60 years after the Treaty of Rome, I do not see many signs that this programme is working. The European elites have indeed created an ever-denser federal system of government, but at a pace that far exceeds the emotional and psychological readiness of the peoples of Europe. The reasons are obvious.

There is simply no common political culture in Europe; no common media, no common sense of humour or satire; and – this is important – no awareness of each other's politics, so that the European Union as a whole has no common sense of the two things you need for a democracy to work efficiently. You need trust, and you need shame. There is no trust, partly for the obvious reason that people often fail to understand each other's languages. There is no shame, because itis not clear who you are letting down if you abuse the EU system.

That is why there is such cavalier waste and theft of EU funds: because it is everybody's money, it is nobody's money.

If you walk around London today, you will notice that the 12 star flag of the EU is flying all over the place. That is because this is Schuman day. It is the birthday of the founder of this project, and the elites have decreed that it should be properly marked.

Do we feel loyalty to that flag? Do our hearts pitter-patter as we watch it flutter over public buildings? On the contrary. The British share with other EU populations a growing sense of alienation, which is one of the reasons turn-out at European elections continues to decline.

As Jean-Claude Juncker has himself remarked with disapproval, "too many Europeans are returning to a national or regional mind-set". In the face of that disillusionment, the European elites are doing exactly the wrong thing. Instead of devolving power, they are centralizing.

Instead of going with the grain of human nature and public opinion, they are reaching for the same corrective behavioural therapy as Monnet and Schuman: more legislation, more federal control; and whenever there is a crisis of any kind the cry is always the same. "More Europe, more Europe!"

257 What did they do when the Berlin wall came down, and the French panicked about the 258 inevitability of German unification? "More Europe!" And what are they saying now, when the 259 ensuing single currency has become a disaster? "More Europe!"

They persist in the delusion that political cohesion can be created by a forcible economic integration, and they are achieving exactly the opposite. What is the distinctive experience of the people of Greece, over the last eight years? It is a complete humiliation, a sense of powerlessness. The suicide rate has risen by 35 per cent; life expectancy has actually fallen. Youth unemployment is around 50 per cent. It is an utter disgrace to our continent.

That is what happens when you destroy democracy. Do the Greeks feel warmer towards the Germans? Do they feel a community of interest? Of course not.

In Austria the far-right have just won an election for the first time since the 1930s. The French National Front are on the march in France, and Marine le Pen may do well in the Presidential elections. You could not say that EU integration is promoting either mutual understanding or moderation, and the economic consequence range from nugatory to disastrous.

The answer to the problems of Europe today is not "more Europe", if that means more forcible economic and political integration. The answer is reform, and devolution of powers back to nations and people, and a return to intergovernmentalism, at least for this country – and that means Vote Leave on June 23.

And of course there will be some in this country who are rightly troubled by a sense of neighbourly duty. There are Remainers who may agree with much of the above; that the economic advantages for Britain are either overstated or non-existent. But they feel uneasy about pulling out of the EU in its hour of need, when our neighbours are in distress; and at this point they deploy the so-called "Peace in Europe" argument: that if Britain leaves the EU, there will be a return to slaughter on Flanders Fields.

I think this grossly underestimates the way Europe has changed, and the Nato guarantee that has really underpinned peace in Europe. I saw the disaster when the EU was charged with sorting out former Yugoslavia, and I saw how Nato sorted it out.

And it understates the sense in which it is the EU itself, and its anti-democratic tendencies that arenow a force for instability and alienation.

Europe faces twin crises of mass migration, and a euro that has proved a disaster for some member states; and the grim truth is that the risks of staying in this unreformed EU are intensifying and not diminishing.

In the next six weeks we must politely but relentlessly put the following questions to the PrimeMinister and to the Remain campaign...

291 1 How can you possibly control EU immigration into this country?

292 2 The Living Wage is an excellent policy, but how will you stop it being a big pull factor for 293 uncontrolled EU migration, given that it is far higher than minimum wages in other EU countries? 3 How will you prevent the European Court from interfering further in immigration, asylum,human rights, and all kinds of matters which have nothing to do with the so-called Single Market?

4 Why did you give up the UK veto on further moves towards a fiscal and political union?

5 How can you stop us from being dragged in, and from being made to pay?

The answer is that the Remain campaign have no answers to any of these questions, because they are asking us to remain in an EU that is wholly unreformed, and going in the wrong direction.

300 If we leave on June 23, we can still provide leadership in so many areas. We can help lead the 301 discussions on security, on counter-terrorism, on foreign and defence policy, as we always have. 302 But all those conversation can be conducted within an intergovernmental framework, and without 303 the need for legal instruments enforced by the European Court of Justice. We will still be able to 304 cooperate on the environment, on migration, on science and technology; we will still have 305 exchanges of students.

We will trade as much as ever before, if not more. We will be able to love our fellow Europeans, marry them, live with them, share the joy of discovering our different cultures and languages – but we will not be subject to the jurisdiction of a single court and legal system that is proving increasingly erratic and that is imitated by no other trading group.

We will not lose influence in Europe or around the world – on the contrary, you could argue we will gain in clout. We are already drowned out around the table in Brussels; we are outvoted far more than any other country – 72 times in the last 20 years, and ever more regularly since 2010; and the Eurozone now has a built-in majority on all questions.

We will recapture or secure our voice – for the 5th biggest economy in the world – in international bodies such as the WTO or the IMF or the CITES, where the EU is increasingly replacing us and laying a claim to speak on our behalf. If you want final and conclusive proof of our inability to "get our way" in Brussels – and the contempt with which we will be treated if we vote to Remain – look again at the UK deal and the total failure to secure any change of any significance.

Above all – to get to the third key point of the Remainers – if we leave the EU we will not, repeat
not, be leaving Europe. Of all the arguments they make, this is the one that infuriates me the

321 most. I am a child of Europe. I am a liberal cosmopolitan and my family is a genetic UN 322 peacekeeping force.

I can read novels in French and I can sing the Ode to joy in German, and if they keep accusing me of being a Little Britainer, I will. Both as editor of the Spectator and Mayor of London I have promoted the teaching of modern European languages in our schools. I have dedicated much of my life to the study of the origins of our common – our common -European culture and civilization in ancient Greece and Rome.

So I find it offensive, insulting, irrelevant and positively cretinous to be told – sometimes by people who can barely speak a foreign language – that I belong to a group of small-minded xenophobes; because the truth is it is Brexit that is now the great project of European liberalism, and I am afraid that it is the European Union – for all the high ideals with which it began, that now represents the ancien regime.

333 It is we who are speaking up for the people, and it is they who are defending an obscurantist and 334 universalist system of government that is now well past its sell by date and which is ever more 335 remote from ordinary voters.

It is we in the Leave Camp – not they – who stand in the tradition of the liberal cosmopolitan European enlightenment – not just of Locke and Wilkes, but of Rousseau and Voltaire; and though they are many, and though they are well-funded, and though we know that they can call on unlimited taxpayer funds for their leaflets, it is we few, we happy few who have the inestimable advantage of believing strongly in our cause, and that we will be vindicated by history; and we will win for exactly the same reason that the Greeks beat the Persians at Marathon – because they are fighting for an outdated absolutist ideology, and we are fighting for freedom.

343 That is the choice on June 23

344 It is between taking back control of our money – or giving a further £100bn to Brussels before the
 345 next election

346 Between deciding who we want to come here to live and work – or letting the EU decide

- 347 between a dynamic liberal cosmopolitan open global free-trading prosperous Britain, or a Britain
- 348 where we remain subject to a undemocratic system devised in the 1950s that is now actively
- 349 responsible for low growth and in some cases economic despair
- between believing in the possibility of hope and change in Europe or accepting that we have no
- 351 choice but to knuckle under
- 352 It is a choice between getting dragged ever further into a federal superstate, or taking a stand now
- 353 Vote Leave on June 23, and take back control of our democracy.

Source:

http://www.voteleavetakecontrol.org/boris johnson the liberal cosmopolitan case to vote lea ve.html

# 5. George Osborne's speech on HM Treasury analysis on the EU referendum, 18 April 2016

### George Osborne, Chancellor of the Exchequer

1 Good morning.

It's great to be here at the brilliant National Composite Centre in Bristol, and good to be joined by
my colleagues Liz, Stephen and Amber.

The engineers, scientists and designers who work here deliver world-leading research and innovation in composites for some of Britain's most important industries. One sector that particularly benefits from the work of the National Composite Centre is aerospace. The South West is a great showcase for Britain's successful aerospace industry. Half of everything our aerospace sector exports is sold to the European Union, and our aerospace industry relies on imports from Europe to make their finished products.

We're here to talk about Europe today. In a little over two months' time the people of the United Kingdom will decide whether our country should remain in the European Union or leave it. It's the biggest decision for a generation – one that will have profound consequences for our economy, for living standards and for Britain's role in the world.

But what many people are saying at the moment is that they don't have enough facts and information to make an informed decision. And so it's up to all of us who fought so hard to give people this referendum, so they could take this momentous decision, to provide those facts and that information.

That's why today the government is publishing a comprehensive Treasury analysis of the longterm economic impact of EU membership and the alternatives. This is a sober and serious look at the costs and benefits of remaining in the EU, or leaving it. Not just for Britain, but for the individual families of Britain. To put it simply: are you better off or worse off if Britain leaves the EU? Has your family got more money each year, or less? And is there more or less money available to your government to spend on public services and lower taxes?

To find the answer to those questions, the Treasury has gone back to first principles and looked at the current costs and benefits of our membership of the European Union – essentially what we put in and what we get out.

We've also looked at how that would change if the EU were to reform along the lines it has committed itself to. And we've looked at the costs and benefits of leaving the European Union. Not the immediate shock – a future Treasury study will look in detail at that. But rather the long term impact that our exit from the EU would have on family finances and the nation's finances.

We've done that by examining in detail what the alternatives to EU membership look like for Britain's economy. We know now pretty clearly what those alternatives might be, although we don't know which one Britain would pick, or our European neighbours would accept.

There's seeking membership of the European Economic Area, where you get access to part of the single market but you have to pay into the EU and accept free movement, without any say over either. That's the Norway model.

There's relying on our existing membership of the World Trade Organisation where, like Russia or Brazil, you put nothing into the EU but get nothing out in terms of preferential access. That's the WTO model.

And then there's the halfway house of trying to negotiate a bilateral trade deal with the EU, where
you get some trade access but you're not part of the Single Market. That's the Canada model.

It's a complete fantasy to claim we could negotiate some other deal, where we have access to the EU's single market but don't have to accept the costs and obligations of EU membership. Other member states have made it very clear in recent weeks that's not on offer – and how could it be? How could other European countries give us a better deal than they have given themselves? Never 47 forget that while 44% of our exports go to the rest of the EU, less than 8% of their exports come to48 us.

So in today's analysis we look at the costs and benefits of our existing membership of the EU, and
test that against the three realistic alternative models – like that of Norway, the WTO and Canada.

Shortly I will ask my colleagues Liz, Stephen and Amber to go through each alternative in turn. But
first let me say something about the underlying economic assumptions that were made, and upon
which the analysis rests.

54 We assume that the underlying objective of economic policy is to increase living standards 55 through the creation of jobs, rising household incomes, and low and stable prices for consumers. 56 You may have other policy objectives that you think trump those objectives – but the purpose of 57 economic policy is higher living standards.

1t's well established in economic literature that those higher living standards are ultimately driven by long term improvements in productivity: in other words, increasing the value of what British workers produce per hour. And it is also a well-established doctrine of British economic thinking over centuries that greater economic openness and interconnectedness helps raise productivity.

That's because greater openness to trade and investment increases competition, enhances
incentives for firms to innovate, and gives them access to finance – this enables them to invest
and employ people, and it gives consumers access to more choice and lower prices.

Now I accept there are those who advocate a completely different economic approach – a closed,
command economy, and no free trade or competition or private business. But that's never been
the consensus in Britain, or the rest of the world these last few decades.

And those most prominent in advocating our withdrawal from the EU do so, in part, with the claim it will lead to freer trade and freer markets – so they share these basic assumptions about the advantages of economic openness too.

In this document the Treasury therefore assess the alternatives to EU membership, and see
 whether they enhance or diminish our economic openness and interconnectedness and by how
 much.

First, is market access increased or reduced? In other words, do British businesses and consumersface tariffs, quotas and unfair competition or other barriers?

Second, is Britain's economic influence enhanced or curtailed? What say do we have over the rulesand standards that apply to the goods and services we trade in?

Third, are the costs to Britain greater or less? What do we end up paying for a different trading
relationship? We know the answer to these tests with Britain's current membership of the EU.

When it comes to market access, there are no tariffs or quotas applied to British exports to the 500 million consumers who live in the European Union. But a Single Market is about more than the absence of quotas and tariffs – it means common standards, so there aren't invisible barriers and obstacles to trade.

So, for example, when a highly skilled car maker is building a car, they know it can be sold directly and without any hindrance into the continent of Europe. It also means a British-based architect or engineer can get off the plane in Munich or Madrid and immediately start doing business. And it means that any European airline can offer the best service at the best price to provide that journey.

That's what the Single Market means – and the Treasury analysis shows EU membership has increased trade with EU members by around three quarters. Greater openness leading to higher productivity and rising living standards.

We also know that our current EU membership gives us influence over the rules and standards of that Single Market – we have votes over what they are, our Commissioners can help design them, our Ministers and elected MEPs can shape them, and on key issues like common tax standards we have an absolute veto.

96 But we are not in the single currency and we are not in the Schengen free border area – so we 97 have a special status in the EU. That gives us the best of both worlds: influence over the single 98 market without the obligations that membership of the euro and open borders would bring. And 99 we know what the costs and the financial rewards of being in the EU are.

100 We pay into the EU budget, but our citizens, businesses and universities also receive money from 101 the EU budget. The net direct cost is equivalent to a little over 1 pence for every £1 we raise in 102 taxes. But we have also received over £1 trillion of overseas investment into Britain, much of it 103 driven by the fact we are in the EU and its Single Market.

104 Indeed, we have received more of this overseas investment than any other EU member state – 105 and that drives better jobs and rising living standards too, bringing money into the exchequer to 106 spend on public services. So we know how our existing membership of the EU performs against 107 these tests of openness and interconnectedness.

108 We also know the advantages that future reform of the EU can bring for Britain. For the EU is not 109 perfect. The Single Market can be expanded, the costs can be reduced, and the influence of 110 Members States can be enhanced. That's what the new settlement, negotiated by the Prime 111 Minister, supported by the Cabinet, delivers.

112 The Treasury analysis shows that achieving EU-wide reforms to deepen the Single Market and 113 complete major ongoing trade deals offers a huge prize for Britain. It could add up to 4% to our 114 GDP over the coming 15 years – that's thousands of pounds more for each British household.

So Britain's membership of the European Union contributes to the openness of our economy – and that leads to higher quality jobs, rising living standards and lower prices. And we know there will be better jobs, higher living standards and even lower prices if Europe reforms.

That's the future on offer if Britain remains in a reformed EU – a future where we are stronger,
safer and better off.

120 What does the Treasury's rigorous economic analysis show about the alternatives? Let me hand 121 over to my colleagues Liz, Stephen and Amber. They will go through each of the alternative models 122 – like that of Norway, the WTO and Canada – and look at what they would mean for British123 families.

#### Elizabeth Truss, Secretary of State for Environment, Food and Rural Affairs

124 The document published today shows how one of the big advantages of being in the European125 Union is the ability we have to shape the rules.

Our record shows that reforms are more likely with Britain around the EU table: throughout the 126 127 80s we drove trade liberalisation in Europe, with action to break down barriers to the free movement of goods, services, capital and people which meant the creation of the Single Market as 128 129 we know it today. In the early 90s it was Britain who pushed to dismantle national barriers to air 130 travel and open Europe's air transport up to competition, which led to the creation of low cost 131 carriers, and helped cut the cost of air travel by 40% in just 8 years. And in the last decade it's 132 been Britain pushing to deepen the Single Market in digital services - simplifying rules for cross-133 border online purchases, and supporting a package to end mobile roaming charges in the EU.

So we've proven we can influence the rules from the inside. The question is could we shape themfrom the outside? If we left the EU some say we could be like Norway.

Norway isn't in the EU, but it is in another group called the European Economic Area. On paper it looks pretty similar to our relationship with the EU. We would still be in a European club – albeit a different one. We'd still pay contributions to support other EU member states. We'd still implement EU legislation. But there would be a crucial difference. We'd have no say over the rules.

Our Prime Minister would no longer have a seat at the European Council, where EU leaders take decisions about the future direction of the continent. No British Minister would be there when farming issues were decided – or indeed any other issue that impacts our country. We would have no vote in the Council of Ministers – the body where the 28 EU Member States decide on legislation. But we'd still have to implement their decisions on the internal market, and follow their rules on State Aid and competition.

The current EEA members take this on the chin. For Norway, that means losing a vote share that inside the EU would be worth 1%. That's a pretty low price. But what about Britain? Our vote share would drop from one of the highest, alongside France and Germany, to zero. Our strong, reforming voice would be silenced. That's what I call a loss of British sovereignty.

151 But it's not just the lack of influence that worries me about the Norway model. It's the fact that 152 the EEA tariff-free trade doesn't cover key areas like the vast majority of agriculture and fisheries, 153 so Britain's farmers would be hit. It's the fact that EEA members aren't part of the EU customs 154 union, so British firms would face new customs checks and bureaucracy if they wanted to trade 155 with Europe. Every time Norway exports a product to an EU country, they have to fill in a form with 50 boxes and guidance that is 78 pages long. This must be frustrating for Norway, even 156 157 though many of their exports are raw materials, making these forms easier to comply with. But it 158 would be a nightmare for Britain as many of our exports are complex finished products like cars or 159 machinery.

All this new bureaucracy would significantly reduce our openness and interconnectedness – reducing the competitiveness of British firms and acting as a drag on our productivity. And being part of the EEA means still accepting EU regulations, contributing to the EU, and permitting the free movement of people,

164 So if we decided to be like Norway, we'd have worse access to the Single Market. We'd keep 165 paying into Brussels but we'd be a rule-taker instead of a rule-maker.

The Treasury has run the numbers and joining the EEA would significantly reduce our openness totrade, and as a result, productivity and investment would fall.

Let's be clear on this – because we know that increasing productivity is the key to increasing living standards. If productivity falls we will see lower wages in Britain; consumption will fall and people will be permanently poorer. The analysis published today shows that following this path would mean a long-term reduction in
GDP of around 4% every year. And this long-term reduction in GDP will hit our tax receipts as
people and businesses earn less.

The impact on tax receipts of joining the EEA would be £20 billion a year within 15 years' time. Not a one-off hit, but an ongoing painful reduction as our country raises less money, and has less money to spend on public services. Those are the facts on the European Economic Area.

177 So the analysis shows if we want to minimize the significant damage to our economy from leaving,

178 we would, effectively, have to re-join another European club on worse terms – no vote, no power,

still paying into the EU, and with much less protection against the abuse of free movement.

For a country the size of Britain, with the strong voting clout we already have in the EU, this wouldrepresent shooting ourselves in the foot.

#### Stephen Crabb, Secretary of State for Work and Pensions

182 Next I want to talk to you about global trade. There are some who imply there's a tension between 183 trading with Europe and trading with the rest of the world. That is simply wrong. Both are good 184 and we need to do both. And that's exactly what we will do if we remain a member of the EU.

Yes, nearly half of our exports go to Europe, but our exports to the rest of the world have gone from £150 billion to £290 billion in just 10 years – that's a 95% increase. And to those who say that's proof we don't need the EU, just look at where they've increased the most.

We currently benefit from trade deals the EU has negotiated with over 50 other countries. And as today's document explains, those deals have been great for Britain. Our exports to South Korea have grown by over 100% in just four years since the EU Free Trade Agreement was signed. Exports to Chile have grown almost 300% in a decade. Those other countries will have given up a lot in negotiations to gain access to a bloc with 500 million customers and a quarter of the world's GDP. But if we vote to leave, we'll only have two years before all the trade deals we have via the EU would fall away. The clock would be ticking, yet renegotiating trade deals with more than 50 countries as a single country would take many, many years.

And that's if we can even get the talks off the ground: the US Trade Representative recently said the United States is "not particularly in the market for free trade agreements with individual countries".

Some argue there's no need to worry – we could just fall back on the existing World Trade Organisation rules. Now let me be absolutely clear. The WTO is a brilliant organisation and one that Britain is proud to be a member of. But their rules are a sort of 'minimum standard' for global trade – and they fall way short of the Single Market and Free Trade Agreements we currently access through the EU. Under WTO rules we'd face common export tariffs.

205 The EU would charge an average tariff of 36% on dairy products. 12% on fish. 12% on clothes. 10% 206 on cars. Our services exporters would be hit too – as they'd lose their automatic right not to be 207 discriminated against through being part of the Single Market. And we'd have to decide where to 208 set British import tariffs. Would we choose to set high tariffs on food, to protect British farmers? 209 Or would we set low tariffs on food, to protect British consumers? Regardless of what we decided 210 on import tariffs - there's a catch. WTO rules would require us to offer the same tariff to all 211 countries. So if we wanted to offer low tariffs to our neighbours in Ireland, we'd have to do the 212 same for all other 160 countries in the WTO. So for example, we'd have to offer low tariffs to 213 countries like Brazil and Argentina while they apply high tariffs on our key exports, like Scotch 214 Whisky at 20% in Argentina, and cars at 35% in Brazil.

Trade deals are about give and take, but we'd have turned up to the table having already played all our cards. The analysis published today shows that the WTO scenario represents the most extreme break from the EU, and it is also the alternative that is the worst for the British economy.

The sharp reduction in trade would be accompanied by a reduction in foreign direct investment into the UK as we'd no longer have the same degree of unrestricted access to the EU Single

- Market of 500 million consumers. Think of all the global firms that have headquarters in the UK so
  they can sell into Europe if we leave the EU, they could leave Britain.
- The Treasury's rigorous analysis of the trade and investment impact of the WTO option shows that after 15 years Britain's economy would be around 7.5% smaller. And the fiscal cost of the WTO option is the most painful of all – in the long term our country would have to cope with annual tax receipts that are £45 billion lower. Every year.
- 226 Conclusive proof that when it comes to trade, openness and economic growth, it's better to go for
- the best deal available rather than the lowest common denominator.

## Amber Rudd, Secretary of State for Energy and Climate Change

- As the document today explains, one of the most valuable benefits of EU membership for Britain is
  the Single Market. And that Single Market is not just in goods, but in services too.
- So what does a Single Market in services mean, and why does it matter? It matters because 80% of our GDP comes from the services sector, and 80% of our workforce are employed in the services sector. Britain is the country that designs the building, arranges the finance, insures the business, draws up the contract, produces the TV series, creates the advertising campaign and audits the accounts. High skilled service industries like these are vital for our future.
- The Single Market means that all of our exports can be sold to Europe tariff-free. And crucially it isn't just tariff barriers that the EU has eliminated for Britain. The Single Market seeks to eradicate non-tariff barriers too. So a British architect or a British lawyer can go and work in any other European country and have their professional qualifications recognised.
- And the creation of passporting rights in the 90s means that financial services firms like banks,
  insurers and investment managers can establish themselves anywhere in the EU, and trade across
  the whole Single Market, with lower cost and lower complexity.

The figures speak for themselves. Our service industries are growing at a rate of nearly 3% a year on average. Our services exports have increased from £130 billion to £220 billion in the past decade alone – with Europe being by far our biggest market.

I accept the European Single Market for services is not yet complete – that's why commitments to
complete it formed such a key part of the Prime Minister's recent negotiation. But the results
clearly show that the Single Market has benefitted our services sector.

Now I want to look at the final alternative scenario the Treasury has modelled: a negotiated bilateral agreement. They've looked closely at countries like Switzerland and Canada who've negotiated bilateral trade deals with the EU. The Canada free trade agreement seems to be the most popular with those who want to leave, so let's look at its benefits and costs, and contrast it to EU membership. It's been held up as the most comprehensive Free Trade Agreement the EU has ever made. It's a vast, detailed agreement that runs to over 1500 pages – although 800 of those pages are exemptions and barriers to free trade.

And remember it's not in place just yet. Canada spent 7 years negotiating the deal, waiting outside the door as those on the inside decided whether to agree. But when it comes into force it may work well for Canada and for the EU.

However, I'm not so sure it would work well for us. Their deal does offer some liberalisation in services it's true. But the Canadians export about a tenth of the value of services to Europe than we do. And the Treasury analysis finds that around 50% of our service exporters would face materially less access to the EU market than they currently enjoy if we were to replicate the Canadian deal.

In addition, Canada doesn't have access to the financial services passport. This would be a real problem for Britain. If we left the EU and lost access to passporting rights the evidence suggests that financial services jobs would move out of Britain. But it's not just services where the Canadian deal wouldn't work for us. On agriculture, key sectors are excluded from the Canadian deal.

Take beef for example. We currently export over 90,000 tonnes of beef a year to Europe tarifffree, and if we wanted to sell more then we could. The Canadian agreement allows them a quota of 50,000 tonnes, above which they would be subject to some tariffs equivalent to around 70%. If we voted to leave then a reciprocal deal would badly hurt British beef farmers.

And how about another example – cars. Our car manufacturing sector is thriving, but as you've already heard from Stephen, the EU places a 10% tariff on cars from outside the EU. This would cost our industry more than £1 billion a year, and the Canadian deal only eliminates them after 7 years.

275 So even though the Canadian Free Trade model is put forward as the best and most 276 comprehensive option by those who want to leave, it's clear there are some crucial gaps for a 277 country like Britain.

The Treasury analysis published today shows that a Free Trade Arrangement like Canada's would have a significantly negative impact on our trade, investment and productivity. After 15 years Britain's economy would be around 6% smaller, compared to 3.8% smaller were we to join the EEA.

282 So even the best bilateral trade deal the EU has agreed with an outside country is significantly 283 worse than the access you'd get to the Single Market through the EEA.

#### George Osborne, Chancellor of the Exchequer

284 So you've heard today the serious and sober Treasury analysis, which sets out the costs and 285 benefits of Britain's membership of the European Union.

The costs of accepting common European standards; and the benefit that gives us of unique access to a Single Market of 500 million people.

The costs of being one voice among many when it comes to setting those standards; and the benefits of the influence that gives us to shape those rules to our advantage, and extend our trade access around the world, so that when it comes to our economic environment, Britain is a rule-maker not a rule-taker.

The costs of directly contributing a little over 1 penny in every 1 pound of taxes; and the direct benefits of the billions of pounds of foreign investment which flow more to Britain than any other European country and boosts our public finances.

295 Deliver the economic reform we've agreed in the European Union, and the benefits are even 296 clearer. The analysis shows that our economy could be 4% greater if we extend that Single Market 297 and do more free trade.

These economic costs and benefits of EU membership, with or without this brighter, positive future need to be weighed against the economic costs and benefits of all the plausible alternatives for Britain.

301 The Norway model – where we gain partial access to the Single Market, but face customs barriers 302 and have no influence over the rules we're forced to abide by. Where we lose trade and 303 investment, but still have to pay into the EU and accept free movement of people. The WTO 304 model, where barriers are erected by our nearest and most important markets, everything we 305 make from food to cars to clothing and all the services we provide – with severe consequences for 306 our industry and the size of our economy. The Canadian model, where our services that make up 307 80% of our economy cannot do business freely with Europe, and the integrated supply chains that 308 are a feature of our advanced manufacturing face customs barriers for the first time in half a 309 century.

Under any of these alternative models of the kind of relationship Britain might have with its principal export markets our influence is diminished; we trade less; we receive less investment; our openness and interconnectedness to Europe is reduced. And you'd have to believe that we could more than compensate for that loss of trade and investment with Europe, by increasing trade and investment with the rest of the world. But the evidence shows that our trade deals with more than 50 other non-EU countries would be jeopardised, and our ability to influence global trade rules would be hugely reduced. We'd do less trade with the rest of the world outside the EU, not more.

The Treasury has modelled the economic impact of alternatives to EU membership. As you've heard from my colleagues, the biggest impact comes if we just rely on being a member of the WTO. The least impact comes if we try to form a relationship like Norway, but then we have to pay into European budgets and accept free movement – the very things those who want to leave claim they want to be rid of. That's why those most prominent in advocating British exit from the EU say we'd try to form an arrangement like Canada.

But we're not Canada – our comparative advantage is in services and advanced manufacturing. 50% of all our services exports go to the continent of Europe. So the economic analysis shows that this Canada-style arrangement comes at a real economic cost for Britain.

The central estimate is that in the long run GDP would be over 6% smaller and Britain would be worse off by £4,300 per household. The people of Britain want to know the facts before they vote on 23 June.

The Treasury's analysis steps away from the rhetoric and sets out the facts. Britain would be permanently poorer if it left the European Union. Under any alternative, we'd trade less, do less business and receive less investment. And the price would be paid by British families. Wages would be lower and prices would be higher. And that means that Britain would be poorer by £4,300 per household. That is £4,300 worse off every year, a bill paid year after year by the working people of Britain.

And that is the long term cost – in the short term we'd face a profound economic shock and real
instability. This Treasury analysis is serious and sober – and it's conclusive. British families will pay
a heavy economic price if we leave the EU.

And don't believe the flimsy claim that at least we would get some money back by not paying our
1 penny in every £1 we raise in taxes to the European budget. If we left the EU, we'd lose tens of

billions of pounds in money for our public services, because our economy would be smaller and
our families poorer. The most likely bill our public services would pay if we left the EU is £36
billion.

That's the equivalent of 8 pence on the basic rate of income tax. Higher taxes and a smaller economy is not a price worth paying. Of course, I know there will be many attempts by those who advocate exit to dismiss this Treasury analysis.

347 But it's rigorous, it's rooted in the facts and its conclusions are similar to every other credible 348 independent analysis done around the world – from the recent global outlook of the IMF to the 349 academic research of the London School of Economics.

And I would conclude by saying this: it is a perfectly honest position to say that Britain would be worse off but that is a price worth paying. But don't pretend to the British people that leaving the EU comes at no economic cost. There is a price to be paid if we leave – a £4,300 price that families will pay year after year.

Don't let's leave the EU on a false prospectus. Let's have the facts and the figures in front of us as we all make this huge decision on 23 June. For me, in the end, it's not just about the economics. It's about who we are as a country.

The Britain I love is open, confident in its values and ready to shape the future of our world. I don't want Britain to be like Norway or like Canada or anyone else. I want us to be like the Great Britain we are. Strong. Proud. Prosperous. Stronger, safer and better off in the European Union.

*Source:* <u>https://www.gov.uk/government/speeches/hm-treasury-analysis-on-the-eu-referendum-george-osbornes-speech</u>