

# NATIONAL ARCHIVES

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3 ~~April~~ <sup>May</sup> 1977

Secretary  
Department of Foreign Affairs

Direct Elections to the European Parliament

The uncertainty surrounding the question of direct elections to the European Parliament has not been dispelled by the Government's recent White Paper ("with Green edges"), copies of which we have already sent to the Department, and the two-day debate in the House of Commons on 20 and 25 April has done little to clarify matters.

Opening the debate, the Foreign Secretary made it clear that the Government would not announce any decision at this stage, but would listen to and note the arguments made in the course of the debate, in the light of which the issues raised in the White Paper would be reconsidered. He repeated the Government's commitment to use its best endeavours to enable elections to be held in 1978, but the main burden of his speech was an attempt to still the apprehensions of those who claim that direct elections are the first step on the road to a federal Europe. He played down the "very limited" powers of the European Parliament: direct elections would probably lead to increasing demands for further powers but any such powers could only be granted by the member Governments with the approval of their Parliaments. Enlargement, too, was bound to work against federalism.

The Foreign Secretary did not, however, give any indication of the Government's preference as between the various electoral systems described in the White Paper. Indeed he did not discuss such details at all in his statement. The Government have already, of course, announced their intention to allow a free vote on the question of which system should be used.

The Shadow Foreign Secretary, John Davies, confirmed that the Tories too would allow a free vote on this issue. He opposed the dual mandate because of the demands it would make on M.P's., but he was evasive as to which system of elections he would support. He argued that the actual system to be used was of secondary importance compared with the principle of direct elections itself, firstly because the 1978 elections would be on a once-off basis, to be followed in future elections by an electoral system agreed throughout the Community, and secondly because in any event the nature of European elections means that any system used would not set a precedent for national elections.

Referring to the White Paper's conclusion - about its only firm conclusion, in fact, - that PR should be used in Northern Ireland, Davies said he would find it "a very unhappy situation if two different electoral methods applied in the United Kingdom". Finally, he called on the Government to ensure that the House had an opportunity to decide on the electoral system to be used before it introduced a Bill based on its consideration of the debate. (This last point was echoed by several Conservative speakers in the course of the debate).

For the Liberals, Jeremy Thorpe, predictably, argued strongly for PR. Dealing at some length with Northern Ireland, he made the point that it was PR which made a power-sharing Executive possible, and it was the first past the post system in the subsequent General Election which defeated the power-sharing experiment.

Mr Ted Heath, in a long and closely argued speech, welcomed the White Paper's conclusion on Northern Ireland. He opposed the first past the post system for the elections in Britain also, and came down in favour of the regional list system. His most interesting suggestion was that members of the European Parliament should have the right to sit and speak, but not to vote, in the House of Commons. They would be unlikely, he said, to take their seats in the Commons except when important matters of European interest were discussed.

Mr George Reid (SNP) said that his Party reserved their position on the electoral system to be used, but said they would contest the election "with vigour and determination". When Scotland achieved independence, the people of Scotland would decide their ultimate relationship with the Communities in a referendum. He felt that Scottish Euro-M.P's. could sit and speak in the Scottish Assembly without the right to vote, on the lines suggested by Mr Heath for Westminster. The rest of his speech was devoted to complaints about the small number of seats allocated to Scotland, by comparison with Ireland, among other countries.

The Opposition spokesman on Europe, Douglas Hurd, said that the Government would have avoided a great deal of difficulty had they accepted the Select Committee's recommendations that, firstly, they should introduce legislation as soon as possible and, secondly, opt for the first past the post system for the 1978 elections. By confusing the two issues of the principle of direct elections, and the question of what electoral system should be used, they had put at risk the majority which existed in the House for the principle of direct elections. He himself would support the first past the post system.

Mr William Whitelaw suggested that the White Paper's conclusion that PR should be used in Northern Ireland risked grave dangers, because it breached the principle that any election in the whole of the UK at the same time should be held on the same basis, and because it could suggest to some people that the Government was less than wholehearted in its commitment that Northern Ireland shall remain part of the UK for as long as that is the wish of the majority. He appealed to the Home Secretary to reconsider this point.

Winding up the debate the Home Secretary, Merlyn Rees, said that he realised, soon after the 1974 General Election that the first past the post system in Northern Ireland had played a major part in breaking up what Mr Whitelaw had built so well. The chance for the minority

community in Northern Ireland to get someone elected to Europe might have an ameliorative effect. The Government would now consult the Labour Party and, taking into account what was said in the course of the debate, would put forward proposals. At the end of the day it would be for the House, in a free vote, to decide on the electoral method to be used.

We must now await the Government's proposals. It is clear that the Prime Minister faces great difficulties in seeking to fulfil his commitment to direct elections while at the same time avoiding uproar in the Party which voted overwhelmingly against direct elections at its last Party Conference. It has been suggested that as many as a third of Labour M.P's. would refuse to support the necessary legislation. Nonetheless, while the situation remains uncertain, it may be that the Government is moving in the direction of some form of PR, possibly the regional list system. PR was also, of course, an element in the Government's agreement with the Liberals. Another factor which must weigh heavily with the Government is that the use of PR would avoid their winning only a small minority of seats in the European Parliament, which some commentators suggest could, under the first past the post system, be as low as 5 of the 81 seats.

Mrs Thatcher also finds herself in a dilemma. The Conservatives continue to support direct elections, but under the first past the post system which would give them up to 65 seats (though Mr Heath has announced that he favours the regional list system). Given the Tories' commitment to the principle of direct elections, they would obviously find it difficult to be put in the position, by opposing PR, of wrecking the Direct Elections Bill and thus making it impossible for Britain to meet the May/June 1978 deadline. What seems more likely is that, when the Bill is eventually debated in Parliament, the Tories will support it on its Second Reading, thus signifying their support for the principle of direct elections. They could then, at the Committee Stage, put down amendments to provide for the first past the post system. But they may well be persuaded by the Government that time is too short to enable the Boundary Commissions to draw up 81 new constituencies to allow for elections by the deadline, in which case they may be prepared to accept the Government's proposals.

In any event it seems certain that the Direct Elections Bill, whatever its proposals and whenever it is introduced, will have a rough time in the House of Commons, and the final outcome continues to look uncertain.

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