

THE CASE FOR AN EU RATIFICATION REFERENDUM

The following motion was passed at the RIC AGM on June 30th.

1. This meeting recognises that a majority of the Scottish people voted to remain in the European Union.
2. We condemn the Tories imposing a hard anti-working class 'all British Exit' on Scotland.
3. We call on the Scottish government to hold a ratification referendum on the Tory deal.
4. We note that if a majority of the Scottish people vote against the Tory deal this would be a justification to trigger a second Independence referendum.

1. Allan Armstrong wrote a letter to *The National* in support of this, which was published on 24.7.18.

In *The National* of 23.7.18, Carolyn Leckie has raised the idea of the Scottish government holding a rerun of the 2016 EU referendum. Like Carolyn, and for similar reasons, I voted to Remain in 2016. I have even less illusions in the EU than Carolyn. I recognise that the EU, unlike the UK, is not a state with its own army or police force, but is a treaty organisation between existing member states. But therein lies the rub for neither Scotland nor Catalunya are states, so their national concerns are not recognised by the EU.

However, the UK state has even more of a stranglehold over Scotland, and the purpose of those in charge of Brexit, is to further centralise state power to protect the rich and powerful. They want to undermine the employment and welfare conditions for both UK subjects and EU residents. Or as Nigel Lawson has put it, "Brexit will complete Margaret Thatcher's economic revolution", only this time not in alliance with Ronald Reagan, but with Donald Trump.

I would suggest that better than a rerun of the 2016 EU referendum, would be a Ratification referendum. Brexiteers never provided any plans in the event of a Leave vote, and we are now witnessing the shambolic consequences. So a new referendum should be over the conditions of the proposed Brexit deal. It is highly unlikely that Yes voting Leavers, or indeed even some No voting Labour Leavers, are happy with the Brexit deal now being pushed by the Tory Right and DUP, mightily helped by the anti-democratic nature of the UK state.

The Brexit vote did split the Yes movement, even if the Remain vote was not only overwhelming, but also formed a majority right across Scotland. Yet, a third of the original Yes supporters voted Leave. Thus, a Ratification referendum would provide the possibility for reuniting both Yes Remainers and Leavers. Both May, and sadly Corbyn, continue to hide

behind the dubious 'democratic mandate' of the Leave vote, despite the rigged franchise, with the exclusion of EU residents and 16-18 year olds (in contrast to IndyRef1) and, as Carolyn points out, "the daily exposure of breaches of electoral law." But a call for a rerun referendum would most likely strengthen the hard Right in England. However, many Brexiteers would find it much harder to oppose a Ratification referendum, bringing "power back to the people", than a rerun of the 2016 EU referendum.

A successful Ratification referendum in Scotland would increase the pressure to hold a wider referendum, or to trigger a general election in the UK. Either of these could undermine the continuing slide to the Right in UK politics and lead to a break in the current political logjam, which is only aiding the Tory and further Right. However, any continued attempts by May and the Tory Right to obstruct the likely outcome of a Ratification referendum in Scotland could also provide a more effective spur to either IndyRef2, or whatever form the next stage of the Scottish democratic movement takes.

George Kerevan, SNP ex-MP, had also written the following article in *The National*, which had already been circulated to RIC supporters before the AGM.

THERE is a general feeling of disorientation among [SNP](#) activists following the General [Election](#). I'm blaming no-one: politics is a rough business and after a decade in power at [Holyrood](#) the party could not hope to have everything permanently its own way. Or see our political opponents remain forever on the back foot.

However, in the month since the election there has been an uncharacteristic void regarding what we might call the party's "project". The First Minister is still talking about an independence referendum after the outcome of the [Brexit](#) negotiations are clear. But the precise date for this has become opaque. Gone is the call for an independence vote some time between autumn 2018 and spring 2019.

Instead, the priority now is to get the best Brexit deal possible, defined as staying inside the single market and (more improbably if England quits the EU) staying inside the customs union. There is much to commend this strategy. [Scotland](#) voted 62:38 for Remain, and leading on that issue puts pressure on the [Ruth Davidson](#) Party and the anti-Corbyn Scottish Labour Party. But this thrust also has a number of inherent weaknesses.

For starters, unless Corbyn seriously takes up the fight, there is no effective majority in the [Commons](#) for staying in the single market. In fact, Corbyn whipped the majority of his MPs into abstaining on a Labour rebel motion backing this very policy. As a result, [Theresa May](#) is off the hook. And the Tory government has set its face resolutely against remaining in the single market or the customs union and that won't change.

Of course, Ian Blackford and his doughty band of SNP MPs at Westminster will fight for Scottish inclusion in the Brexit negotiations. They will set down a lot of creative amendments and keep the Tories out of their beds by calling numerous late-night votes. But I can't see the Conservatives taking heed unless we find a bigger political stick with which to threaten them. Yet we have abandoned [indyref2](#), at least for the time being.

True, with the help of the SNP and dissident Labour MPs, the pro-City wing of the [Conservative](#) Party (championed by Chancellor Philip Hammond) might win a lengthy transition period before the UK quits all EU economic institutions — perhaps five years, maybe a decade. However, such a tactical delay can hardly be represented as a major victory. And it clouds even further the decision over when (if ever) to call for a second independence referendum.

So can anything be done to recover the political initiative in Scotland? Here's a suggestion: the SNP government at Holyrood should announce it will hold a unilateral referendum on the outcome of the Brexit negotiations, circa the spring or early summer of 2019. Note: this is not an independence vote. It is designed purely to let the people of Scotland give their view on the Brexit deal, whatever it is. (The Scottish [Government](#) should lobby the devolved parliaments and assemblies in Wales, Northern Ireland and London to follow suit – a combined electorate of around ten million.) This strategy has the advantage of putting matters squarely back in the hands of the Scottish electorate and away from the corridors of Westminster and the machinations of Oxbridge-educated civil servants. Of course, such a vote would be non-binding on the Tory government. But it would shift the dynamic of the EU debate to Scotland. Instead of the SNP government being a spectator in the Brexit negotiations, it would be in a position to determine public opinion. It also gives the SNP some muscle in demanding participation in the Brexit negotiations: David Davies and his team would know that the European Commission can look over their shoulders and appeal directly to Scottish voters when it comes to staying in the single market. Giving Scottish voters a direct voice makes it less easy for Davies and the Tories to ignore their opinions or that of the Scottish Government. I doubt if wobbly Theresa May will accede to handing negotiations over to a commission of the devolved nations – that's a pipe dream. But a consultative referendum puts real pressure on her and Davies to come north to address directly Scottish concerns on Europe.

EVEN if the Tories reject the call for an independent negotiating commission, the Scottish Government can still establish its own, in order to feed into the Brexit discussions. This might consist of business people, representatives of EU citizens working and domiciled locally, local authorities, trades unions, the churches and civic Scotland. Such an independent EU Negotiations Commission north of the Border would make it more difficult for the Conservatives to dismiss Scottish demands to stay in the single market – at least without paying a political price.

There's more. Calling a Scottish referendum on the outcome of the Brexit negotiations would force Ruth Davidson and Kezia Dugdale to relate to Scottish voters directly, which limits their ability to prevaricate or dissemble on Europe and the economy. Of course, both are likely to dismiss a local referendum on the final Brexit deal as an SNP manoeuvre. Let them.

If we go ahead with such a vote – and we should – Davidson and Dugdale either have to get on board or risk becoming politically irrelevant on Europe.

A second EU vote – after we know the true facts on Brexit – also allows the SNP to reconnect with its supporters who have doubts on Europe, many of whom abstained at the General Election. We are not asking these folk to change their minds on Brexit as such. Instead, we are giving them a chance to make a considered judgment on the real economic outcome of quitting the EU. And yes, we have to consider the possibility that people will vote to accept the Brexit outcome. But it will be an SNP government that gives them that democratic choice.

The bottom line on such an initiative is that Scotland might create a political momentum across the UK that keeps Britain in the single market. That would mitigate the worst of the economic fallout from the original Brexit vote in 2016. It would also be a political blow to the Tory and Farage right wing and would help split the Conservative Party.

But what of independence? To hold and win an independence referendum requires the SNP to recover national momentum. We do that by seizing control of the EU agenda from the Tories in London, by offering the Scottish people a deliberative vote on the outcome of the Brexit negotiations. If London refuses for a second time to accept Scotland's wish to stay in the single market, then the door opens to a second independence referendum.

In politics, there are no magic bullets. Calling a post-negotiation referendum is only part of the story. The SNP government has to show decisively it has not succumbed to being part of the political establishment. We need radical measures on the economy, including the creation of an interventionist Scottish Investment Bank.

But equally, politics always abhors a vacuum. After the General Election, the SNP can't simply revert to governing Scotland well and keeping its fingers crossed. We need to take control. A post-negotiation referendum allows us to do that.

This was originally posted at:-

http://www.thenational.scot/news/15399873.George_Kerevan_Scotland_should_hold_a_unilateral_referendum_on_the_outcome_of_Brexit_negotiations/

3. A Reply sent by Allan Armstrong to Iain McWhirter's *Voices* article of 7.10.18

Iain MacWhirter's *Voices* article on 7.10.18 suggests that if Nicola Sturgeon backs a People's Vote at Westminster, this "would give her energetic but increasingly despondent troops something to do." One problem with this is that the SNP MPs do not control events at Westminster. So, such an eventuality depends on others - dissident Tories, uncertain Labour, the Lib-Dems, Plaid Cymru and the one Green. They are a far from coherent political force - which in some ways is just as well! Furthermore, the anti-democratic nature of Westminster, especially its first-past-the post system, gives the Tories a dominant position that does not reflect political reality in the UK at large, especially Scotland, Wales or Northern Ireland. This is made even worse with the Tories being in coalition with the pro-Brexit DUP. They do not even represent the view of the electorate in Northern Ireland, who voted to remain in the EU.

The net result of this lack of democracy at Westminster is that the only parliamentary forces currently determining the nature of Brexit are May and her backers on one hand, and Johnson and Rees Mogg backed by the DUP on the other. And as long as May can hold the Tories together, the government can ensure that the current political paralysis prevails and the options are confined to these two unpalatable alternatives. Even in England and Wales they represent a minority view. Many Brexit voters were originally persuaded that the UK could still remain in the customs union and free market. But Labour are as divided as the Tories, so if we accept that Westminster calls the shots, all we can do is sit and wait, whilst politics is dragged even further Right.

Sometimes, the argument is made that supporting another referendum on Brexit would leave the door open to the overthrow of any future IndyRef2 result. This analogy does not hold. Back in 2014, the SNP government offered a *White Paper* showing what they considered to be the consequences of voting for Scottish independence. In 2016, neither wing of the Brexiteers, the Tory Right nor UKIP, offered us anything. If there is an analogy, it is between a vote on the outcome of the Brexit negotiations and the vote the Scottish people would have to make over any new constitution following a successful independence referendum.

This points the way to the nature of the new referendum needed and where it needs to be conducted. We do not want a rerun of the 2016 vote. After all, people in Scotland made it very clear where we stand - 62%, including every single council area, voted to Remain. What is required is a Ratification referendum over the proposed deal. Many who were drawn into voting for Brexit did not do so to complete the Thatcherite counter-revolution. Yet the only two positions now in contention at Westminster are variations on this. The aim of a Ratification referendum should be to get an even bigger majority against the current Brexit proposals than was won for Remain, by winning over some of those who were conned the last time.

And the way to break this logjam is not for the SNP government to give backing to some putative Westminster People's Vote, but to get Holyrood to hold its own Ratification referendum. Such a referendum should ensure that all EU residents and 16-18 year olds are given the vote, as was the case in IndyRef1. The denial of the vote to these people in the Brexit referendum was a disgrace, and represented a pandering to ethnic British nationalism. Nicola Sturgeon's call for all residents to be given the vote in future Scottish referenda provides an even better example for democrats in England, Wales and Northern Ireland.

What would be the result of holding such a referendum? A Holyrood Ratification referendum would place enormous pressure on Westminster to follow. Just as importantly it could provide an example the wider franchise needed, which included those most affected. It would also represent a defeat for May, who wants to avoid any democratic vote. The call of the Brexiteers to 'take back control' was never meant to increase popular democracy, but to allow the anti-democratic UK state to 'take back control'. We can see this in Scotland, where even the limited post-1998 devolution settlement is now under attack. And if Westminster was still unmoved, a decisive rejection of any Tory Brexit deal in Scotland could also provide a renewed impetus for the Scottish independence campaign. But any future Scottish vote on independence, if Brexit goes ahead, should still be separated from vote on EU membership. Democrats should not combine two separate issues in one vote.

Best of all, holding a Ratification referendum means that the political initiative would pass back to Scotland, and not just the SNP's "increasingly despondent" troops identified by Iain. After all, there were 85,000 far from despondent people on the streets of Edinburgh, including many SNP members, on October 6th. The loud singing of 'Freedom Come All Ye', as we marched past the assembled choir, represented the very best of the Scottish internationalist tradition needed to challenge the decaying UK political system fronted by a decadent Westminster. On September 18th, 2014 we saw not a defeated, but a thwarted democratic revolution. The need for its renewal is so much starker today.

Allan Armstrong, 8.10.18