

Europhiles for a sovereign Parliament?

The Devil, we are told, can appear as an angel of light and keen Europhiles can masquerade as sturdy defenders of parliamentary sovereignty when it suits them. Twice during the campaign, I heard senior Europhiles deplore the referendum for detracting from parliamentary sovereignty. They said that this sovereignty was a guarantee that the EU could never become the superstate which independence supporters feared. As soon as such a danger became apparent, Parliament could repeal the European Communities Act 1972. All our groundless fears would be dispersed, they said. But, of course, the EU would never become the superstate because of this unused reserve of parliamentary power. Whether this was simply calculated deceit of others or whether it was genuine belief arising from self-deception, it was and is massive deceit on a Luciferian scale.

On July 11th 2014, CIB held an all day workshop in Derby on the orderly exit of the UK from the political structure of the EU and the seamless continuation of trade relations through the existing structures of the European Economic Area and EFTA. It was a well attended meeting which included the late Peter Troy's film *The Norway Option* and presentations by Robert Oulds, Director of the Bruges Group and by John Harrison, an award-winning accountant, treasurer of CIB.

The editor of the *Derby Telegraph* gave it a generous amount of column space. This occasioned a response from a Mr Guy Dickenson who said that no such planning was necessary because Parliament could get us out "in the twinkling of an eye" by repealing the European Communities Act and that no further economic agreements with EU countries would be necessary. He failed to make it clear that all laws passed under the European Communities Act would have to be kept in force for later amendment or repeal. Such was the second Act passed by

the newly independent Irish Parliament in 1922 which retained all the laws from Acts of the British Parliament. Otherwise there would have been a legal vacuum.

I responded:

"Against all the evidence Guy Dickenson appears to believe that leaving the EU is simple. This completely overlooks the international complexities. For over forty years the British government has abdicated all of its most important functions to the EU in matters of trade.

"Take but one example – the legal framework within which our aeroplanes fly between different countries, have access to their air space and use of their landing and airport facilities. This is now conducted under EU Regulation (EC) 847/2004 – something which required the amendment of around 1500 treaties between EU countries and other countries, as well as some 45 so-called "horizontal agreements" negotiated by the EU itself.

"Unless all these agreements were renegotiated before Britain left the EU, British aircraft abroad and foreign aircraft flying to our airspace would be legally grounded the moment we left. There are certainly hundreds of other similarly complex agreements.

"There are ways of doing this quite quickly as part of an "off the peg" package deal but it is not a simple matter..."

Now (12th September 2016), the Europhile Mr. Dickenson has popped up again:

"...the EU Referendum was neither illegal nor undemocratic – but it did not amount to decision-taking.

"Constitutional decisions are made by Parliament with absolute authority. Considering the slenderness of the Brexit majority, it might be thought that there ought not

to be any irrevocable decision but options should be kept open.

"In our jurisdiction the EU exercises power delegated to it by Parliament. Parliament can repeal any of its decisions, so there is no question of its sovereignty being at stake..."

My reply, at some length, included the following:

"...it is not surprising to see Guy Dickenson appealing with breathtaking deceitfulness to the principle of parliamentary democracy in order to destroy it by continued subjection to the increasingly dominant, alien power of the EU..."

"...The Foreign Office advised the government in 1971 (Ref FCO 30/1048) that parliament would retain the theoretical power to leave but, after thirty years of membership (even under the lesser powers of the then EEC in 1971), it would be increasingly impracticable to exercise it. In 1971 the British Parliament still had the theoretical power to resume sovereignty over Canada but only passed Canadian legislation under the British North America Acts at the request of the Canadian government. It had the formal power to do otherwise but knew that, in reality, it could not.

"In 1982 the British and Canadian parliaments passed the Canadian Constitution Act which definitively transferred sovereignty to Canada. Now Mrs May says that "Brexit means Brexit" and there will be a British Constitution Act (whatever it is called) – taking back to ourselves the power to decide our own future – in reality as well as in theory.

"Rather like the Canadians, we will leave behind our colonial status in the EU project and resume the normal relationship of a sovereign good neighbour with European countries.

"The Devil is also in the detail and the independence movement has never been very good at detail. It has always produced stirring, broad brush pictures where "Britannia waives the rules" and our European and world trading partners obligingly conform to our requirements. We have been so taken up with our own constitutional concerns, as to overlook the revolution in the way in which global and not just European trade is now regulated. No longer are customs tariffs the main problem. Providing assured, recognised, international quality standards for the protection of human, animal and plant health and safety has become far more important. A country might have "access" to the EU market but unless its products were covered by a mutual recognition agreement, its trade would be so hampered as to be impracticable. Every container would have to be inspected – a process which can take four hours – and in many cases be detained until safety tests were complete. Queues of container lorries would stack up for hundreds of miles! This is the reality of the undiluted World Trade Organisation option.

"The pills you collect from the pharmacy are subject to a whole sequence of safeguards. The efficacy of the medicine is proven in exhaustive trials, the factory is inspected to a high standard, the manufacturing process checked and the medicine tested for conformity with the formula. The packaging carries product and manufacturing labelling, identifying all this and the supply chain is controlled so that counterfeits cannot be introduced. So whilst your pills may come from a different country each time, their efficacy remains the same.

"If, as some suggest, we "rescind the treaties" or "repeal the European Communities Act", then our status within the international legal basis of this certification no longer exists. So every "I" will need to be dotted and every "T" crossed before we do any such thing. The dangers to our own

public health as well as to our European and other customers are simply too great to do otherwise. To complete the Brexit negotiation in a time frame of just a few years, there simply has to be an “off the peg” or package deal of some sort. There is just not time to negotiate in detail on a case by case basis.

“So far, the only scheme offered which fully covers these requirements is the EEA/EFTA option. It was not until the onset of “Operation Fear” that I realised that Mr. Dickenson was egging on independence campaigners to advocate a course of action which could be shown as bringing about exactly the chaos and disruption which the Europhiles threatened.

“In my long experience, the European Movement has always been good at setting up straw men to knock them down. He was, taking this a stage further, hoping to provoke unwise independence campaigners to do the setting up for them by demanding unrealistic premature repeal of the European Communities Act or abrogation of the treaties.

“It is desirable that pressure should be kept on ministers to deliver the best possible Brexit deal with all convenient despatch. It is understandable that parliamentarians, who have had to bite their tongues for years whilst supporting party and government committed to EU membership, should show some exuberance in demonstrating their opinions of the EU. But the statesmen and diplomats negotiating the deal will have to work within the regulatory realities of today’s global market, of which the EU and other Regional Trade Agreements and procedures are a part.”

(see also
<https://campaignforanindependentbritain.org.uk/wp-content/uploads/2014/11/Monographs-1-5.pdf>

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And on a lighter note –

WINNIE THE POOH will be joined this autumn by a new character, a penguin...

...though the mythic Hefalump has been replaced by another animal for Pooh to hunt: The Brexit.

“Tigger is very excited”, explains Pooh to Piglet, “but Eeyore says it’s probably dreadful. I think it might be invisible because Christopher Robin says that no one knows what it looks like. But Brexit most certainly is Brexit. That’s for sure”.

– *Sunday Telegraph 18 September*

Cern – “ greatest discovery yet”

Scientists at the Cern laboratory in Switzerland believe the Hadron Collider has detected traces of a coherent plan for UK Brexit.

“If this is true, it surely is the discovery of the century . One that puts finding the Higgs boson totally in the shade. This is massive,” said one leading scientist.

“People have long theorised that a coherent plan for the UK exiting Europe could theoretically exist, but to have found proof of its existence now is something that no one expected”.

Other scientists were quick to urge caution, saying the supposed trace of a Brexit plan detected was so minuscule it would be ten years before they knew for sure what it was. Their official statement reads “It is too soon to say that we have discovered Particle 50.” – *Private Eye no 1427, 16 September*