

# Democracy is like oxygen

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Democracy being like oxygen is inspired, as has been the case previously, by a song title. In this case the 1978 hit by a band that usually remembered for their 'glam-rock' period in the early 70s; Sweet. By the time of the release of 'Love is like oxygen', Sweet had moved on from glam-rock to simply write pop/rock tunes. Sweet's song has relevance to Brexit in its chorus; "Love is like oxygen, You get too much you get too high, Not enough and you're gonna die." The question, how much democracy is good for us is worth examining?

The importance of respecting democracy and fulfilling promises made to voters before holding a referendum has been agonised over in recent months. The paralysis in Parliament in gaining agreement to withdraw from the EU with a negotiated deal has meant that the UK has not left as planned following its voting to invoke Article 50 in March 2017, the official process for achieving this objective.

What has become very apparent in the UK's 'representative parliamentary system', in which the Monarchy has what is known as *de jure* power through a notional constitution, is the dilemma of how it is possible to reconcile 'the will of the people' with that of Parliament. People, we accept, are free to vote in whatever way they wish. MPs, however, are constrained by what they believe to be in the national interest as well as being influenced by their party leadership; what is called 'whipping'.

As we've witnessed, the protocol by which MPs, most particularly members of the government who hold a seat in Cabinet, adhere to the intentions of party whips has been undermined. Hitherto, penalties for defying 'the whip' could include, for Cabinet members, being sacked. Though Brexit has demonstrated that there are exceptions to rules, it must be borne in mind that the leaders of the two major parties are acutely aware of the desire of individual MPs to respect the majority decision of their constituents in the 2016 referendum. Equally, many

MPs are explicitly going against the majority decision of their constituents.

It's abundantly apparent that those who expressed their wish in June 2016 that the UK should leave the EU transcend usual class and traditional party-political affiliations. A significant number of those who voted to leave came from disadvantaged working-class voters. These people, perceiving that they'd have been overlooked for decades by 'elite' members of Parliament in Westminster, believed the referendum offered a chance to reject the EU.

Membership of the EU, supporters of leave argued, undermined the prospects of the poorest members of society in parts of the UK due to its insistence on freedom of movement of workers. Additionally, the EU demanded large payments to finance the huge bureaucracy that it needed to function. Part of the seductiveness of the leave vote was undoubtedly the promise that money that was sent to the EU that would be wasted on such bureaucracy and 'vanity projects' would instead be dedicated to financing hard-pressed organisations such as the NHS as well as investment in improvement of areas of deprivation.

It's perhaps a sad irony that many who voted to leave the EU in 2016, and demand their wishes be respected, were too poor to pay taxes, some of which, leave campaigners claimed, was being diverted to the EU. Even more so, living in areas suffering long-term decline due to closure of traditional industries, such people voting to leave effectively spurned a source of funding that, in a great many instances, had resulted in improvement through the ESF (European Social Fund).

The sad irony is made all the more perverse when it was discovered that funding for the campaign to leave the EU mostly came from five of the UK's richest businessmen some of whom were 'hedge-fund' investors. Based on analysis for the 2017 *Sunday Times* 'Rich List', the five, Arron Banks, Jeremy Hosking, Peter Hargreaves, Robert Edmiston and Odey, contributed £14.9m out of the total £24.1m in donations and loans provided to the leave campaigns in the five months leading up to the 2016 referendum.

With equal irony, politicians leading the leave campaign could hardly be considered to be poor. Conservative peer Lord Lawson is certainly not so. As well as being father of TV celebrity chef Nigella, he was married to Venessa Salmon between 1955 and 1980, a decedent of the founders of the immensely successful Lyons Tea Company. In order to campaign for Brexit, Lawson had to leave his home in France to come to the UK. Boris Johnson is an MP and earns what those in disadvantaged areas would consider a fortune from media work and writing.

Michael Gove, MP, and married to Sarah Vine, a *Daily Mail* columnist, is not short of a bob or two. Many within the vote leave campaign were also members of the influential European Research Group which, of course, is chaired by Jacob Rees Mogg. For good measure it's worth remembering that former UK Independence Party leader, Nigel Farage, whose campaigning led to the decision to hold the referendum is a stockbroker and MEP.

The Latin expression, *Cui Bono*, in whose interest or benefit, seems apposite when considering the logic of the rationality of the outcome of the 2016 referendum on continued EU membership. The merits of leaving with a deal compared to no deal have been analysed ad infinitum. Leaving without a deal would, it is accepted by all but hardcore Brexiteers, cause economic chaos resulting in a severe impact on growth and prosperity.

Analysis by government showing that no deal would impact most severely in the parts of the UK already the poorest would suggest that its advocates might have cause for thought and to have been more willing to support the deal negotiated with the EU. As many commentators point out, it's somewhat bizarre that Brexit on the basis of no deal, is actively advanced by rich investors supported, in large part, by poor and disadvantaged voters.

After all, whilst wealthy investors have some influence over the way in which events turn out, certainly in terms of markets, the latter have none at all. What leave voters did bring to the EU referendum was, of course, their contribution to securing a majority in favour of leaving. Respecting the outcome of the 2016 referendum, 'the will of the people', continues to be the fundamental argument for persisting with Brexit and against having a second vote despite the wealth of

evidence staking up against it. To do otherwise, it is claimed with varying degrees of fury, would be to undermine democracy.

Democracy derives from two Greek words, *demos*, meaning common people and *kratos*, meaning strength and was first used in fifth century city-state of Athens in relation to the system of running its affairs through 'rule of the people'. Intriguingly, democracy was introduced by Cleisthenes (or Kleisthenes), an Athenian lawgiver in 508 BC following the overthrow of a tyrant king Hippias who was replaced by an oligarchy controlled by Isagoras.

Cleisthenes, supported by the middle class and aided by democrats, implemented reforms through which all citizens of Athens – only men were allowed it should be stressed – to be allowed to enjoy equality. What marks out this democracy was that all posts in the controlling administration, including the legislative assembly and judiciary were filled by citizens based on random selection using what we'd recognise as a lottery system.

Democracy in ancient Athens was for the benefit of 'all' so long as you were a citizen. The rights of others counted not a jot. Ancient Rome, regarded as the model of 'representative democracy', was even worse than Athenian democracy in that only a very select few were citizens and therefore capable of voting for representatives in the senate where debate took place and decisions made. With resonance to the line from George Orwell's *Animal Farm*, citizens in Ancient Rome were all equal except for those, the most powerful and wealthy, who were more equal!

Democracy has altered over the past two and a half thousand years and can be constituted in a variety of ways. The belief in Parliamentary power as a way of governing and respecting the rights of 'subjects' of the King was formulated in the Magna Carta in 1205. It took another 60 years for the first sitting of a national assembly for England to take place.

Various disputes and wars meant that though the powers of the English Parliament evolved, they represented the interests of a miniscule proportion of the country. The Monarch was still effectively in control. Democracy In the UK, as opposed to its component states

of England, Ireland, Scotland and Wales is relatively modern. This occurred through the 1707 Acts of Union.

It is very significant that by 1780, though the Monarch's power was largely reduced to giving assent to laws decided by Parliament, a situation that still pertains, the proportion of people represented was less than three percent. Since then Parliamentary has developed in to a form of government with 650 representatives (Members of Parliament) covering every part of Great Britain and Northern Ireland. It is these 650 MPs who have been grappling with the task of deciding upon the precise terms and conditions that will

Since the result of the June 2016 referendum, there has been debate – some would suggest intense argument is a better expression – has focused on the wisdom of putting decisions to wider public when issues are complex and consequences, as in the case of whether to remain in the EU or not, potentially momentous. The 2016 EU referendum, based on a turnout of 72.2% of an electorate of 46,501,241, produced a result in favour of leaving; 51.9% (17,410,742 votes) compared to 48.1% who wished to remain (16,141,241 votes).

In every way we understand the word 'democracy', the result would appear unambiguous. As those who supported leaving the EU during the referendum as well as many politicians within the Conservative and Labour parties, a majority of almost 1.27 million means that the will of the people should be respected.

No conditions were attached to this the outcome of the 2016 EU referendum. As has been pointed out, if a decision is so significant as this vote clearly was, one way to ensure the result is 'copper-bottomed' is to stipulate that any outcome for change should be supported by a particular proportion of the electorate. There is precedent for this.

On 1<sup>st</sup> March 1979 a referendum was held in Scotland on whether there should be a Scottish Assembly. In order for this to occur 40% of the electorate had to vote yes. Though the outcome of the 1979 vote was that a small majority voted yes (51%), this did not meet the 40% of electorate threshold and, accordingly, devolution did not occur.

Had the threshold of 40% of the electorate been applied to the 2016 EU referendum, leave would not have won (securing 37.44%). Welsh voters were offered the chance of devolution on the same day and, as in Scotland, rejected it by a majority of 79%.

The issue of devolution in Scotland and Wales was not revisited until Tony Blair came to power in May 1997. It is notable that no referendum was held in the years 1979-1997 when the Conservatives were in power under Margaret Thatcher who was succeeded by John Major in November 1990. Mrs Thatcher was famously averse to asking complicated questions of voters.

John Major, as Theresa May is now currently experiencing, had intense problems with Eurosceptics within his party, particularly following his involvement in the Treaty on European Union of February 1992 in Maastricht. Given the task of eliciting support among his MPs, despite negotiating opt outs of the Social Chapter and Single Currency, he guessed that putting a vote to the people was unwise.

The Labour government under Tony proved to be, initially at least, enthusiastic to the use of referenda. Only two weeks after its landslide win on May 1<sup>st</sup> 1997, it proposed its first bill to Parliament, and which received Royal Assent on 31<sup>st</sup> July, to hold “non-binding referendums” in Scotland and Wales. The outcome of these plebiscites led to establishing a democratically elected Scottish Parliament with tax-varying powers and, in Wales, the establishment of a democratically elected Welsh Assembly.

The following year Labour two further referenda. On 7<sup>th</sup> May 1998 in the Greater London Authority to ask whether there should be a Mayor of London and Greater London Authority which was agreed. The historic Belfast agreement, agreed by all parties in Northern Ireland with the exception of the Democratic Unionist Party, was put to voters north of the Irish border and secured a majority of 71.1%. Simultaneously, a referendum to elicit support for the Belfast Agreement south of the border in the Republic of Ireland achieved an overwhelming majority of 94.4%.

Early on the coalition government led by Conservative David Cameron and Liberal Democrat carried out two referendums in quick succession. On 3<sup>rd</sup> March 2011 as to whether the National Assembly

for Wales should gain the power to legislate on a wider range of matters which was agreed. This was followed on 5<sup>th</sup> May 2011 with a UK-wide referendum as to whether there should be a change to the voting system for electing MPs to the House of Commons from first past the post to the alternative vote which was rejected.

Following lobbying by the Scottish National Party, a third referendum was held on 18th September 2014 asking voters whether they wished that Scotland should become an independent country. Though, as opposed to 1979, a straight-forward majority was required, this referendum resulted in rejection by 55% of voters.

Which brings us back to the 2016 EU referendum. In theory, a majority of one, regardless of the size of turnout or proportion of the electorate who voted, would have been sufficient. Given that 26,033 ballot papers were rejected as being 'spoiled' any majority less than this would have caused much anguish and undoubtedly resulted in re-examination.

The question of what is democracy and the best way to test it hangs in the air. Whether David Cameron was right in calling a referendum on a what was a binary decision that would have profound implications as to issues affecting different parts of the UK, the continuing relationship of Northern Ireland with the Republic, still a member of the EU, is one that will be debated for years to come.

Democracy is a precious and fragile thing. There is little argument that in the UK it has been severely tested by Brexit. The question included in the 2016 referendum was far too simplistic. Asking what was a question with a binary response with such a wide range of interpretations and consequences was, to say the least, ill-judged. Crucially, it's argued, voters' appreciation of the underlying issues and impact of leaving are now regarded as having been insufficient. How could voters make truly informed choice? As importantly, it is asked, what people understand leaving would actually mean?

One way to resolve the current impasse, it is asserted, is even more democracy in having another referendum. Doing this would, advocates of what is referred to as 'A People's Vote' claim, allow the question of whether the UK should remain within the EU on the basis

of a greater wealth of information and data than was available three years ago. This is especially so in terms of leaving with no deal.

Perhaps it's not surprising that those whose cherished goal was to leave the EU, do not welcome the prospect of another referendum. For them the argument is that the result of the 2016 referendum was a clarion call by voters to leave and to effectively revisit this outcome would be disrespectful and undermine democracy.

Among many leave campaigners who vehemently argue that allowing people another vote on leaving the EU is unnecessary and merely intended to "wreck" the decision taken in June 2016 is ex-Brexit Secretary David Davis. However, Davis is inconsistent in his views on democracy, a criticism levelled at the majority of politicians. In a 2012 speech made to the EU Davis categorically stated that, "If a democracy cannot change its mind, it ceases to be a democracy".

has been expressed in recent weeks, including by Prime Minister Theresa May, MPs in Parliament are in contempt of the will of the people. Anyone observing the hard work and dedication of MPs in trying to find a solution to Brexit that guarantees the long-term future of all parts of the UK makes this sentiment seem as risible as it is nonsensical.

Winston Churchill famously claimed that, "It has been said that democracy is the worst form of government except all the others that have been tried." Parliament has always been and, continues to be, the citadel of democracy and freedom. MPs have the challenge of faithfully representing constituents whilst reconciling the desire to work in the national interest. Brexit, it increasingly seems for many MPs, can never satisfactorily reconcile these objectives.

Lead singer of Sweet, the late Brian Connolly, sang that too much love makes you high but not enough makes you die. These sentiments can now apply to democracy and Brexit. However, we should also remember that oxygen, essential for life, can in over-abundance, be an accelerant in causing combustion. Let's hope that the long-term legacy of using democracy to solve the running sore of EU membership within the Tory Party will not be to have fanned the flames of existing conflict even further.