

**European integration and changing  
British discourse on sovereignty**

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## Abstract

This study investigates whether British elites' discourse on sovereignty has changed as European integration has progressed. Academic research has long recognized the existence of discourse change regarding sovereignty, and the process of European integration is likely to be a modern event that produces such change in elite understanding of sovereignty. The dissertation thus investigates the question of whether elite discourse on sovereignty has indeed changed in the context of European integration.

This research is separated into two parts. The first part examines how the academic literature has discussed sovereignty in the contemporary world, how sovereignty has generally been conceptualized in Britain and the challenge of European integration to the academic and British political debates around sovereignty thereby presenting the key mechanism behind modern discourse change. The second part conducts a discourse analysis focussing on statements of British MPs from British accession to the EC to the debate on the Treaty of Lisbon. In order to conduct discourse analysis, MPs are classified into specific groups: Government, the Conservative Party, the Labour Party, and those who favoured a bill, and those who were against a bill. Further, I divide the process of European integration into three time periods: the Accession to the EC and the referendum on membership (1971-1975); the Single European Act and the Treaty of Maastricht (1985-1993); and New Labour (1997-2009). The analysis is carried out by a comparison between different groups and time periods.

Ultimately, the dissertation determines whether British elites' discourse on sovereignty has changed and, if so, whether there is a new interpretation of sovereignty in modern day Britain.

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# Introduction

## Research question

‘There exists perhaps no conception the meaning of which is more controversial than that of sovereignty’ (James 1986, p3).<sup>1</sup> An eminent international lawyer, Lassa Oppenheim, made this observation on sovereignty more than a century ago. For a long time, the concept of sovereignty has been examined and defined by numerous scholars. Why have they examined it and considered it to be important? Because we view this concept would be a foundation of state governance. At the same time the concept has an ambiguous and changing meaning – especially given the rise of global concerns beyond the framework of the state, such as free trade, human rights, the environment, and others. Under these circumstances, some scholars argue that state sovereignty has been eroded or undermined. Changes to European state structures are much more visible due to the integration process of the European Union (EU). Member states need to obey the supremacy of EU law. What does this mean for the sovereignty of member states?

As European integration has progressed, the International Relations and European Integration literatures have paid much attention to theorising sovereignty. They mainly ask whether sovereignty has been transferred to the EU or not and how we should understand this phenomenon. I found, on the other hand, that there has been much less attention paid to the question of how the term sovereignty is used and spoken on the

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<sup>1</sup> This phrase was cited from L. Oppenheim, *International Law*, Vol. 1: Peace (London: Longman, 1905), p103

scene of political debates, and how the meaning or the usage of the term has changed over time. Jens Bartelson argues that the linguistic turn has increased rather than diminished the staying power of the concept of sovereignty within legal and political discourse. He also states that the meaning of sovereignty lies very much in what we make of it through our linguistic conventions and rhetorical practices (Bartelson 2006, p464). In other words, one might say that sovereignty is very much a constructed concept. Therefore, focussing on discourse on sovereignty directs us to interrogate the different arguments as to what sovereignty has come to mean. Hence, the aim of this research is to discover how the discourse of sovereignty has used and changed in relation to European integration.

Europe is an ideal case for examining debates over sovereignty in ‘real politics’ — in debates in the media and amongst political elites. For example, these debates can be seen in the incorporation process of Community (EU) law into domestic law and subsequent amended treaties such as the Single European Act (SEA), the Treaty of Maastricht, and so on. I assume that it is difficult to maintain a consistent discourse as one responds to the requirement of complex institutional change throughout the deepening and the enlargement of integration. Therefore, this study examines these changes in the ways that political elites have interpreted and expressed the concept of sovereignty as integration has proceeded.

In this research, I will illustrate and examine the United Kingdom (UK) as my case study. In Britain, there has been a long-term paradigm that sovereignty resides in

Parliament. How has discourse of 'parliamentary sovereignty' been influenced by joining the process of European integration in the last four decades? The impact of European integration on member states of the EU has recently been studied in academics as the Europeanisation approach. This research applies the Europeanisation approach to illustrate the main mechanism of the EU's potential influence over discourse on the topic of sovereignty. Further, in comparison with other member states, the relationship between Britain and Europe has not been smooth. Britain is the only country that has held a referendum on continued membership of the European Community (EC). Britain did not initially join the monetary union and has thus far suspended its decision on this issue. Further, Britain initially rejected the creation of a new EU treaty that aimed at tackling the Eurozone debt crisis as the treaty violates British sovereignty. British national sovereignty has been continuously discussed with various integration policies. Hence, Britain is a good case for examining the discourse on sovereignty.

For the purpose of finding the change of discourse, this research divides British cases of political discourse on Europe into three time periods in the process of integration: 1) the British accession to the EC and the referendum on membership (1971-1975); 2) the SEA and the Treaty of Maastricht (1985-1993); and 3) New Labour: from the Treaty of Amsterdam to the Treaty of Lisbon (1997-2009). The reason why I divide the analysis into these three periods is that they seem most likely to have included disputes on sovereignty under different governments. According to the examination of Bulmer and Burch, the UK accession (1973), the Treaty of Maastricht (1992), New Labour



(1997-1998) and Devolution (1999) are critical junctures for significant institutional change in the UK (Bulmer and Burch 2009, pp189-190).<sup>2</sup> As a result, each period of my study seems to contain at least one critical juncture of institutional change. The division of period will then allow me to effectively investigate changes of discourses over time.

In sum, my primary question of research is as follows:

‘How has the elite discourse of sovereignty in Britain changed as European integration has proceeded?’

If the same argument about sovereignty has simply been reiterated over the years, this will indicate that the discourse of sovereignty has not transformed. Through identifying the emergence of different or new usages of discourse on sovereignty — different patterns, different or new phrases, and new interpretations of arguments — and by investigating how these arguments have emerged and for what purpose they have been used, I can show whether and how the usage and the meaning of sovereignty has undergone a transformation over time. Thus this study examines and outlines the impacts of European integration, which largely follows the Europeanisation approach that is introduced later in this chapter and is examined in Chapter 3, on sovereignty discourse.

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<sup>2</sup> Bulmer and Burch present the critical moments and critical junctures and define the critical moments as when a perceived opportunity arises for significant change; a critical juncture as a significant shift in the way things are done which creates a new pathway that is followed through thereafter. In this research, a division into three periods does not originate from their critical junctures. Three periods are divided by chronologically, governmentally, and every bill which has reached a resolution.

## **Context of the research**

This research question is led by three broad contexts. They are the historical evolution of the sovereignty discourse, the multiplicity of concepts and the critiques of current theories of International Relations and European Integration.

### *Historical context*

Analyses of the meaning of sovereignty point to the conclusion that history and political context make an impact on the manner in which the term is used. Thus it is clear that the meaning of sovereignty evolves as political and historical contexts change. This section highlights some of these changes in the meaning of sovereignty in classical literature. This is also discussed more extensively in Chapter 1.

What is the origin of the concept and how has it evolved? In the context of the modern state, it is said that Jean Bodin was the first to conceptualise sovereignty in a systematic manner. As Bodin was fearful of the anarchy generated by religious disputes in sixteenth-century France, he established the relationship between the ruler and the ruled:

The prince is the sovereign, because ‘it is the law of God and of nature that we must obey the edicts and ordinances of him to whom God has given power over us’, and princes are ‘his lieutenants for commanding other men’ (Shinoda 2000, p13).

Hinsley argued in his examination of Bodin, 'the further history of the concept will be a history of its use and misuse in varying political conditions and not of restatements of it in different or in novel terms' (Hinsley 1966, p125). Accordingly, it will be possible to follow the evolution of sovereignty if we focus on the usage of sovereignty in the historical context.

For example, Thomas Hobbes has shifted the relationship from between the ruler and the ruled to between the state (sovereign) and individuals (subjects). When Hobbes published *Leviathan* in 1651, England was in the middle of the short era of being a republic and there was no king as the ruler. As a result, sovereignty did not reside in one person anymore. Rather, Hobbes argued that the 'state' as an actor itself possesses sovereignty, but the relationship between sovereign and subjects remains the same (Hinsley 1966, pp141-143). It is reasonable to say that Hobbes used the pre-existing concept of sovereignty in the new political conditions of his time.

Further, John Locke and Jean-Jacques Rousseau have developed the idea of 'popular' sovereignty. The central argument of Locke is that the people can resist a state which tramples upon individual rights (Hoffman 1998, p45). These personal rights and the property of individuals were prior to all social and political organization (Hinsley 1966, p149). When he published *Two Treatises of Government* in 1690, England had just come out of the Glorious Revolution, and had laid down citizens' rights in a Bill of Rights. A century later, the French Revolution took place. Hinsley argues that Rousseau equated the state with the body politic of the people that was formed by the social contract

between associated individuals, reducing government, the rulership, to a mere commission in his work *Contrat Social* in 1756 (*Ibid*, p153). Thus Rousseau used sovereignty to advocate overturning the established order in France at the time. This was realised in the revolution after his death.

Hinsley argues that, since the writings of Kant, the concept of sovereignty has been developed along the track of constitutionalism (*Ibid*, p156). As the principle of popular sovereignty has come to prevail against principles justifying ruler absolutism it has everywhere been found necessary, in time, to guard against its justification of popular tyranny and its culmination in anarchy by channelling it through the forms of the constitutional state (*Ibid*, p156). Thus 'legal' sovereignty has been set in law as the foundation for the settling of political conflicts. In Britain, 'parliamentary' sovereignty has filled this role, establishing the legal sovereignty of the Westminster parliament, by the work of A.V. Dicey. Hideaki Shinoda argues that Dicey's theory of sovereignty at once explains the imperial principle of sovereignty in the international field and the democratic and national principle of sovereignty in the domestic field (Shinoda 2000, p52).

Consequently, these variations in the conceptualisation of sovereignty have been produced by particular political conditions. In other words, the evolution of sovereignty was a mediating measure for political conflicts. Sovereignty has been used as desired and might acquire a different or an additional meaning when other political conditions are applied. These changed meanings then have actually been recognised by various political

discourses. I assume that European integration has brought some political conflicts in member states and that sovereignty would be required to evolve as a mediating measure.

### *Component context*

This section highlights the structural meaning of sovereignty. The meaning of sovereignty is not a simple structure but one which requires multiple components. Those historical elements of the concept outlined above are internal components of the concept – they make up ‘internal’ sovereignty. However, the concept of sovereignty also consists of another component – ‘external’ sovereignty. Neil MacCormick argues that external sovereignty is thus distinct conceptually from internal sovereignty, and may be present even when in the strict sense internal sovereignty is absent (MacCormick 1999, p129). He also argues that the distinction of external and internal sovereignty shows that even a strict definition of sovereignty permits a sense of divided or limited sovereignty (*Ibid*, p130). In this respect, it seems that the distinction between external and internal sovereignty, or the existence of the concept of external sovereignty itself, confuses our understanding of sovereignty. What factors are implied in this external sovereignty? John Hoffman argues, citing Hedley Bull’s work, that sovereignty is conceived as a statist attribute, and that states, Bull tells us, are *internally* sovereign when they exercise absolute control over their own territory and inhabitants, and *externally* sovereign when they enjoy ‘not supremacy but independence of outside authorities’ (Hoffman 1998, p83). Biersteker and Weber argue that where ‘internal’ refers to the existence of some ultimate

authority over a particular domain, 'external' refers to the *recognition* of that authority by others (Biersteker and Weber 1996, p2). External sovereignty suggests that this recognition can be partly given by other bodies, and that states might positively attempt to attain this recognition and the subsequent independence.

Thus the concept of sovereignty needs at least two component elements. This dual and constitutive character of sovereignty points in an important direction, and partly explains why it has been so difficult to grasp analytically (Bartelson 1995, p17). When we look at the EU, all member states are recognised as independent countries by the others. On the other hand, these states are voluntarily united by the motivation for European integration through the creation of supranational and intergovernmental institutions. It seems therefore more difficult to see their sovereignty with just two components. These states express sovereignty through their relationship with other states – the traditional understanding of external sovereignty – but how do member states, especially political elites, allocate sovereignty when they perform their voluntary cooperation in the integration process? This is a great dilemma for them. Some people would place sovereignty in the supranational institutions. However, there is a question of whether it is possible to recognise the power in the supranational institution as sovereignty and of whether sovereignty can truly be detached from a state as an ideology. Consequently, the impact of European integration may alter such common perceptions that sovereignty consists of just internal and external components. That is to say,

European integration may require another component or a different usage of sovereignty to explain such membership as neither internal nor as external.

### *Theoretical context*

This section highlights the academic debates in International Relations theories and European integration theories on sovereignty which are of key relevance to this dissertation. In early theories of European integration, varying views on European integration have been provided. As will be discussed in Chapter 3, scholars have paid much attention to theorising sovereignty with theories such as realism or liberalism of International Relations and neo-functionalism or liberal intergovernmentalism of European integration theories. These debates are very important and should be taken into account when we consider the sovereignty issue. However, there are also different debates that we cannot neglect and that provide another view for considering sovereignty.

In theories of International Relations, constructivism has gained momentum in recent years. The main argument of constructivists is that the structures of world politics are *social* rather than *material* (Rosamond 2000, p172). Thus, they criticise rationalist approaches such as neo-realism and neo-liberalism. Sweeney argues that the constructivist approach emphasises how collective understandings emerge and how institutions constitute the interests and identities of actors (Sweeney 2005, p160) in social practices. This stands in contrast to the view that such identities and interests are pre-existing or constituted by simple rationality. Therefore, I assume that constructivist

accounts can provide a useful position for examining the changing elite discourse of sovereignty and for making up a deficiency in the state-centric approach of rationalism. Biersteker and Weber asserted that a change of focus towards the social construction of sovereignty would allow a richer analysis of the changing nature of sovereignty over time (Biersteker and Weber 1996, p6). Constructivism, therefore, can offer us a different approach when traditional approaches are unable to explain the conceptual change of sovereignty.

In the study of European integration, those theories which have focussed on the European level such as neo-functionalism and liberal intergovernmentalism have flourished. However, more attention to other levels has also prevailed in recent years. Examples are the Europeanisation and Multi-level Governance (MLG) approaches. Europeanisation has now become a major theme in studies of the EU. It focusses on the impact of the EU on domestic politics. Dyson and Goetz consider that the first-generation of Europeanisation emphasised the more formal, observable consequences of EU membership and can be traced back to the early 1970s. On the other hand, the second-generation, which emerged in the 1990s, is not limited to changes in political-administrative structures and policy content, but also focusses on the effects on ideas, discourses, and identities (cited in Bache and George 2006, p63). Accordingly, it would be worthwhile to examine not only whether and how the machineries of government have been Europeanised, as much of the work in this area does, but also whether and how governmental elites have changed their discourse because of this



Europeanisation. Narrowing the focus down to the UK, Bulmer and Burch argue that the concept of Europeanisation provides purchase on the nature and extent of Whitehall's adaptation to the EC/EU (Bulmer and Burch 2009, p33). Thus I will apply this concept as a major framework of mechanism of the discourse change. A detailed examination including mediating domestic factors for Europeanisation will be conducted in Chapter 3.

MLG proposes that regional, state and supranational actors share control over many activities that take place in their respective territories. MLG suggests that the state is under pressures from 'above' and 'below' and that policy making is a complex interplay of various actors at various levels (Sweeney 2005, p182). Ben Rosamond argues that the emphasis on governance takes the debate about authority away from the zero-sum notions associated with discourses of sovereignty (Rosamond 2000, p110). In other words, the discourse of sovereignty might have been forced to change because of the changes pointed to by MLG. Government elites will still be asked to promote their national interests within this framework, but they alone no longer have complete control. MLG approach will be also discussed in Chapter 3.

These approaches are not a replacement of existing European integration theories. Rather, they can compensate for the weakness of those theories caused by the evolutionary change of the world politics. Thus focussing on levels of a state and a region in European integration can make up for a blind spot of viewing sovereignty and affords a better understanding factors and mechanisms for the discourse change of sovereignty.

By taking these three contexts, the historical, component and theoretical into consideration, European integration seems to be a major factor for affecting discourse change on the topic of sovereignty. My hypothesis, therefore, is that, with this complex integration process and the impact on domestic institutions, elites' discourse on sovereignty has been required to change. In other words, the question is whether political elites can continue asserting the same discourse of sovereignty under the challenge of European integration and the associated domestic institutional change. In order to test this hypothesis it is necessary to discover and analyse these discourses at the various stages I set out above.

## **Structure and Methodology**

This research is separated into two parts: the confirmation of the evolution of sovereignty debates; and the verification of discourse change by the discourse analysis. The reason why I focus on discourse and conduct a discourse analysis is that it very much depends on supposition, such as in the following statement:

Sovereignty is a discourse, which promotes a certain political order as the authoritative and prescribes certain actions and rights as legitimate. By emphasizing sovereignty as a claim, the emphasis is placed on how it is used, or being played out, in legal and political practices. This approach implies an important difference between claim and control. The discourse of sovereignty can

be an effective way to produce ‘ordering power,’ but only if the relevant audience accepts this claim (Alder-Nissen and Gammeltoft-Hansen ed. 2008, p82).

This study highlights how political elites have spoken to the relevant audience, the nation, emphasising their interpretation of sovereignty. I assume that their interpretation has shifted over time through political debates of European integration. This hypothesis rests on the basis of views like adaptational pressure in the Europeanisation approach and argumentative persuasion in the theoretical debates that will be discussed in this dissertation. In order to analyse the discursive change in interpretations of sovereignty, the research firstly investigates the theoretical debates behind discourses of sovereignty. This will allow me to draw out specific mechanisms and factors which are important to look at the changes in discourse. Then, secondly, the research proceeds to conduct discourse analysis by examining actual debates about Europe in the British Parliament.

### *Theoretical analysis (Chapters 1-3)*

In Chapter 1, I will illustrate how the academic literature has discussed sovereignty in the contemporary world. This includes reconsidering the meaning of sovereignty: how have academics theorised sovereignty and criticised each other?; why has sovereignty been required to change?; and how has the concept of sovereignty been used? Through reviewing literatures, as a result, the chapter finds that the definition of sovereignty is not a simple one. Some people require several meanings for it and some others are opposed

to any definitions. According to the shared viewpoint of constructivists, sovereignty can be changed through the construction of national interests within various social practices in a state. Precisely, constructivists view that the language of sovereignty or the usage of sovereignty has been changed in various contexts surrounding the state.

Chapter 2 focusses on British debates on sovereignty by examining how sovereignty has generally been conceptualised in Britain, focussing on the concept of parliamentary sovereignty and the characteristic basis of the concept in British political culture. Further, in order to highlight the difference from others, the chapter examines the debates in two other member states: France and Germany. In consequence, the conceptualisation of sovereignty in Britain is unique. The concept of parliamentary sovereignty has emerged solely in Britain. And the confrontational style of British politics is an important character of discourse. Therefore, some of political elites may emphasise the concept of parliamentary sovereignty, some of them may utilise the language of the critiques of the notion of parliamentary sovereignty, and others may point out the difference from other states. Elites thus are likely to try to define the concept of sovereignty on the basis of British political culture.

Chapter 3 discusses the impact of European integration on discourse change. The first section looks at the theoretical and legal perspectives of European integration, illustrating some questions of sovereignty that are not solved in these debates. Then the second section presents the mechanism of discourse change on sovereignty, focussing on the Europeanisation approach. The third section narrows the view into actual legal

impact on the British constitution and parliamentary sovereignty and, then, gives three different points of argument over sovereignty. And the forth section discusses a characteristic of British political system, which competitions between and within parties could lead the direction of discourse on sovereignty.

As a result, the following can be found. The first section shows that sovereignty can be theoretically changed and EU law has already affected the sovereignty of member states. However, it is possible to find some unsolved questions on sovereignty. The second section, then, provides the mechanism of discourse change and reveals the actual institutional change in the governmental machinery. The third section recognises the actual impact on the British constitution. From a legal perspective, sovereignty has changed. However, the argument has never settled as some unsolved questions have left in the first section because there are three different arguing points of sovereignty: *legal*, *theoretical* and *practical* that make the argument on sovereignty complicated. The forth section also finds that the British confrontational style of politics make the argument of sovereignty complicated and can be a domestic factor of discourse change.

In short, it is possible to hypothesise that discourse change can be found through the mechanisms of institutional change and the competitive arguments between and within parties while focussing how elites refer to the arguing point of sovereignty and examining how elites have expressed, defined or interpreted sovereignty in relation to European integration.

### *Discourse analysis (Chapters 4-7)*

In Chapter 4, I will introduce what discourse analysis is and explain how I apply this analysis into my study. Many scholars agree that there is no fixed way of carrying out discourse analysis. However, this study borrows some stages of the work of Potter and Wetherell: 1) sample selection, 2) collection of records and documents, 3) transcription, 4) coding, 5) analysis.

Chapters 5-7 conduct discourse analysis on three time periods: the Accession to the EC and the referendum on membership (1971-1975); the SEA and the Treaty of Maastricht (1985-1993); and New Labour (1997-2009). Each chapter carries out my investigation based on three analytical approaches: Word usage analysis; Definition analysis; and Interpretation analysis. The details of these analyses are presented in Chapter 4. In each analysis, I will examine various groups: Government, the Conservative Party, the Labour Party, the Favour group who voted in favour of a bill, the Against group who voted against a bill, in both Hansard records and two newspaper articles: *The Times* and *The Guardian*. Thus the analysis is carried out in making a comparison between competitive groups, as Europeanisation of party politics is driven by the dynamics of long- and short-term government-opposition competition, and is the key driver of change is party strategy (Sitter 2001, p22). As different stance on European integration can be seen within parties, further, a division into two groups of the Favour and the Against can also draw a comparison between competitive groups. Thus comparing the result of analyses in different groups reveals the context and the feature of

change in each group. In addition to that, total figures of each debate, each period and each newspaper will be shown in order to grasp and to compare a general trend of each debate and each period as well. Transitions in some analyses can be identified in various perspectives: in each group and in total of all groups, by a certain event such as the Treaty of Maastricht and by a certain period of time.

I will then draw a conclusion as to whether British elite discourse on sovereignty has changed since the accession to the EC, comparing between groups such as parties and between periods over time. The point here is how the change can be estimated. If the analysis confirmed 'new' discourse of sovereignty and if this new discourse has prevailed in debates, sovereignty would have changed its meaning or obtained another meaning. If the analysis did not confirm 'new' discourse but confirmed the evolution of existing discourse, the usage of sovereignty would have been changed. Of course, if the analysis did not confirm neither 'new' discourse nor the evolution of existing discourse, sovereignty would have not changed at all. Therefore, the point is whether some differences or changes in discourse which will be found in analyses can regard as 'new' discourse or the evolution of existing discourse. I expect that elites' discourse of sovereignty will have been compelled to change in either of the above two ways by membership of the EU.

### *Significance of this study*

I believe that analysing elites' discourse change in actual political debates is an original way of studying the concept of sovereignty. There are many studies examining sovereignty in relation to European integration but none have attempted to trace the evolution of the concept by analysing actual domestic political discourse. Thus this study would reveal how elites have understood and referred to sovereignty. If discourses do not just describe things but construct a social reality as constructivists argue, to recognise discourse change would be to find a major element for viewing a construction of this reality. Consequently, I seek grounds for the concept itself by analysing discourse. Of course, elites' discourse is only one aspect involved in the construction of a social reality. Therefore, this study may not definitively prove whether 'the concept' of sovereignty has been changed or not by European integration. However, by analysing the 'discourse' of sovereignty in political debates, I believe that this study applies a different approach to existing studies in the examination of sovereignty. As long as states exist, the argument on sovereignty would continue not only in Europe but also in anywhere in the world. Then, our future may be decided depending on how elites understand sovereignty. In other words, a changed elites understanding of sovereignty which can be a part of shared idea can affect and construct the future reality. It is thus hoped that this research will offer new insights in the study of sovereignty.



# **1 Academic debates on sovereignty**

This chapter reveals various approaches and views on sovereignty in academic debates. When British elites or any other people talk about sovereignty, they at the very least need to know or try to understand what sovereignty is. Their basic knowledge and possibly its extended idea are likely to be coming from academic understandings of sovereignty. Therefore, academic understandings are likely to reflect the common and/or elite understandings and thus help show how sovereignty is likely to be defined by elites and how its meaning when used by elites is likely to have changed. However, there are countless literatures on this subject. Accordingly, I utilise the following approaches to examine the academic debates on sovereignty. The first to be discussed is the focus on theories. How have academics theorised sovereignty and how have they criticised each other? The second is the focus on the context. Why has sovereignty been required to change? The third is the focus on the usage. How has the concept of sovereignty been used? It is important to grasp the framework and the drift of academic debates on sovereignty in order to understand and view the elite discourse on sovereignty.

## **1.1 Definitions and critiques**

The aim of this section is to present these debates and critiques of the concept of sovereignty and to examine the reasoning behind such a variety of definitions. In other words, I will show why multiple meanings of sovereignty have appeared, illustrating the

crucial importance of the constructivist approach in understanding the evolution of sovereignty.

How have scholars tried to define the meaning of sovereignty? Some have made distinctions between different types of sovereignty. For example, Stephen D. Krasner divides it into four meanings: domestic sovereignty; interdependence sovereignty; international legal sovereignty; and Westphalian sovereignty (Krasner 1999, p9). Fred Hirsch divides it into three meanings: formal sovereignty; effective sovereignty; and autonomy (cited in William Wallace 1986, p368). Boutros Boutros-Ghali gives a good reason to make divisions in the concept: 'A major intellectual requirement of our time is to rethink the question of *sovereignty* – not to weaken its essence, which is crucial to international security and cooperation, but to recognize that it may take more than one form and perform more than one function' (cited in Beaulac 2004, p1). By making these distinctions between different forms and functions, they have tried to find a better definition to fit with the contemporary state system. On the other hand, Weber and Bartelson are opposed to definitions – to all definitions – because definitions, they argue, imply a 'representational' relationship between language and existence (cited in Hoffman 1998, p17). Beaulac argues, by focussing on language, that words like 'sovereignty' have their own history, which is not only a history of their changing meaning, their changing definition, but a history of the social effects of their changing meaning (Beaulac 2004, p3).

Language has become a key factor in analysing the meaning of sovereignty in recent years. Neil Walker presents a definition of sovereignty as:

the discursive form in which a claim concerning the existence and character of a supreme ordering power for a particular polity is expressed, which supreme ordering power purports to establish and sustain the identity and status of the particular polity **qua** polity and to provide a continuing source and vehicle of ultimate authority for the juridical order of that polity (Walker 2003, p6).

Then, he argues that there is a distinction between two phases in the modern use of the language of sovereignty: the Westphalian phase and post-Westphalian phase. He finds that sovereignty of both phases combines to form part of the *object-language* but only sovereignty in the earlier Westphalian phase forms part of the *meta-language* (Walker 2003, p10). That is to say, the modern world cannot be explained by the concept of sovereignty because, he finds, there is a challenge that is posed by the emergence of new forms of polity.

A focus on language is one of the features of the constructivist approach. Most of the academic debates and critiques on sovereignty these days can be found within this approach, and especially its critique of rationalism — in the forms of neo-realism and neo-liberalism. Reus-Smit presents three important contrasts with rationalism. First, where rationalists assume that actors are atomistic egoists, constructivists treat them as deeply social. Second, instead of treating actors' interests as exogenously determined, as

given prior to social interaction, constructivists treat interests as endogenous to such interaction, as a consequence of identity acquisition, as learnt through processes of communication, reflection on experience, and role enactment. Third, while rationalists view society as a strategic realm, a place where actors rationally pursue their interests, constructivists see it as a constitutive realm, the site that generates actors as knowledgeable social and political agents, the realm that makes them who they are (Reus-Smit 2001, p219).

Therefore, constructivists can provide us with different views on sovereignty from rationalists. What is their view of sovereignty and what do constructivists criticise about the rationalists' views of sovereignty? Deudney claims that one promise of constructivism is its opening to variation in the forms of authority, sovereign or otherwise, and social practices that constitute political order. Realising this promise requires a conceptualisation of different forms of authority and sovereignty relations, and of different social practices, both domestic and international, that generate and sustain security structures (Deudney 1997, p192). Indeed, it seems that sovereignty is intertwined with various social practices in a state and between states.

Alexander Wendt locates sovereignty simply as a property of a structure (Wendt 1999, p207). Wendt insists, however, that sovereignty does not presuppose a society of states. Sovereignty is intrinsic to the state, not contingent (*Ibid*, p209). He contrasts this view with those of other constructivists, such as Anthony Giddens. Wendt considers that empirical statehood can exist without juridical statehood and that recognition confers

upon states certain powers in a society of states, but freedom from external authority *per se* does not presuppose it (*Ibid*, p209). He argues, in other words, that a state can have external sovereignty even if it is not recognised by other states (*Ibid*, p208). Thus he suggested that ‘anarchy is what states make of it’ (*Ibid*, p6). According to Bartelson’s work, Giddens pointed out that ‘sovereignty simultaneously provides an ordering principle for what is “internal” to states and what is “external” to them.’ This double and constitutive character of sovereignty has been touched upon by Ruggie, to whom sovereignty is a principle of legitimacy peculiar to the post-medieval international system. Similarly, Kratochwil emphasises the impact of territorial sovereignty in the formation of the modern state as the constitutive unit in the modern state system (cited in Bartelson 1995, p17). Philpot analyses constructivists’ view that national interests are defined or ‘constructed,’ not fixed, and that ideas, meanings, and discourses contribute to this definition of interests (Philpot 2001, p8).

On the other hand, Krasner argues against these constructivist views that these studies have placed more weight on discourse and the impact of ideas, and less on power and material interests as explanations for the contested character of Westphalian sovereignty (Krasner 1999, p45). What distinguishes his study from those constructivist approaches that have emphasised the problematic nature of sovereignty is not the empirical description of reality but rather the weight that should be given to different explanatory factors. For all constructivist arguments, shared principles and norms are the critical determinants of actual outcomes (*Ibid*, p50). Krasner sees norms in a different way. For

him, international norms are often contradictory, and in the international environment, logics of consequences dominate logics of appropriateness. Thus, norms, though not irrelevant, do not have the weight that constructivism has attributed to them (*Ibid*, p51). On the contrary, Ruggie has criticised the neorealist view on sovereignty, arguing that Waltz's conception of structure is static and cannot account for change in either the ordering principle or in the level of functional differentiation from the feudal system to the modern states system (cited in Lake 2003, p308).

Why, then, has sovereignty become the subject of so much contestation? Although many scholars point out some disputable aspects of sovereignty, none of them refuses the existence of this notion or seeks to replace its use. Hoffman argues 'Sovereignty is an insoluble but it is insoluble only as long as we associate it with the state' (Hoffman 1998, p2). Therefore, competing views of the state make this term contestable and as long as the state exists, sovereignty will be discussed. It is apparent that those distinctions of sovereignty by Krasner or Hirsch were not given at the time of the emergence of the idea of sovereignty. If certain conditions surrounding the state changed, then the meaning of sovereignty would become ambiguous. In defining the concept, we are obliged to give it different or additional interpretations through the construction of theory.

## 1.2 The change in context

How have academics viewed the context of discussion? This section introduces two recent works on sovereignty of Daniel Philpot and Neil Walker, who theorised sovereignty under various changes and challenges to the state in the world.

Daniel Philpot focusses on what has occurred around the state in the history of the world in his book *Revolutions in Sovereignty* (Philpot 2001). He premises that the sovereign states system arrived most commandingly through revolutions (*Ibid*, p3). As constitutional revolutions since Westphalia have either established or diminished the sovereign state, he calls them revolutions in sovereignty. In this perspective, he assumes that revolutions in ideas brought the revolutions in sovereignty (*Ibid*, p8). He explains that revolutions in sovereignty occur when ideas arrive on the scene, and proceed most vigorously in those locales where ideas are most voluble (*Ibid*, p7). Then, Philpot offers a 'framework of ideas' in order to describe the effect of ideas. He argues that it consists of two 'roles of ideas'. The first role of ideas is to convert people to new identities, leading them to want new political ends. The second one is to wield social power, coaxing heads of state to pursue new courses (*Ibid*, pp46-47).

Thus, Philpot presents five revolutions in sovereignty resulting from the effect of these two roles. They are: Westphalia (1648); Minority Treaties (1878); European Integration (since 1950); Colonial Independence (early 1960s); and Intervention (Post-Cold War). According to this categorisation, we are currently facing two

revolutions in sovereignty: European integration and Intervention. These entail ideational changes in both people and heads of states.

On the other hand, Neil Walker focusses on constitutional pluralism as the theoretical context for discussion of sovereignty in his book *Sovereignty in Transition* (Walker 2003). According to his work, constitutional pluralism accepts that, just as we cannot dismiss the constitutive power of those claims which continue to be registered in the language of sovereignty, we cannot either ignore the objective reality of globalisation and multi-dimensionality which has caused many at the meta level to forsake the claims of sovereignty. Therefore, constitutional pluralism stands beyond the perspective of any particular system in order to conceive of sovereignty in terms of a plurality of unities and in terms of the emergent possibilities of the relationships amongst this plurality of unities (*Ibid*, p18).

Walker then applied the language of *late sovereignty* to make sense of the new multi-dimensional order. He presents four suggestions as to why this age should be understood as one of 'late' sovereignty, rather than sovereignty or post-sovereignty (*Ibid*, p19):

1. It suggests fundamental *continuity* than discontinuity, that the basic conceptual apparatus of sovereignty can be adapted to understand the new order.
2. It suggests a *distinctive* phase in the discursive career of the term. That just as there are continuities in the meaning of sovereignty, there are also significant changes.



3. It suggests *irreversibility*, that there is no way back to the world of early sovereignty and the one-dimensional system of states which it represented.
4. It suggests *transformative potential*, that sovereignty has entered a final stage, that its capacity to represent the world of political authority is being tested to the limits, and even, possibly, that in that challenge there may be a transformation into an order of authority where sovereignty is of diminishing value, and where its continuing use both in the object-language of constitutional representation and in the meta-language of explanation and normative projection is tested to the limit.

Walker also suggests three categories of arguments in which late sovereignty contains the seeds of its own transformation: 1) conflict and boundary maintenance; 2) diffusion of sovereign power; 3) reflexivity (*Ibid*, p25). As a result, he concludes that the dynamic of transformation within late sovereignty will involve the continuous evolution rather than the demise of sovereignty (*Ibid*, p28).

This section introduced two arguments on sovereignty. Philpot argues that Europe is currently facing two revolutions in sovereignty: European integration and Intervention. Walker argues that late sovereignty contains the seeds of its own transformation. Of course, these are not the only arguments on sovereignty. What matters is that we need to regard these possible changes in context that may affect elites' understanding.

### 1.3 The change of usage

Chapter 2 will discuss how the concept of sovereignty has changed historically in Britain and Chapter 3 will explain how European integration poses a modern challenge to traditional understandings of sovereignty. This section, however, focusses more generally on how the usage of sovereignty has changed. Why have political elites needed to use the concept differently? One of answers would be, 'Sovereignty is a discourse'. Rebecca Adler-Nissen introduces this view citing scholars such as Biersteker and Weber, and Neil Walker. She argues that, by emphasising sovereignty as a claim, the emphasis is placed on how it is used, or being played out, in legal and political practices (Alder-Nissen and Gammeltoft-Hansen ed. 2008, p82). Assuming that it is reasonable, the analysis of discourse on sovereignty will be valuable for understanding and finding a change in usage.

The debates on sovereignty have not solely focussed on theorising its meaning. Some scholars argue that state sovereignty is still a meaningful concept in today's world. However, if we focus on how we use it, Gammeltoft-Hansen and Alder-Nissen contend that the concept of sovereignty is undergoing rapid changes (*Ibid*, p2). They argue that states and other actors have become increasingly creative in instrumentalizing their use of sovereignty to reassert legitimacy, power, and control in face of new challenges (*Ibid*, p3). In a certain sense, it is possible to say that this is a mere repetition of history as Hinsley's argument 'the further history of the concept will be a history of its use and misuse in varying political conditions and not of restatements of it in different or in novel terms'

(Hinsley 1966, p125). Bartelson also indicates that the meaning of sovereignty is wholly contingent on its usage, and that this usage in turn is governed by a blend of linguistic conventions and rhetorical intention (cited in Alder-Nissen and Gammeltoft-Hansen 2008, p39).

If the usage of sovereignty changed, would the meaning behind the term disappear? Bartelson presents two views of concepts: 'the belief that sovereign statehood is here to stay has been nourished by a *semantic* view of concepts and their meaning, while the belief that sovereign statehood is undergoing profound changes has been greatly facilitated by a *nominalist* view of concepts.' He suggests that there has been the transition from the former view to the latter and applies the term 'linguistic turn' to describe it (*Ibid*, p34).

Indeed, the meaning of sovereignty itself will continue to exist as a fundamental framework for the state system. However, under the multi-dimensional order or revolutions in sovereignty, political elites would be interested in using the function of sovereignty rather than discussing and seeking what it means in political practices. Focussing on the usage of sovereignty will be instrumental in examining the essence of those phenomena.

## **Summary**

This chapter introduced a variety of academic debates on sovereignty. We could find some criticisms between rationalists and constructivists, or even among constructivists.

The definition of sovereignty is not a simple one. Some people require several meanings for it and some others are opposed to any definitions. According to the shared viewpoint of constructivists, sovereignty can be changed through the construction of national interests within various social practices in a state. Precisely, constructivists view that the language of sovereignty or the usage of sovereignty has been changed in various contexts surrounding a state. This study will try to verify this theory focussing on the UK in the process of European integration. Therefore, I will focus on discussion of sovereignty within the UK in the next chapter.

## **2 British debates on sovereignty**

This chapter clarifies the basis of the British concept of sovereignty. It is important to know how the British concept of sovereignty has been established in order to analyse British elites' discourse on sovereignty. For that, I will firstly argue that parliamentary sovereignty ought to be seen as the basic assumption within a British conception of sovereignty. In a certain sense, parliamentary sovereignty has emerged or has been constructed as a new concept of sovereignty in a history of the UK. Therefore, the first section of this chapter will set out not only to understand what the concept of parliamentary sovereignty is but also to view how it is conceptualised. Secondly, then, I will examine what underpins the British concept by focussing on its main characteristics. As a result, we are able to establish what beliefs British elites emphasise when they talk about sovereignty. Thirdly, I will then present the debates on sovereignty in France and Germany as other EU member states in order to discover how they vary from Britain, especially in regard to debates around Europe. In debates on European matters, some MPs refer to other members of the EU when they talk about British sovereignty. They often emphasise the difference from other states. Hence, in order to understand the difference, I briefly discuss academic debates on sovereignty of these two countries.

### **2.1 The British concept of sovereignty: Parliamentary sovereignty**

The aim of this section is to examine how sovereignty has been conceptualised in Britain – primarily as what has become known as 'parliamentary sovereignty'. At first,

this study briefly reviews a history of the conceptualisation in Britain from the Reformation in the sixteenth century to A.V. Dicey's work in the nineteenth century. I will then critically analyse interpretations of parliamentary sovereignty. For example, Nicol looks at the different perspectives on parliamentary sovereignty from within the professions of law and politics. He argues that, unlike lawyers, Members of Parliament failed to perceive parliamentary sovereignty in terms of judicial power (Nicol 2001, p106). This section will answer the questions: What caused this difference? Has parliamentary sovereignty ever had one clear definition or was it already problematised in the UK regardless of European integration?

## **History**

It is difficult to identify a singular origin of parliamentary sovereignty. Rather, it seems that the concept has developed alongside the history of parliament in the UK. Parliament evolved from the medieval tradition of baronial counsel and consent. Participation in law-making was gradually extended from the barons to representatives of counties and towns. By the late fourteenth century, according to the study of Jeffrey Goldsworthy, Parliament had become the most authoritative institution in the realm in temporal matters, apart from the monarchy itself (Goldsworthy 1999, p229).

Goldsworthy argues that the real reason why Parliament was not yet fully sovereign, by the beginning of the sixteenth century, was the existence of a rival institution, the papacy, which claimed, and was widely acknowledged to possess, an independent and

superior authority to enforce God's law, at least with respect to exclusively spiritual matters (*Ibid*, p51). In the sixteenth century, throughout the Reformation Parliament including the Act of Supremacy in 1533 and the Act against the Pope's Authority in 1536, the Tudor government changed the relationship between the King and the Pope. Although the English Reformation derived from the actions of Henry VIII, the Reformation occurred throughout the Continent as well. The papacy itself would eventually lose its political power. However, Goldsworthy argues that these developments left unresolved questions concerning the nature of Parliament and its authority, and that the issue was not finally resolved until 1689 (*Ibid*, p53).

The English Civil War and the Glorious Revolution were major events occurring in England during this period. As I have contended in the Introduction, Hobbes argued that the relationship has shifted from one between the ruler and the ruled to one between the state (sovereign) and individuals (subjects) because of the interregnum. During the period from the Restoration to the Glorious Revolution, facing the Exclusion Bill Crisis, John Locke rejected the absolute monarchism and presented his idea that, in England, the King, Lords, and Commons shared the supreme legislative power that was recognized by the constitution (*Ibid*, p152). Goldsworthy argues that Locke's thesis became very popular in Whig circles. As the result of the Glorious Revolution, the Bill of Rights was enacted and restricted many important royal prerogatives, and this 'laid the foundations for affirming, the ultimate sovereignty of Parliament'. The sovereignty of Parliament, 'the highest power in England', became 'one of the supreme touchstones of the ideology

and language of Whiggism' (*Ibid*, pp159-160). The discourse of parliamentary sovereignty was thereby applied and expressed by elites who used the idea as part of their ideological platform.

In 1707, by the Acts of Union, the new Parliament of Great Britain came into being. However, this new parliament did not simply inherit the full sovereign powers of the English Parliament. As Goldsworthy argues, before the union, the Scottish Parliament was not sovereign and there is no good reason to assume that the new Parliament inherited 'all the peculiar characteristics of the English Parliament but none of the Scottish Parliament' (*Ibid*, p166).

Through the influence within Britain of the American Revolution, Goldsworthy states, the idea that the people rather than Parliament were sovereign became increasingly popular in the last few decades of the eighteenth century. Several reformers taking this stance denied that Parliament was omnipotent, because they thought it was bound by the inviolable rights of the people it was supposed to represent (*Ibid*, pp215-217). Most British reformers 'sought the restoration of a balanced constitution through parliamentary reform. They wanted a better constitution by way of a better Parliament'. Their object was not to limit Parliament's powers, but to make it more accountable to the people (*Ibid*, p219). According to Goldsworthy, these reformers' goals were largely realized in time:

The electoral reforms achieved in the nineteenth century made it possible to reconcile, at least to the satisfaction of the vast majority of Britons, the legal



sovereignty of Parliament and the political sovereignty of the people, and to that extent, the constitutional theories of eighteenth century conservatives and radicals. The sovereignty of Parliament was preserved, but given a new, or rather, a renewed justification, in that the forms made more plausible a claim that had been frequently made since the fourteenth century: that Parliament represented the entire community (*Ibid*, pp219-220).

### **Dicey's definition**

Although all three branches of government in Britain have accepted the doctrine that Parliament has sovereign law-making authority, some critics argue that the doctrine is not part of British law (*Ibid*, p236). A.V. Dicey re-established, in his book *Introduction to the Study of the Law of the Constitution* (1885), the new fundamental principles of the British Constitution and proclaimed that sovereignty in Britain belonged to Parliament, composed of the king, the House of Lords and the House of Commons. Dicey also excluded any possibility of legal limitation of parliamentary sovereignty (Shinoda 2000, p51). It is said that Parliament is able to enact or repeal any law whatsoever, and that the courts have no authority to judge statutes invalid for violating either moral or legal principles of any kind (Goldsworthy 1999, p1). Goldsworthy considers that Dicey's definition of sovereignty should be qualified in two respects. The first qualification is that law-making authority is sovereign if it is unrestricted by norms that either are judicially enforceable, or satisfy the criteria just listed. The second qualification follows from

criticisms that have been made of Hobbesian theories of law, that the sovereign and its authority are above all laws, and therefore not susceptible to legal limitation (*Ibid*, pp12-13).

Shinoda analysed that Dicey's theory of sovereignty has certain implications within this historical context.

On the one hand, the legal sovereignty of the Westminster parliament reigns not only over Great Britain but also over all the colonies of the British empire. According to Dicey, it is the strongest sovereign in the world. On the other hand, the British electors are given another title of sovereignty. Although parliament is also called the *legal* sovereign, the British electors are the *politically* absolute sovereign. In short, Dicey's theory of sovereignty at once explains the imperial principle of sovereignty in the 'international' field and the democratic and national principle of sovereignty in the domestic field (Shinoda 2000, p52).

As I have shown in the Introduction, the interpretation of sovereignty might include the existing political conditions. However, because of the deprivation of constitutional power in the House of Lords in 1911 and the attack on the traditional British political theories by British idealists, national sovereignty achieved its theoretical advancement even in the country of the champion of classical constitutionalism (*Ibid*, p53).

Armstrong defines the orthodox view of parliamentary sovereignty as including the following tenets (Armstrong 2003, p328):

*Validity* — laws enacted by Parliament are to be considered to be legally valid and enforceable;

*Priority* — it is the duty of the courts to apply the latest will of Parliament over and above any other inconsistent rule of law, including common law rules;

*Continuity* — sovereignty is continuous and cannot be legally limited.

## **Critiques**

Rogers and Walters illustrate five reasons why Parliament is not sovereign (Rogers and Walters 2006, pp79-80):

- 1) It embodies any concept of national sovereignty, although it may contribute to the sentiment.
- 2) It vies with the Queen to be head of state.
- 3) It is not the centre of the day-to-day decision making of government.  
Parliament does not govern.
- 4) It is not the sole source of the government's powers, many of which are derived from the government's exercise of the prerogative powers of the Crown with little or no recourse to Parliament at all.
- 5) It is the government that, by royal proclamation, summons, prorogues and dissolves Parliament.

Therefore, they view the power of parliament as 'legislative supremacy' rather than sovereignty. Using the words of Dicey, they define this as the ability to 'make or unmake any law whatever'. They point out a characteristic, which confuses supremacy with sovereignty, that one parliament cannot bind its successor parliaments because it has an equal claim to legislative sovereignty. However, they consider that even this legislative supremacy has been limited in practical ways, by the passing of the Human Rights Act; accession to the European Union; and devolution to Scotland and Wales, and, with some qualifications, to Northern Ireland (*Ibid*, pp80-82).

Borthwick claims that the sovereignty of Parliament has fallen on hard times, with it having been described by one commentator as 'the last refuge of the constitutional scoundrel', and another characterising it as 'something reassuring to suck when things look bad, the mental equivalent of a boiled sweet' (Borthwick 1997, p26). Borthwick examines the challenge to the sovereignty of Parliament in five ways: the challenge from the executive; the challenge from Europe; the challenge from the courts; the European Convention on Human Rights (ECHR) and a written constitution; and the challenge from referendum. The challenge of Europe and ECHR will be discussed in the following chapters; thus, this section looks at the other three challenges.

There is a challenge from the executives which concerns the shape and content of legislation. Indeed, this leads Borthwick to argue that the effective sovereign power belonged no longer to Parliament but to the executive. Governments were able to act in a cohesive way as long as they were backed by a disciplined party in the House of

Commons (*Ibid*, p28). Pilkington also observes that in the face of ‘the ability of the Government to whip its own backbenchers through the voting lobbies to support its policies’, it is only fair to say that what is called by ministers ‘parliamentary sovereignty’ is rather more accurately ‘executive’ or ‘governmental’ sovereignty (Pilkington 2001, p80).

The courts in Britain pose a further challenge — they are prepared to be much more assertive in relation to other branches of government than has traditionally been the case. They might legitimately challenge the actions of officials if they were, in the court’s view, exceeding the powers granted them under statute (Borthwick 1997, p36).

Finally, the doctrine of parliamentary sovereignty is challenged by the idea that on some issues the electorate themselves should decide through a referendum. There are three examples in the past 25 years: in Northern Ireland on the border in 1973, across the whole UK in 1975 on continuing membership of the EC, and in Scotland and Wales in 1979 on devolution (*Ibid*, p39).

Accordingly, we found that there were some challenges to parliamentary sovereignty within the UK. It is important to examine how British political elites have referred to parliamentary sovereignty in relation to these challenges. However, this study mainly focusses on the challenge from Europe which will be examined in the next chapter.

## **2.2 Characteristic basis for the concept**

Despite these criticisms of parliamentary sovereignty, it is popular with the British people, but the basis of this support needs clarifying. One obvious root is in nationalism. The desire here is to achieve self-determination within a community through the maintenance of a single collective identity, set of historical rights and cultural traditions. A.D. Smith defines nationalism as an ideological movement for attaining and maintaining autonomy, unity and identity on behalf of a population deemed by some of its members to constitute an actual or potential “nation” (cited in Bryant 2006, p25). Nations usually, but not invariably, need a state to protect their integrity and interest; states usually need (to forge) a nation if they are to command allegiance (*Ibid*, p15). For nationalists, therefore, the concept of sovereignty is indispensable for securing a ‘nation state’ and bringing success to their movement. In order to achieve their claims to a nation state, they argue that the concept of sovereignty has never changed, in a similar manner to rationalists. Although some rationalists, such as liberal intergovernmentalists, allow the existence of supranational institutions and the delegation of sovereignty to those institutions for pursuing the national interests as the will of government, nationalists fear that such behaviour would jeopardise the fundamental rights that the nation should have. They argue that this would consequently undermine the nation state. They believe, once again, that national interests can be secured by defending sovereignty. In other words, they hold the view that sovereignty still has the classical notion of absolutism and cannot be divided.

Much Euroscepticism is based on this view, with nationalism feeding a position to intergovernmentalism in Europe. Therefore, their response to European integration includes rather sentimental value when they find any loss of sovereignty. This sentiment is widely recognised in British public discourse, for example in the resistance to the introduction of the Euro into the UK, which stresses the tradition of sterling rather than judging the currencies by their functional capacity. They use the concept of sovereignty for the purpose of maintaining absolutely that which the nation had traditionally and collectively established. However, these nationalists ignore the evolution of sovereignty: the change in the discourse along with the developments in the world system, and especially the changes in the relations between the UK and other states.

In addition to that, Britain has a quite unique political culture. Pappamikail presents the British character as follows:

British politics is black and white, them and us, totally wrong or totally right and that encourages a confrontational style that also fits into the electoral system... the British often view sovereignty as something indivisible, either you have it or you don't (Pappamikail 1998, p217).

This confrontational style needs to be examined more in relation to European integration and will be discussed in the next chapter. Further, it seems to me that an indivisibility of sovereignty is a key factor to understand British discourse on sovereignty. I will take this up later too.

Schmidt also defines Britain as a simple polity and argues:

A good way to illustrate the ideational problems for simple as opposed to compound polities is by analogy to polytheistic and monotheistic religions... when you believe in only one God — read the French Republic state and British parliamentary sovereignty — the inclusion of any others is an attack on the very fundamentals of one's faith — as it was for the Christians when forced to accept the Roman gods (Schmidt 2006, p272).

Those characteristics of British culture may explain the existence of more Eurosceptics in the UK than in other member states. It is useful for comparison here to examine the situation in other member states.

### **2.3 Discussions in other member states: France and Germany**

Academic debates on sovereignty may differ in every nation state because the origin of sovereign power varies in each. This is true for the member states of the EU as well. Before proceeding to examine the impact of European integration on Britain in the next chapter, this study briefly illustrates how two of the key member states, France and Germany, view the concept of sovereignty in the process of European integration, focussing on political, legal and ideological aspects. It is possible to imagine that different views on sovereignty compose different elites' discourse. For example, is there an important cleavage over the issue of sovereignty in both countries? Balme and Woll



argue that the most constant element of the discussion on European integration in France is the persistent disagreement between pro-Europeanists and national sovereignists (Balme and Woll 2005, p98). It seems that there are similarities between the arguments over sovereignty in France and those in Britain. The legal situation is slightly different, however, since both France and Germany have codified constitutions. International Treaties signed by their Governments take precedence over national law and have direct effect in their national jurisdictions without any requirement for enabling legislation as in Britain (Forman and Baldwin 1999, p482). Such conditions could lead to a different discourse from the one in Britain. I will further investigate these aspects in each country.

### *France*

Balme and Woll argue that one cannot find a unique French vision of European integration but rather a spectrum between two poles: wanting integration and wanting to preserve national sovereignty (Balme and Woll 2005, p98). Vivien A. Schmidt argues that French leaders recognized that only in building Europe could France enhance its own power and objectives, even if this entailed pooling a certain measure of national sovereignty and, thereby, executive autonomy, and argues that national leaders have consistently sought to obscure this by presenting France as maintaining autonomy and extending sovereignty through its leadership of Europe in their communicative discourse to the public (Schmidt 2006, p76). The discussion of national sovereignty, therefore, seems to be a matter of policy area and of political parties. Burban sees that, on the one

hand, cooperation over the well-defined economic area of coal and steel did not directly affect national sovereignty; but on the other hand, the European Defence Community (EDC) touched upon the central core of national sovereignty (Burban 1993, p186). He also argues that this was the time, starting in 1987 (when the SEA came into effect), that the press, even the mass media, became enthusiastic about building Europe, and the parties which had traditionally been hostile or sceptical regarding the European project changed their mind. However, from that point onwards to the Treaty of Maastricht of 7 February 1992, national sovereignty came to be at the heart of the matter because the treaty made the Community competent to deal with foreign affairs and security (*Ibid*, pp189-190). Burban observes these time periods and examines as follows:

It was over the ratification of the Maastricht Treaty, however, signed in 1992, that the French political establishment really split, in a similar way to the split over the European Defence Community. On the left, as on the right, the same causes seemed to produce the same effects; and the split is widening within each party (*Ibid*, p191).

Throughout the 1990s, France remained conspicuously cautious about European affairs, careful to demonstrate that the EU would not impose undesirable outcomes onto French domestic politics (Balme and Woll 2005, p104).

European integration has certainly brought ideological changes in each party. Balme and Woll illustrate that the most dramatic one was the U-turn of the *Parti Socialiste (PS)*

in 1983, from national Keynesianism to European monetarism. Further, in the Gaullist party the *Rassemblement pour la République (RPR)*, Jacques Chirac had to distance his party from the historical stance of de Gaulle on national sovereignty. By the mid-1990s, the *RPR* shared the positions of the *PS* on the single market and later on the single currency (*Ibid*, p112). It can be said that the approach of both parties in the area of economics was largely Europeanised.

In the constitutional aspect, although Forman and Baldwin argue that international treaties take precedence over national law and have direct effect in their national jurisdictions without any requirement for enabling legislation in France, the international rule introduced does not merge with French law. It remains separate by virtue of the supremacy it has over all national legislative or regulatory rules (cited in Rambaund 1993, p176). Balme and Woll also point out that until 1992 the European treaties had no specific impact on the French constitution (Balme and Woll 2005, p106). The ratification of the Treaty on European Union, however, required a constitutional revision, especially due to its provisions on EU citizenship and the right of EU citizens to participate in French municipal elections. As a result, European treaties had moved beyond the status of international agreements, and the superiority of European law on national law is now fully recognized (*Ibid*, pp106-107).

## *Germany*

It is possible to find a distinctive approach of Germany towards Europe in academic debates. It is said that Germany has recovered its sovereignty through European integration (Taylor 2008, p67; Dreyfus et al. 1993, pp165-166). The country completely lost its sovereignty through the unconditional surrender of May 1945. Afterwards, the Germans found that Europe was the place where they could rehabilitate themselves on the international stage by participating in the membership. Further, Europe provided an alternative identity construction (Marcussen et al. 1999, p628). Schmidt argues that European integration was consistently presented by Chancellor after Chancellor in terms of its identity-enhancing qualities, with a German-as-European identity the main construct through which to explain Germany's relationship to Europe (Schmidt 2006, p88). Thus she views that Germany lacks a full sense of national sovereignty (*Ibid*, p202). Moreover, Schmidt argues that sovereignty in Germany has never been a constitutional issue, since the German Basic Law (Article 24) explicitly allows the transfer of sovereign rights to international organizations (*Ibid*, p89). For Germany, therefore, sovereignty can be gained or maintained through the European dimension.

Institutionally, Anderson argues that obvious and unsurprising evidence of Europeanization is omnipresent throughout the German federal bureaucracy. The Chancellery and the federal ministries have all created European units and in some instances entire departments devoted to the evaluation, monitoring, coordination, and implementation of European issues and policies. Moreover, the lower house of the

German parliament, the Bundestag, has also adapted institutionally to the growing salience of the European level of policymaking, and organizational adaptation by the parties that is consistent with an increasingly significant EU policy process (Anderson 2005, pp86-88).

Both France and Germany tend to consider that Europe is a place or means to enhance national capacity. Further, they believe that European integration is largely developed by the firm relationship between France and Germany. Thus Europe would be indispensable for them. There is a quite interesting view of identity that political elites in Britain, Germany and France have a different idea of the 'Other'. British political elites have continuously considered 'Europe' as the friendly 'out-group', whereas German elites have seen the country's own catastrophic past as the 'Other', and French political elites have traditionally added the US to their list of 'Others' (Marcussen et al. 1999, p616). In a certain aspect, in order for Germany to break away from the past and for France to feel it is competing against the US, they have made good use of European integration. In other words, European integration has been used as a response to such threats to sovereignty. This being so, for what purpose has European integration been utilised in Britain when it comes to understanding sovereignty? The analysis in this dissertation will provide some answers to this question.

## **Summary**

This chapter examined British debates on sovereignty. The chapter discussed the concept of parliamentary sovereignty and its critiques, some characteristics of the concept, and some differences in the concept compared to other member states. These debates are likely to be the basis of discourse of MPs. Thus the chapter found that the conceptualisation of sovereignty in Britain is unique. The concept of parliamentary sovereignty has emerged solely in Britain and the confrontational style of British politics is an important character of discourse. Therefore, some of them may emphasise the concept of parliamentary sovereignty, some of them may utilise the language of the critiques of the notion of parliamentary sovereignty, and others may point out the difference from other states. Elites thus are likely to try to define the concept of sovereignty on the basis of these debates. However, I consider that they are not the only factors included in elite framing of the concept. An external factor, that is to say, the impact of European integration on Britain would be another factor in elite understanding of the concept. This study is intended as a main investigation of this impact on discourse surrounding sovereignty. By taking the core British debates on sovereignty into account, therefore, I will examine how European integration is likely to affect the British concept of sovereignty in detail in the next chapter.

### **3 European challenge to sovereignty**

This chapter highlights how European integration is likely to have affected the debates on sovereignty both among academics and the British politics. Several studies have already been made on the impact of European integration on the UK from theoretical and legal perspectives. However, it is difficult to understand what causes discourse change on sovereignty. Therefore, this chapter tries to answer the questions of why and how discourse change occurs. In order to grasp a broad picture of the debate on sovereignty in Europe, firstly, the chapter looks at the theoretical and legal perspectives of European integration, illustrating some questions of sovereignty that are still left as a knotty problem in the integration process and some key legal cases that have affected sovereignty of member states as a fact of legal perspective. Consequently, we would be able to understand and view the problem of sovereignty in European integration through both the theoretical and legal angles. Secondly, the chapter examines how discourse on sovereignty can be practically influenced by European integration, illustrating two mechanisms of change in reference to the Europeanisation approach particularly adaptational pressure and interactions. At the end of this section, I will argue whether and how British government and parliament have been Europeanised, taking those mechanisms of change into account. Thirdly, the chapter looks at the impact of European integration on the British constitution focussing on parliamentary sovereignty. After the confirmation of the constitutional impact of European integration, this section considers why the argument of sovereignty has been made complicated in the UK by presenting

three aspects of sovereignty: *legal*, *theoretical* and *practical*. Finally, the chapter considers domestic factors for discourse change. According to the view of Pappamikail, the British political character is noteworthy for its confrontational style (Pappamikail 1998, p217); thus, I will examine how debates over sovereignty developed into a confrontation between and within British parties, for example between government and opposition, between those people who are in favour of European integration and those who are against European integration in each party, etc. As a result of confrontation or competitive debates, their discourse can be changed.

Thus this chapter presents the hypothesis that discourse change on sovereignty will occur with the mechanisms of institutional change and domestic factors such as competitive arguments between and within parties.

### **3.1 The challenges of European integration**

What interpretations of sovereignty have been challenged by European integration? The aim of this section is to find out how European integration theories have tried to respond to issues of sovereignty and to illustrate what legal changes have specific impacts on sovereignty.

#### **Theoretical perspective**

On the basis of the examination of definitional issues, I will investigate whether and how current theories of European integration have responded to the issue of changing



sovereignty. How have neo-functionalists, liberal intergovernmentalists and constructivists viewed sovereignty in the process of European integration? Once we have viewed the challenge of European integration in theory, I will present some questions that have not been sufficiently answered in a practical sense. These questions will provide the grounds for examining the actual debates on sovereignty.

### *Shifting theories*

First of all, what was the difference between theories of neo-functionalism and intergovernmentalism? Neo-functionalism saw European integration as a self-sustaining process driven by sectional spillovers towards an ever-closer union. Intergovernmentalism emphasized the gate keeping role of EU member governments and their resistance to any wholesale transfer of sovereignty from the member states to a new center in Brussels (Pollack 2005, p359).

Cram argues, according to Haas's neo-functionalism, that national political elites might become more supportive of the process of European integration as they learned of the benefits which might ensue from its continuation (Cram 1996, p57). Further, Sweeney develops the theory of neo-functionalism, using the idea of 'elite socialization' from Strøbe Jensen, arguing that the informal engagement between different nationals in the policy-making process nourishes an affinity for the culture of supranationalism and can result in a form of embedded loyalty to the integration process (Sweeney 2005, p153). Because of the influence of the so-called 'the Luxemburg Compromise', however,

neofunctionalists were criticized that they had seemingly underestimated the importance of nationalism as a prevailing sentiment in European politics (Rosamond 2000, p64).

Intergovernmentalist theory emerged as an alternative theory of European integration. It interprets integration as a zero-sum game, meaning the success of one party in a negotiation or deal is mirrored by someone else's loss (Sweeney 2005, p154). In the 1990s, Moravcsik modified intergovernmentalism and his new liberal intergovernmentalism emerged as the leading theory of European integration (cited in Pollack 2005, pp360-361). According to Moravcsik, there are three essential elements in liberal intergovernmentalism: the assumption of rational state behaviour, a liberal theory of national preference formation, and an intergovernmentalist analysis of interstate negotiation (Moravcsik 1993, p480; Pollack 2005, pp360-361). That is to say, Moravcsik's adjustments to intergovernmentalist theory take account of progressions in European integration which were not simply the result of autonomous behaviour by each government but by other factors such as developments in economic relations. The difference here from intergovernmentalist theory is that the integration can have positive-sum outcomes (Sweeney 2005, p155) and that national interest is seen as divisible. On both things, neo-functionalists and liberal intergovernmentalists agree. Their difference is whether national interest can be promoted by supranational institutions or only by a state-centric approach.

However, Pollack indicates that liberal intergovernmentalists' basic theoretical assumptions were questioned by international relations' scholars coming from two broad

directions: rational choice and historical institutionalist scholars on the one hand, and sociological institutionalists and constructivists on the other (Pollack 2005, pp361-362). Although Pollack illustrates these two positions, he claims that the former could be integrated with liberal intergovernmentalism to constitute a single rationalist research program: a community of scholars operating from similar basic assumptions and seeking to test hypotheses about the most important determinants of European integration. By contrast, constructivist and sociological institutionalist approaches argue that the most profound effects of EU institutions are precisely in the potential remaking of national preferences and identities in the crucible of EU institutions (*Ibid*, p364). As a result, theoretical debates on European integration have shifted to two broad camps: rationalists and constructivists.

The primary differences between these two groups, then, are as follows. Firstly, for constructivists, institutions are understood broadly to include not only formal rules but also informal norms. These rules and norms are expected to constitute actors, that is, to shape their identities and their preferences. Secondly, actor preferences are not exogenously given and fixed, as in rationalist models, but endogenous to institutions, and individuals' identities shaped and reshaped by their social environment. Thirdly, constructivists generally reject the rationalist conception of actors as utility-maximizers operating according to a 'logic of consequentiality', in favour of the conception of a 'logic of appropriateness' (*Ibid*, p365). Such debates make it clear that it would be

difficult to understand the evolution of European integration using only one of these simplified models.

### *Building bridges between the debates*

Under these circumstances, Checkel offers his view that both schools, rationalists and constructivists, are right (Checkel 1999, p545). He argues that constructing European institutions is a multi-faceted process, with both rationalist and sociological toolkits needed to unpack and understand it. Checkel labelled this strategy as ‘double interpretation’ in the work with Zürn (Zürn and Checkel 2005, p1057). They argue that empirical findings about causal mechanisms and conditions need to be interpreted once from the perspective of constructivism, and once from the perspective of rational choice. In terms of changes in the discourse of sovereignty, the approaches take quite different, though not entirely incompatible, views of how the concept of sovereignty is shaped. Thus, borrowing from both approaches would be an ideal way to undertake a broad examination of the concept of sovereignty.

However, can the change in the discourse be sufficiently explained by simply using both approaches at once? Checkel shows the deficiency of this argument by examining why agents comply with the norms embedded in regimes and international institutions. He presents two competing answers, from the two approaches, to this compliance puzzle and tries to build bridges between them (Checkel 2001, p553). Rationalists emphasize coercion, cost/benefit calculations, and material incentives, whereas constructivists

emphasize social learning, socialization, and social norms. He considers both schools to have largely ignored the influence of social interaction on compliance decisions (*Ibid*, p554). In order to fill this gap, Checkel puts forward *argumentative persuasion* as a mechanism. He argues that argumentative persuasion is a social process of interaction that involves changing attitudes about cause and effect in the absence of overt coercion (*Ibid*, p562).

This view was largely developed by the work of Habermas and introduced as the third 'logic of social action' in recent years (Risse 2000; Pollack 2005; Finnemore and Sikkink 2001). The first of these is the logic of consequentiality (or utility maximization) emphasized by rational choice theorists; secondly, the logic of appropriateness (or rule-following behavior) associated with constructivist theory; and the third is a logic of arguing derived largely from Habermas's theory of communicative action. Pollack explains that in Habermasian communicative action, or what Risse calls the logic of arguing, political actors do not simply bargain based on fixed preferences and relative power; they may also 'argue', questioning their own beliefs and preferences and remaining open to persuasion and to the power of the better argument (Pollack 2005, p387). Risse draws a triangle figure where each of the three logics of social action is located at a corner. Then he argues that, if behaviour in the real social world can almost always be located in some of the intermediate spaces between the corners of the triangle, one single metatheoretical orientation probably will not capture it. Hence the debates and the controversies tend to centre around how far one can push one logic of action to

account for observable practices and which logic dominates a given situation (Risse 2000, pp3-4). Where argumentative rationality prevails, according to Risse, actors do not seek to maximize or to satisfy their given interests and preferences, but to challenge and to justify the validity claims inherent in them — and they are prepared to change their views of the world or even their interests in light of the better argument (*Ibid*, p7). Although this view was provided as a logic of social action, it would not be clear how this could be used as an approach for examining the change of discourse. Rather, argumentative persuasion is better understood as a mechanism that actually changes discourse.

#### *Questions on sovereignty*

These theories offered the possibility of the discourse change on sovereignty in political debates. However, we can draw some potential questions, which are posed by the gap between theoretical and practical perspectives and between a viewpoint of the state and the EU, that have thus far not been sufficiently answered.

##### 1. Divisibility

As far as neo-functionalists are concerned, due to the spillover effect from one sector to another, it is possible that sovereignty would gradually be delegated to high authorities sector by sector and, ultimately, full sovereignty would transfer to the EU. But there are two unanswered questions here. The first question is whether sovereignty can be divided between the state and the EU or into several sectors. If we presume that sovereignty is

defined as a supreme power to govern a certain country or territory, this divided power between two authorities or into some sectors is difficult to regard as the supreme power to govern a certain territory. We may need to review the definition itself. The second question is whether we will be able to view the shared sovereignty in the EU as conceptually the same as that which is inherent in a state. In other words, unless the EU can be defined as a state, it will be difficult to apply the current interpretation of sovereignty. The definition and the interpretation of sovereignty can be analytic ground for finding their answers.

These questions have been asked elsewhere. For example, Vivien Schmidt views the EU as a *regional state* and argues that the EU could be seen as constituting a new kind of regional sovereignty. The problem for her resides in comparing the EU to the nation-state in terms of democracy and legitimacy (Schmidt 2006, pp1-14). She argues that:

These nation-states have had a certain finality characterized in principle by individual sovereignty, fixed boundaries, coherent identity, established government, and cohesive democracy. By contrast, the EU has no such finality but, rather, is better conceptualised as in a constant process of becoming. What it is becoming, moreover, is not a nation-state but, rather, a regional state, given shared sovereignty, variable boundaries, composite identity, highly compound governance, and fragmented democracy split between government by and for the people at the national level, and governance, for and with the people at the EU level (*Ibid*, p9).

I agree with Schmidt on two points. First, the EU should not be compared to the nation-state. Second, the EU is not in a fixed state — it is better conceptualised as in a constant process of becoming. These points are fundamental. Regarding sovereignty, however, there are some further questions. Can a new kind of ‘regional sovereignty’, formed through the sharing of national sovereignty, exist separately from member states? Will the shared sovereignty be legally separate from that of member states? How should we view this regional sovereignty conceptually in relation to the current concept of sovereignty? In other words, can people perceive a double sovereignty or a form of sovereignty which has somehow ‘burst out’, beyond the framework of the nation-state? Although Schmidt makes a distinction between this regional state and the nation-state, it is difficult to define such developing super-institutions as states because the final form of the EU is not yet clear. I hypothesise that the interpretation of sovereignty has changed in the process of European integration, and also consider that this interpretation still generally fits the framework of the state. I understand and have argued that European integration works beyond the state and the EU is *sui generis*. However, I also want to argue that discourse of sovereignty is thus far only perceived within the framework of the state.

I recognise that there are some arguments that sovereignty can be divided, such as Walker’s work of ‘late sovereignty’ or Keating’s ‘post-sovereignty’ (Keating 2001, p27). I consider that these can be theoretically possible if we view sovereignty at a level



beyond the state. However, it is difficult to find these arguments, whereby sovereignty can reside in actors other than the state, in practical debates at the national level. Thus, the difference between Schmidt's and my work is whether the new concept of sovereignty to be studied exists at the EU level or the national level. And my research seeks the discourse, which may not refer directly to such arguments but may be gradually influenced through political debates, that national elites have tried to adapt the interpretation of sovereignty to the national conditions.

## 2. Pooling or delegating

Liberal Intergovernmentalism includes liberal theory and pursues national interest within a world market. In order to understand how this works, such scholars found it necessary to talk about the pooling or delegating of member states' sovereignty to the EU in some sectors. Moravcsik argues why member state governments might do so:

The degree to which governments favour the pooling sovereignty (voting by other procedures than unanimity) and the delegation of sovereignty to supranational institutions, depends on the value they place on the issues and substantive outcomes in question: higher the gains of a cooperative agreement for a government, and the higher the risk of non-compliance by other governments, the higher its readiness to cede competencies to the EU to prevent potential losers from revising the policy (Schimmelfenning 2004, p80).

Further, Pollack focusses on transaction costs, and contends that member state principals delegate powers to supranational organizations primarily to the lower the transaction costs of policy-making, in particular by allowing member governments to credibly commit themselves to international agreements and to benefit from the policy-relevant expertise provided by supranational actors (Pollack 2004, p142). In short, as rationalists, Liberal Intergovernmentalists interpret those processes of pooling or delegation of sovereignty as the will of each government which has not been restrained by other actors. This is why rationalist theory suggests an unchanging concept of sovereignty. But if we define the concept of sovereignty again as the supreme power to govern a certain country, can pooled or delegated sovereignty really be understood as keeping supreme power at the national level? There is no easy answer to this question.

Although governmental elites often use the ideas of ‘pooling’ or ‘delegating’ sovereignty when they talk about the EU, they are also often challenged by other politicians who insist that pooled or delegated sovereignty means the erosion of national sovereignty. It is quite likely that discourse change on sovereignty can be found in the debates which seek the answer to these questions through argumentative persuasion.

### **Legal perspective**

Before we consider these answers, it is impossible to ignore the legal perspective. EU (EC) law<sup>3</sup> is different from other international laws. The stated ‘supremacy’ and ‘direct

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<sup>3</sup> Foster explains the difference between EU and EC law as follows:

effect' of EU law would, it seems, certainly affect the sovereignty of member states. How and to what extent has EU law become dominant and seen as a challenge to national sovereignty? I will give a concise summary of the legal debates surrounding European integration.

### *EU law*

Community law is established by the treaties of three original communities, the European Coal and Steel Community, the European Atomic Energy Community (EURATOM) and the European Economic Community. This means that Community law is a system of law created by treaty. This independent system has been given effectiveness by the creation of Community institutions, by its recognition within the national legal systems of the member states, and by developments in the decisions of the European Court (Collins 1990, p1). In other words, Community law consists of more than one source. According to the classification table of Turner (Turner 2006, p23), the primary sources are those original three treaties and amendments made in later treaties, such as the SEA and the Treaty on European Union. Secondary sources include regulations, directives and decisions. Foster argues that regulations and directives are at

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At present, most Community law courses, whether called EU law or EC law, are not likely to consider the law of the second and third pillars (of the EU) in any depth, if at all. Most courses will study EC law only, as contained in the EC Treaty, and will not consider the parts of the EU outside of the EC Treaty (Foster 2007, p2).

Therefore, the terms 'Community law' and 'EC law' that I quote from some literatures are part of EU law.

present the two most important forms of secondary law (Foster 2007, p39). EC Treaty

Article 249 provides that:

A regulation shall have general application. It shall be binding in its entirety and directly applicable in all Member States.

A directive shall be binding, as to the result to be achieved, upon each Member State to which it is addressed, but shall leave to the national authorities the choice and form and methods.

Foster explains the differences of these two as follows:

Directives are aimed at the Member States or named individuals, whereas Regulations apply to everyone. Regulations were designed to be directly applicable but it would seem from Art 249 that Directives require some form of implementation in order to take effect or have validity in the Community legal order. Directives were designed with the harmonisation of different national rules in mind whereas Regulations were aimed to be prescriptive by providing one rule for the whole of the Community. Hence Regulations would be detailed and precise and Directives more likely to be framework provisions laying down general guidelines and are therefore less precise by nature (*Ibid*, p39).

Also, recommendations and opinions are included in the secondary sources but they have no binding force. The tertiary sources are general principles, such as proportionality,

equality and the protection of fundamental human rights, and the case law of the European Court of Justice (ECJ) (Turner 2006, p23).

The ECJ has distinguished European law from international law and from the legal orders of the member states. It has been instrumental in the creation of a constitutional structure for the European Community through the introduction of a few guiding rules: that of the direct effect of Community law, its supremacy over national law, the duties of the Member States in all their guises to implement Community rules and the doctrine of pre-emption which relates to the delimitation of the competences of the Member States and the Community itself (Daintith 1995, p32).

Thus EU law is remarkably different from other international law in the way it directly impacts on the issue of sovereignty. In the following sections, I will look at the ideas of 'supremacy' and 'direct effect' that are major features of EU law.

### *Supremacy*

Supremacy refers to the fact that Community law takes precedence over conflicting provisions of national law, regardless of whether these were made before or after the Community law in question (Page 2004, p37). However, there is no Article which clearly states that Community law is supreme. Foster states that it can be argued that some of the articles of the EC Treaty impliedly or logically require supremacy, for example, Article 10, Article 12, Article 249, Article 292 and Article 228 (Foster 2007, p52). Turner notes

that the closest provisions to this legal requirement are given in Article 10 (in Article 4 of the consolidated version):

The Member States shall take any appropriate measure, general or particular, to ensure fulfilment of the obligations arising out of the Treaties or resulting from the acts of the institutions of the Union.

The Member States shall facilitate the achievement of the Union's tasks and refrain from any measure which could jeopardise the attainment of the Union's objectives.

Member states are therefore asked to place priority on and not to block the Union's objectives. Rather than through treaties, it is through the decisions and interpretation of the Court of Justice that the reasons and logic for the supremacy of Community law were first developed (Foster 2007, p53). Supremacy was established by the following two cases: *Van Gend en Loos* in 1963 and *Costa v ENEL* in 1964. These cases refer explicitly to the limitation of national sovereignty, as we shall see in the next section

### *Direct effect*

Direct effect means simply that Community law is capable of conferring rights on individuals, which national courts are obliged to uphold. This is in contrast to most treaties which affect only the states that are party to the treaty and not their citizens (Page

2004, p37). This term is sometimes confused with ‘directly applicable’, which simply means that, on joining, Community law immediately becomes national law within the new Member State.

The ‘direct effect’ principle was first accepted by the ECJ in the *Van Gend en Loos* case. That means the ECJ accepted that, since the Treaty was clearly intended to affect individuals as well as member states, it must be capable of creating rights which were enforceable by individuals. *Van Gend en Loos* concerned a Treaty Article that conferred rights, but the principle of direct effect has been extended to other EC law by the case law. A distinction can be made here between vertical and horizontal direct effect. Vertical direct effect concerns the relationship between EC law and the national law. Horizontal direct effect, on the other hand, is precisely about the relationship between individuals, so concerns rights enforceable in national courts (Turner 2006, pp56-58).

We will now look more specifically at those cases which have established the principles of supremacy and direct effect.

#### *Van Gend en Loos* case<sup>4</sup>

In this case, the ECJ was asked by a Dutch customs tribunal whether Article 12 EEC (the ‘standstill’ provision prohibiting member states from establishing new import duties or raising existing ones) was capable of giving rights to individuals which could be

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<sup>4</sup> Case 26/62 *NV Algemene Transport- en Expeditie Onderneming Van Gend en Loos v Nederlandse Administratie der Belastingen* [1963] ECR I, [1963] CMLR105

enforced in their national courts. On the issue of whether the ECJ had jurisdiction to hear the case, the Dutch and Belgian governments intervened to argue that the question of the internal effect of Community law within the Netherlands was a matter of Dutch constitutional law which fell outside the ECJ's remit (Nicol 2001, p8).

However, the ECJ interpreted concluding:

...the Community constitutes a new legal order of international law for the benefit of which the states have limited their sovereign rights, albeit within limited fields, and the subjects of which comprise not only Member States but also their nationals. Independently of the legislation of Member States, Community law therefore not only imposes obligations on individuals but is also intended to confer upon them rights which become part of their legal heritage (Foster 2007, p53, Page 2004, p37).

The ECJ went on to hold that Community law was indeed capable of creating rights for individuals which national courts and tribunals were obliged to protect — the doctrine of direct effect. Although it claimed some support for the creation of this doctrine from the text and system of the Treaty, its primary justification appeared to be that direct effect was necessary in order to achieve the objective of the Community (Nicol 2001, p8). The ECJ was thereby interpreting Article 10, quoted above, which obliges member states to facilitate the achievement of the EC's objectives, in this case the establishment of a common market.



*Costa v ENEL* case<sup>5</sup>

This case was brought by a former employee of the electricity generating company Edison-Volta, who claimed that his interests had been harmed by the formation of the ENEL, the Italian nationalised electricity industry. It was claimed that the Italian government's nationalisation of the electrical generating and supply industries, in 1962, had infringed EEC regulations (Pilkington 2001, p107). The case raised the issue of whether a national court should refer to the Court of Justice if it considers Community law may be applicable or, in the view of the Italian government, simply apply the subsequent national law (Foster 2007, p53). The Court said:

The integration into the laws of each member state of provisions which derive from the Community, and more generally the terms and the spirit of the Treaty, make it impossible for the states, as a corollary, to accord precedence to a unilateral and subsequent measure over a legal system accepted by them on a basis of reciprocity. ... The obligations undertaken under the Treaty establishing the Community would not be unconditional, but merely contingent, if they could be called in question by subsequent legislative acts of the signatories. ... The precedence of Community law is confirmed by Article 189, whereby a regulation 'shall be binding' and 'directly applicable in all member states'. This provision, which is subject to no reservation, would be quite meaningless if a state could

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<sup>5</sup> Case 6/64 *Flaminio Costa v ENEL* [1964] ECR 585, [1964] CMLR 425,593

unilaterally nullify its effects by means of a legislative measure which could prevail over Community law. It follows from all these observations that the law stemming from the Treaty, an independent source of law, could not, because of its special and original nature, be overridden by domestic legal provisions, however framed, without being deprived of its character as Community law and without the legal basis of the Community itself being called into question. The transfer by the states from their domestic legal system to the Community legal system of the rights and obligations arising under the Treaty carries with it a permanent limitation of their sovereign rights, against which a subsequent unilateral act incompatible with the concept of the Community cannot prevail (Collins 1990, p17).

Turner sums up this statement in three points:

- Member States have given up certain of their sovereign powers to make law;
- Member States and their citizens are bound by EC law;
- Member States cannot unilaterally introduce conflicting law (Turner 2006, p51).

Collins points out the peculiarity of these cases:

What is unusual is the way in which the Court in these cases extended the area in which sovereignty is so restricted by extending the areas of the direct effect or

applicability of Community law. What that means is that the Court was implying from express terms of the Treaty an obligation on the states to provide a domestic remedy and also assuming that the national law did or would give a remedy. In other words, from the standpoint of the Court, Community law was reaching into national law and providing a national remedy whether or not national law in fact did so (Collins 1990, pp17-18).

Supremacy and direct effect have been built up and modified by subsequent cases such as *International Handelsgesellschaft v EVGF* 11/70, *Reyner v Belgium* 2/74 and *Simmenthal SpA* 106/77. The important point in this study is that those principles have been established before the accession of the UK into the EC. *International Handelsgesellschaft v EVGF* case was also prior to this accession and it said that EC law cannot be invalidated even by national constitutional law (Turner 2006, p51). Thus the relation between community law and national law existed before British accession to the EC.

Now we found that European integration has influenced the understanding of sovereignty in theory and has legally affected the sovereignty of member states. The gap between theoretical and practical perspectives and between a viewpoint of the state and the EU, which I raised as some unsolved questions, may be attempted to bridge through argumentative persuasion. However, it is unclear what aspect of European integration affect elites' argument. In other words, how have elites' discourse on sovereignty been

influenced? The next section will examine two possible mechanisms of change in elites' discourse on sovereignty.

### **3.2 Mechanisms of change: Europeanisation**

The aim of this section is to examine the mechanisms behind potential changes in elite discourses caused by European integration, with the Europeanisation approach as the framework for discovering these mechanisms, and to apply this approach to the British case.

#### **Europeanisation**

Until recent years, the study of European integration has tried to explain institution-building, policy integration or policy outputs at the European level by using domestic politics as a central explanatory factor in the integration process. Börzel and Risse describe this way of research as a 'bottom up' perspective, in which the dynamics and the outcome of the European institution-building process are the main dependent variable (Börzel and Risse 2000, p1). However, much less effort has gone into thinking about the reverse effect: European integration as an explanatory factor in domestic political continuity or change (Goetz and Hix 2001, p1). Börzel and Risse view this studying as a 'top down' process that analyses the impact of European integration and Europeanization on domestic political and social process of the member states and beyond (Börzel and Risse 2000, p1).

Risse, Cowls and Caporaso, then, define Europeanisation as the emergence and development at the European level of distinct structures of governance, that is, of political, legal, and social institutions associated with political problem solving that formalize interactions among the actors, and of policy networks specializing in the creation of authoritative European rules (Cowles et al. 2001, p3). They view that scholars generally referred to Europeanization as institution-building at the European level in the beginning but slowly began to focus on the effects of Europeanization at the national level (*Ibid*, p3). Featherstone argues, for example, that ‘Europeanization’ today is most often associated with domestic adaptation to the pressures emanating directly or indirectly from EU membership (Featherstone and Radaelli 2006, p7). Through the effects of Europeanisation, Olsen believes that a large gap between existing institutional structures and adaptational requirements can lead, over time, to a serious performance crisis of the institution and finally result in radical and rapid transformations (cited in Cowles et al. 2001, pp8-9). By adopting this framework of Europeanisation, I will investigate how domestic adaptation or change occurs. Börzel and Risse present two conditions for expecting domestic changes in response to Europeanisation:

First, Europeanization must be ‘inconvenient,’ i.e., there must be some degree of ‘misfit’ or incompatibility between European-level processes, policies and institutions, on the one hand, and domestic-level processes, policies and institutions, on the other. This degree of fit or misfit constitutes adaptational pressures, which is a necessary but not sufficient condition for expecting change.

The second condition is that there are some facilitating factors — be it actors, be it institutions — responding to the adaptational pressures (Börzel and Risse 2000, p1).

We need to examine these adaptational pressures and facilitating factors in details as a mechanism of discourse change.

In the light of discourse change of sovereignty, meanwhile, Bulmer et al. view that not all the adaptation may be attributable to an EU-effect (Bulmer et al. 2002, p17). They identify three dynamics of institutional change, through the examination of British devolution. These are (*Ibid*, p16):

- change emanating from the EU, and often loosely termed as ‘Europeanisation’;
- domestic change at the level of the Member States; and
- ‘third-level’ change beneath the Member State, deriving from territorial politics.

These three dynamics are likely to change discourse on sovereignty as well. My research particularly focusses on the impact of European integration on discourse. Hence the first dynamic certainly contains the impact of European integration. The second dynamic would affect discourse change but not by the impact of European integration. Therefore, this is not included as a mechanism of discourse change resulting from European

integration. The third dynamic does not seem to be about the impact of European integration. According to the work of Bulmer and Burch, however, devolution might go hand-in-hand with greater self-reliance within the devolved politics, thereby acting as a driver or enabler of Europeanisation (*Ibid*, p16). Thus this third dynamic can also contain the aspect of European integration and be considered another mechanism.

#### *Mechanism 1: adaptational pressures and facilitating factors*

The first of the three dynamics is certainly the impact of European integration. That is to say, there is a mechanism through which domestic institutions are penetrated or changed by Europeanisation. Risse, Cowls and Caporaso call such phenomena ‘adaptational pressures’ and theorise that the degree of adaptational pressures determines the extent to which domestic institutions would have to change in order to comply with European rules and policies and that the degree of adaptational pressure generated by Europeanization depends on the ‘fit’ and ‘misfit’ between European institutions and the domestic structures (Cowles et al. 2001, p7). Hence, the lower the compatibility between European and domestic processes, policies, and institutions, the higher the adaptational pressure that Europe exerts on member states (Börzel 2005, p50; Cowles et al. 2001, p7). That is to say, a ‘misfit’ exerts adaptational pressures. According to Börzel, there are two types of misfits by which Europe exerts adaptational pressure on the member states. First, European policies might cause a ‘policy misfit’ between European rules and regulations on the one hand and domestic policies on the other. Second, Europe can cause

'institutional misfit' challenging domestic rules and procedures and the collective understandings attached to them. In this context, Europe might even threaten deeply collective understandings of national identity as it touches upon constitutional principles such as state sovereignty (Börzel 2005, pp50-51). In recent work of Bulmer and Burch, they consider that the term 'adaptational pressure' only applies at the time of accession and present the term 'duties of membership' for the impulses deriving from the EU instead (Bulmer and Burch 2009, p195).

Adaptational pressure, or duties of membership in the words of Bulmer and Burch, requires some facilitating factors for the change. Risse, Cowles and Caporaso argue that, in cases of high adaptational pressures, the presence or absence of mediating factors is crucial for the degree to which domestic change adjusting to Europeanization should be expected. There are three structural factors that might enable or block adaptational change: multiple veto points in the domestic structure, facilitating institutions, and cooperative cultures (Cowles et al. 2001, p9). Although multiple veto points are preventing factors for adaptation and facilitating formal institutions are promoting factors for adaptation, both factors have in common that they are compatible with the 'logic of consequentialism.' On the other hand, cooperative cultures follow the 'logic of appropriateness.' Börzel illustrates two features of the influence of these factors. First, a consensus-oriented or cooperative decision-making culture helps to overcome multiple veto points by rendering their use for actors inappropriate. Second, a consensus-oriented political culture allows for a sharing of adaptational costs, which facilitates the



accommodation of pressure for adaptation (Börzel 2005, p55). Moreover, Risse, Cowles and Caporaso identify two mediating factors relating to agency: differential empowerment of actors and learning (Cowles et al. 2001, pp11-12). The difference between these two is that the former does not assume that actors change their interests or identities, whereas the latter constitutes an agency-centred mechanism to induce such transformation. Learning is viewed not as instances in which actors merely adjust means and strategies to achieve their given goals and preferences but as situations that lead actors to change their given goals and preferences themselves in this case. This is called 'double-loop learning' or 'complex learning'. Hence, mediating factors of cooperative cultures and learning seem to be compatible with the constructivist approach to international relations. Consequently, Risse, Cowles and Caporaso argue that both rationalist and constructivist approaches are relevant to debates around Europeanization.

How has this learning been working in practice? Bulmer and Radaelli argue that learning becomes an especially important feature where the EU does not work as a law-making system but, rather, as a platform for the convergence of ideas and policy transfer between member states. This is especially the case with the open method of coordination (OMC) (Bulmer and Radaelli 2005, p349). According to Bulmer and Radaelli, the OMC is a means of spreading best practice and achieving convergence towards the EU's goals (*Ibid*, p349). Armstrong examines the UK adaptation to the OMC in relation to the issue of social inclusion. He argues that, despite the absence of any legal requirement to do so, the sense that National Action Plans on Inclusion

(NAPincls) are required by Europe imbues their production with a quasi-obligatory status: like other member states, the UK has produced the NAPincls required under the OMC process (Armstrong 2006, p89). This suggests that domestic change without legal implementation is certainly possible in the EU.

*Mechanism 2: interactions between three levels*

The third of three dynamics of institutional change seems to be not the impact of European integration but it is possible to view another direction of mechanism within the EU and the Europeanisation approach. Bulmer et al. believe that institutional change will occur through the interactions of levels of governance, especially after Blair came into office and the devolution of power to Scotland, Wales and Northern Ireland was implemented in the UK (Bulmer et al. 2002). Bulmer and Burch argue that the devolution reforms have brought the UK into closer alignment with the more regionalized patterns of governance of many EU member states. In that sense, although not directly prompted by pressures from the EU, the devolved UK now has a better fit with the Union's pattern of multi-level governance (MLG) (Bulmer and Burch 2005, p880). Aalberts cites three characterizing elements of MLG as the work of Hooghe and Marks:

First, rather than being monopolized by national governments, decision-making competencies are shared by actors at different levels. ... Second, a new mode of collective decision-making has emerged, similarly resulting in loss of control for

national governments. Third, the traditional separation of domestic and international politics has been undermined because of transnational associations. ... Accordingly, states are only one among a variety of actors influencing decision-making at a variety of levels, and do not by definition have a final say (Aalberts 2004, p28).

In addition to the relationship between the EU and member states from the perspective of mechanism 1, the relationship between member states and their subnational or the third level, and also between the EU and the third level have emerged. As the relationship between the EU and member states has had an effect of institutional change, other relationships possibly cause institutional change to some extent as well. As Rosamond states, the emphasis on governance takes the debate about authority away from the zero-sum notions associated with discourses of sovereignty (Rosamond 2000, p110). As the assumption underlying MLG is pluralism (Richards and Smith 2002, p165), MLG may lead to the idea that sovereignty can be divided. Thus, MLG approach would provide another mechanism of discourse change. Bulmer et al. focus on the interaction of logics in MLG. They firstly offer a definition of Europeanisation:

A set of processes through which the EU political, social and economic dynamics interact with the logic of domestic discourse, identities, political structures and public policies.

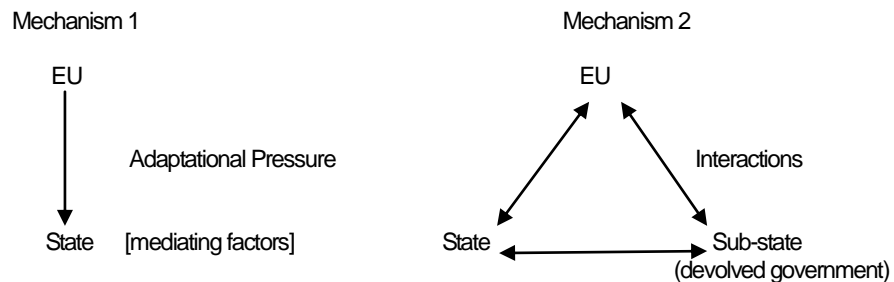
Then, they present two important points arising from this definition:

- Multi-level governance entails the interaction of competing logics, located at the EU, Member States and, where extant, third levels. It is dangerous to attribute institutional change to any one level in isolation.
- The challenges arising from the interaction of logics are most acute at the points of interconnection between the levels of governance (Bulmer et al. 2002, p17).

They argue that the various branches of the UK polity – and most particularly central government – must identify an appropriate institutional response to the political and other dynamics of the EU (*Ibid*, p17). This idea would match with ‘*the logic of appropriateness*’ of constructivists. They designate the mechanisms of a polity’s institutional response to Europeanization as involving ‘reception’ and ‘projection’, and consider that reception and projection are crucial adaptive responses by actors in the polity since the need to engage in European policy-making is a consequence of Europeanization. These responses, according to the authors, need to be made at the Member state level as well as the level of the devolved authorities (*Ibid*, p17). Bulmer and Burch claim that ‘reception’ and ‘projection’ are the two steps in the adjustment process to the EU. Reception is where domestic institutions must find suitable ‘transfer devices’ for processing EU business on the one hand, and projection is where domestic institutions must also adapt their procedures in order that the UK government can make

an effective contribution to those EU dynamics (Bulmer and Burch 2005, p866). They also present the third step ‘pro-active use of EU arenas,’<sup>6</sup> which has been in operation since the Blair government introduced the Step Change programme in 1998 (*Ibid*, p877). If we could see such changes of response involving the positive engagement policy towards European integration, it would be possible to consider that governmental elites’ discourse would change to adapt those responses. In other words, interactions in EU arenas may bring the possibility of more positive interpretations of state capacity in the European community and, consequently, may direct member states to exercise their capacity more by utilising those arenas. I believe that this trend implies a change in governmental elites’ discourse. Diagram 2 briefly shows two mechanisms of discourse change by European integration.

**Diagram 2: Mechanisms**



As devolved governments in the UK have been created under the Blair Government, Mechanism 2 may largely be acted after 1999 when a formal transfer of powers implemented in the UK.

<sup>6</sup> This is written in Figure 1 of Bulmer and Burch 2005, p865

Consequently, both the adaptational and the interactive mechanisms reflect a constructivist's account of the process. Therefore, it is a good bet that discourse change towards a new discourse of sovereignty has taken place in this area as the way of resolving some contradictions on sovereignty which were raised in the previous section. These adaptations and interactions entail both formal and informal processes of socialisation. That is to say, the changed discourse has become deeply permeated into political debates and, possibly, into general conversation.

### **Europeanisation of Whitehall and Westminster**

As to the specific impact of Europeanisation within Britain, Allen concludes that Britain does indeed have a Europeanized government operating in a still non-Europeanized polity (Allen 2005, p139). What does this mean? Bulmer and Burch describe it as follows: 'Whitehall has adapted smoothly to European integration, whereas Westminster has not, and has witnessed successive clashes, such as the great debate over membership and ratification of the Maastricht Treaty' (Bulmer and Burch 1998, p607). They examined and assessed changes in Whitehall through five dimensions: the *system*, *organisations*, *processes*, *regulation*, and the *cultural* aspects (Bulmer and Burch 2009, p30). Change in the *system* involved formal acceptance of the condition that European law would have primacy over national law. Change in *organisations*, all departments, with the exception of the Department for Culture, Media and Sport (DCMS), have established EU coordinating arrangements to handle issues across the department.

Change in *processes* is to be found in the more evident elaboration of a system of formal meetings and committees, for instance, the creation of the Friday meeting to handle the input from UK-based processes into Brussels-based processes; and ultimately the shift to a more flexible structure of meetings and decision fora. Change in *regulations*, over time, rules, guidelines, operating codes and understandings have been established and inculcated about how to handle EU business and how to engage with the EU. Change in the *cultural* aspects, in addition to the effect on the style of administration; there has been cumulatively an emergence of a substantial cadre of civil servants and, indeed, ministers who have, through dint of participation in EU policy-making, built up a substantial awareness of EU issues, tactics and procedures (Bulmer and Burch 2009, pp185-188). Thus the change in Whitehall is substantial.

Why, then, has Westminster never become Europeanised? Bache and Jordan cite the 1992 study by George which argues that the adaptation had come from changes on a 'technical level' as 'civil servants and interest groups learned how to operate in the EC process, rather than resulting from or leading to a political conversion among political actors in favour of the EC'. More recent adaptations compared with the situation in 1992 show clearer evidence that at least some political actors have gone beyond simply strategic interaction with the EU to a more normative commitment to Europeanization (Bache and Jordan 2006, p275). Thus, has the impact of Europeanisation in Britain firstly affected Whitehall, and only then gradually started to influence Westminster and beyond? According to the study of Bulmer and Burch, the Europeanisation of Whitehall has

presented few serious challenges to British practice, because the adaptation of Whitehall was already somewhat established by the time of accession through the creation of a co-ordinating mechanism across Whitehall and the drawing together of legal expertise on community treaties, regulations and directives. European integration was seamlessly absorbed into the 'logic' of the Whitehall machinery. On the other hand, they argue that the resultant adaptation has been overshadowed by the more high-profile turbulence of European policy in the political domain (Bulmer and Burch 1998, 2005). Buller and Smith present the reason why the Heath government rejected the need for a Minister of Europe, along the lines of the French, instead being content to parcel out European work to the relevant Whitehall departments at the time of entry. First, this method made entry into the EEC less politically obvious, and second, spreading the work of the EEC throughout Whitehall was the best way of making use of a short supply of expertise on the subject (Buller and Smith 1998, pp169-170). Bulmer and Burch also point out that a particular problem was the lack of specialist knowledge in Whitehall on the legal implications of entry (Bulmer and Burch 1998: p609). That is to say, the political and legal implications of entry in Britain were obscured as internal practice, despite the fact that the adaptation of Whitehall was clearly an external practice. Lynch argues that Heath's approach was flawed in that it incorporated elements of both accounts, accepting a pooling of national sovereignty in the EC as a means of promoting national interests, but maintaining a pragmatic intergovernmentalist vision of European integration in which 'essential national sovereignty' would remain unscathed. He also reveals that the



government accepted the Treaty of Rome framework before embarking on detailed negotiations (Lynch 1997, pp29-30). Once in office, political leaders may be Europeanised or persuaded when they meet those people who work within Whitehall ministries. Thus, it is worth considering that Europeanised Whitehall would certainly be the source of adaptational pressure to change governmental elites' discourse on sovereignty.

However, governmental elites have not presented, and hence do not seem to have settled upon, a satisfactory response to the question of sovereignty. Schmidt outlines what has been missing in the British discourse on European integration:

In Britain, there has been very little discourse on the polity-enhancing aspects of European integration. While national leaders opposed to European integration have focussed on the polity issues, presenting Europeanization as a threat to parliamentary sovereignty, to the 'historically established rights of Englishmen', and to an identity constructed with Europe as 'the other', those in favor have tended to emphasize the economic benefits without confronting the polity issues. The result is that the public has been made maximally aware of the drawbacks to Europeanization with regard to sovereignty and identity without being presented with any countervailing, positive vision of Britain in Europe (Schmidt 2006, pp38-39).

The point here is how and whether governmental elites express ‘the polity-enhancing aspects of European integration’ and a ‘positive vision of Britain in Europe’ in terms of the type of sovereignty that I will introduce as ‘real sovereignty’ – from the analysis of Anderson and Weymouth – in the next section. It seems to me the main difficulty here has been dealing with nationalism, and especially the prevalence of the ‘national’ rather than ‘real’ view of sovereignty, which may have made articulating a positive vision difficult. One possible factor to change is a logic of arguing that I cited in the previous section. Risse argues that actors are prepared to change their views of the world or even their interests in light of the better argument (Risse 2000, p7). This indicates that MPs may alter their view or focus from a ‘national’ aspect of sovereignty to a ‘real’ aspect of sovereignty through argument about sovereignty.

### **3.3 The influence of European integration upon Britain**

In previous two sections, we have seen the theoretical and legal perspectives of European integration and the mechanism of the impact of European integration. At the end of the last section, we applied this mechanism to Whitehall. This section looks at the impact of European integration on the British constitution. Firstly, this part explores the actual legal impact of European integration on British sovereignty through the incorporation of Community law into British law and politics. Secondly, the section focusses on the resulting impact of EC/EU membership on parliamentary sovereignty.

Finally, the section provides three contentious areas of debate around the issue of sovereignty in the UK. They are legal, theoretical and practical debates on sovereignty.

### **Legal impact**

In Britain, Community Law has become incorporated into the domestic legal order by the European Communities Act 1972. Lawrence Collins identifies and summarises the broad scheme of the Act as follows (Collins 1990, pp26-27):

- (1) those rights and duties which are, as a matter of Community law, directly applicable or effective are to be given legal effect in the United kingdom (s2(1));
- (2) the executive is given power to make orders and regulations to give effect both to obligations of the United Kingdom and to deal with any incidental problems arising from those rights and duties which are directly applicable or effective (s2(2));
- (3) there are limitations on the power of delegated legislation conferred by the Act, most notably that the power does not include powers (a) to tax, (b) to legislate retrospectively, (c) to sub-delegate, or (d) to impose new criminal offences punishable by more than certain specified penalties (s2(2) and Sch 2), but subject to those restrictions (and subject to any future Act of Parliament) the orders and regulations may include any provision as might be made by Act of Parliament (s2(4));
- (4) any existing or future enactments are to be construed and have effect subject to the above (s2(4));

- (5) any question as to the meaning or effect of the treaties is to be treated as a question of law to be determined in accordance with Community law, of which judicial notice is to be taken (s3(1) and (2));
- (6) specific alterations are made to existing law (statute and common law) to take account of specific Community obligations, especially in the area of customs duties, agriculture, company law and restrictive practices (ss4-10);
- (7) provision is made for extending the Perjury Act 1911 and the Official Secrets Act 1911-39 to the European Court and Community institutions.

According to this summary, sections 2(1), 2(2), 2(4), 3(1) and 3(2) seem to affect British national law. I will look closely at these particular sections and their interpretations by Collins.

Section 2(1):

All such rights, powers, liabilities, obligations and restrictions from time to time created or arising by or under the Treaties, and all such remedies and procedures from time to time provided for by or under the Treaties, as in accordance with the Treaties are without further enactment to be given legal effect or enforced, allowed and followed accordingly; and the expression 'enforceable Community right' and similar expressions shall be read as referring to one to which this subsection applies.

Collins observes that a whole complex of rights and duties has been incorporated into the law of the United Kingdom in this way. Further, he argues that not only the Treaty provisions themselves and the secondary legislation made thereunder have to be taken into account, but also they are to have the effect ascribed to them by the European Court (*Ibid*, p46).

Section 2(2):

Subject to Schedule 2 to this Act, at any time after its passing Her Majesty may by Order in Council, and any designated Minister or department may by regulations, make provision—

(a) for the purpose of implementing any Community obligation of the United Kingdom, or enabling any such obligation to be implemented, or of enabling any rights enjoyed or to be enjoyed by the United Kingdom under or by virtue of the Treaties to be exercised; or

(b) for the purpose of dealing with matters arising out of or related to any such obligation or rights or the coming into force, or the operation from time to time, of subsection (1) above;

and in the exercise of any statutory power or duty, including any power to give directions or to legislate by means of orders, rules, regulations or other subordinate instrument, the person entrusted with the power or duty may have

regard to the objects of the Communities and to any such obligation or rights as aforesaid.

In this subsection 'designated Minister or department' means such Minister of the Crown or government department as may from time to time be designated by Order in Council in relation to any matter or for any purpose, but subject to such restrictions or conditions (if any) as may be specified by the Order in Council.

Collins finds that the essential aim behind this section is to incorporate into the law of the United Kingdom not only those Community rights and obligations which are *not* directly applicable or effective by virtue of section 2(1) but also to fill out and make specific provisions for those rights and obligations which *are* directly applicable or effective (*Ibid*, p113).

Section 2(4):

The provision that may be made under subsection (2) above includes, subject to Schedule 2 to this Act, any such provision (of any such extent) as might be made by Act of Parliament, and any enactment passed or to be passed, other than one contained in this Part of this Act, shall be construed and have effect subject to the foregoing provisions of this section; but, except as may be provided by any Act passed after this Act, Schedule 2 shall have effect in connection with the powers

conferred by this and the following sections of this Act to make Orders in Council and regulations.

This subsection recognises the supremacy of Community law and concerns sovereignty. However, Collins argues that no theoretical or practical problem of sovereignty arises in this context. The reason is that he considers that section 2(4) only expresses a rule of construction which must give way to a contrary intention and, therefore, does go part of the way to prevent legislation which would otherwise by implication be contrary to Community law. Its effect is, thus, that United Kingdom courts should interpret subsequent legislation in such a manner as to be consistent with Community law and may read subsequent inconsistent legislation as subject to Community law (*Ibid*, p28).

Section 3(1):

For the purposes of all legal proceedings any question as to the meaning or effect of any of the Treaties, or as to the validity, meaning or effect of any Community instrument, shall be treated as a question of law (and, if not referred to the European Court, be for determination as such in accordance with the principles laid down by and any relevant decision of the European Court).

Section 3(2):

Judicial notice shall be taken of the Treaties, of the Official Journal of the Communities and of any decision of, or expression of opinion by, the European Court on any such question as aforesaid; and the Official Journal shall be admissible as evidence of any instrument or other act thereby communicated of any of the Communities or of any Community institution.

Section 3(1) instructs the courts to refer questions on the interpretation and hence the supremacy of Community law to the Court of Justice if national courts cannot solve the problem themselves by reference to previous Court of Justice rulings. And section 3(2) requires the courts to judicially follow decisions of the Court of Justice on any question of Community law. Collins considers that section 3 makes explicit what as a result of section 2 must be implicit, namely that Community law is to be treated in the United Kingdom as law and not, like foreign law, as fact (Collins 1990, pp128-129). Therefore, the combination of sections 2(1) and 2(4) with the control of sections 3(1) and 3(2) achieve the essential requirements of the recognition of direct effects and the supremacy of Community law for past and future UK legislation (Foster 2007, p62).

### **Impact on parliamentary sovereignty**

By giving effect to the European Communities Act 1972, what has actually changed in the British legal system? How has the change been understood in terms of



sovereignty? I presume that one of the changes was to the relationship between parliament and national courts, especially the enhanced role of national courts. Paradoxically, it suggests that the power of parliamentary sovereignty has diminished.

Alan Page argues that, to use Dicey's phrase, the positive meaning of the doctrine of parliamentary sovereignty is that 'any Act of Parliament, or part of an Act of Parliament, which makes new law, or repeals or modifies an existing law, will be obeyed by the courts'. The courts could not therefore refuse to obey or give effect to an Act of Parliament; nor because it was the supreme law – the highest form of law known to the constitution – could they hold an Act of Parliament to be invalid (Page 2004, p49). He continues to state that community law, however, envisages a wider role for the courts. In particular it envisages that in cases of conflict the courts will give effect to Community law over conflicting provisions of national law, regardless of the fact that it may take the form of an Act of Parliament (*Ibid*, p49). Membership has thus increased the role of the courts in the constitution, and diluted parliamentary sovereignty. Whereas traditionally their role was confined to interpreting and giving effect to the law as made by Parliament, they now have the power to deny effect to that law where it conflicts with Community law (*Ibid*, p55).

Foster sees the status of parliamentary sovereignty in a different way. He argues that it is true that the European Communities Act 1972 has transferred sovereignty in certain areas as agreed for an indefinite period, but whether it has completely overruled the doctrine cannot be stated. The real problem in trying to reconcile these doctrines is that

legal reasoning is not fully reconcilable with the practical realities of Community membership. Whilst it may be *legally* possible to repeal the 1972 Act and leave the Communities, that is *practically* and *politically* untenable. Thus, as far as membership of the Communities is concerned, the doctrine of Parliamentary sovereignty is, at least, in abeyance, if not completely undermined (Foster 2007, p63).

To the lawyer, parliamentary sovereignty is not about what Parliament can do but how the courts react to what Parliament does. To the lawyer, parliamentary sovereignty means that *the courts* recognize Parliament's right to make or unmake any law, that *the courts* will not allow Parliament to be bound by its predecessors, and that *the courts* accord Parliament the status of supreme lawmaker. Thus, Nicol clarifies the difference in definition of parliamentary sovereignty from the perspective of the politician and the lawyer, and argues that MPs have failed to perceive parliamentary sovereignty in terms of judicial power (Nicol 2001, p106). At least, leaving the interpretation of parliamentary sovereignty aside, the role of the courts has been legally changed by the Act. It also seems that the courts actually accepted the supremacy of Community law in the *Factortame case*.<sup>7</sup> Moreover, the Labour government incorporated the European Convention on Human Rights (ECHR), which is not an institution of the EU, into

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<sup>7</sup> Case 213/89 and Case 221/89 *R v Secretary of State for Transportation ex parte Factortame Ltd* [1990] ECR I-2433, [1990] 3 CMLR 1 [1990] 3 CMLR 867

Nicol briefly summarised the case as follows; to protect the British fishing industry against 'quota-hopping', the practice whereby Spanish fishing companies circumvented the Community's imposition of national quotas for fish catches, Parliament passed the Merchant Shipping Act 1988 which *inter alia* imposed stringent nationality conditions on fishing companies wishing to register as British. Then, some companies owned and controlled largely by Spanish nationals applied for judicial review, arguing that the provisions breached prohibitions on nationality discrimination in the ECC Treaty (Nicol 2001, p182).

Scottish and English law through the Human Rights Act (HRA) in 1998. Hence, the British courts cannot strike down legislation on the basis of the HRA, but they can rule that legislation is incompatible with its provisions, and leave the response to that ruling to government and Parliament (Saward 2006, p226).

### **Divergence of arguing points over sovereignty**

Even though the supremacy of EU law and the decline of parliamentary sovereignty have been made clear, the debates on sovereignty have never been settled. This section offers the reason behind it. This is related to the questions, which were the gap between theoretical and practical perspectives and between a viewpoint of the state and the EU, that are mentioned in the first section of this chapter. That is to say, we have some different arguing points over sovereignty.

Helen Wallace argues that the British debate over sovereignty has been polymorphic – focusing on the difficulty of reconciling the sovereignty of Westminster with permanent EC membership and binding EC law; the role of government of the UK in relation to its component territories; and a fear of identity erosion and of catholic influences (Helen Wallace 1990, p159). Therefore, changes to sovereignty appear to be made up of legal reforms, shifts in political power and more emotive issues of culture and identity. For example, Simon Hix argues that, through the acceptance of the delegation of power to the European level, and the consequent erosion of the classic notion of ‘parliamentary sovereignty’, European integration has been a catalyst for

radical constitutional reform (Hix 2000, p49). Geoffrey Howe sees sovereignty as a nation's practical capacity to maximise its influence in the world and argues the need of other member's sovereignty that the recombination of sovereignty in the EC is the best guarantee of strengthening Britain's position in the world (Howe 1990, p675). And William Wallace asserts that sovereignty remains a powerful and emotive concept in British politics (William Wallace 1986, p389). Under the impact of European integration, British debates on sovereignty may come down to these three points of argument.

Colin Pilkington argues that the focus on sovereignty is different between governments and Eurosceptics. His claim is that (Pilkington 2001, p80):

Any government which speaks about the need to preserve sovereignty is almost certainly talking about parliamentary sovereignty, and therefore about the government fears of a curtailment of its own powers. Those opposed to Europe, however, tend to speak in terms of national sovereignty, playing upon the chauvinism inherent in the British people.

Besides the difference of the focus on sovereignty, the difficulty is whether these sovereignties have been equally affected by membership of the EU. Although Pilkington recognises that the UK has surrendered both parliamentary and national sovereignty through the act of joining the EU, he believes there is a need to take account of an even more recent perspective, given the effects of globalisation. For this he applies the analysis of Anderson and Weymouth.

Anderson and Weymouth divide sovereignty into 'real', that is the degree of control which a nation can exercise over its own destiny, and 'theoretical', which can be best described as symbolic control, signifying little if any substance. They cite two important instances where symbols of British sovereignty can be said to be theoretical rather than real. They are the idea of an 'independent' nuclear deterrent and the maintenance of the strength and importance of the pound sterling. However, these are illusion and, in fact, cannot be practised by Britain alone. Anderson and Weymouth argue, therefore, that the sovereignty which has quite clearly been lost or surrendered to the European Union is almost entirely of a theoretical nature. They suggest that the European concept of pooled sovereignty might well mean the definite loss of theoretical sovereignty but in reality could actually mean an increase of real sovereignty. According to this viewpoint, real sovereignty in a collective organisation like the EU is something that is open to negotiation and 'real sovereignty in some areas of governance should be *traded* in order to secure a greater overall level of real sovereignty' (Pilkington 2001, pp87-88). As Howe's view is quite similar to this real sovereignty, this interpretation of sovereignty may be found in elites' discourse, especially in governmental elites. This would be an important viewpoint when analysing elites' discourse.

Further, in a similar manner, Christopher Lord argues, citing the work of William Wallace, that it is useful to distinguish three different meanings of the term 'sovereignty', for part of the problem is that it means quite different things to quite different people. One definition stresses the formal, legal right of final decision. Another emphasises the

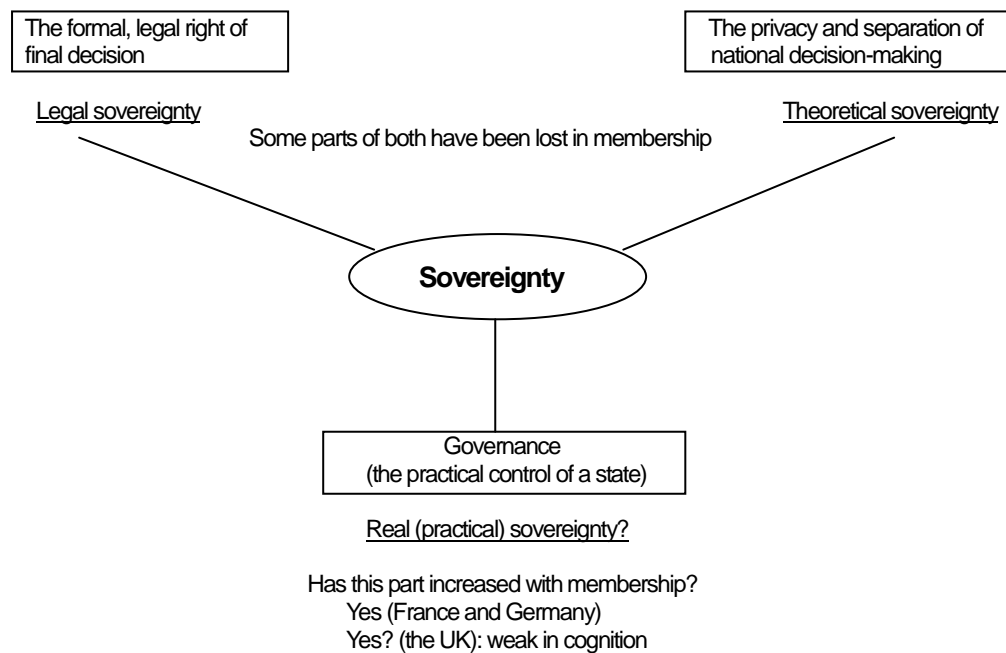
privacy and separation of national decision making: its integrity from outside penetration.

A third equates sovereignty with power, leverage, ability to produce results and all other factors that contribute to the practical control of a state or society over its own destiny. These definitions are non-equivalent because it is possible to lose sovereignty in one sense and gain it in another (Lord 1992, p422).

How, then, can we estimate increases in real sovereignty, or indeed in sovereignty by any of the other definitions? It could be possible to view paradoxically. Rogers and Walters observe that it would be theoretically possible for Parliament to repeal the European Communities Act 1972 and the other legislation that has incorporated successive treaty changes into UK law (Rogers and Walters 2006, p389). In other words, to the extent that the UK has not withdrawn from the EU, British elites must perceive some increase in sovereignty through membership. In comparison with France and Germany, British elites' assertions in this area have been weak.

Accordingly, what is important is whether and how those three definitions have been taken and real sovereignty has been recognised. Diagram 1 shows three key points of argument on the basis of Lord's analysis. Although Anderson and Weymouth have presented two kinds of sovereignty, this study will apply three points of argument over sovereignty.

**Diagram 1: The point of argument over sovereignty**



Indeed, the existence of these incompatible arguments complicates the issue of sovereignty. That is why those theoretical questions regarding divisibility and pooling or delegating of sovereignty have been problematised. It is possible to imagine that elites have argued with each other illustrating one of three points of sovereignty in parliamentary debates. My hypothesis is that their focus on these points has changed over time by the mechanisms of discourse change. However, another aspect seems to complicate it in Britain which is the British political system.

### **3.4 The axis of confrontation**

The aim of this section is to summarise domestic factors of discourse change and to examine how the European issue has become a major source of confrontation in the British political system both between parties and within each party, considering how each

opposing stand has represented different interpretations of sovereignty and whether and how the axis of confrontation has come to shape oppositional perspectives and a new understanding of European integration. This is necessary in order to establish a systematic analysis of elite understandings of sovereignty.

According to the study of Ladrech, the impact of the EU is by definition indirect on national political parties (Ladrech 2009, p8). He argues that it is the Europeanization of the national government — specifically in the scope of domestic policy-making — that we find EU-generated constraints may have indirect effects on national parties, and by extension, patterns of party competition (Ladrech 2009, p9). Sitter views that Euro-scepticism is a product of party competition (Sitter 2001, p22). In the UK, if so, Europeanisation of Whitehall may have indirect effects on British parties and their competition. As we have seen in section 3.2 on Europeanisation of Whitehall, it is necessary to look at the impact of Europeanisation on parties and, then, focussing on British characteristics of political system may cultivate an understanding of discourse change as well.

As I noted, Pappamikail's view of the British character is that 'British politics is black and white, them and us, totally wrong or totally right and that encourages a confrontational style that also fits into the electoral system' (Pappamikail 1998, p217). It makes sense then, that focussing on a confrontation is an appropriate basis for an examination into British politics. Stephen George also points out the difficulty of the British political system as follows:



For the politicians one difficulty was in the difference between the British adversarial political system, in which the government of day usually had a majority in Parliament and could get its own way, and the system of compromise to which European politicians were used. Coalition governments are the norm in most other member states of the EC, so their politicians expect to have to compromise, and are adept at it (George 1994, p258).

Certainly, the confrontational style learnt through the relationships between the main parties in the UK creates difficulties in achieving compromise.<sup>8</sup> However, there is a view that such oppositional politics means that the one party might be more accommodating simply because the other was less so. Rosamond takes the view that the ferocious rhetorical exchanges between Margaret Thatcher and Jacque Delors helped to define political fault lines in Britain from the late 1980s. Not only did Euroscepticism become normalized as a feature of Conservative Party (and thus government) policy, but the Labour Party under the leadership of Neil Kinnock moved quite decisively away from hostility to British membership of the EC (Rosamond 2002, p191).

Michael Smith argues that the EU has been a major and continuing source of political cleavages in Britain and that these cleavages have run both between and within political parties (Michael Smith 2006, p160). Thus it is necessary to look at such cleavages within

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<sup>8</sup> Since 2010, there is a coalition government in the UK. The analysis in this dissertation only extends through 2009, however. Therefore, considering how the Conservative Party and the Liberal Democrats have compromised and whether British political system has changed or not will be a challenge to my future research.

parties as well. Generally, the division has been more serious in the Conservative Party in recent years. However, Tim Bale suggests that the Conservative Party would turn into 'Eurorealism', or softer Eurosceptism, rather than harder Eurosceptism under the leadership of David Cameron, even if the Conservatives left the European People's Party – European Democrats (EPP-ED) (Bale 2006, p385).

In order to examine the main confrontation, I look at only the Conservative Party and the Labour Party, since it is only these two parties that have held power since the first application to the Community to the Treaty of Lisbon.<sup>9</sup> I will then investigate the direction of the change in elites' understandings of European integration and create a foundation for further analysis.

### **Division between parties: ideology and stand**

The Conservative Party once used to be seen as the party of Europe whereas the Labour Party was anti-Europe. Nowadays, it seems that they have switched positions (Gamble 1998, p11; Jones 2007, p130). Why have they held opposing views? How have their attitudes towards Europe shifted? Have their interpretations of sovereignty shifted as well? Table 1 is a brief chronology to illustrate governments, the opposition and European events.

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<sup>9</sup> This study does not include the coalition government since 2010.

**Table 1: The governments and European issue**

Year	The Conservative Party	The Labour Party	European event
1959	Macmillan/Douglas Home	Gaitskell/Brown/Wilson	
1961			First application to the EEC
1964	Douglas Home/Heath	Wilson	
1966	Heath	Wilson	
1967			Second application to the EEC
1970	Heath	Wilson	
1972			Third application to the EC
1973			Member of the EC
1974	Heath/Thatcher	Wilson/Callaghan	
1975			Referendum for membership
1979	Thatcher	Callaghan/Foot	
1981		(the Labour split)	
1983	Thatcher	Kinnock	
1987			The SEA
1989	Thatcher/Major	Kinnock	
1992	Major	Kinnock/Smith/Blair	
1993			The Treaty of Maastricht
1997	Hague	Blair	
1999			The Treaty of Amsterdam
2000			(ECHR) <sup>10</sup>
2001	Duncan Smith/Howard	Blair	
2002			Euro
2003			The Treaty of Nice
2005	Cameron	Blair/Brown	
2009			The Treaty of Lisbon

Gray highlighted: the year of the general election

Blue highlighted: in the office of the Government

The years in the left-hand column of treaties are when they took effect.

As I will examine in the next section, neither party has been totally united within itself either for or against Europe. Although there were some powerful anti-Europeans such as Enoch Powell, however, the Conservatives have been basically in favour of membership until the 1980s. Even Thatcher described the Conservatives as ‘the party of Europe’ to begin with (George and Sowemino 1996, p246). On the other hand, the Labour Party has changed its approach a couple of times. Since the late 1980s, their

<sup>10</sup> ECHR (the European Convention on Human Rights) is not a matter for the EU.

attitude has switched with that of the Conservatives. Those changes could be due to ideological reasons and political tactics.

Ideologically, the Conservatives have for a long time taken a liberal stance and pursued the free market. Therefore, when the Community sought to create the single market, this objective suited the party. The Labour Party saw the Community as a 'capitalist club' and feared that through free market policies it might lead to higher unemployment in the UK – this attitude comes from the basic stance of the Labour Party as social democrats (Julie Smith 2005, p705).

Pilkington observes that the turning point for Britain was 1988 when Jacques Delors, the president of the Commission, visited Britain and laid out his thinking on a social charter for Europe. Labour's change from an anti-European to a pro-European stance is therefore due to a change in the nature of the European Union. When the community was seen as promoting improved social and environmental standards, it became natural for Labour to support it (Pilkington 2001, pp183-184). But for the Conservatives, the creation of a free market by the SEA had fulfilled the extent of their objectives for European integration.

Secondly, the change of attitude could be seen as due to political strategy. Baker and Seawright point out that Wilson's famous 'zigzags' on Europe (no in 1962, qualified yes in 1966, no in 1971, yes in 1975) were largely motivated by whether the party was in or out of power at the time (Baker and Seawright 1998, p58). Further, after its worst ever election defeats in 1983 when the Labour Party campaigned for withdrawal from the

EEC, many of the policies in that manifesto were deemed unpopular and progressively withdrawn. Outright opposition to Europe was one of these, and Neil Kinnock, new leader of the Labour Party, gradually moved the party to a more positive position on the EC (Jones 2007, p135).

Hence, focussing on each party separately, taking whether they take power or not into consideration, can clarify the competitive debates in Parliament and may allow us to find the substance of discourse change.

### **Division within each party: Scepticism and Europeanisation**

Gamble highlights the factors that tend to be associated with splits in parties generally. They are the prospect of electoral defeat, ideological marginalization, and a lengthy exclusion from office. He argues that European integration can be included as well. It divides parties because it fuses together issues of sovereignty and identity with political economy in a novel and powerful way (Gamble 1998, p12). Jones argues, as a result, that the Conservative Party has not been united over Europe but that there are probably more divisions on the issue of Europe within the Labour Party (Jones 2007, pp130-134). We will now investigate the points of division in each party.

#### *The Conservative Party*

For the Conservatives, the defence of national sovereignty is a central theme (Lynch 1997, p80; Ludlam 1998, p41). However, each Conservative MP has a different idea on

sovereignty. Ludlam divides them into two camps: 'absolutists' and 'poolers'. Absolutists focus on the legislative supremacy of the Westminster Parliament. Ludlam introduces the comment of Michael Spicer MP as one of absolutists arguing against further integration through the Maastricht Treaty: 'the fact is that the irrevocable powers have not yet been transferred, and sovereignty is an absolute: you either have sovereignty or you do not' (Ludlam 1998, p42). This idea would correspond to theoretical sovereignty in the previous section. On the other hand, the poolers tend to judge sovereignty by its usefulness as a policy resource to be bargained with in international policy arenas, especially in the pursuit of national security and prosperity. In the same way as pooling sovereignty in NATO is said to have enhanced Britain's military security, sharing sovereignty in the EU is said to enhance the prosperity of British industry and commerce. As I have noted in the beginning of the previous section, Ludman introduces the comment of Geoffrey Howe that 'sovereignty is not some pre-defined absolute, but a flexible, adaptable, organic notion that evolves and adjusts with circumstances ... sovereignty might be summarised as a nation's practical capacity to maximise its influence in the world' (*Ibid*, pp42-43). This would correspond to real sovereignty as defined above.

Lynch also divides two more superficial but more firm groups within the Conservatives: Euro-sceptics and Euro-enthusiasts. He observes that the state, constitutional and popular dimensions of sovereignty are all evident in Conservative Euro-sceptic thought but criticizes them in that their thought offers only a narrow

perspective on the concept and on the impact of European integration on the nation-state (Lynch 1997, pp81-82). Consequently, as this division is more visible than that over sovereignty, Lynch argues that, when it has formed governments, the defence of sovereignty has not been an absolute in Conservative European policy; rather it has been a matter of degree. He illustrates that the Thatcher and Major Government resisted the erosion of 'essential' national sovereignty, but in other respects treated sovereignty as negotiable (*Ibid*, p83). The term 'essential' sovereignty here seems to have been used to mediate the party discord.

Ludman and Lynch divide the Conservatives into two groups, whereas Martin Kettle distinguishes four groups for a period of Major's leadership and Alistair Jones identified six different groups under Hague's leadership. Kettle's groupings are: Euroenthusiasts, Europhobes, Eurosceptics, and Europrogressives or Europositives. The difference between Europhobes and Eurosceptics is, according to his examination, whether Britain should withdraw from the EU. He finds that few scholars discuss the fourth group, Europositives, despite the fact that these count as the majority of the party. They are people who 'are basically in favour of the Euro-project but who don't want to endorse change indiscriminately' (Pilkington 2001, p188). Jones's groupings are: Anti-marketeers, Gaullists, Tory modernisers, Free market neo-liberals, Federalists, and Common-sense Europeans. These groupings are very useful to understand each individual stand for Europe but they do not necessarily involve distinct stands on the concept of sovereignty.

### *The Labour Party*

The Labour Party split in 1981. Michael Foot was elected Labour Party leader, and one of the key platforms under his leadership was withdrawal from the EEC. Those who supported continuing EEC membership felt so strongly that, for this and other reasons, they left the party and set up a new political party: the Social Democratic Party (SDP) that later merged with the Liberal Party and created the Liberal Democrats in 1988 (Jones 2007, p135). However, this did not provide unity over the European issue. As noted above, there was a gradual change towards a positive stance within the Labour party from 1983 onwards. This led to, for example, the ostracising and resignation of Bryan Gould who refused to agree with his party leadership and support the Treaty of European Union. According to Jones, for the vast majority of the Labour Party MPs, there is a tendency to toe the party line. They follow the party leader. MPs of all parties can, and do, change their opinions on issues whether through pressure from the party whips or through personal experience. Both Kinnock and Blair were once opposed to EC membership, but then became ardent supporters (Jones 2007, pp136-137).

It is possible to track the changing views of MPs on the issue of sovereignty. Until the mid-1980s, according to Philip Daniels, the retention of national economic sovereignty was the principal factor in opposition to British membership for the anti-European left of the party. On the right of the party, a small anti-European element opposed membership largely on the grounds that it would undermine parliamentary sovereignty (Daniels 1998, p74). In the 1990s, Baker and Seawright observed that the sovereignty dimension



seemed to cross-cut the old right-left ideological positions. They argued that, whatever the underlying ideology, if anything, sovereignty seems more important to the mindset of Labour MPs than is traditionally believed and, as a result, that there is scope for a revision of traditional typologies (Baker and Seawright 1998, p85). This means that both the left and the right of the party include both sceptics and enthusiasts.

In order to understand these arguments and cleavages within the Labour Party, it is necessary to examine whether and how the party has Europeanised (Daniels 1998; Featherstone 1999; Heffernan 2002). Daniels argues that Labour's 'Europeanisation' has been a gradual transition, shaped by the interplay of domestic political developments, changes in party and trade union thinking, and the dynamics of Europe's economic and political integration. The point to notice is that, according to Daniels, the issue of national sovereignty, which was at the heart of Labour's traditional hostility to the European project and is the basis for Conservative divisions over Europe, has become a much less salient issue for the Labour Party in the 1990s (Daniels 1998, p91). It suggests that a certain perception of sovereignty has been accepted within the party. A survey of Labour MPs in the 1992-97 parliament indicated that a majority accepted that British sovereignty could be pooled (Daniels 1998, p89; Featherstone 1999, p7).

Therefore, it would be worthwhile to examine the discourse on sovereignty by comparing not only a current confrontation between sceptics and enthusiasts but also the difference in the party position between the early 1980s and now.

Heffernan argues that the Europeanisation of Whitehall has had significant impacts on the European agendas of British political parties and serves to structure the policy agenda of incoming governments, be they Labour or Conservative (Heffernan 2002, p186). It is quite obvious that Europeanisation would be a key factor of the changes in discourses around sovereignty.

We have seen the existence of confrontation in each party so far. Some MPs clearly declare whether they are for or against European integration. However, it is difficult to find all MPs' stands over Europe. In order to make the examination of their discourse under the situation of confrontation within parties easier, it is reasonable to divide between those who were in favour of a bill and who were against a bill at each debate.

## **Summary**

This chapter has argued that European integration has very much affected British politics. The sections of this chapter have viewed European challenge to sovereignty from the perspective of theory, law, constitution and politics. As a result, the first section showed that sovereignty can be theoretically changed and EU law has already affected the sovereignty of member states. However, there left some unsolved questions on sovereignty between theoretical and practical perspectives and between a viewpoint of the state and the EU. The second section, then, provided the mechanism of discourse change and revealed the actual institutional change in the governmental machinery. The

third section recognised the actual impact on the British constitution. From a legal perspective, sovereignty has changed. However, the argument of sovereignty has never been resolved because there were three argumentative points of sovereignty: *legal*, *theoretical* and *practical*. The fourth section also found that the British political system made the argument of sovereignty complicated through competitive debates between and within parties. These findings suggest that: 1) discourse can be changed under the mechanisms of institutional change by European integration; 2) discourse can be changed or varied depending on how MPs recognise and claim their point of argument over sovereignty; 3) discourse change can be brought by competitive discussion of European matters in the UK such as between government and opposition, the Conservative Party and the Labour Party, or those who are for a bill and those who are against a bill.

The main argument of this dissertation, of course, relates to British elites' discourse on sovereignty. The question posed by this dissertation is whether the British elites' discourse on sovereignty has changed or not. And, further, if it has changed, how has it changed? For my empirical work, therefore, I hypothesise that British governmental and some non-governmental elites have applied a more 'real' or *practical* view of sovereignty, which may need to adjust to the fact of the accession to the Community and the recognition of the legal impact of European integration through the mechanisms of adaptational pressure and interactions, to their discourse. I expect then that competitive debates between and within parties have brought about discourse change on sovereignty,

including the way of argumentative persuasion, over time. However, it is still unclear as to how we can measure this process. To make this clearer, I will explain in the next chapter how this hypothesis is to be examined.

## **4 Discourse analysis: how discourses construct meanings**

Chapters 1-3 deliberate and examine the context and the mechanism of discourse change on sovereignty. We now move to an empirical study of discourse change. Therefore, this chapter gives the methodological context for using case studies that analyse the British discourse change on sovereignty since the accession to the EC. First, I briefly explain what discourse analysis is and why I use this type of analysis for my study. Second, I show how discourse analysis is applied to this study and how it is carried out in my case studies. Third, I explain how the demarcation of discourse analysis will be established and reflect on the limitations of my research design. And fourth, I introduce three analytical approaches for my case studies: Word usage analysis, Definition analysis, and Interpretation analysis.

### **4.1 Discourse analysis**

This section explains what discourse analysis is and why this study uses it. Before referring to ‘discourse analysis’ as a methodology, I need to clarify what the term ‘discourse’ means. Phillips and Hardy define a discourse as an interrelated set of texts, and the practices of their production, dissemination, and reception, that brings an object into being. They also state that texts are not meaningful individually (Phillips and Hardy 2002, pp3-4). Widdowson states as follows:

People produce texts to get a message across, to express ideas and beliefs, to explain something, to get other people to do certain things or to think in a certain way, and so on. We can refer to this complex of communicative purposes as the discourse that underlies the text and motivates its production in the first place (Widdowson 2007, p6).

Discourse is, therefore, something which is produced or constructed by human activity. Burnham et al. assert that there is widespread agreement that discourses are systems of signification that reality is socially constructed by people, who give meaning and significance to objects in the material world (Burnham et al. 2008, p250). The term discourse already contains the theoretical framework of constructivism<sup>11</sup> in which the structure of the world is seen as social rather than material. Phillips and Hardy also argue that, without discourse, there is no social reality, and without understanding discourse, we cannot understand our reality, our experiences, or ourselves (Phillips and Hardy 2002, p2).

What kind of approach is discourse analysis? Many scholars agree that there is no fixed way of carrying out discourse analysis. Gill affirms that, strictly speaking, there is no single 'discourse analysis', but many different styles of analysis that all lay claim to the name. According to her study, there are at least 57 varieties of discourse analysis (Gill

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<sup>11</sup> The term 'discourse' is widely used in various studies such as linguistics, sociology, psychology, and so on. In this study, the meaning of discourse mainly contains a perspective of constructivism in the theory of international relations.

2000, pp172-173). Burnham et al. also argue that the growth of interest in discourse analysis has not led to agreement on how studies using this approach should be carried out. Rather there are a number of assumptions and guidelines that underlie discourse analysis (Burnham et al. 2008, p255). For that reason, many scholars are sceptical of discourse analysis as there are no firm guidelines about how such research should be carried out. Burnham et al. explain that discourse analysis leaves considerable discretion to the researcher who is responsible for ensuring that the analysis is rigorous, systematic and convincing, that an appropriate selection of texts has been chosen for analysis, and that significant research questions have been addressed (*Ibid*, p248).

Gill observes that despite various types of discourse analysis these different perspectives do share a rejection of the realist notion that language is simply a neutral means of reflecting or describing the world, and a conviction in the central importance of discourse in constructing social life (Gill 2000, p172). Potter and Wetherell argue that the principal tenet of discourse analysis is that its function involves the construction of versions, and is demonstrated by language variation (Potter and Wetherell 1987, p33). To put it in another way, discourse analysis is a qualitative methodology that focusses attention on the role that language and communications have in shaping the social world (Burnham et al. 2008, p248). Discourse analysts pursue how speech and words are used, and how accounts are associated with power (Sarantakos 2005, p310). Gee indicates that what is important is that the discourse analyst looks for patterns and links within and

across utterances in order to form hypotheses about how meaning is being constructed and organized (Gee 2005, p118).

What then, is the difference between discourse analysis and other types of analyses? Johnstone argues that what distinguishes discourse analysis from other sorts of study that bear on human language and communication lies not in the questions discourse analysts ask but in the ways they try to answer them: by analysing discourse – that is, by examining aspects of the structure and function of language in use (Johnstone 2002, p4). Phillips and Hardy reveal a distinguished feature of discourse analysis as a qualitative methodology. They describe as follows:

Whereas other qualitative methodologies work to understand or interpret social reality as it exists, discourse analysis endeavors to uncover the way in which it is produced. This is the most important contribution of discourse analysis: It examines how language constructs phenomena, not how it reflects and reveals it. In other words, discourse analysis views discourse as constitutive of social world—not a route to it—and assumes that the world cannot be known separately from discourse (Phillips and Hardy 2002, p6).

Thus far, I have shown how the concept of sovereignty has been produced and reconstructed. This study, then, carries out an analysis of how European integration affects discourse of British parliamentary debates, and examines whether those



discourses have produced a different view on sovereignty. Burnham et al. describe discourse analysis in terms of politics as follows:

Discourse analysis illuminates the dominant ideas and identifies those who legitimate these ideas. In policy arenas the most influential spokesmen are likely to be politicians, leaders of pressure groups and expert journalists and academics. It is thus relatively straightforward for researchers to obtain a representative selection of texts on a particular policy area for investigation and analysis. ... Dominant discourses that are widely accepted that they are considered to be common sense may still be challenged and even undermined over time, so that they are replaced by new discourses articulated by new elites (Burnham et al. 2008, pp257-258).

The dominant idea or dominant discourse that Burnham et al. illustrate can be recognised as the existing concept of sovereignty in this study. Thus, this study actually examines whether dominant discourses are replaced by new discourse articulated by new elites, specifically MPs in this study.

## **4.2 Doing discourse analysis**

This section shows how I apply discourse analysis to this study. The previous section revealed that there is no one way of conducting discourse analysis. This observation is somewhat troublesome. How then, should I proceed with discourse analysis? Phillips and Hardy argue that our interest in the relation between discourse and social reality

requires us to study individual texts for clues to the nature of the discourse because we can never find discourses in their entirety (Phillips and Hardy 2002, p5). Therefore, the basis of analysis will be to find clues to understand discourse from individual texts. Potter and Wetherell introduce ten stages in the analysis of discourse (Potter and Wetherell 1987, pp160-175) and other scholars have also followed these stages (Sarantakos, 2005; Gill, 2000). This study also follows them, omitting non-relevant stages such as interviews and components already discussed in previous chapters. Below I highlight the stages that are of relevance to the discourse analysis here, focussing on the following topics:

- 1) sample selection, 2) collection of records and documents, 3) transcription, 4) coding, 5) analysis.

### *Sample selection*

The crucial determinant of sample size must be the specific research question (Potter and Wetherell 1987, p161). As I have argued in the introduction, the sample of this study will be the British elite discourse in relation to European integration. How big the sample should be or where to gain the sample from is complex. Potter and Wetherell argue that, because one is interested in language use rather than the people generating the language and because a large number of linguistic patterns are likely to emerge from a few people, small samples or a few interviews are generally quite adequate for investigating an interesting and practically important range of phenomena (*Ibid*, p161). They also

mention that, in many cases, practice will be governed by what is available and that generally there is no 'natural' boundary line to be drawn in these cases (*Ibid*, p162).

In order to narrow down the sample size, I define British elite as members of the House of Commons because, firstly, formal discussion on sovereignty can be found in parliament where all debates have been recorded and, secondly, the House of Commons has legislative power. Consequently, I chose to examine crucial debates in the House of Commons that relate to European matters:<sup>12</sup>

- 1) Debates which responded to the White Paper of July 1971 in which the government announced the intention of entering the EC (October 1971)
- 2) Debates on the European Community Bill 1972 which are readings of the Bill for the accession to the EC (February - July 1972)
- 3) Debates on the continued membership which are called toward a referendum on membership (January - April 1975)
- 4) Debates on the SEA which are readings of the European Communities (Amendment) Bill (June and July 1986)
- 5) Debates on the Treaty of Maastricht which are readings of the European Communities (Amendment) Bill (May 1992 - May 1993)
- 6) Debates on the Treaty of Amsterdam which are readings of the European Communities (Amendment) Bill (November 1997 – January 1998)

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<sup>12</sup> These periods shown in brackets are the time when the term 'sovereignty' can be found on debates. Therefore, it may not correspond with actual debates.

7) Debates on the Treaty of Nice which are readings of the European Union

(Amendment) Bill (July - Oct 2001)

8) Debates on the Treaty of Lisbon which are readings of the European Union

(Amendment) Bill (January - March 2008)

There are other debates about European matters as well. For example, there are debates on the single currency, debates on the ECHR, and so on. As a condition for the sample of analysis, only those debates related to the EC/EU matters that reach a resolution are chosen because it is possible to classify MPs into those who voted in favour of a bill and who voted against a bill. Hence, I use discourse of MPs on these debates as the sample of this study.

#### *Collection of records and documents*

My primary data source is Hansard where parliamentary debates are recorded. I also utilise MPs' comments in newspaper articles during the same periods of the selected parliamentary debates.<sup>13</sup> Potter and Wetherell indicate some of the merits of using Hansard records for discourse analysis. They consider that this data source not only has the advantage of recording MPs and ministers constructing their own versions of the social world and understanding opponents, but is an ideologically powerful form of spoken material which comes ready transcribed, saving considerable work (*Ibid*, p163).

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<sup>13</sup> I do not use any editorial comments.

Hansard documents after the mid-1980s can be accessed by the internet. However, Hansard documents before the mid-1980s cannot be accessed through the internet. They are available only in hardcopy and are stocked in major libraries. Practically, newspapers contain various relevant articles. Therefore, two newspapers are chosen which are accessible by the internet throughout all periods and these are national papers with differing ideologies. They are *The Times* and *The Guardian*.

### *Transcription*

As mentioned in the *Collection of records and documents* section, Hansard records and the newspaper articles are already transcribed. In order to proceed to the next step, Hansards before the mid-1980s need to be photocopied and re-transcribed manually. Other data can be copied and pasted from the website to word processor documents. Potter and Wetherell argue, however, that the idea that transcription is 'simply putting the words down on paper' is very far from reality. Transcription is a constructive and conventional activity (*Ibid*, p165). They also affirm that it is important to think very carefully about what information is required from the transcript, and at what level the analysis will proceed (*Ibid*, p166).

### *Coding*

Potter and Wetherell argue that the goal of coding is not to find results but to squeeze an unwieldy body of discourse into manageable chunks (*Ibid*, p167). The first step of

coding for this study is, therefore, to search and find the term ‘sovereignty’ in those debates. In the Hansard records since the mid-1980s and the newspaper articles this can be done by applying the word ‘sovereignty’ to the search function on the websites or the transcribed versions. However, I also needed to find the term manually in Hansard records of the 1970s. It would be an extraordinary piece of work to transcribe all the pages of European matters in order to find the word sovereignty. Therefore, I tried to find the word ‘sovereignty’ in the hard copies of the Hansard records, and then transcribed them. Although the main target is a sentence of speech that includes the term ‘sovereignty’, other sentences may be included to understand speakers’ significance.

Once I had found all the pieces of text that included the word ‘sovereignty’, firstly, the type of speaker, including which political parties they belong to, was coded. Then, if they were in the ruling party, were they a cabinet minister or a backbencher? Further, had the speaker declared a stand at the resolution of each legislative procedure?

Second, I omitted all sentences that were repetitions of other speakers and views of a third party. It is important to focus on those sentences that are expressed from the speakers’ own perspective.

Thirdly, I coded those words which explain and qualify the word ‘sovereignty’ in each sentence.

In addition to these works, those sentences written about the speaker’s definition of sovereignty and the speaker’s interpretation of sovereignty in relation to European integration were extracted. This is discussed in section 4.3.

## *Analysis*

Analysis is made up principally of two closely related phases. First, there is the search for patterns in the data. Patterns will be in the form of both variability: *differences* in either the content or form of accounts, and consistency: the identification of features *shared* by accounts. Second, there is the concern with function and consequence. The basic theoretical thrust of discourse analysis is the argument that people's talk fulfils many functions and has varying effects. The second phase of analysis consists of forming hypotheses about these functions and effects and searching for the linguistic evidence (*Ibid*, p168).

In order to search for patterns in the data, the samples of debates are divided into three periods (1971-1975, 1985-1993, and 1997-2009). The first period is the period of debates on accession and membership. The second is the period of debates on the SEA and the Treaty of Maastricht under the Conservative government. The third is the period of debates under the Labour government. Each period then will be analysed in separate chapters. In each chapter, three approaches will be used to conduct the analysis: Word usage analysis, Definition analysis, and Interpretation analysis. I will explain how the demarcation of discourse analysis is defined and how these three approaches are applied to my analysis in the next two sections.

### 4.3 Systematic reflection

This section explains the measurement of the empirical data for the discourse analysis. Up to Chapter 3, the study has tried to show that discourse on sovereignty can be changed in theory and that European integration can be a factor in the change of British elites' discourse on sovereignty. However, these were discussed as general theoretical constructs. We have talked about sovereignty in general and British elite vaguely. The empirical study must include measurable concepts. Thus it is necessary to further clarify how the measurement was defined for this empirical study. Although the previous section introduced some demarcations of the analysis by presenting the work of Potter and Wetherell and briefly discussing whose discourse and which discourse were to be analysed, this section further explains how and why those demarcations of the analysis were defined.

#### *MPs*

The research question of this study is whether British elites' discourse on sovereignty has changed as European integration has proceeded. Who are British elites, though? 'British elites' refers to a wider population of politicians, bureaucrats, journalists, scholars, etc. The aim of this study is to find discourse change in the actual debates of elites. Those actual debates can be seen between politicians, between politicians and journalists, between scholars, and so on. It is difficult to investigate all elite debates systematically, due to time constraints. It is also problematical to investigate elite debates sporadically



such as analysing a couple of debates on different agendas by different people. The analysis should investigate successive debates over time on a specific agenda such as the EU matter through a specific group of elites. Where I can find such successive debates of a specific group is in parliament. The British Parliament consists of the House of Commons and the House of Lords and both houses have had much debate on the issue of European integration. Ideally, I would analyse debate in both Houses, however, the amount of data would be unwieldy. The work of description and coding take an enormous amount of time. Unfortunately, the time for the research is limited. In order to conduct the analysis within the time constraints allowed, I narrow down the sample size and focus on members of the House of Commons. As I mentioned, since the House of Commons has legislative power, it will be reasonable to analyse the debates in the House of Commons rather than the House of Lords if we must select one over the other. Accordingly, MPs both influence and are influenced by wider debates resulting from democratic accountability in British politics and have had successive debates over the European matter. Other elites such as journalists also influence and are influenced but it is difficult to find successive debates representing the wider public over time by them. Thus MPs seem to be the most appropriate people for the analysis of discourse change.

#### *Group division*

Many MPs have not made their statements repeatedly. Some of them took the floor over a couple of debates over time but none of them did so for the whole period

beginning with the accession to the EC. This means that it is hard to analyse their discourses individually over time. However, there are some specific groups which have existed for the whole period. By dividing into such groups, discourse change of each group can be observed throughout the period. And also, it will be possible to clearly point up what the differences are between these groups. Therefore, a comparison can be possible between groups as well.

As I argued in the previous chapter, firstly, governmental elites might have been influenced by those machineries and bureaucrats which have already Europeanised. Under this circumstance, discourse of cabinet members might have also contained the perspective of the Europeanisation impact. Accordingly, the statements of MPs who are part of the government will be viewed as one group for the analysis. I will try to determine how discourse of this group has changed over time and what is different about this group's discourse compared to other groups. As is characteristic of British political culture, secondly, it is possible to view a confrontational style between parties. In the period between the accession to the EC and the Treaty of Lisbon, the Conservative Party and the Labour Party were either the Government party or the largest opposition party. Thus it is reasonable to take these two parties as analytical groups as well. And thirdly, in terms of the confrontation style in relation to European integration, the dissertation analyses the division between those MPs who were in favour of a bill and who were against a bill on the European matters to see what kind of discourse these groups use, and whether this changes over time. In this case, all MPs can be included, not just those from

the Conservative or Labour Parties. Consequently, classified groups for this analysis are Government, the Conservative Party, the Labour Party, the Favour group who voted for a bill and the Against group who voted against a bill. I understand that there are other ways MPs could be classified. For example, it is possible to divide MPs by the area of an election district such as between rural and urban areas, by the number of terms MPs have served such as between one term and several terms of serving, and so on. However, taking the potential impact of European integration on discourse into account, it is reasonable to investigate these five groups for this analysis.

### *Sources*

As we have defined who this study analyses and how they are classified, it is necessary to clarify from where their statements can be obtained. Statements of MPs are recorded in parliamentary debates, interviews or debates organised by the media, literature like memoirs, their own websites, etc. The aim of this study is to find discourse change in the actual debates on EU issues. Therefore, scattered individual statements should be excluded because this study needs to compare discourse over time and under the same conditions. In this perspective, the parliamentary debates should be included and these debates are recoded in Hansard. Focussing on just the Hansard records may be enough for this study as they provide records of the actual debates between members of Parliament on the EU. However, it could be useful to confirm whether the debates outside of parliament are similar to the parliamentary debates. And also, statements by

those MPs who did not make a statement in parliamentary debates can be found outside of the Hansard records. Thus this study seeks other sources for the analysis. Debates on TV or radio seem to be conceivable as potential sources of debates between MPs, but there is a difficulty of transcription of these debates. The transcription and coding work of these media demands an enormous amount of time, and could be a separate dissertation topic. This study thus must omit them because of the time limit. However, written media like newspapers and magazines can be included because these are generally already available electronically and so there is no need to transcribe the materials. Of course, there are still large amounts of newspaper stories in which MPs discuss the EU. Again, as the time is limited, I must narrow down the volume that this study will handle. Firstly, the newspaper stories to be used must be obtained through the newspaper websites for the whole period of the dissertation's investigation. Secondly, as the focus is British elites' discourse, national rather than local editions would be appropriate. And thirdly, as MPs are divided into groups by focussing on the confrontational style of British politics, the analysis of the media should also take into account such a perspective. Hence, two national newspapers, with very different ideologies, can be selected: *The Times* and *The Guardian*.

Once selecting the newspapers to be analysed, there is next a problem of what data in these newspapers I should include in my analysis. Newspapers' articles are wide-ranging; some of them are interviews, some of them are comments by editors, and some of them are letters from readers. Although the word sovereignty on the European

matters can be found in all of these types of articles, this study will limit the analysis to the statements of MPs. Therefore, anything which is clearly identified as the statement of an MP such as an interview or letter should be regarded as data to be used in this analysis. Further, in order to compare the newspaper results to parliamentary debates, the timeframe of the analysis must be similar. Therefore, the period within each debate of eight debates in four decades is the length of sample collection. The details of why I focus on eight debates and four decades will be explained in the next two parts of this section.

### *Eight debates*

As mentioned in the discussion of the *sample collection* of the previous section, this study analyse these eight debates: 1) Debates which responded to the White Paper of July 1971 in which the government announced the intention of entering the EC, 2) Debates on the European Community Bill 1972 which are readings of the Bill for the accession to the EC, 3) Debates on the continued membership which are called toward a referendum on membership, 4) Debates on the SEA which are readings of the European Communities (Amendment) Bill, 5) Debates on the Treaty of Maastricht which are readings of the European Communities (Amendment) Bill, 6) Debates on the Treaty of Amsterdam which are readings of the European Communities (Amendment) Bill, 7) Debates on the Treaty of Nice which are readings of the European Union (Amendment)

Bill, and 8) Debates on the Treaty of Lisbon which are readings of the European Union (Amendment) Bill.

The reason I have narrowed down the extent of data analysed by limiting the analysis to these debates is because even if we just focussed on the European matter in Hansard records, the amount of data would still be large to handle within the timespan allowed for a PhD dissertation. Firstly, again, the focus of this study is on the actual debates, thus non debates data such as Oral or Written Answers recorded in Hansard will be excluded for the analysis. Secondly, in order to be classified between the Favour group who voted for a bill and the Against group who voted against a bill, it is necessary to view the process of those bills which have been adopted and would have required the UK to change some institutions as a member state of the EU, except for the first debate in 1971 that was not the legislative procedure. The reason why this study includes the debate of 1971, which was 'Debates which responded to the White Paper of July 1971 in which the government announced the intention of entering the EC' as written in the beginning of this part, is because this debate was the starting point for the UK's accession to the EC. Thus, those debates that have not involved passing a bill; that were not about EU matters; or that were before the actual joining process into the EC will be excluded. Consequently, the eight above-mentioned debates have been left for the analysis. In each debate, then, the second and the third readings, which are debates on the bill (except for the first debate in 1971 that had held a reading once) are the data used for the analysis. The analysis of

newspapers also limits the data analysed to the same period of each debate so that the results of the newspaper analysis can be compared to the parliamentary debates.

### *The definition of the period*

This study focusses on the period between year 1971 and 2009. After year 2009 which is the Cameron administration and the coalition government of the Conservative Party and the Liberal Democrats, there is no ratification process for a new treaty of the EU and the administration is on-going at the time of writing this dissertation. Thus it is difficult to evaluate post-2009 developments. Before the year 1971, especially in 1960s, there were debates over the European matter because Britain applied to join the EEC twice in 1961 and in 1967. However, this study has excluded these time periods because their debates did not actually result in gaining membership. That is, it is difficult to compare to other periods when Britain had already become a member of the EC/EU although debates in 1971 and 1972 were before the status of membership. In this perspective, these debates of 1971 and 1972 could be compared to those debates in 1961 and 1967 as debates on the application for membership. Having said that, as this study examines the impact of European integration on discourse of MPs, it is reasonable to start the investigation from the debate on the actual accession to the EC. Thus the focus here is on the period between year 1971 and 2009.

The study then divides this almost-40 year period into three time periods. Eight debates were held in 1) 1971, 2) 1972, 3) 1975, 4) 1986, 5) 1992-1993, 6) 1997-1998, 7)

2001, and 8) 2008<sup>14</sup>. Although it may be possible to compare these eight debates individually, the process and the subject of comparison would be complicated. For example, how should we compare 1971 to the other seven debates? Do we need to compare them one by one? There would be too many comparisons of debates and, as a result, the focus point of analysis would be vague. Accordingly, some of these debates need to be combined. Debates of 1986 and 1992-1993 were under the Conservative government and debates of 1997-1998, 2001 and 2008 were under the Labour government. Thus it is reasonable to view each government period as one period for the analysis. The problem is how I should treat the three debates in the 1970s because the first two debates were under the Conservative government and the last debate was under the Labour government. If the study defined the period of the analysis as just the government period, it would be possible to divide into four time periods in total. However, as far as the length of the period is concerned, these four periods are too unequal for the analysis such as only a one-year period of 1975 and thirteen-year period of 1997-2009. Taking this perspective into account and because the content of debate throughout 1970s can be seen as membership debates in comparison with debates of 1980s – 2000s, which were the ratification debates for the revision of the EC/EU treaties, I define the three debates in 1970s as one period time for the analysis. The comparison

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<sup>14</sup> Although the actual readings for the ratification of the Treaty of Lisbon were held in 2008, the Treaty of Lisbon itself entered into force in 2009. Therefore, the general framework for the period of the analysis is between 1971 and 2009.



between the Conservative government of 1971 and 1972 and the Labour government of 1975 can also be conducted within the analysis of one period.

Consequently, this study compares three time periods: 1) 1971-1975, 2) 1985-1993, and 3) 1997-2009. Each period then will be analysed in separate chapters. The difference of each debate within each period will also be compared. Therefore, the analysis can be conducted both within each period and through over-time periods.

This section clarified the demarcation of the data to be used for the discourse analysis. Concepts must be measurable and, at the same time, the empirical analysis requires some limitations, as it is not possible to analyse all elite discourse on sovereignty. Discourse change on sovereignty can be analysed in various ways even though I limit it to British elites, and particularly to British MPs. Thus discourse analysis from Chapter 5 onward requires further limitation of the extent of data to make clear the scope of the analysis. That is why this study applies those conditions above. The Conclusion to the dissertation reflects on the potential limitations of the analysis that result from the data selection choices outlined in this section. The next section outlines more precisely how the discourse analysis will be conducted.

#### **4.4 Three analytical approaches**

This section describes how I conduct my analysis. Basically, this study analyses how elites have used the word ‘sovereignty’ in their discourse. Therefore, this analysis needs

to focus on the usage of sovereignty, which can be examined from various angles. Three angles for examining the usage could be confirmed: Word usage, which is about how MPs qualify and explain the word sovereignty, Definition usage is about how MPs define sovereignty, and Interpretation usage is about how MPs interpret sovereignty in the process of European integration. The analysis will be carried out by three approaches which are based on these angles.

Before providing detailed explanations of these approaches, however, I clarify some common conditions for this analysis. Firstly, paralanguages such as intonations, accents and pauses are not included in the analysis. Some analysts apply this to their discourse analysis. However, as it is impossible to listen to past debates, I must focus only on written texts of Hansard and newspaper articles. Secondly, the carry-over effect in discussion will be excluded. Other speakers' comments may affect a speakers' discourse but, if they are included, the scope of analysis will be unclear and unwieldy. The analysis thus only focusses on the speaker's discourse. Thirdly, as I have argued in the previous section, all sentences that are repetitions of other speakers and views of a third party will be omitted. It is important to focus on those sentences that are expressions of speakers' own view.

On the basis of these conditions, therefore, I could confirm three common patterns as the approaches of this analysis in the discourses. First, speakers used many differing words to explain and express the word 'sovereignty'. The words used are different depending on the speaker. Second, some speakers tend to explain the definition of

sovereignty in their discourse in order to clarify or to support the reasons for their statements. Third, many speakers tend to refer to their conclusion or prediction of how and whether sovereignty would be affected, once a bill has been passed. The three approaches used here are based on these observed patterns in discourses and are labelled as Word usage analysis, Definition analysis, and Interpretation analysis.

#### *Word usage analysis*

The question I ask here is what kind of word speakers have used when they talk about sovereignty. Why have they used a variety of words to explain or to qualify the word 'sovereignty'? I believe that those words that explain or qualify the word 'sovereignty' are different depending on MPs' political stand and the context of debates. Then, I expect that the usage of those words will change over time. The words used could be a verb, a noun or an adjective, but they can be classified into two categories: one is *the word of exposition* and the other is *the word of possession*. The word of exposition is those words that explain what sovereignty will be or what sovereignty has been by those legislative procedures. And the word of possession is those words that express the possession or location of sovereignty.

In each category, moreover, the words are divided by their meanings. For the word of exposition, which explains what sovereignty will be or has been, they are: Negative, Changed, Unchanged/Defensive and Positive. The detailed list of these words that

appeared in debates is presented as Table A1.1 in Appendix 1. Generally, the meaning captured in each of these is as follows:

*Negative*: sovereignty will go or has gone, or will be or has been limited.

*Changed*: sovereignty will be or has been changed.

*Unchanged/Defensive*: sovereignty will be or has been defended or unaffected.

*Positive*: sovereignty will be or has been shared, strengthened, or will be or has been used for a certain purpose.

Each type can be divided more in detail. For example, in the *Negative* type, some words explain sovereignty has been completely lost, and the other words explain sovereignty has not been lost but has been undermined. Strictly speaking, they are different meanings. Similarly, in the *Unchanged/Defensive* type, those words whereby speakers explain the status of sovereignty as ‘unchanged’ and as ‘defensive’ are different. Also, in the *Positive* type, there are passive meanings and active meanings. In order to make a difference among these types and to find a trend of each group easily, however, I decided to not subdivide minutely. Hence, the *Negative* usage means those words which explain the status of sovereignty negatively as the result of resolutions. The *Changed* usage means those words which explain that the status of sovereignty will change or has changed but do not explain whether it will change or has changed negatively or positively. The *Unchanged/Defensive* usage means those words which explain that the status of sovereignty will not change or has not changed, or will be defended or has been

defended. And, the *Positive* usage means those words which explain the status of sovereignty positively in either a passive way or an active way.

For the word of possession, which expresses the location or possession of sovereignty, those words are: *our, government, Parliament, the House, the people, national, monarch, European* and *restricted* such as legal, economic, etc. The words ‘parliamentary sovereignty’ and ‘national sovereignty’ contain the conceptual meaning itself. In this analysis, however, those grouped words are titles of the location or possession. If ‘parliamentary sovereignty’ and ‘national sovereignty’ were mentioned in discourse, of course, they would be regarded as the location or possession, too. The detailed list of these words that appeared in debates is also presented as Table A1.2 in Appendix 1. Many speakers refer to these words in their discourse. The usage of these words may differ in each position or may have changed over time.

Word usage analysis, both the word of exposition and the word of possession, is conducted by a quantitative approach. I simply count each type of word and view the number in every position: Government, the Conservative Party, the Labour Party, the Favour group (who voted in favour of a bill), and the Against group (who voted against a bill). The data on each debate and on each position will not be the same, so the result of the analysis will be presented in ratio by a pie chart in colour.

### *Definition analysis*

The Oxford dictionary defines sovereignty as follows:

1. complete power to govern a country
2. the state of being a country with freedom to govern itself

*Oxford Advanced Learner's Dictionary of Current English*, sixth edition, Oxford University Press 2000.

As I have argued in Chapter 1, however, there are various definitions in academic debates. Therefore, the purpose of this analysis is to show how the speakers define sovereignty in various ways and to find whether those various definitions have a certain trend in different groups or in different periods. As I introduced three different points of argument over sovereignty in Chapter 3, I expect that Definition analysis can indicate which argument MPs emphasise and can suggest whether their points of argument have changed.

The procedure of analysis is to extract discourses that have made reference to the definition of sovereignty and to classify them into the same way as the Word usage analysis: Government, the Conservative Party, the Labour Party, the Favour group (who voted in favour of a bill), and the Against group (who voted against a bill). The definition of sovereignty can be found in two ways: what sovereignty should be and who or which body should have sovereignty. The analysis then aims to determine and to present the point of the discourse. The analysis of the former definition can be carried out by taking three points of argument into consideration: *legal*, *theoretical* and *practical*. For example, some people view the definition of sovereignty by focussing on a *practical* meaning, and

other people talk about the definition of sovereignty by focussing on a *theoretical* meaning.

*Legal:* the formal, legal right of final decision such as international law, supremacy of EU law

*Theoretical:* The privacy and separation of national decision-making such as independence, freedom and symbolic control

*Practical:* power, leverage, ability to produce results, the practical control of a state or society

Of course, all definitions cannot apply these three perspectives. Those which are not classified into these three perspectives will be also examined and presented as points of the discourse. The latter definition can present simply who or which body has sovereignty. Hence, the definition of sovereignty may differ in each position and may change over time.

### *Interpretation analysis*

This is a more detailed form of analysis than the above two analyses. In Word usage analysis, the focus is only on the ratio of words. In Interpretation analysis, on the other hand, the focus includes how those words are used in discourse. In Definition analysis, the focus is on the definition of sovereignty in general; that is, what view on sovereignty speakers have. In Interpretation analysis, on the other hand, my focus is to find how

speakers have viewed or interpreted what sovereignty will be under the phenomenon of European integration and at each event of progress paying attention to the difference of discourse. At the end of the first section of Chapter 1, I hypothesised that if certain conditions surrounding the state changed, then the meaning of sovereignty would become ambiguous and conclude that, in defining the concept, we only give it different interpretations through the construction of theory. Therefore, the purpose of this analysis is to find those different interpretations through the construction of theory. The procedure is to extract those discourses that have made reference to the interpretation, and then to show whether the different interpretation can be found in different groups, which are the same as the previous two analyses, and in some people who make their statements a couple of times, during each period and over time, and then, if some differences can be found, how has it changed. The analysis is carried out by applying the following theoretical classifications.

By joining in the EC or passing a bill of European matter,

1. *Cession*: Sovereignty will be transferred to the EC/EU, or all or a part of sovereignty will be lost or limited.
2. *Unaffected*: Sovereignty will not be changed.
3. *Utilisation*: Sovereignty will be transferred to or be pooled in the EC/EU in exchange for some advantages.

And also, through membership activities in the EC/EU,



4. *Reinforcement*: Sovereignty will be strengthened, be used or be transformed by way of enhancing its capacity.

These classifications seem to be correlated to the word of exposition in the Word usage analysis. But this time the Negative usage does not always correspond to *cession*. It could be incorporated into *utilisation* too because some people say that the UK will be advantaged by accepting a limitation of sovereignty. The difference between *utilisation* and *reinforcement* is that *utilisation* seeks some advantages in exchange for a part of sovereignty and *reinforcement* views that sovereignty can be strengthened through membership activities. As this *reinforcement* interpretation may suggest that the meaning of sovereignty can be changed, I will pay particular attention to this interpretation. Analytically, it is possible to divide it into a more detailed classification. For example, some people view that the loss of sovereignty is regrettable on the one hand; other people view that the loss of sovereignty is desirable on the other hand. However, here I would like to take these four categories as the basic line for the analysis and investigate details in each section along with this basic line. Hence, most interpretations will be classified into these four groups at first. Some speakers state their interpretations several times during discussion. I regard them as one interpretation of this speaker, when possible. Consequently, the trends and changes of interpretation in those five groups (Government, the Conservative Party, the Labour Party, the group who were in favour and the group who were against) will be examined. As stated above, some people who make their

statements of interpretation over time will be examined to determine whether their interpretations have changed or not.

## **Summary**

This chapter first discussed what discourse analysis is and how I apply it to my analysis, how the demarcation of discourse analysis is established, and then, introduced three analytical approaches to be used in my case studies. In brief, discourse constructs social reality. Hence, discourse analysis is a qualitative methodology that focusses attention on the role that language and communications have in shaping the social world (Burnham et al. 2008, p248). However, we found that there is no fixed way of carrying out discourse analysis. In order to conduct the analysis systematically, I apply the work of Potter and Wetherell and borrowed the key relevant stages of the analysis of discourse from their guidelines: 1) sample selection, 2) collection of records and documents, 3) transcription, 4) coding, 5) analysis. Before I start to analyse discourse change, then, it is important to clarify why only MPs are analysed, why they are divided into five groups, why Hansard and newspapers are used, why eight debates are applied, and why the period of analysis is for 1971-2009 and this period is divided into three time periods for the analysis. These conditions make the analysis feasible and unique.

For the analysis, three analytical approaches will be adopted: Word usage analysis, Definition analysis and Interpretation analysis. Word usage analysis is conducted by a quantitative approach and focusses on what kind of words speakers have used when they

talk about sovereignty. Those words that explain or qualify the word ‘sovereignty’ will be different depending on MPs’ political stand and the context of debates. By dividing those words into specific types: *Negative*, *Changed*, *Unchanged/Defensive* and *Positive*, and by counting the number of those words in each type, it should be possible to detect any trend in usage in MPs’ discourse. The trend may differ between government and opposition, the Conservative Party and the Labour Party, or the Favour group and the Against group. Definition analysis is carried out because there are various definitions of sovereignty in academia. Therefore, the definition can be different depending on MPs. In the previous chapter, I introduced three different points of argument over sovereignty: *legal*, *theoretical* and *practical*. A definition analysis can indicate which argument MPs pay attention and can suggest whether their points of argument have changed. Interpretation analysis focusses on how speakers have viewed or interpreted what sovereignty will be under the phenomenon of European integration and at each event of progress paying attention to the difference of discourse. Therefore, I expect that MPs’ interpretation of sovereignty can come down to four kinds of interpretation: *cession*, *unaffected*, *utilisation* and *reinforcement*, through the mechanisms of adaptational pressure and interactions as to the progress of European integration and through other factors such as competitive debates. By analysing interpretations of sovereignty using this categorisation scheme, it is expected that any differences between government and opposition, the Conservative Party and the Labour Party, or the Favour group and the Against group will be detected.

The main target of these three analyses is a comparison between periods. A comparison analysis will be provided in Chapter 7, once analysis of the period between 1997 and 2009 has been completed. Therefore, in Chapters 5 and 6, analyses are mainly focussed on a single period.

## **5 The accession to the EC and the referendum on membership (1971-1975)**

This chapter outlines the discourse analysis undertaken for the period between 1971 and 1975. Samples of analysis include: 1) debates which responded to the White Paper of July 1971 when the government announced its intention of entering the EC (October 1971), 2) debates on the European Community Bill in 1972, which include the readings of the Bill for the accession to the EC (February – July 1972), and 3) debates on the referendum on membership (April 1975).

The size and extent of the data for each sample is shown as Table A2.1 in Appendix 2. The analysis was carried out by looking at the difference amongst groups and over the time period, and the data are divided into the following groups: government, the Conservative Party, the Labour Party, the Favour group (who voted in favour of a bill), and the Against group (who voted against a bill). And, also, two newspapers within the same period of those three debates are examined: *The Times* and *The Guardian*.

Within the data, as I noted in the previous chapter, all sentences that are repetitions of other speakers and introduce general points of view are excluded. For example, ‘The pro-Marketeers justify their general position by saying that no more loss of sovereignty would be involved when we enter than when we sign any other international agreement’ (Mr James Callaghan, Labour). This is not the speaker’s (Mr Callaghan) viewpoint on sovereignty but him positing the general view of ‘marketeers’.

Using this data, I conducted three forms of discourse analysis over this period, Word usage analysis, Definition analysis and Interpretation analysis.

## 5.1 Word usage analysis

Word usage analysis is conducted using a quantitative approach and focusses on what kind of word, including phrasal verbs, speakers have used in sentences related to sovereignty. I believe that those words that explain or qualify the word ‘sovereignty’ are different depending on MPs’ political stand and the context of debates. Then, I expect that the usage of those words may change over time. Within these sentences, two types of words are frequently recognisable. The first is the word of exposition which explains how sovereignty has been or will be when or if the UK passes those related bills to European matters. The word list of exposition is shown as Table A1.1 in Appendix 1. For example, I quote a few of sentences from the debate in 1971.

1. ‘The value-added tax is a derogation of the sovereignty of this Parliament.’ (Mr Michael Foot, Labour)
2. ‘I accept that British sovereignty will be impaired.’ (Mr Jo Grimond, Liberal)
3. ‘If we go in, sovereignty will be shared because we shall be going into a partnership.’ (Mr Michael Fidler, Conservative)

The word of exposition is *derogation* in No. 1, *be impaired* in No. 2, and *be shared* in No. 3. They can be nouns or verbs within the sentence.

The second recognisable type is the word of possession. Speakers often talk about the possession or location of sovereignty. The word list of possession is shown as Table A1.2 in Appendix 1. In the above examples, *this Parliament* in No. 1 and *British* in No. 2 are the word of possession.

Both types of words do not always appear in the text. And, also, negative phrasings need to be excluded because they could be repetitions of other speakers and could be indistinct with what the speakers' point is. For example, 'If we enter the enlarged Community, we shall gain an accession of sovereignty, not lose sovereignty' (Mr Charles Pannell). In this sentence, I regard the word *gain* as the word of exposition. However, the word *lose* is not appropriate for this analysis because it could be a denial of somebody's comment. This analysis only includes the words that are clearly recognisable as the speaker's viewpoint. This precondition of analysis is applied to Chapters 6 and 7 as well. The final section in Chapter 7 summarises the comparison between these three periods.

#### *5.1.1 The word of exposition*

As illustrated in the list of the word of exposition in the previous chapter, I classified the word of exposition into four types.

*Negative:* sovereignty will go or has gone, or will be or has been limited.

*Changed:* sovereignty will be or has been changed.

*Unchanged/Defensive:* sovereignty will be or has been defended or unaffected.

*Positive*: sovereignty will be or has been strengthened, or will be or has been used for a certain purpose.

Except for the 'Positive type', all the words indicate the result of the accession and the further development of the Community. On the other hand, 'Positive words' indicate not only the result but also the active intent of the government or the state. These four names of headings just symbolise how words are used.

This type of analysis does not pay attention to the meaning or the content of discourse. The purpose of this type of analysis is to find out the number or the ratio of these types of words. In other words, I focus on how often these words have been used. By counting the number of those words in each type, it will be possible to find a difference in usage of MPs' discourse. The analysis is carried out by finding and comparing the difference between groups and periods. The size and extent of the data varies in each debate, and I show this as a ratio with pie charts. In order to see the difference easily, each type of the word usage was coloured differently. Though these colours are not particularly significant, red is for Negative and blue is for Positive, purple is for Changed, and finally, green is for Unchanged/Defensive. Some key pie charts will be shown in the text and all pie charts, including numbers of data points are shown as Figures A2.1 – A2.7 in Appendix 2.



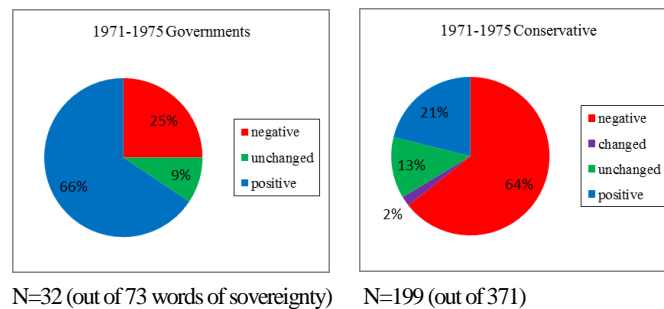
### **Governments (Figure A2.1)**

As Figure A2.1 indicates, members of governments during this period tended to use 'Positive words' when they talked about sovereignty. This is much clearer when we see this in comparison to other groups. Only governments used more than 50% of 'Positive words'. Although this is only one approach of analysis, this result shows that the government took a positive attitude for the accession to the EC and that the discourse had already Europeanised as David Allen argued (Allen 2005, p139). Unfortunately, there is only one observation for 1975. Therefore, it is difficult to compare the Conservative Government (1971 & 1972) and the Labour Government (1975). That is, it is impossible to determine whether the difference between the parties noted in academic literature is supported with the data.

### **The Conservative Party (Figure A2.2)**

Although the percentage of the 'Negative usage' has fluctuated slightly, the 'Positive usage' by the Conservative Party was almost the same percentage throughout this period. In comparison with governments, speakers from the Conservative Party (in 1971 and 1972, backbenchers only) used more 'Negative words' when they talked about sovereignty. From only this perspective, it is possible to infer that the government had been Europeanised, and other MPs had not been Europeanised, as Bulmer and Burch argued (Bulmer and Burch 1998, p607).

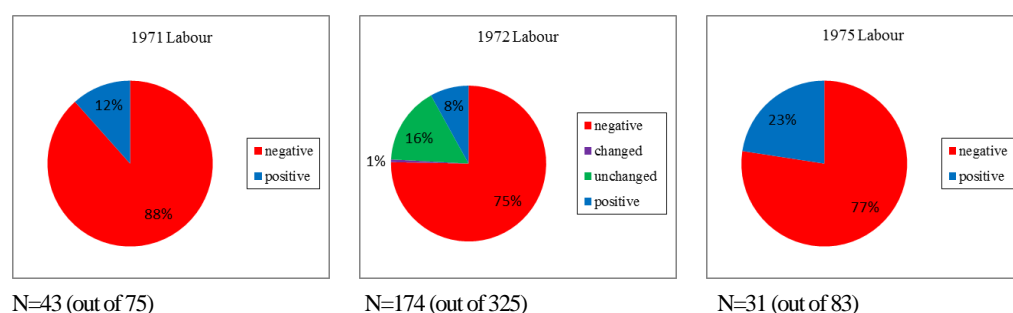
Figure 5.1: A comparison of Governments and with the Conservative party through this period



### The Labour Party (Figure A2.3)

As shown in Figure A2.3, the remarkable trend in the Labour Party is that the percentage of the ‘Negative usage’ is more than three-quarters throughout this period. It is therefore possible to say that speakers of the Labour Party tended to use more ‘Negative words’ than the Conservative Party. In 1975, the ‘Positive usage’ was slightly higher than the other two debates. This may be because the Labour Party was in power. After winning both the 1974 general elections, Harold Wilson suspended collectivity over the issue of Europe (Jones 2007, p135). Thus the result could be influenced by discourse of those people who were for membership in the party under the Wilson Government.

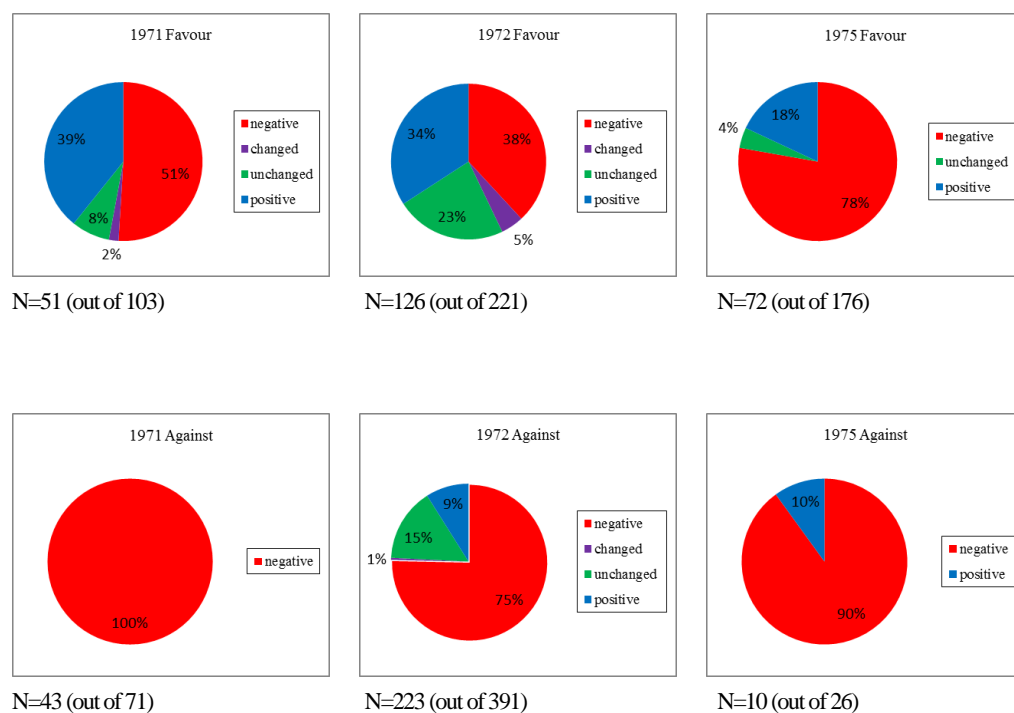
Figure 5.2: The results of the Labour Party in each debate



### Favour & Against (Figures A2.4 & A2.5)

I next compare the group that favoured the bill (Figure A2.4) and the group that was against the bill (Figure A2.5). Not surprisingly, the 'Positive usage' of the Favour group is much higher than the Against group. However, the results are interesting in that the percentage of the 'Positive usage' for the Favour group has gradually decreased throughout this period, whereas the percentage of the 'Positive usage' for the Against group has increased in this period. Another remarkable point is that, in 1972, the 'Unchanged/Defensive usage' of the Favour group was quite high. This is the only case in which the 'Unchanged/Defensive usage' has been more than 20%. Consequently, this is also the only case that the 'Negative usage' is less than 50%, except in government. Paradoxically speaking, the 'Negative usage' of the Favour group in 1971 and 1975 were more than 50%. Therefore, the Favour group in this period tended to use 'Negative words' even though they are in favour of bills.

Figure 5.3: The results of the Favour and the Against group in each debate

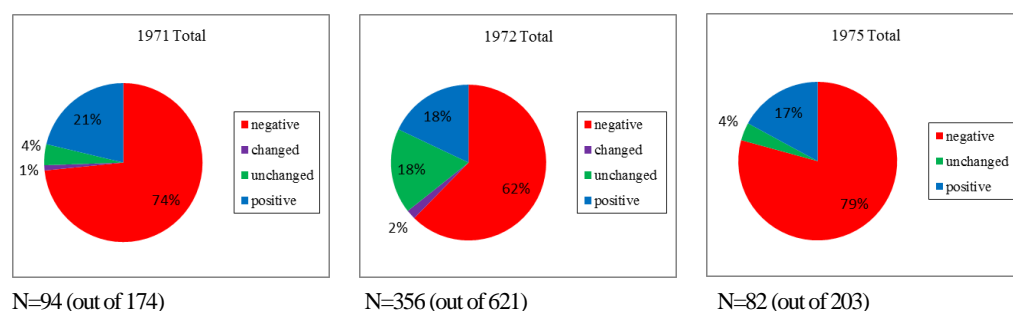


### Totals (Figure A2.6)

A remarkable trend in this period is that the ‘Negative usage’ totalled more than 60%.

The ‘Positive usage’ also gradually decreased year on year. By taking the result of different governments into consideration, a small percentage of the ‘Positive usage’ shows how backbenchers and members of the opposition did not use many ‘Positive words’ in this period.

Figure 5.4: The results of total in each debate

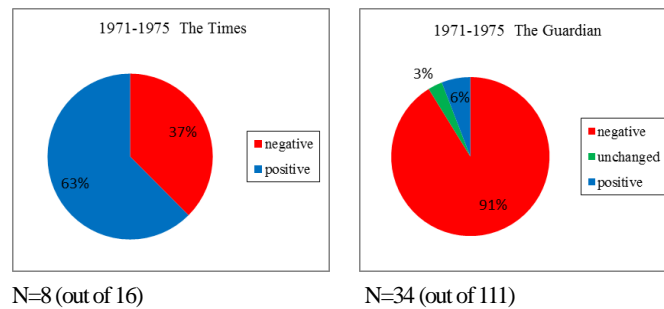


### Newspapers (Figure A2.7)

The available figures show the total for this period (all of the three debates) because the extent of the data in each debate was very limited. Although the extent of the data from *The Times* is not great, as shown in Figure A2.7, the results of these two newspapers are completely different. *The Times* introduces more comments with the ‘Positive usage’, whereas *The Guardian* introduces over 90% of comments with the ‘Negative usage’. From a comparison with Hansard records (Figure A2.6, 1971-1975 Total), it is clear that their results are poles apart. The most similar results with Hansard records are the government group (Figure A2.1, 1971-1975 Governments) for *The Times* and the Against group (Figure A2.5, 1971-1975 Against) for *The Guardian*. Therefore, it is possible to say that *The Times* advocated an approach similar to that of the government and *The Guardian* advocated an approach similar to opposition group who voted against the bills. The difference between *The Times* and *The Guardian* illustrates the split between the government and the opposition. Does this mean that *The Times* would have

already Europeanised too if the government had Europeanised? I will discuss this later when comparing other periods.

Figure 5.5: A comparison of *The Times* and *The Guardian*



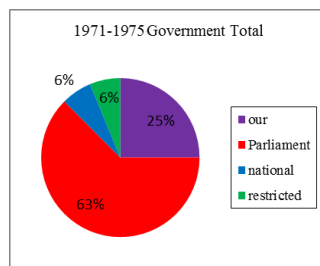
### 5.1.2 The word of possession

As illustrated in the previous chapter, I have classified the word of possession into nine groups: *our*, *government*, *Parliament*, *the House*, *the people*, *national*, *monarch*, *European* and *restricted* such as legal, economic, etc. Speakers did not always mention a word of possession. Therefore, the results reflect what word of possession they are likely to have meant when they talk about sovereignty. Problematic is what the word ‘our’ means as it is ambiguous. The word ‘our’ can be groups such as parliament, the House, the people and national. As this part of the analysis focusses on how often these words have been used rather than why they have been used, I will show the frequency of the pie chart in the same way as the analysis of the word of exposition. Some key pie charts will be shown in the text and all pie charts, including numbers of data points are shown as Figures A2.8 – A2.14 in Appendix 2.

### Governments (Figure A2.8)

Because of the shortage of data in 1971 and 1975 (only one in 1971 and no data in 1975), it is difficult to find trends of governments in each debate. In total, as shown in Figure 5.6, more than 60% of speakers talked about the sovereignty of parliament or parliamentary sovereignty when they referred to the possession of sovereignty. Although other groups (Figures A2.9 – A2.14) are also likely to use this word of possession, only the government is over 60%.

Figure 5.6: Government total



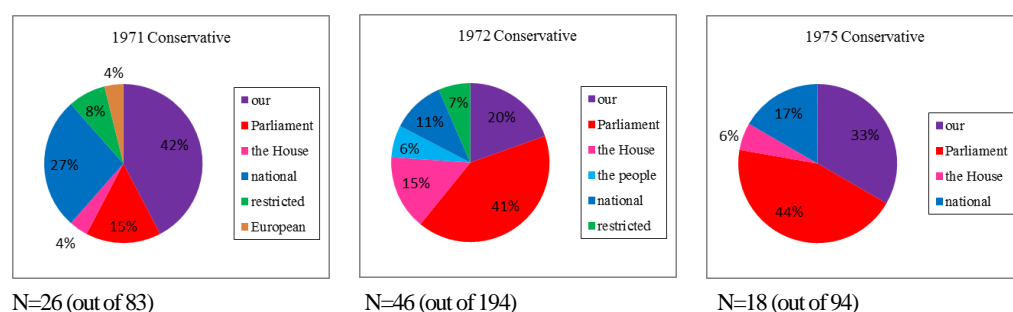
N=16 (out of 73)

### The Conservative Party (Figure A2.9)

The feature of the Conservative Party in this period is that the percentage of use of 'Parliament' gradually increased. In 1971, 'Parliament' was the third greatest percentage usage after 'our' and 'the people'. However, in 1972 and 1975, 'Parliament' was the most frequent, and accounted for more than 40% of words of possession. Unlike the

result of the word of exposition, the difference between government and the Conservative Party, especially in 1972, is not obvious.

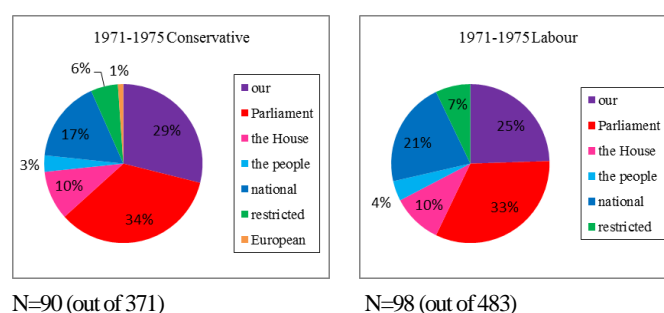
Figure 5.7: The results of the Conservative Party in each debate



### The Labour Party (Figure A2.10)

There are no significant features in relation to the Labour Party. In comparison with the Conservative Party, it is interesting to note that the result in total is quite similar to the Conservative Party. The largest percentage is 'Parliament', the second largest is 'our', the third largest is 'national', the fourth largest is 'the House'.

Figure 5.8: A comparison of the Conservative party and with the Labour Party of this period





## Favour and Against (Figures A2.11 & A2.12)

The majority of those who voted in favour of the bill in 1971 used the ambiguous word ‘our’; on the other hand, those speakers who voted against the bill in 1971 used the term ‘national sovereignty’ much more. In 1972, both groups spoke of the sovereignty of parliament or parliamentary sovereignty. In 1975, it is difficult to compare because of the shortage of data for the Against group. In general, the result of the Favour group is quite similar to the result of the Conservative Party and the result of the Against group is similar to the result of the Labour Party; especially, the large percentage of the usage of ‘the House’ by both the Labour Party and the Against group in 1971.

Figure 5.9: The results of the Favour and the Against group in each debate

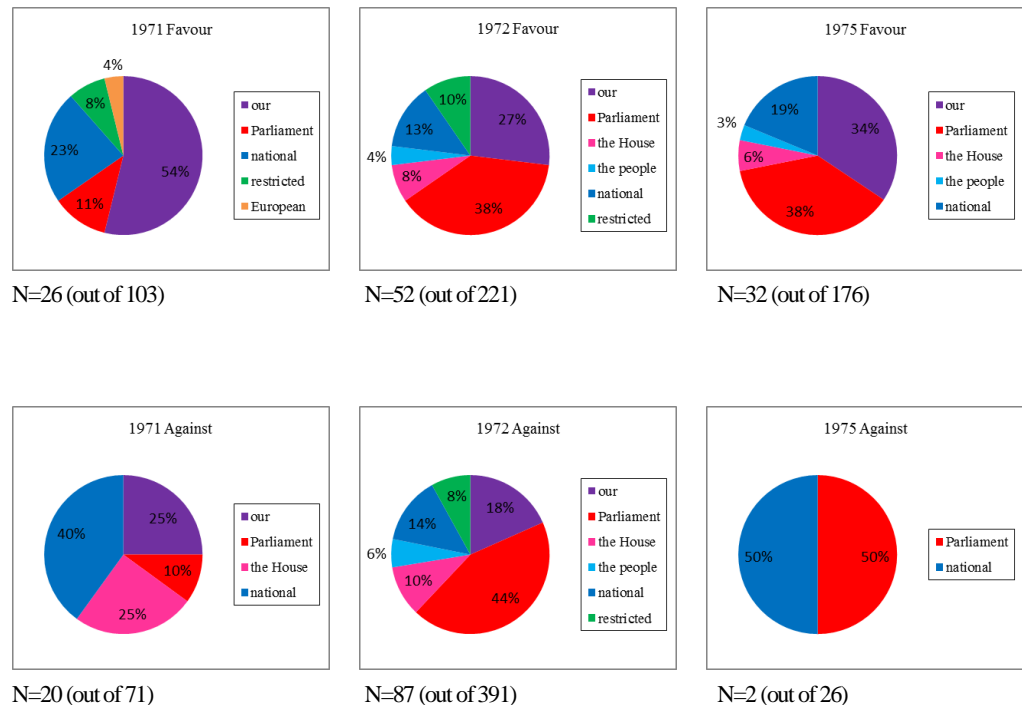
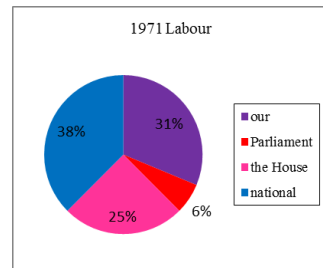


Figure 5.10: The Labour Party in 1971 for comparing with the Against group in 1971

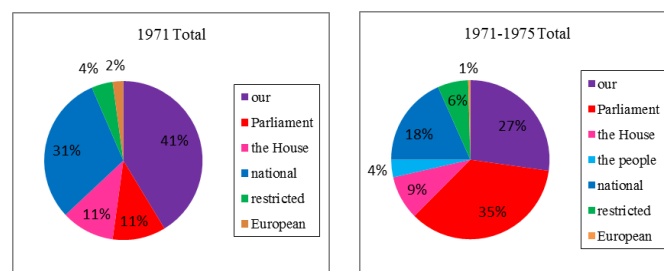


N=16 (out of 75)

### Total (Figure A2.13)

As a whole, it is difficult to find remarkable features of this period. What we can find is that the usage of 'Parliament' in 1971 is not as significant compared to other years. Looking at results of the whole of this period, 'Parliament' is the largest percentage. This indicates that speakers are likely to believe parliamentary sovereignty to be important when they have talked about the European matters since 1972.

Figure 5.11: The results of total in 1971 and the whole of this period



N=46 (out of 174)

N=224 (out of 998)

### Newspapers (Figure A2.14)

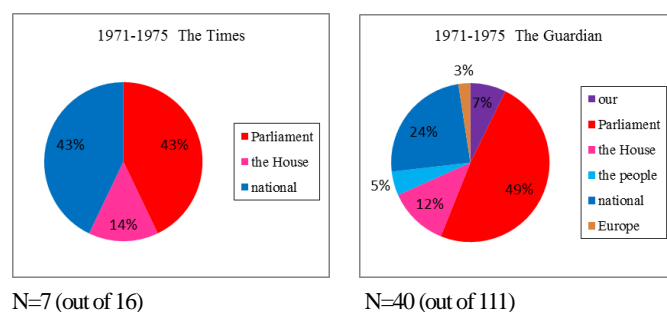
*The Times* used the same percentage of 'Parliament' and 'national', though it must be noted that the total number of stories in this period is relatively small and that all data

only came from in 1972. The large percentage usage of ‘national’ was not possible to view in any group of 1972 and was a feature of the Labour Party and the Against group in 1971 and 1975. This is an interesting result because it is said that *The Times* in this period supported the Conservative Party and the Liberal Party in general. In consequence, this result is the reverse of the result of the usage of the word of exposition.

*The Guardian* introduced much more comments than *The Times*, and they came from all year through this period. The result is that the percentage of ‘Parliament’ is the largest as 49%. The result of *The Guardian* does not correspond to any other groups.

The comparison with the total of this period with Hansard records shows that both newspapers are not likely to introduce the usage of ‘our’.

Figure 5.12: A comparison of *The Times* and with *The Guardian*



### Summary of Word usage analysis

In the word of exposition, as a whole, a difference amongst groups is generally clear. Members of governments tend to use ‘Positive words’. Members of the opposition party and backbenchers tend to use ‘Negative words’. A difference between newspapers is also

clear. *The Times* tends to introduce comments which use ‘Positive words’ on the one hand; *The Guardian* tends to introduce comments which use ‘Negative words’ on the other hand. However, a difference of the word of possession is not clear. Although ‘Parliament’ and ‘our’ are used with a high percentage, MPs generally refer to many types of possession.

## 5.2 Definition analysis

This section analyses how speakers define sovereignty. Their comments relating to definitions are not many but are diverse. Thus the definition can be different depending on MPs. As I introduced three different points of argument over sovereignty in Chapter 3, I expect that Definition analysis can indicate which argument MPs pay attention and can suggest whether their points of argument have changed. Therefore, I tried to find differences, commonalities and consistencies from the various comments. The extent of the data that I found from each debate is shown as Table A2.2 in Appendix 2. As we can see, the number of comments is not great so that, in order to analyse definitions easily, the point of discourse was focussed on each speech, especially taking three points of argument over sovereignty into consideration: *legal*, *theoretical* and *practical*. For example:

1. ‘Sovereignty is a matter of power to make decisions and to achieve purposes. It is no good saying that sovereignty is a legal question.’ (Mr John P. Mackintosh, Labour)

2. 'I use sovereignty as a term of international law and not as a question of power.' (Mr Michael English, Labour)
3. 'Sovereignty means to me national independence for the determination of a nation's destiny.' (Sir Gerald Nabarro, Conservative)
4. 'Sovereignty is retained in the House of Commons.' (Mr Harold Lever, Labour)

The above cited examples are contrasting definitions. The first states that sovereignty is a matter of power to make decisions, not a legal question, whereas the second says that sovereignty is a term of international law, not a question of power. In other words, the first statement emphasise that sovereignty should be viewed through a *practical* meaning and the second one says that sovereignty should be viewed through a *legal* meaning. These contrasting definitions show that there is no consistent agreement on the definition of sovereignty amongst MPs and that their points of argument on sovereignty are different. The third definition focusses on a *theoretical* meaning. And the forth definition talks about the location of sovereignty. Therefore, the definition of sovereignty can be found in two ways: what sovereignty should be as the first three sentences and who or which body should have sovereignty as the last sentence. The focus on this analysis is to make clear what each group says about the definition of sovereignty, and what is the most common or distinctive definition at each debate throughout this period. The points of definition are shown as Table A2.3 in Appendix 2.

## Governments

The extent of the data for Government speakers is not great in this period, so the result may not represent each government or the whole governments. As the number is small, all definitions are cited individually below.

In 1971, only Mr Edward Heath, the Prime Minister, made a comment of definition. He said, 'Sovereignty belongs to all of us.' This is talking about the location of sovereignty. In 1972, only Mr Geoffrey Rippon, Chancellor of the Duchy of Lancaster, made a comment. He referred to two statements on the same day: 1) 'sovereignty is a word which is used much more for its emotional than for its legal significance'; 2) '... and nothing that I have said overrides that concept of the legal sovereignty vested in Parliament.' The second sentence is quite long, thus only a part of it was quoted. It is easy to recognise that the second one was a response to a question from an MP that was raised after the first comment. Although he found that sovereignty is used for emotional reasons, consequently, he focussed on a *legal* meaning of sovereignty and noted the location as *in Parliament*. In 1975, only Mr James Callaghan, the Secretary of State for Foreign and Commonwealth Affairs, referred to a definition of sovereignty: 'But true sovereignty is the power to make effective decisions in our own affairs.' It is possible to recognise that his definition focussed on a *practical* meaning of sovereignty.

Governments in this period thus had no consensus of definitions. Their diverse views included *legal* and *practical* meanings and the location of sovereignty as *in all* and *in Parliament*, and they did not refer to any other definition.

## **The Conservative Party**

In 1971, nine comments on definitions from Conservative MPs can be found. The most frequent definition, with three appearances, was one which stated that *sovereignty has changed*. This definition is not saying what sovereignty is; rather, it is saying that certain ideas of sovereignty are not prominent anymore. For example, “The Austinian idea of sovereignty completely finished” (Mr Percy Grieve, Conservative). Ironically, these views suggest that it is difficult to define sovereignty at this stage. The second most frequent definitions, with two appearances, were ones which focussed on both *practical* and *theoretical* meanings.

In 1972, nine comments on definition can be found. The most frequent definitions, with two appearances, were ones which focussed on a *theoretical* meaning, *sovereignty has changed* and the location of sovereignty as *in the House of Commons*.

In 1975, when Conservatives were in opposition, seven comments of definition can be found. The most frequent definition, with four appearances, was one which focussed on a *practical* meaning. The second most frequent definition, with two appearances, was one which focussed on a *theoretical* meaning.

Overall, the most frequent definitions throughout this period, with six appearances, were ones which focussed on both *theoretical* and *practical* meanings. And the second was, with five appearances, one which *sovereignty has changed*. This result will be compared with the Labour Party and the Favour group.

## **The Labour Party**

In 1971, only three comments on definition made by Labour Party MPs can be found. They are all different and relate to: *sovereignty has changed*, a *practical* meaning and the location of sovereignty as *in Parliament*. All of them also appear in the debates in 1972.

In 1972, 21 comments on definition were found. The most frequent definitions, with four appearances, were ones which focussed on a *practical* meaning and the location of sovereignty as *in Parliament*. The second most frequent, with three appearances, was one which focussed on a *theoretical* meaning. The third most frequent, with two appearances, were many and relate to: a *legal* meaning, *not a practical* meaning, *sovereignty has multiple meanings* and the location of sovereignty as *both in Parliament and in the people*.

In 1975, four comments on definition were found. The most frequent definition, with two appearances, was one which focussed on a *practical* meaning.

In total, the most frequent definition of this period was, with seven appearances, one which focussed on a *practical* meaning. The second most frequent, with five appearances, was the location of sovereignty as *in Parliament*, and the third, with three appearances, was one which focussed on a *theoretical* meaning and *not a practical* meaning. In comparison with the Conservative Party, focussing on a *theoretical* meaning by members of the Labour Party was less though this was the third frequent. And also, the location of sovereignty as *in Parliament* was more than the Conservative Party.



However, other points of discourse were not so much different from the Conservative Party.

### **Favour**

In 1971, nine comments on definition can be found. The most frequent definition, with four appearances, was that *sovereignty has changed*. The second frequent definition, with three appearances, was one which focussed on a *practical* meaning.

In 1972, ten comments were also found. The most frequent definitions, with two appearances, were that *sovereignty has changed* and the location of sovereignty as *in Parliament*.

In 1975, 12 comments were found. The most frequent definition, with seven appearances, was one which focussed on a *practical* meaning. The second frequent definition, with two appearances, was one which focussed on a *theoretical* meaning.

In total, the most frequent definition among the Favour group, with 11 appearances, was on which focussed on a *practical* meaning. The second frequent definition, with six appearances, was that *sovereignty has changed*. The total of these two definitions was the majority of the Favour group. It is reasonable to consider that the Favour group tends to view the definition of sovereignty in these perspectives.

## Against

In 1971, four comments on definitions were found. The most frequent definition, with two appearances, was one which focussed on a *theoretical* meaning.

In 1972, 25 comments were found. The most frequent definitions, with five appearances, were one which focussed on a *theoretical* meaning and the location of sovereignty as *in Parliament*. The second, with four appearances, was one which focussed on a *practical* meaning. And the third, with three appearances, was one which focussed on a *legal* meaning. Thus these three points of argument were largely paid attention by the Against group in this year. .

In 1975, only one comment was found. This was the comment from the SNP that focussed on a *practical* meaning.

In total, the most frequent definition, with seven appearances, was one which focussed on a *theoretical* meaning. The second, with six appearances, was the location of sovereignty as *in Parliament*. The third, with five appearances, was one which focussed on a *practical* meaning. What is the difference from the Favour group is that focussing on a *theoretical* meaning is larger than the Favour group. Although the difference between *theoretical* and *practical* meanings in the Against group was not so large, the trend was that the Favour group tended to focus on a *practical* meaning, whereas the Against group tended to focus on a *theoretical* meaning.

It is not possible to conduct analysis of the newspapers because there was only one definition of *The Times* in this period and in the third period (1997-2009). There is also only one definition of *The Guardian* in the second period (1985-1993) and no definition in the third period.

### **Total and summary of Definition analysis**

In total of this period, the most frequent definition, with 16 appearances, was one which focussed on a *practical* meaning. The second most frequent definition, with ten appearances, was one which focussed on a *theoretical* meaning. The third most frequent definition, with eight appearances, was the location of sovereignty as in *Parliament*. And the forth, with seven appearances, was one which stated that *sovereignty has changed*. Although a variety of definitions can be found, according to the above results with the cross-cutting view, it is possible to conclude that members of the Conservative Party who were in favour of bills tended to focus on a *practical* meaning and to state that *sovereignty has changed*. On the other hand, members of the Conservative Party who were against bills tended to focus on a *theoretical* meaning and nobody focussed on a *practical* meaning. Thus the definition of the Conservative Party in this period was completely divided in the view of a *practical* meaning. In the Labour Party, on the other hand, there was no statement on a *theoretical* meaning in the Favour group. Thus definition of this view was divided in the Labour Party. However, focussing on a *practical* meaning was the same number in both the Favour and Against groups.

Therefore, the division of each party was made by different perspectives. With these results in mind, it is necessary to observe whether those two definitions and other definitions will have been retained or changed over time or whether a different definition has emerged.

The table below is the total points of definition through this period. Tables of each debate are shown in Table A2.3 in Appendix 2.

Table 5.1: 1971-1975 Total

Number of speakers	What sovereignty should be	Who or which body should have sovereignty
Governments: 4	practical: 1 legal: 1	in all : 1 in Parliament: 1
Conservative: 24	theoretical: 6 practical: 6 changed: 5 legal: 1 multiple: 1 not theoretical: 1	in Parliament: 2 in the House of Commons: 2
Labour: 28	practical: 7 not practical: 3 theoretical: 3 legal: 2 changed: 2 multiple: 2	in Parliament: 5 in the House of Commons: 2 both in Parliament and the people: 2
Favour: 31	practical: 11 changed: 6 theoretical: 3 not practical: 2 legal: 1 multiple: 1	in the House of Commons: 3 in Parliament: 3 in all: 1 in the people: 1
Against: 30	theoretical: 7 practical: 5 legal: 3 multiple: 3 not practical: 2 changed: 1	in Parliament: 6 both in parliament and the people: 2 in the House of Commons: 1
Total: Favour + Against	practical: 16 theoretical: 10 changed: 7 legal: 4 not practical: 4 multiple: 4	in Parliament: 9 in the House of Commons: 4 both in parliament and the people: 2 in all: 1 in the people: 1

In another aspect, I consider how often the statement of definition appeared. In 1971, there were 13 definitions in total out of 111 statements of sovereignty.<sup>15</sup> The percentage was 11.7%. In 1972, there were 35 definitions in total out of 398 statements of sovereignty. The percentage was 8.8%. In 1975, there were 13 definitions in total out of 123 statements of sovereignty. The percentage was 10.6%. Thus, the statement of definition appears at rate of about 10% in each debate. I will consider this result in the next two periods.

### **5.3 Interpretation analysis**

In this section, I analyse how MPs interpret sovereignty in the context of the phenomenon of European integration. The interpretation of sovereignty would express what would happen to or has happened to sovereignty at each resolution and ratification process. Therefore, I expect that MPs' interpretation of sovereignty can be affected and changed over time through the mechanisms of adaptational pressure and interactions as to the progress of European integration and through other factors such as competitive discussion between government and opposition, the Conservative and the Labour, the Favour and the Against etc. As a result, the inclination of discourse in each group and period can be found. Because the number of discourses that speakers refer to in their

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<sup>15</sup> This is not the number of mentions of 'sovereignty'. This is the number of statements that include the term 'sovereignty'. Therefore, one statement includes one term of sovereignty, and the other statement includes a couple of terms of sovereignty.

interpretation is diverse, it is impossible to analyse them one by one. Hence, the analysis is carried out by applying the following theoretical classifications:

By joining in the EC or passing a bill of European matter,

1. *Cession*: Sovereignty will be transferred to the EC/EU, or all or a part of sovereignty will be lost or limited.
2. *Unaffected*: Sovereignty will not be changed.
3. *Utilisation*: Sovereignty will be transferred to or be pooled in the EC/EU in exchange for some advantages.

And also, through membership activities in the EC/EU,

4. *Reinforcement*: Sovereignty will be strengthened, be used or be transformed by way of enhancing its capacity.

As I have noted in the previous chapter, the aim is to find what is perceived to happen to sovereignty through European integration. Hence, most interpretations can be classified into these four groups. I examine the interpretations of each group and specific people, as outlined in the previous chapter and previous sections.

## Governments

In 1971, only Mr Edward Heath, the Prime Minister, made a statement of interpretation. His interpretation can be classified as a *reinforcement* type of interpretation.

He said:

In joining we are making a commitment which involves our sovereignty, but we are also gaining an opportunity. ... But to be there as a member of the Community, in my view, would be an effective use of our contribution of sovereignty.

He does not say anything about reinforcement or transformation of sovereignty but does mention the effective use of sovereignty as a member of the Community. Therefore, I consider his interpretation to be categorised as *reinforcement*.

In 1972, Mr Geoffrey Rippon, the Chancellor of the Duchy of Lancaster, and Sir Geoffrey Howe, the Solicitor-General, repeatedly made statements of interpretation. Their statements are many; thus, I cannot cite all of them. Both of them also relate to the categories of sovereignty being *unaffected*, *utilisation* of European integration for national interests and *reinforcement* of sovereignty by membership as well. Mr Rippon's statement of *reinforcement* type of interpretation was, 'I believe that by pooling our sovereignty we shall, in fact, strengthen it.' Sir Geoffrey Howe also made a comment that fits the *reinforcement* type of interpretation as well, 'A decision to share power to the common advantage is an enhancement rather than a loss of sovereignty.' Both said sovereignty would be strengthened or enhanced.

In 1975, only Mr Edmund Dell, the Paymaster-General, made a couple of statements of interpretation that would be classified as sovereignty being *unaffected* and as *utilisation* of European integration for national interests. It is possible to find some changes in his discourse as he was against the European Community Bill 1972 when the Labour Party was in opposition. Although he voted against the bill, he made a quite affirmative statement in 1972:

Whatever the legal position, I believe that this Parliament could in practice give away its sovereignty. But we are not doing that in this Bill. We do not, as a result of entry into the European Community, give away our sovereignty. We have the continuing power to recall what we give away. On that basis I am prepared to say that membership of the European Community is consistent with national sovereignty.

His point was that parliamentary sovereignty is given away in practice but will not be done in this bill. However, in 1975 as a member of government, he did not speak about the possibility of giving away. He just said, 'An industrial free trade area would involve no risk to sovereignty.' And further, he stated:

I believe that Europe is an association of sovereign States for certain common purposes, States which have agreed to pool their sovereignty in the interest of these common purposes.



He does not use the word 'give away' this time and instead uses the word 'pool'.

Surprisingly then, interpretations of government in this period are diverse.

### **The Conservative Party**

In 1971, 15 members of the Conservative Party made statements of interpretation. Three of them can be classified as *cession* of sovereignty, three of them were classified as sovereignty being *unaffected*, and nine of them were as *utilisation* of European integration for national interests. No statement categorised as *reinforcement* of sovereignty by membership could be found.

In 1972, 14 members made statements and many of them presented their interpretations more than once throughout the reading process. Six of them can be classified as *cession* of sovereignty, two of them were as sovereignty being *unaffected*, four of them were as *utilisation* of European integration for national interests, and two of them were as *reinforcement* of sovereignty by membership. One *reinforcement* type of interpretation was made by Mr David Knox. He said:

By joining the Common Market, Britain will have access to a new sovereignty which neither she nor any of the individual countries of the Common Market can ever enjoy if they stay separate.

His 'new sovereignty' can be viewed as the transforming of sovereignty of this category.

The other *reinforcement* type of interpretation was made by Mr John Selwyn Gummer and he said:

I believe the Clause to be not just a necessary evil but an advantage, because it says at long last that we are not merely going to have pious hopes of being friendly with our neighbours but that with them we shall exercise greater sovereignty inside that community which we are joining.

His expression of 'exercise greater sovereignty' can be regarded as *reinforcement* of sovereignty by membership.

In 1975, eight members made their statements of interpretation. Four of them were classified as *cession* of sovereignty, one of them was as sovereignty being *unaffected*, one of them was as *utilisation* of European integration for national interests, and two of them could be as *reinforcement* of sovereignty by membership. One of the *reinforcement* types of interpretations was made by Mr Iain Sproat. He said:

Inside, we can increase our own sovereignty, as I take sovereignty to mean control by oneself over that which affects oneself most importantly. ... We are freely sharing with like-minded neighbour nations something of the illusion of sovereignty so that we may gain much more of the substance of sovereignty.

He said that sovereignty would be increased or the substance of it would be gained. Sir John Eden also stated the *reinforcement* type of interpretation when he said:

Sovereignty lies in the power to exercise, influence and to affect decisions. To that extent I feel that within the greater authority of the European Communities our sovereignty, far from being weakened, will be extended.

Focussing on individuals, only Mr Gilbert Longden and Sir Geoffrey Howe made their statements of interpretation in different debates. Mr Gilbert Longden gave statements in 1971 and in 1972, and both interpretations were as *utilisation* of European integration for national interests. Sir Geoffrey Howe states in 1972 as a member of government and in 1975 as a member of the opposition. Although his interpretation was various in 1972, his interpretations in both periods were included the *utilisation* type of interpretation. Hence, it is hard to find discourse change just focussing on this period.

### **The Labour Party**

In 1971, 12 members of the Labour Party made statements of interpretation. Their interpretations were clearly separated into two groups in that four members were categorised as *utilisation* of European integration for national interest who voted in favour of the bill and eight members were as *cession* of sovereignty who voted against the bill.

In 1972, 22 members made statements. Eighteen of them were as *cession* of sovereignty, three of them were as sovereignty being *unaffected*, and one was as *utilisation* of European integration for national interests. The result of the large number of the *cession* type of interpretations is because there was no member who voted in favour of the bill. These interpretations merely mentioned the surrender or the limitation of sovereignty. However, Mr John P. Mackintosh and Mr William Hamilton made a different statement of the *cession* type of interpretation. Mr John P. Mackintosh said:

I quite accept that some sovereignty will move away from the British Executive to the European Executive and it is right that we should ask how we shall be able to maintain detailed scrutiny of what is being proposed by the European Executive.

Mr William Hamilton said:

We must accept that if and when we join any bigger community, whether it be the EEC or an even wider community, there is bound to be a diminution or pooling of national sovereignty. We have been doing this for many years, particularly since the end of the war, and we should not be shocked by that, but before we abrogate that sovereignty we must have the right to insist on adequate time for debating whether it is worthwhile and what price we are paying.

Although they voted against the bill in the end, their interpretation was different from others in that they accepted the need for a transfer or a diminution of national sovereignty

where others did not. I will discuss this kind of interpretation further in the next chapter.

Meanwhile, the *utilisation* type of interpretation was made by Mr Maurice Edelman:

There is a conscious divestment of sovereignty for specific purposes. Our divestment of sovereignty in Europe, properly controlled and observed, may well be to our advantage.

This was the only interpretation that was classified into as *utilisation* of European integration for national interests in this year.

In 1975, five members made statements of interpretation. Three of them were as *cession* of sovereignty, one was as sovereignty being *unaffected*, and one was as *utilisation* of European integration for national interests. The interesting feature was that only one member Mr Nigel Spearing, voted against the bill, and he was the only member who made a statement of the *utilisation* type of interpretation. He said, 'I am not against giving limited sovereignty to an international organisation as long as we can deal with the limits of that organisation on the merits.'

As a whole, members of the Labour Party in this period, regardless of whether it was in power or not, tended to make statements of the *cession* type of interpretation. And in all statements of the *utilisation* type of interpretation, as the feature of this period, there were no 'Positive words' in their interpretation.

Focussing on individuals, six members made their statement in both 1971 and 1972. Five of them repeated the same interpretation. One individual, Mr John P. Mackintosh,

changed his interpretation. As I cited his statement of 1972 above, it was the *cession* type of interpretation. However, in 1971, he said, 'So the decision to join with the other powers was not in fact a derogation or loss of sovereignty; it was in reality an increase in the effective power of this House.' He clearly mentioned the advantage in 1971 but does not mention it in 1972. As I have cited in the section on government, Mr Edmund Dell is the only member who was in government, the Paymaster-General, in 1975, and who made a statement in 1972 as well.

### **Favour, Against and Abstention**

In 1971, 19 members who voted in favour of the bill made their statement of interpretation. One of them was classified as *cession* of sovereignty, three of them were as sovereignty being *unaffected*, 14 of them were as *utilisation* of European integration for national interests, and one was as *reinforcement* of sovereignty by membership. On the other hand, 12 members who voted against the bill made their statements of interpretation. Eleven of them were classified as *cession* of sovereignty, and one was as *utilisation* of European integration for national interests. Except for members of government, the Conservative Party and the Labour Party, two members of the Liberal Party who voted in favour of the bill made statements of the *utilisation* type of interpretation, and one member of the Scottish National Party (SNP) who voted against the bill made his statement of the *cession* type of interpretation. The feature of this year is, as the results have shown, almost all members of the Favour group were the *utilisation*

type of interpretation and almost all members of the Against group were the *cession* type of interpretation.

In 1972, 14 members, except members of government who interpreted a couple of categories, who voted in favour of the bill made statements of interpretation. Four of them can be classified as *cession* of sovereignty, one of them was as sovereignty being *unaffected*, six of them were as *utilisation* of European integration for national interests, and three of them were as *reinforcement* of sovereignty as a result of European integration. On the other hand, 22 members who voted against the bill made statements of interpretation. Eighteen of them were classified as *cession* of sovereignty, three of them were as sovereignty being *unaffected*, and one was as *utilisation* of European integration for national interests. Thus, their interpretations were overwhelmingly classified into the *cession* type of interpretation. In this year, three members of the Liberal Party made statements of interpretation. Two of them voted in favour of the bill and one abstained from voting. One who voted in favour made his statement as *utilisation* of European integration for national interests and the other, Mr Russel Johnston, made a statement of the *reinforcement* type of interpretation, 'I am one of those who believe that sharing sovereignty in Europe will strengthen rather than weaken our capacity to protect our interests.'

In 1975, 14 members who voted in favour of the bill made statements of interpretation. Seven of them were classified as *cession* of sovereignty, three of them were as sovereignty being *unaffected*, two of them were as *utilisation* of European

integration for national interests, and two of them were as *reinforcement* of sovereignty by membership. Surprisingly, the *cession* type of interpretation is the most frequent in this year. Mr Russel Johnston, who made his statement in 1972 with the *reinforcement* type of interpretation, made the *cession* type of interpretation this time but it explains about the future. He says:

If the EEC develops, as I hope and believe it probably will, into some kind of union, whether federal or not, with a directly-elected Parliament, certainly sovereignty will depart from this House.

As he desired the EEC to develop, thus, some of the *cession* type of interpretations may have just omitted the explanation of advantage but it is impossible to say so in general.

Only two members who voted against the bill made statements of interpretation. One of them was categorised as the *cession* type of interpretation and the other was the *utilisation* type of interpretation. This *utilisation* type of interpretation was made by Mr Nigel Spearing. His statement was cited in the section of the Labour Party.

As a whole in this period, members who voted in favour of the bill tended to make statements of the *utilisation* type of interpretation and those who voted against the bill tended to make their statements of the *cession* type of interpretation. As expected, there was no *reinforcement* type of interpretation amongst members who voted against the bill.



## Newspapers

*The Times* in this period did not introduce many statements of interpretation. Two of them were by Sir Alec Douglas-Home, the Secretary of State for Foreign and Commonwealth Affairs; one of them was by Sir Geoffrey Howe; and one of them was the common statement of some members of the Conservative Party. Interpretation of Sir Alec Douglas-Home is not found in debates. *The Times* introduces his statements in June 1972 as follows: 'Joining the EEC did not mean a loss of sovereignty.' 'It is more a sharing of sovereignty rather than a loss.' These two statements can be regarded as one discourse. The problem is how I should regard his comment "more a sharing". This does not say anything about some advantage in return, nor enhancement of capacity as the *utilisation* and the *reinforcement* types of interpretations. Therefore, his interpretations would be categorised as sovereignty being *unaffected*. Interpretation of Sir Geoffrey Howe is cited in July 1972, 'The decision to share power to common advantages was enhancing rather than a loss of sovereignty.' He said that the decision was enhancing sovereignty. That is classified as *reinforcement* of sovereignty by membership. Interpretation of Conservative cheers is also introduced at the same day with Howe. This is written as follows:

It was the fundamental belief, shared by the preceding administration, that the purpose of the action to join the Community was a deliberate use of sovereignty to engage in sharing sovereignty to the greater advantage of them all.

This interpretation can be classified as *utilisation* of European integration for national interests. As *The Times* introduced this statement as reflecting views of some members of the Conservative Party, it seems that this interpretation would represent the Conservative Party itself.

*The Guardian* in this period, on the other hand, introduced nine members with interpretations. Four of them were members of government, from both the Conservative Party and the Labour Party. Two of them were members of the Conservative Party, two of them were members of the Labour Party, and one was a member of the Liberal Party. In government, one was Mr Geoffrey Rippon of the Conservative Party. *The Guardian* cited at the beginning of debate 1972, 'Mr Rippon declared that nothing in the Bill abridges the ultimate sovereignty of Parliament.' Hence, this interpretation would be categorised as sovereignty being *unaffected*. Three others were members of the Labour Government. The statement of Mr Elwyn Jones, Lord Chancellor, was cited on 17th March 1975 as sovereignty being *unaffected*, 'As a lawyer, he is committed to the view that the Treaty of Accession cannot be regarded as over-riding parliamentary sovereignty.' Mr Edward Short, the Leader of the House of Commons and the Lord President of the Council, cited his interpretation twice. On 11th April 1975, *The Guardian* cited his statement as sovereignty being *unaffected*, 'The country's ultimate sovereignty was unaffected by membership of the EEC, because continued membership could at any time be reversed by Act of Parliament'. However, one month later, on 6th May 1975, it cited his statement as *cession* of sovereignty:

‘The basic difficulty,’ admitted the Leader of the House, Mr Short, during one debate, ‘is that Parliament has lost its sovereignty over a whole area of legislation which applies to the people of this country.’

Thus, within one month, *The Guardian* introduced two different interpretations of Mr Short. And finally, Mrs Shirley Williams, the Secretary of State for Prices and Consumer Protection, was cited with a statement categorised as *cession* of sovereignty:

Of course the Community represents change and it does represent some sacrifice of sovereignty. I very much doubt whether sovereignty without power is meaningful anyway.

Consequently, *The Guardian* did not cite any interpretation of the *utilisation* or the *reinforcement* type of government in this period.

Two statements of the Conservative Party were both categorised as the *cession* type of interpretations and two of the Labour Party were as *cession* of sovereignty and as sovereignty being *unaffected*. One exception is, therefore, the statement of Mr Russell Johnston, the Liberal Party, in this period. *The Guardian* cited on 6th July 1972:

Mr Johnston considered that we should gain sovereignty by going into the Community, rather than losing any.

Thus, this is the only *reinforcement* type of interpretation that *the Guardian* introduced in this period.

### **Summary of Interpretation analysis**

*Utilisation* of European integration for national interests and *reinforcement* of sovereignty by membership were surprisingly found a lot amongst members of government in this period, contrary to my expectation. One reason can be presumed that this period differs from the other two periods (1985-1993 and 1997-2009) in a certain manner. Debates in the other two periods were about the legal and institutional reform of the Community or the Union as a member state. In other words, the UK is passively required to ratify it. However, debates in this period (1971-1975) are about whether the UK should join and whether the UK should stay in the existing Community. Therefore, the result of many interpretations of *utilisation* type and especially interpretation as *reinforcement* of sovereignty by membership would be a description of the active behaviour of the UK itself.

Viewing in detail this *reinforcement* type of interpretation, it is expressed by some members of the Conservative Party including members of government and the Liberal Party but there was no statement from members of the Labour Party. According to expectation, there was no interpretation of *reinforcement* type in the Against group as well. One point of this analysis is whether the *reinforcement* type of interpretation will increase and spread throughout the three periods.

Taking all the results in this period into account, the analysis will be carried out by comparing with other periods.

### **1971-1975 Conclusion**

In the word of exposition of Word usage analysis, the difference was clear between groups. Members of government tended to use more 'Positive words' and backbenchers tended to use more 'Negative words'. In Interpretation analysis, further, a couple of *reinforcement* types of interpretations in the Conservative Government were found. These results show that members of government would have been Europeanised by adaptational pressure or competitive discussion with the opposition. Contrary to expectations, the *reinforcement* type of interpretation was accepted by some non-government members too. In the word of possession of Word usage analysis, the difference was not clear. Therefore, it is impossible to find a clear trend in this period. In Definition analysis, the Conservative Party in this period was completely divided in the view of a *practical* meaning. The Labour Party, on the other hand, was divided in the view of a *theoretical* meaning. Therefore, the division of both parties was in different perspectives. As I have argued in the summary of Interpretation analysis, however, it is important to consider the nature of this period which is about whether the UK should join and whether the UK should stay in the existing Community in comparison with other two periods (1985-1993 and 1997-2009) which are debates about the legal and institutional reform of the Community or the Union as a member state.

## **6 The Single European Act and the Treaty of Maastricht (1985-1993)**

This chapter outlines the discourse analysis undertaken of the periods between 1985 and 1993. Samples of analysis include: 1) debates on the SEA which include the readings of the European Communities (Amendment) Bill (June and July 1986), and 2) debates on the Treaty of Maastricht, which include the readings of the European Communities (Amendment) Bill (May 1992 - May 1993).

The size and extent of the data for each sample is shown as Table A3.1 in Appendix 3. The analysis is conducted in the same manner as the analysis of Chapter 5.

### **6.1 Word usage analysis**

As in the previous chapter, the analysis is conducted using a quantitative approach and focusses on what kind of word, including phrasal verbs, speakers have used in sentences related to sovereignty. My expectation is that those words that explain or qualify the word 'sovereignty' are different depending on MPs' political stand and the context of debates.

#### *6.1.1 The word of exposition*

Like the previous chapter, some related pie charts will be shown in the text and all pie charts with numbers of data are shown as Figures A3.1 – A3.7 in Appendix 3.

### **Government (Figure A3.1)**

As shown in Figure A3.1, there was no data for government around the time of the SEA and only three data of the word of exposition around the time of the Treaty of Maastricht. The result was one each for the 'Negative', the 'Unchanged' and the 'Positive usage'. Therefore, it is impossible to evaluate a trend of this period and, also, it is almost impossible to compare with the first period.

According to the number of statements on sovereignty (Table A3.1), although there is only one in the SEA debates, we can find nine statements on sovereignty in the debate on the Treaty of Maastricht. In the first period (Table A2.1), the number of statement on sovereignty in 1971 and 1975 are less than 10, so that I cannot say that the number of data for government has decreased.

### **The Conservative Party (Figure A3.2)**

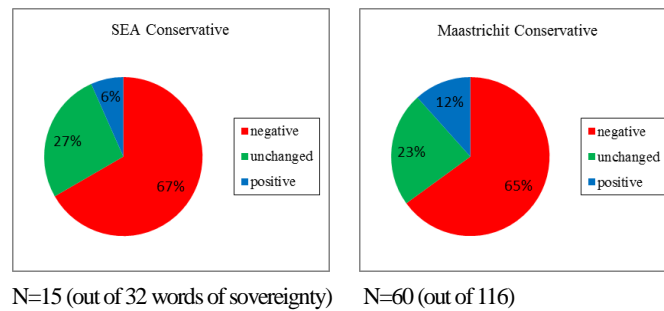
Both pie charts of the SEA and the Treaty of Maastricht periods are very similar. The number of MPs who stated the word of exposition during the SEA period was six people with 15 comments and the number of MPs at the time of the Treaty of Maastricht was 22 people with 60 comments. One of the MPs who made statements on both debates changed his stand. This was Mr Bill Cash. He voted in favour of the SEA but against the Treaty of Maastricht. Two other MPs made statements during both debates but did not change their stands. Mr Hugh Dykes voted in favour of both bills and Mr Tony Marlow voted against both bills. Other MPs did not make a statement in either debate. Therefore,

it is possible to view that MPs of the Conservative Party throughout this period tended to use the word of exposition with the ratio of these two results when they made statements. Further, the result of the first period also shows that the percentage of the 'Negative usage' was almost the same. That is, discourse of the Conservative Party in this aspect did not change.

However, the Conservative Party in this period was beset by internal disputes in relation to Europe. The tension was also seen in the cabinet. Sir Geoffrey Howe resigned as Deputy Prime Minister in protest at Thatcher's attitude to Europe in 1990 (Budge et al. 2007, pp369-371). Although the ratio of both debates was similar, the conflict over Europe within the Conservative Party seemed to be escalated between two debates. Ludlam estimates the percentage of rebels against European integration in the Conservative Party and shows that only 2% of Conservative MPs rebelled at the resolution of the SEA on the one hand, but 18% rebelled at the resolution of the Treaty of Maastricht on the other hand (Ludlam and Smith 1996, pp104-105 Table 6.1). Ludlam argues that the Maastricht rebellion illustrated more dramatically than ever the extent to which a sovereignty/interdependence dimension was displacing and cutting across the party's traditional ideological fault line over how interventionist the state should be (Ludlam and Smith 1966, pp11-112). Nevertheless, it is interesting that the result of the word of exposition has not changed throughout this period.



Figure 6.1: The results of the Conservative Party in each debate

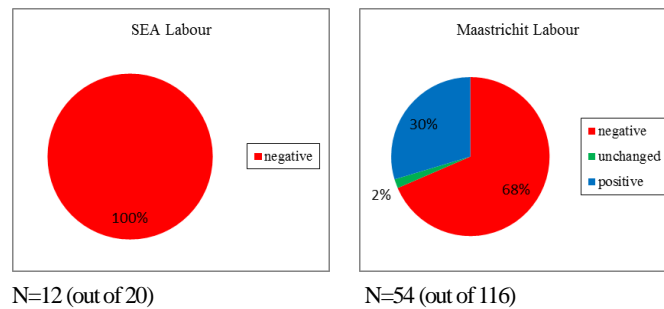


### The Labour Party (Figure A3.3)

The results of the SEA and the Treaty of Maastricht periods are different. Only the 'Negative usage' was found during the SEA debates, whereas more 'Positive usages' than was the case with the Conservative Party were found in the Treaty of Maastricht debates. This 30% 'Positive usage' was the greatest ever in the result of the Labour Party. What was the reason behind it? In the debate of the SEA, only MPs who voted against the bill made statements of the word of exposition. In the debate of the Treaty of Maastricht, however, three members who voted in favour of the bill and ten members who abstained in the voting made statements of the word of exposition. All members who voted in favour of the bill used 'Positive words' and some members who abstained in the voting used 'Positive words' too. As I have argued in Chapter 3, the year 1988 was the turning point for the Labour Party from an anti-European to a pro-European stance; the result of the word of exposition reflects the change of the Labour Party. However, the percentage of the 'Negative usage' was still over 60% and eight members who mentioned the word of exposition voted against the bill. Although an indication of

changed stance can be seen, the result of the word of exposition indicates that many Labour MPs seemed to be still holding an anti-European stance.

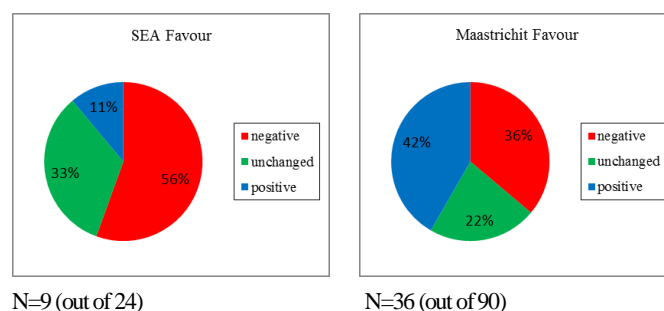
Figure 6.2: The results of the Labour Party in each debate

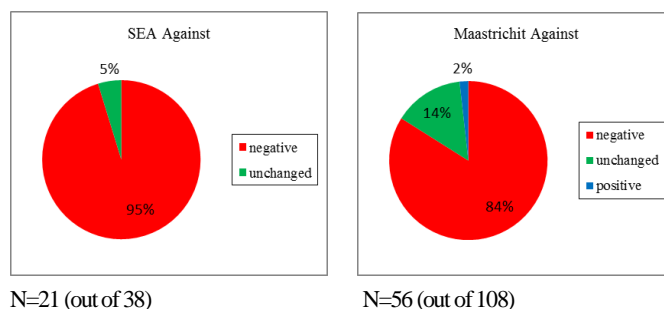


### Favour and Against (Figures A3.4 & A3.5)

A comparison between the Favour group (Figure A3.4) and the Against group (Figure A3.5) has not much changed since the first period. Still more than 80% of the 'Negative usage' were found in the Against group. The result of more 'Positive usages' in the Treaty of Maastricht debates than in the SEA debates in the Favour group would reflect the change of the Labour Party.

Figure 6.3: The results of the Favour and the Against group in each debate

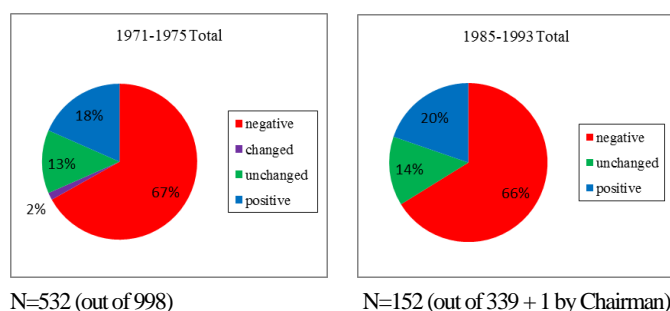




### Total (Figure A3.6)

Although it seems that the 'Positive usage' has increased in this period, the total result of this second period between 1985 and 1993 was almost the same as the result of the first period between 1971 and 1975. The 'Negative usage' of the first period is 67% and of the second period is 66%; the 'Unchanged usage' of the first period is 13% and of the second period is 14%; and the 'Positive usage' of the first period is 18% and of the second period is 20%. On the whole, consequently, discourse in this aspect has not changed.

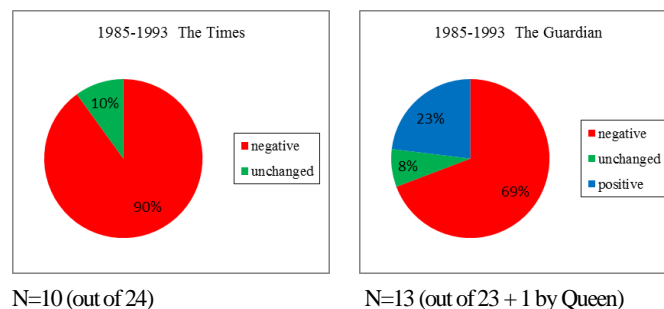
Figure 6.4: A comparison of total 1971-1975 and with 1985-1993



### Newspapers (Figure A3.7)

The results of newspapers were completely different from the first period. The ratio of the word of exposition was the opposite. *The Times* introduced more the 'Positive usage' in the first period but no 'Positive usage' in the second period. On the other hand, *The Guardian* introduced more 'Positive usage' in the second period. The result of *The Guardian* can be imagined because of the stance change of the Labour Party in 1988. Although the 'Positive usage' of the Conservative Party has decreased, the remarkable change of *The Times* is difficult to explain. As I presented the conflict within the Conservative Party in this period, *The Times* might stand behind Prime Minister Thatcher. I raised the question of whether *The Times* has been Europeanised in the previous chapter. It is definite that *The Times* has not been Europeanised in this period.

Figure 6.5: A comparison of *The Times* and with *The Guardian*



#### 6.1.2 The word of possession

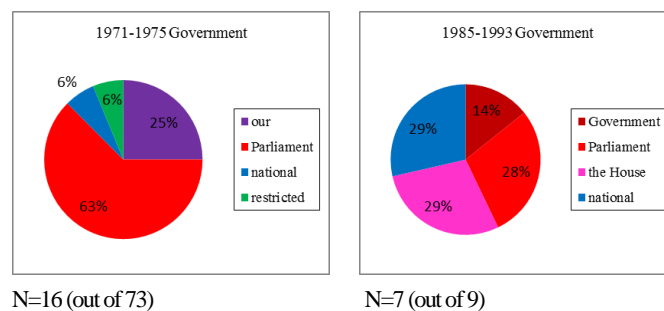
Some related pie charts will be shown in the text and all pie charts with numbers of data are shown as Figures A3.8 – A3.14 in Appendix 3.

### Government (Figure A3.8)

Because of no data for the SEA period, it is impossible to find any change in this period. The remarkable feature of the Treaty of Maastricht is that, although there is only one, the word ‘Government’ was used for the first time. This was by Mr Norman Lamont, the Chancellor of the Exchequer. He said, ‘Nothing in the treaty interferes with the sovereignty of the Government of this country in monetary and fiscal matters in stage 2.’<sup>16</sup>

Looking at the difference between the two periods, in the previous period, the percentage of ‘Parliament’ was the largest and of ‘our’ was the second largest. In this period, ‘Parliament’, ‘the House’ and ‘national’ were the same percentage, and there was no usage of ‘our’.

Figure 6.6: A comparison of governments 1971-1975 and with government 1985-1993

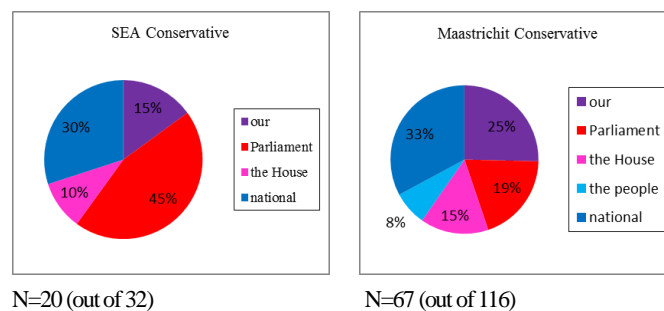


<sup>16</sup> This comment by Lamont stated almost the final stage of the third reading of the bill in 1993. He was a Eurosceptic but voted in favour of the bill as a member of the cabinet. He soon resigned his post one week after the resolution.

### The Conservative Party (Figure A3.9)

The feature of the Conservative Party in this period is that the percentage of 'Parliament' has decreased. This is the opposite result of the previous period. 'Parliament' tended to be used a lot in the previous period but only the Conservative Party and the Favour group in the SEA period used this word as the largest. The usage of 'our', on the other hand, has increased in this period. Why has the percentage of 'Parliament' dramatically decreased in the debate of the Maastricht Treaty? Forster argues that European debate was deliberately and effectively confined to the parliamentary arena in the period from 1979 until 1988 (Forster 2002, p63). And he views that the Bruges speech of 1988 set the seal on a new phase characterised by Margaret Thatcher's move from an instrumental and pragmatic position on European integration to an ideological one (Forster 2002, p64). This reason may have led to the result of a high percentage of 'our' and 'national' references in the Treaty of Maastricht debates. The year 1988 was the turning point not only for the Labour Party but also for the Conservative Party.

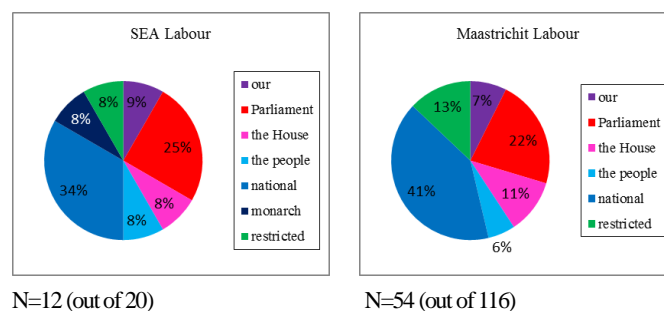
Figure 6.7: The results of the Conservative Party in each debate



### The Labour Party (Figure A3.10)

In comparison with the Conservative Party, members of the Labour Party used a variety of words of possession both in the SEA and the Treaty of Maastricht debates. The ambiguous word ‘our’ was much smaller than the Conservative Party in this period and also the Labour Party in the previous period. The interesting feature is that, although the attitude of the Labour Party changed in 1988, both results of the SEA and the Treaty of Maastricht were quite similar.

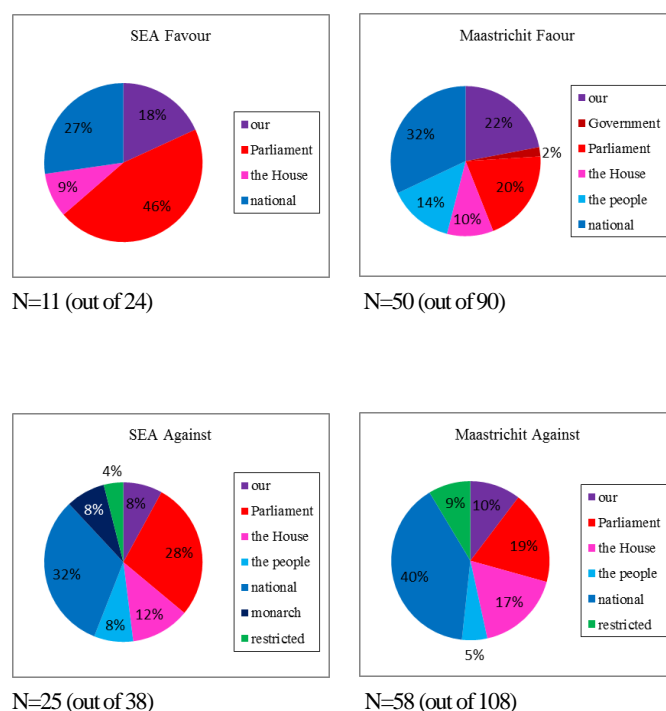
Figure 6.8: The results of the Labour Party in each debate



### Favour and Against (Figures A3.11 & A3.12)

Except for the Favour group in the SEA period, ‘national’ was the largest percentage across both groups. In both the Favour and the Against groups, the usage of ‘Parliament’ decreased. In comparison with the previous period, the percentage of both ‘our’ and ‘Parliament’ decreased a lot in both the Favour and the Against groups. The percentage of ‘national’ was the largest for both groups, but not more than 50%.

Figure 6.9: The results of the Favour and the Against group in each debate



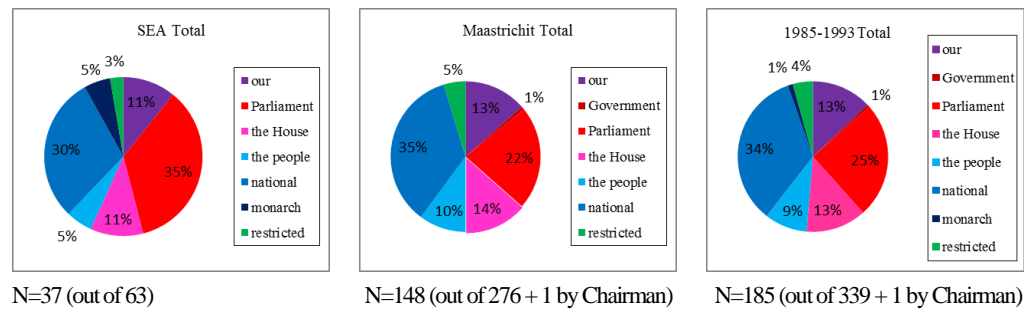
### Total (Figure A3.13)

The result of the analysis of the SEA and the Treaty of Maastricht periods shows that the percentage of use of 'Parliament' has decreased, and the percentage of 'national' has increased. However, neither word ever accounted for the majority. Therefore, it is difficult to say that the usage of the word of possession has shifted in this period. In comparison between the previous period and this period, the same phenomenon can be seen. The percentage of 'Parliament' has also decreased, and the percentage of 'national' has also increased. In addition to that, the percentage of 'our' has decreased. That means, 'national' was the third largest in the previous period but became the largest in this period. Although it is difficult to conclude, national sovereignty has gradually become an



important aspect for MPs. In the next chapter, I will determine whether this inclination appears in the next period.

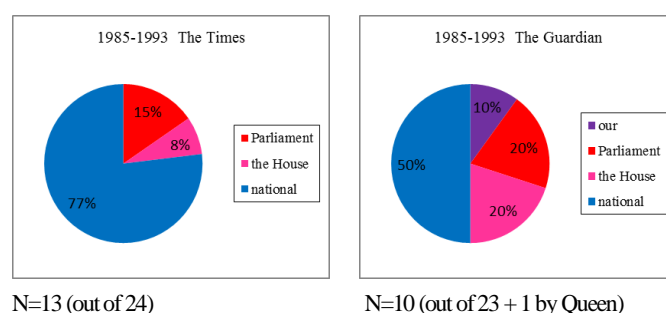
Figure 6.10: The results of total in each debate and the whole of this period



### Newspapers (Figure A3.14)

The change of newspapers reflected the result of the above total. The percentage of ‘national’ was the largest in both newspapers. The change is obvious when we see the result of the previous period. The percentage of ‘Parliament’ has also dramatically decreased. The difference between the above total and newspapers is the extent of ‘national’. The percentages of ‘national’ were 77% in *The Times* and 50% in *The Guardian*. One of the reasons why the percentage of ‘national’ was so high, especially in *The Times*, was because of more data being available from the Treaty of Maastricht than from the SEA. As I argued that there was the change in the Conservative Party which included a more ideological view before the Treaty of Maastricht, *The Times* might be responding to this movement.

Figure 6.11: A comparison of *The Times* and with *The Guardian*



### Summary of Word usage analysis

In the word of exposition, the percentage of the 'Positive usage' in the Conservative Party was much smaller than the previous period. On the other hand, the percentage of the 'Negative usage' has not changed much. This means that the 'Unchanged usage', which includes a defensive meaning such as 'protect' or 'preserve', was made in statements. As mentioned above there was a conflict within the Conservative Party in this period; thus members, especially the Favour group, might avoid using 'Positive words' as the contrasting meaning.

In the Labour Party, in spite of the attitude change, the percentage of the 'Negative usage' was still larger than the Conservative Party. This trend is the same as the previous period. Then, the feature of the Labour Party is that the 'Positive usage' has increased and the 'Unchanged usage' has decreased, compared with the previous period. And, also, the 'Positive usage' is larger and the 'Unchanged usage' is smaller than the Conservative Party. The usage of Labour MPs was quite obvious. All statements at the time of the SEA were made by the Against group and the usage was all 'Negative words'. In the Treaty of

Maastricht debates, the voting behaviour was not the same but, for example, the usage of the Favour group was all 'Positive words' and the usage of the Against group was almost all 'Negative words' except one 'Unchanged word'.

Between the Favour group and the Against group, the difference is still clear. Especially, as the percentage of the 'Negative usage' in the Favour group was less than 50%, the difference between the two groups became bigger. This result would be led by the result of the Labour Party because the usage of the Favour and the Against groups within this party was obvious, as I stated earlier.

The difference between the two newspapers became smaller. However, the result was the opposite of the previous period. The percentage of the 'Positive usage' was larger in *The Guardian* than in *The Times*. It is reasonable to view that this result reflected the change of stance in the Labour Party and the conflict within the Conservative Party. The change of the newspapers might be the most in this period.

In the word of possession, as a whole, the percentage of 'our' and 'Parliament' has decreased and the percentage of 'national' has increased in each group and the result of the total. The percentage of 'national' has also increased in both newspapers. This result might include the intensification of the ideological view in the Conservative Party. Therefore, it is possible to say that people tended to use more 'national' in this period.

## 6.2 Definition analysis

The analysis is carried out in the same way as for the previous chapter. Thus this section analyses how speakers define sovereignty. My expectation is that Definition analysis can indicate which argument MPs emphasise and can suggest whether their points of argument have changed. Therefore, I tried to find differences, commonalities and consistencies from the various comments. The extent of the data that I found from each debate is shown in Table A3.2 in Appendix 3. In order to analyse definitions easily, the point of discourse was focussed on each speech, especially taking three points of argument over sovereignty into consideration: *legal*, *theoretical* and *practical* as in the previous chapter. The extent of the data, especially in the SEA period, is not great. Therefore, I mainly look at the Total of Table A3.3. The interesting result is that only definitions, which focussed on a *practical* meaning and the location of sovereignty as *in Parliament*, were found during the SEA debates.

### Government

Only one comment of definition was found in this period from Government Minister. This was by Mr Douglas Hurd, the Secretary of State for Foreign and Commonwealth Affairs, and he said, 'If there is no Bill, there is no ratification of the treaty; and that is what parliamentary sovereignty means.' He talked about the meaning of parliamentary sovereignty. This definition includes, of course, the location of sovereignty as *in Parliament*.

### **The Conservative Party**

Eleven comments on definitions were found amongst Conservative Party members during this period. The most frequent definition, with four appearances, was one which focussed on a *practical* meaning. The second most frequent definition, with three appearances, was one which focussed on a *theoretical* meaning. And the third, with two appearances, was that *sovereignty is myth*. This third definition was not found in the previous period and can be found one statement in the Labour Party of this period too. On the other hand, the second most frequent definition in the previous period, *sovereignty has changed*, was not found in this period. This definition cannot be found for any other MPs in this period as well. Therefore, one possibility is that those people who believed that the meaning of *sovereignty has changed* have come to the conclusion that the idea of sovereignty itself was *myth* from the beginning.

### **The Labour Party**

In total, eleven comments by Labour MPs on definitions were found during this period. The most frequent definition, with six appearances, was one which focussed on a *practical* meaning. The second frequent definitions, with two appearances, were ones which should *not* focussed on a *theoretical* meaning and the location of sovereignty as *in the people*. In the previous period, the definition focussed on a *practical* meaning was also the most frequent in the Labour Party. On the other hand, the location of sovereignty

as *in Parliament* was the second frequent in the previous period but there was no this definition in this period. Therefore, it is difficult to conclude that whether the definition of the Labour Party has changed or not over time. In comparison with the Conservative Party, focussing on a *practical* meaning was the most frequent in both parties in this period. Thus they seem to have the same focus point of definition. However, the second frequent definition which focussed on a *theoretical* meaning in the Conservative Party was made an opposite meaning as a negative phrase by members of the Labour Party as the second frequent in this period. Therefore, the view on a *theoretical* meaning is different between both parties.

### **Favour, Against and Abstention**

In the Favour group, ten comments on definitions were found in total. The most frequent definition, with three appearances, was one which stated the location of sovereignty as *in Parliament*. The second most frequent definitions, with two appearances, were ones which stated the location of sovereignty as *in the people* and focussed on *multiple* meanings of sovereignty. In comparison with the previous period, the number of appearances which focussed on a *practical* meaning has largely decreased.

In the Against group, eight comments on definitions were found in total. The most frequent definition, with three appearances, was one which focussed on a *practical* meaning. The second most frequent definition, with two appearances, was one which

focussed on a *theoretical* meaning. That is to say, focussing on a *theoretical* meaning has stepped down from the most frequent since the previous period.

In this period, there were ten comments of the Abstention group in total. The result was similar to the Labour Party. That means that many members of the Labour Party in the debate on the Treaty of Maastricht abstained from voting. The most frequent definition, with six appearances, was one which focussed on a *practical* meaning. The second most frequent definitions, with two appearances, was one which stated the location of sovereignty as *in the people*. As focussing on a *practical* meaning in the Favour group has decreased, it is possible to consider that some people who focussed on a *practical* meaning in the Favour group in the previous period have abstained voting of the Treaty of Maastricht.

As I noted in the previous chapter, it is not possible to conduct analysis of the newspapers because there was only one definition of *The Times* in the first period (1971-1975) and in the third period (1997-2009). There was also only one definition of *The Guardian* in the second period (1985-1993) and no definition in the third period.

### **Total and summary of Definition analysis**

In total of all groups, the most frequent definition, with ten appearances, was one which focussed on a *practical* meaning. The second most frequent definition, with four appearances, was the location of sovereignty as *in the people*. And the third frequent

definitions, with three appearances, were ones which focussed on a *theoretical* meaning and *multiple* meanings of sovereignty and the location of sovereignty as *in Parliament*.

In comparison with the total of the previous period, focussing on a *practical* meaning was the major point of argument as before. On the other hand, the number of definition which focussed on a *theoretical* meaning has decreased. And also, the number of definitions that focussed on a *legal* meaning and *sovereignty has changed* have been reduced to zero in this period. What do these results mean, especially those definition which focussed on what sovereignty should be? It is possible to view that the main point of argument over sovereignty has come down to focus on a *practical* meaning. There was a definition which denied focussing on a *practical* meaning in the first period but this definition has also been at zero. Many MPs might find that claiming *theoretical* and *legal* meanings of sovereignty did not generate a productive discussion. Regarding the location of sovereignty, claiming sovereignty *in Parliament* has decreased and *in the people* has increased. And claiming sovereignty *in the House of Commons* could not been fund in this period. What we can find from this result is that MPs have shifted their view on sovereignty from a narrow sphere of Parliament to a wide extent the people.

The table below is the total points of definition through this period. Tables of each debate are shown in Table A3.3 in Appendix 3.



Table 6.1: 1985-1993 Total

Number of speakers	What sovereignty should be	Who or which body should have sovereignty
Government: 1	N/A	in Parliament: 1
Conservative: 11	practical: 4 theoretical: 3 myth: 2 multiple: 1	in Parliament: 1
Labour: 11	practical: 6 not theoretical: 2 myth: 1	in the people: 2
Favour: 10	multiple: 2 theoretical: 1 practical: 1 myth: 1	in Parliament: 2 in the people: 2
Against: 8	practical: 3 theoretical: 2 not theoretical: 1 myth: 1	in Parliament: 1
(Abstention): 10	practical: 6 not theoretical: 1 myth: 1	in the people: 2
Total: Favour+Against +Abstention	practical: 10 theoretical: 3 myth: 3 multiple: 2 not theoretical: 2	in Parliament: 3 in the people: 4

I will now briefly mention turn to the frequency of definition. In the SEA debates, there were four statements of definition in total out of 46 statements of sovereignty.<sup>17</sup> The percentage was 8.7%. In the Treaty of Maastricht debates, there were 28 statements of definition in total out of 209 statements of sovereignty. The percentage was 13.4%. Thus, the statement of definition appears at a rate of about 10% in each debate. This is identical to the first period.

### 6.3 Interpretation analysis

The analysis is carried out in the same way as for the previous chapter, applying the following theoretical classifications:

<sup>17</sup> As I noted in the previous chapter, this is not the number of the term 'sovereignty'. This is the number of statements that include the term 'sovereignty'.

By joining in the EC or passing a bill of European matter,

1. *Cession*: Sovereignty will be transferred to the EC/EU, or all or a part of sovereignty will be lost or limited.
2. *Unaffected*: Sovereignty will not be changed.
3. *Utilisation*: Sovereignty will be transferred to or be pooled in the EC/EU in exchange for some advantages.

And also, through membership activities in the EC/EU,

4. *Reinforcement*: Sovereignty will be strengthened, be used or be transformed by way of enhancing its capacity.

My expectation is that MPs' interpretation of sovereignty can be affected and changed over time through the mechanisms of adaptational pressure and interactions as to the progress of European integration and through other factors such as competitive discussion between government and opposition, the Conservative and the Labour, the Favour and the Against etc. As a result, the inclination of discourse in each group and period can be found.

## Government

In the SEA debates, amongst Government Ministers only Mrs Lynda Chalker, the Minister of State, Foreign and Commonwealth Office, made a statement of interpretation. Her interpretation can be classified as sovereignty being *unaffected*. She said, 'It follows, therefore, that there is no diminution of sovereignty involved in the amendments to the treaty.' However, this is talking about only Article 99 on the harmonisation of indirect taxation in the bill. Thus, there is no overall interpretation of sovereignty as it relates to the SEA.

In the Treaty of Maastricht period, only Mr Norman Lamont, the Chancellor of the Exchequer, made statements of interpretation. His statements were:

I simply fail to understand how British sovereignty would be enhanced if we forwent that right which was negotiated at Maastricht and is enshrined in the United Kingdom protocol.

And,

Nothing in the treaty interferes with the sovereignty of the Government of this country in monetary and fiscal matters in stage 2.

The first statement can be classified as *reinforcement* of sovereignty by membership, if we go behind his words. The second one can be classified as sovereignty being *unaffected*.

It is difficult however to find the amongst Government Ministers trend with only two people. I would like to consider it with other analyses at the end of this chapter.

### **The Conservative Party**

In the SEA period, six members of the Conservative Party made statements of interpretation. Four of them can be classified as *cession* of sovereignty, one of them was as sovereignty being *unaffected*, and one of them was as *utilisation* of European integration for national interests. No interpretation categorised as *reinforcement* of sovereignty by membership could be found. All members who voted against the bill made statements of the *cession* type of interpretation.

In the Treaty of Maastricht debates, 13 members made statements of interpretation. Seven of them can be classified as *cession* of sovereignty, three of them were as sovereignty being *unaffected*, and three of them were as *utilisation* of European integration for national interests. No interpretations categorised as *reinforcement* of sovereignty by membership could be found. All members who voted against the bill made statements of the *cession* type of interpretation. Therefore, in this aspect, the Against group in the Conservative Party has not changed in this period. One of *utilisation* type of interpretations is conditional. This was made by Mr Patrick Cormack. He said:

We preserve, by insisting upon unanimity--I should vote against it if it did not--our ultimate independent sovereignty, some of which should be pooled in the interests of the future peace, stability and prosperity of Europe.

It seems to me that he assumed unanimity. However, since the SEA, the scope of qualified majority voting (QMV)<sup>18</sup> has extended. Mr Cormack did not refer to this QMV in all his statements on the day of discussion.

Focussing on individuals, only one member, Mr Hugh Dykes who voted in favour of both bills, made a statement in both the SEA and the Treaty of Maastricht debates. His statements were classified as sovereignty being *unaffected* in the SEA debates and as *utilisation* of European integration for national interests in the Treaty of Maastricht debates.

### **The Labour Party**

In the SEA period, four members of the Labour Party made statements of interpretation. All of them voted against the bill and made statements of the *cession* type of interpretation.

In the Treaty of Maastricht period, 12 members of the Labour party made statements of interpretation. Six of them can be classified as *cession* of sovereignty, five of them were as *utilisation* of European integration for national interests, and one was as *reinforcement* of sovereignty by membership. No interpretation categorised as sovereignty being *unaffected* could be found. The result of the Labour party is obvious. All members who voted against the bill made statements of the *cession* type of

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<sup>18</sup> In some areas, QMV existed before the UK joined. The SEA extended its area.

interpretation. This result is completely the same with the Conservative Party. All members who voted in favour of the bill and who abstained in the voting made statements of the *utilisation* type and the *reinforcement* type of interpretation. Notwithstanding the opposition party, more *utilisation* types of interpretations and even *reinforcement* type of interpretations, were found than the ruling party. In the previous period, there were no 'Positive words' in the *utilisation* type of interpretations in the Labour Party. In this period, two statements out of five used 'Positive words'. This aspect might change since the previous period. Although the other three statements of the *utilisation* type of interpretation used 'Negative words', two of them seem to accept a negative meaning. Mr Tony Banks stated, 'I am not worried about losing sovereignty...'. And also, Dr Jack Cunningham said:

Of course nation states will be expected to surrender some of their sovereignty--a very emotive word--and, sometimes, although not always, it will be in their best interests as well as the common interest to do so.

These expressions in the *utilisation* type of interpretation could be found in both parties in the previous period. In the Conservative Party of this period, however, it is not possible to find them. They usually deny negative behaviour. That is, they do not accept the situation that sovereignty is transferred into or limited by the EC/EU. Although I did not divide categories into great detail in the beginning, I provide three kinds of discourses in the *utilisation* type of interpretation at this stage. The first is the way of the denial of the

negative behaviour. That is, there are those who claim that this is not any transferring or limiting sovereignty but just for obtaining some advantages. The second is the way of the acceptance of the negative behaviour. That is, there are those who accept that sovereignty is transferred into or limited by the EC/EU in order to obtain some advantages for member states. And the third is the way of the presentation of the 'Positive usage'. In other words, there are those who believe that pooling sovereignty brings some advantages for member states. In the Labour Party, therefore, the first and the second kinds could be found in the first period, and the second and the third kinds could be found in this period. I will discuss this aspect in the next period as well.

The *reinforcement* type of interpretation was made by Mr Derek Enright and he said:

As a result of coming together and pooling our sovereignties, we shall gain infinitely more sovereignty over the pound and economic policy than we have at present.

His statement 'gain infinitely more sovereignty' can be regarded as *reinforcement* of sovereignty by membership.

### **Favour, Against and Abstention**

In the SEA period, five members who voted in favour of the bill made their statements of interpretation. Two of them can be classified as *cession* of sovereignty, two of them were as sovereignty being *unaffected*, and one of them was as *utilisation* of

European integration for national interests. On the other hand, eight members who voted against the bill made their statements of interpretation. All of the eight can be classified as *cession* of sovereignty.

In the Treaty of Maastricht period, 10 members, except members of the government, who voted in favour of the bill made their statements of interpretation. Three of them can be classified as *cession* of sovereignty, three of them can be classified as sovereignty being *unaffected*, and four of them can be classified as *utilisation* of European integration for national interests. On the other hand, 12 members who voted against the bill made their statements of interpretation. All of them can be classified as *cession* of sovereignty. Throughout this period, therefore, all members who voted against bills made statements of the *cession* type of interpretation. Further, there were six members who abstained in the voting. One of them can be classified as *cession* of sovereignty, four of them were as *utilisation* of European integration for national interests, and one of them, Mr Enright, was as *reinforcement* of sovereignty by membership.

Focusing on individuals apart from the Conservative Party and the Labour Party, Sir Russell Johnston, of the Liberal Party at the time of the SEA and the Liberal Democrats at the time of the Treaty of Maastricht, made his statements in both debates. He voted in favour of both bills and interpreted both debates as *cession* of sovereignty, but stated differently. In the SEA, he said:

The Single Act, if ratified by all governments by the end of the year, will certainly herald a transfer of sovereignty. Not a transfer from the national to the Community



legislative structure, but a transfer from government and Commission civil servants to the democratically elected representatives of the people.

And in the Treaty of Maastricht, he stated:

Liberal Democrats want a wider but deeper Europe; not the spurious spectre of the single united states of Europe which Mrs. Thatcher advances, but a decentralised federal Europe of European states, with national sovereignty pooled in the European Council and Council of Ministers, and popular sovereignty pooled in the European Parliament.

He has changed the exposition of sovereignty using the words from 'transfer' to 'pooled'.

Is this because he came to understand that sovereignty can be pooled? Mr Johnston stated his interpretation in 1972 as well and he used the word 'share' as the *reinforcement* type of interpretation at that time:

I am one of those who believe that sharing sovereignty in Europe will strengthen rather than weaken our capacity to protect our interests. ... Sovereignty is about protecting one's interests.

Taking these three statements into consideration, Mr Johnston may view that administrative sovereignty will be transferred, and national and popular sovereignty will be pooled or shared for protecting national interests and democracy.

## Newspapers

*The Times* in this period introduced five members with interpretations. Three of them can be classified as *cession* of sovereignty, one of them was as sovereignty being *unaffected* and one of them was as *utilisation* of European integration for national interests. These *unaffected* and *utilisation* type of interpretations were members of government. *The Times* cited a statement of Mr John Major, the Prime Minister, as follows:

JOHN Major tried yesterday to defuse Conservative tensions over Europe, revived by the Queen's address to the European parliament, as he reassured Tory MPs that the Maastricht treaty would not threaten British sovereignty.

Thus, this can be classified as sovereignty being *unaffected*. The statement of Mr Norman Lamont was also cited:

A legally binding VAT floor was a vital component of the EC single market, and although the government had handed a portion of taxation sovereignty to Brussels, 'generally, this is a very good deal for Britain,' he said.

Although I regard his interpretation as *utilisation* of European integration for national interests, he did not say what advantage Britain could get. His statement was retaliated by

citing other MPs' statements and by *The Times* itself with the title of the article as 'Britain forfeits sovereignty to Brussels on VAT'.

*The Guardian* in this period, on the other hand, introduced four statements of government and one statement of member of the Conservative Party. One of them can be classified as *cession* of sovereignty, three of them were as sovereignty being *unaffected* and one of them was as *utilisation* of European integration for national interests. One of statements of government was Mr John Major, the Prime Minister:

The Prime Minister sought to reassure his Euro-sceptics yesterday afternoon at his first Commons Question Time since the general election when he said some decision making could be pooled in Europe but 'the sovereignty of this House is not a matter that is up for grabs.'

I regard this statement as sovereignty being *unaffected* because there was no comment for an advantage in return. Two other members in government, Mr Douglas Hurd, the Secretary of State for Foreign and Commonwealth Affairs, and Mr Kenneth Clarke, the Secretary of State for the Home Department, were cited in their statements as sovereignty being *unaffected*. The *utilisation* type of interpretation is a comment of Mr Norman Lamont:

He reassured anti-federalists that while it was justified to cede some sovereignty to Brussels in respect of the single market, Maastricht still 'safeguarded Britain's interests and achieved Britain's goals'.

The statement of Mr Lamont in *The Times* was cited on 28th July 1992. This statement in *The Guardian* was cited about two months later on 8th October 1992 as a speech at the party conference.

Apart from the statement of MPs, interestingly, *The Guardian* introduced the statement of interpretation of the Queen in this period on 12th May 1992:

In the most sensitive section of the speech, she will insist that the new powers for the European Parliament will not detract from the sovereignty of the Westminster Parliament, a view contrary to that passionately held by Mrs Thatcher.

On the other hand, *The Times* did not insert this part in any articles and blamed the Foreign Office for putting the Queen in this position. The debate of the Treaty of Maastricht in the House of Commons was opened just after this speech. Regrettably, as I have examined, it is difficult to find the influence of the Queen on the debate.

### **Summary of Interpretation analysis**

In this period, it is difficult to draw conclusions about the interpretation of 'sovereignty' by government MPs because of a shortage of data. What became clear is that all members of the Against group in this period made their statements of the *cession* type of interpretation and also that all members of the Against group in the Conservative Party had not changed their interpretation since the previous period along with this

classification. In the Labour Party, one possibility is to assume that detailed interpretations of the *utilisation* type, which is mentioned in the section of the Labour Party, have changed. That is, for pursuing some advantages, the usage of the word of exposition in the *utilisation* type of interpretation has changed. This possibility needs to be revisited in the next chapter. Another possibility is, in relation to the first possibility, that the concept of pooling sovereignty in the *utilisation* type of interpretation has slightly penetrated some members of the Favour group in debates of the Treaty of Maastricht because there was no such expression in the SEA. These possibilities may indicate that discourse change of sovereignty is taking place. However, the *reinforcement* type of interpretation has dramatically decreased since the previous chapter. This phenomenon presents some difficulty in terms of finding any ‘new’ interpretation of sovereignty. That is, it appears thus far that MPs understanding of ‘sovereignty’ has not changed substantially as a result of European integration.

### **1985-1993 Conclusion**

A feature of this period is the shortage of data for Government Ministers. Especially, the amount of data in Hansard for all three analyses was small. Does this mean that sovereignty is less important of a concept for them? It seems to me that cabinet members were careful about saying the word sovereignty. Because this period was in transition of approach to European integration in both parties, they might try to avoid bringing

differences to the surface within government too. On the other hand, newspapers that can make their stance clear could introduce more comments of government than Hansard.

The change in the word of exposition in the Conservative Party was the increase of the 'Unchanged usage'. This result can be assumed that the Favour group of the Conservative Party has tried to avoid using the 'Positive words' in order to not aggravate the hostility within the party. In the Labour Party, on the other hand, the 'Positive usage' has increased. However, the 'Negative usage' was still larger in the Labour Party than in the Conservative Party as before. Between the Favour group and the Against group, the difference is still clear. Then, the difference between the two newspapers became smaller. This result was the opposite of the previous period. In the word of possession, as a whole, the percentage of 'our' and 'Parliament' has decreased and the percentage of 'national' has increased in each group and the result of the total. The percentage of 'national' has also increased in both newspapers. This result might include the transformation in the Conservative Party towards more Eurosceptics before the debate of the Treaty of Maastricht.

In Definition analysis, focussing on a *practical* meaning was still the major point of argument as before. On the other hand, the number of definitions which focussed on a *theoretical* meaning has decreased. It is possible to view that the main point of argument over sovereignty has come down to focus on a *practical* meaning.

In Interpretation analysis, detailed interpretations of the *utilisation* type in the Labour Party have changed. That is, for pursuing some advantages, the expression in the

*utilisation* type has changed. All MPs used 'Negative words' in the *utilisation* type of interpretation in the first period. However, some MPs used 'Positive words' and some other MPs expressed the acceptance of the negative behaviour in the *utilisation* type of interpretation in this period. Another change which is related to the above was that the concept of pooling sovereignty in the *utilisation* type of interpretation has slightly penetrated some members of the Favour group in debates of the Treaty of Maastricht because there was no such expression in the SEA.

Consequently, the debate relating to the creation of the EU has affected the discourse and the attitude of members in both parties. And it is worth noting that some people, such as Sir Russell Johnston who was analysed in the section of 'Favour, Against and Abstention', have not changed their attitude and developed their arguments in direction moving toward a positive meaning under the circumstances in transition of the Conservative Party and the Labour Party.

## **7 New Labour (1997- 2009) and comparisons of three periods**

This chapter conducts discourse analysis of the period between 1997 and 2009. Samples of analysis are: 1) debates on the Treaty of Amsterdam, which are readings of the European Communities (Amendment) Bill (November 1997 – January 1998), 2) debates on the Treaty of Nice, which are readings of the European Union (Amendment) Bill (July - Oct 2001), and 3) debates on the Treaty of Lisbon, which are readings of the European Union (Amendment) Bill (January - March 2008).

The amount of data in each sample, which I found through the process of transcription and coding, is shown as Table A4.1 in Appendix 4. The analysis is conducted in the same manner as for Chapters 5 and 6.

Further, this chapter provides a comparison of all three periods in each analysis. Some changes could be found the comparison between the first and the second periods. Therefore, it will become clear whether the changes which could be recognized in Chapter 6 are temporary phenomena or not. The final comparison summary of all analyses will be stated in the concluding chapter.

### **7.1 Word usage analysis**

As with the previous two chapters, the analysis is conducted by a quantitative approach and focusses on what kind of word, including phrasal verbs, speakers have used in sentences related to sovereignty. My expectation is that those words that explain



or qualify the word ‘sovereignty’ are different depending on MPs’ political stand and the context of debates.

### *7.1.1 The word of exposition*

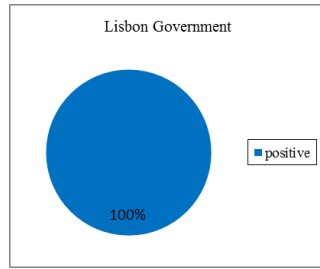
As in the previous two chapters, some key pie charts will be shown in the text and all pie charts, including numbers of data points are shown as Figures A4.1 – A4.7 in Appendix 4.

#### **Government (Figure A4.1)**

##### *Analysis of the third period and the over-time comparison*

As shown in Figure A4.1, there was no data for the Treaty of Amsterdam and the Treaty of Nice periods, and only three discourses of the word of exposition for the Treaty of Lisbon period for Government Ministers. Therefore, it is difficult to compare with other periods. As there was also a shortage of data in the previous period (1985-1993), members of governments rarely used the word of exposition. In the Treaty of Lisbon debates, all three statements of the word of exposition were the ‘Positive usage’. This is the only result available for this period. By observing the limited data of governments, it is possible to say that members of governments tended to use ‘Positive words’ in general. As I have argued in Chapter 3, it may be reasonable to contend that members of governments have been Europeanised in this aspect of analysis.

Figure 7.1: The result of government



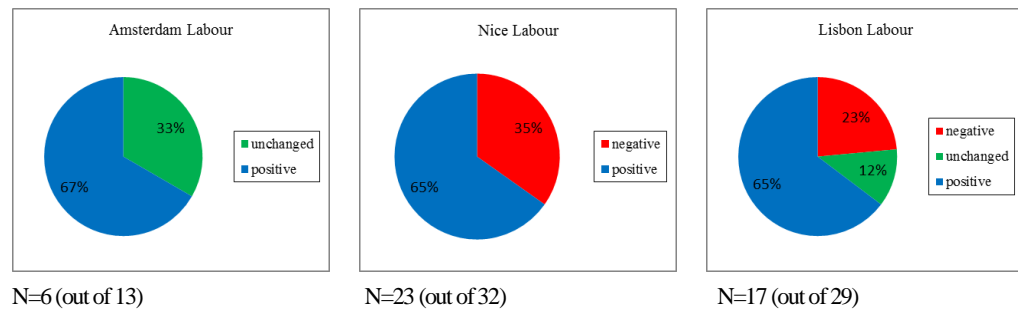
N=3 (out of 7 words of sovereignty)

### **The Labour Party (Figure A4.2)**

#### *Analysis of the third period*

In this period, I brought the analysis of the Labour Party to the next section of government because it was the ruling party. As shown in Figure A4.2, the percentage of the 'Positive usage' was over 60% in all three debates. This large percentage of the 'Positive usage' has never been seen in both the Labour Party and the Conservative Party in last two periods. A possible reason for the large percentage could be because only two people who were against the bills made statements on sovereignty in the Labour Party but they did not use the word of exposition. This trend, of which no data exist for the Favour group or the Against group in each party, often occurred so far; thus, it is not reasonable to say that only this reason was in the context of the large percentage of the 'Positive usage'. Then, what was the other reason or factor? I will discuss this in the next section.

Figure 7.2: The results of the Labour Party in each debate

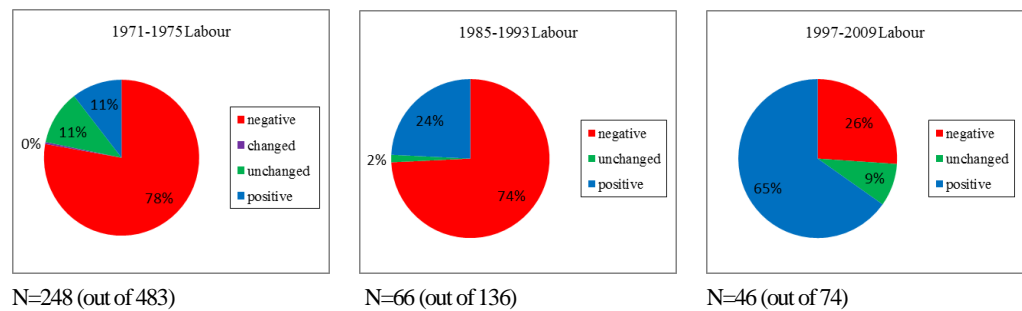


### *The over-time comparison*

In comparison with the first period, the result of the third period is completely the reverse. As I have argued in Chapters 3 and 6, the year 1988 was a turning point for the Labour Party from an anti-European to a pro-European stance when Jacques Delors, the president of the Commission, visited Britain and laid out his thinking on a social charter for Europe. The result of the change has appeared since the Treaty of Maastricht. As I showed in Chapter 3, a survey of Labour MPs in the 1992-97 parliament indicated that a majority accepted that British sovereignty could be pooled (Daniels 1998, p89; Featherstone 1999, p7). Then, when the Labour Party took power in 1997, though this is the result of backbenchers, this study verifies the result of the survey by the large percentage of the 'Positive usage'. Further, Fella argues that the Labour party turned its attentions towards a more pluralistic model of power. And he says that this vision requires the increased 'pooling' national sovereignties for the fulfilment of certain policy objectives (Fella 2002, p26). Given the fact that the 'Negative usage' was quite large in the Treaty of Maastricht period, discourse does not change at once but it has been

gradually constructed. Consequently, it is reasonable to say that the Labour Party has Europeanised in this aspect of analysis.

Figure 7.3: The results of the Labour Party in each period



### The Conservative Party (Figure A4.3)

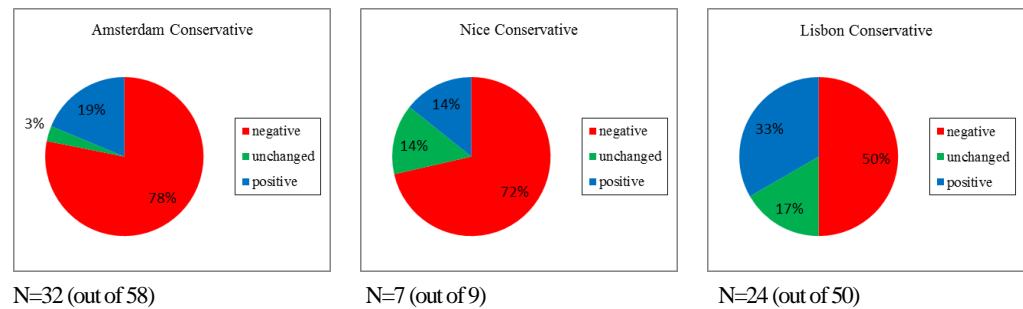
#### *Analysis of the third period*

Both the result for Conservative MPs of the Treaty of Amsterdam and the Treaty of Nice periods are similar. The percentages of the ‘Negative usage’ were more than 70%, and the percentages of the ‘Positive usage’ were less than 20%. The only difference is that the percentage of the ‘Unchanged usage’ in the Treaty of Nice was larger than in the Treaty of Amsterdam. However, the result of the Treaty of Lisbon was different from the other two debates. The percentage of the ‘Negative usage’ was 50%, and the percentage of the ‘Positive usage’ was more than 30%. Over 30% of the ‘Positive usage’ by the Conservative Party is the largest ever since the debate in 1971. Is this result reflecting the change in the Conservative Party, as Tim Bale suggested?<sup>19</sup> It is not appropriate to say

<sup>19</sup> This is cited in Chapter 3 as follows: Tim Bale suggested that the Conservative Party would turn into ‘Eurorealism’, or softer Eurosceptism, rather than harder Eurosceptism under the leadership of David

that the Conservative Party has changed or has been Europeanised by concluding from just one debate.

Figure 7.4: The results of the Conservative Party in each debate



#### *The over-time comparison*

Since 1971, except for the Treaty of Lisbon, regardless of whether the Conservative Party held power or not, the percentage of the ‘Negative usage’ has been large. Therefore, it is obvious that discourse of the Conservative Party did not change until the Treaty of Nice in this aspect of analysis. As I noted, I cannot say whether discourse has changed in the debate of the Treaty of Lisbon. Even if we could see the trend of change, the percentage of the ‘Negative usage’ would be larger than the percentage of the ‘Positive usage’.

#### **Favour and Against (Figures A4.4 & A4.5)**

##### *Analysis of the third period*

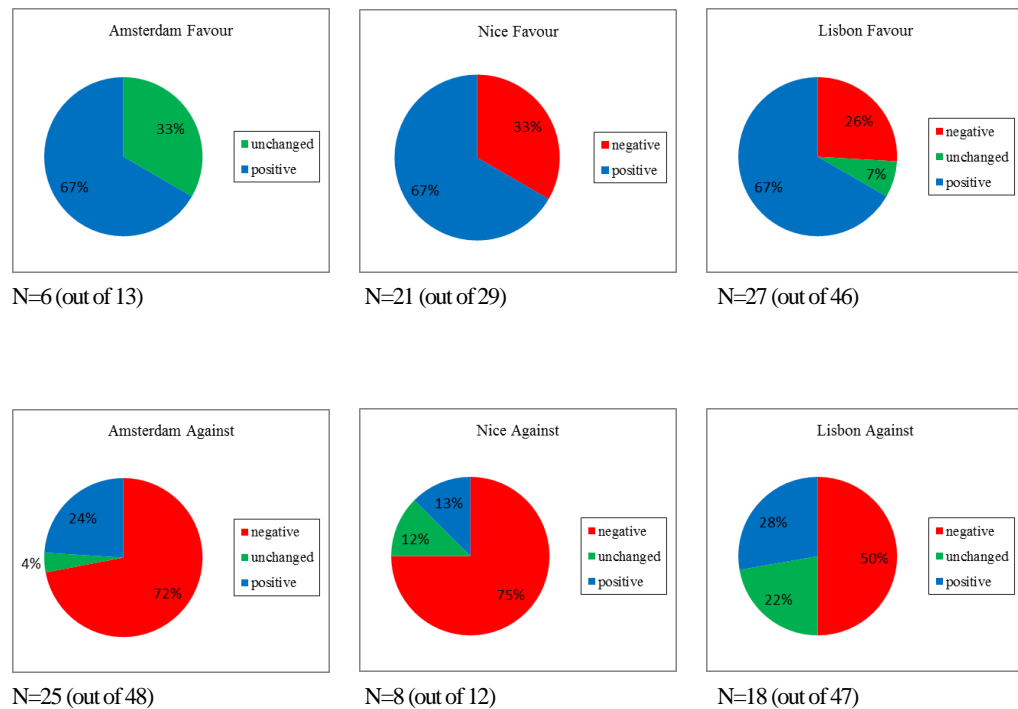
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Cameron, even if the Conservatives left the European People’s Party – European Democrats (EPP-ED) (Bale 2006, p385).

For debates in this period, the percentages of the ‘Positive usage’ in the Favour group were exactly the same (67%). These results were greatly brought about by the result of the Labour Party. The result of the Treaty of Amsterdam period was the same as the one with the Labour Party, and other results included only a few non-Labour MPs who voted in favour.

In the Against group, on the other hand, the percentages of the ‘Negative usage’ in the Treaty of Amsterdam and the Treaty of Nice periods were more than 70%. However, the percentage of it in the Treaty of Lisbon period was 50%. This result was greatly brought about by the result of the Conservative Party because only two MPs were not members of the Conservative Party in the Against group of 18.

Figure 7.5: The results of the Favour and the Against group in each debate



### *The over-time comparison*

In the Favour group, the percentage of the 'Positive usage' was never larger than the percentage of the 'Negative usage' until the SEA. In other words, MPs in the Favour group tended to use 'Negative words' in the beginning. However, in the Treaty of Maastricht period, the result was reversed but the percentage of the 'Positive usage' was still under 50%. In the third period, then, the percentages of the 'Positive usage' were 67% in all debates. The result clearly shows that MPs in the Favour group had shifted the usage of the word of exposition from 'Negative words' to 'Positive words' in debates.

In the Against group, the percentage of the 'Negative usage' was very large until the Treaty of Nice. Further, the percentage of the 'Positive usage' was less than 10% in the first and the second periods. Therefore, it is possible to say that MPs in the Against group have hardly used 'Positive words' in debates. In the third period, however, the percentages of the 'Positive usage' were much larger than before. I do not say that this result immediately indicates the change in the Against group because the percentages of the 'Negative usage' were still much larger than the percentages of the 'Positive usage'. The next section will show whether this result has indicated the change or not.

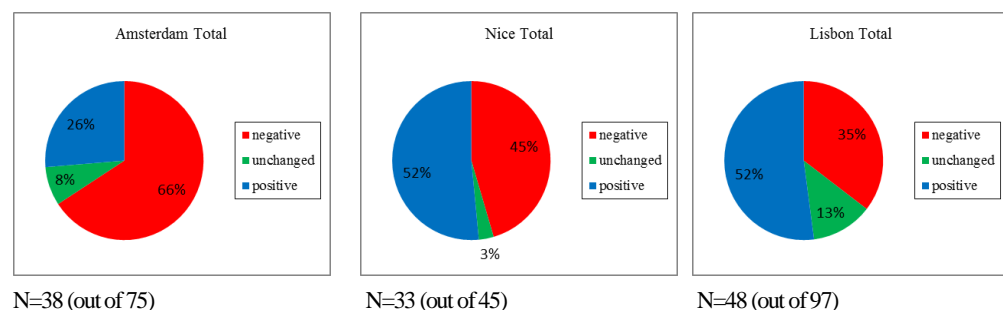
### **Total (Figure A4.6)**

#### *Analysis of the third period*

In this period, the percentage of the 'Negative usage' has gradually decreased. In the Treaty of Amsterdam debates, it was more than 60%; but in the Treaty of Lisbon debates,

it was less than 40%. The percentage of the 'Positive usage', on the other hand, was less than 30% in the Treaty of Amsterdam, and was over 50% and was exactly doubled in both the Treaty of Nice and the Treaty of Lisbon. It seems to me that a certain change occurred in this period. The change from the Treaty of Amsterdam period to the Treaty of Nice period was largely because of the amount of data. The amount of data for the Conservative Party in the Treaty of Amsterdam period was much larger than for the Labour Party on the one hand; the amount of data for the Labour Party in the Treaty of Nice period was much larger than for the Conservative Party on the other hand. Then, the change in the Treaty of Lisbon period was caused by the result of the Conservative Party and the Against group. The change of usage in these people, mainly Eurosceptics, is worthy of attention. In total, however, the percentage of the 'Negative usage' is still larger than the percentage of the 'Positive usage'. Therefore, it may not be reasonable to say that discourse has changed in this period.

Figure 7.6: The results of total in each debate

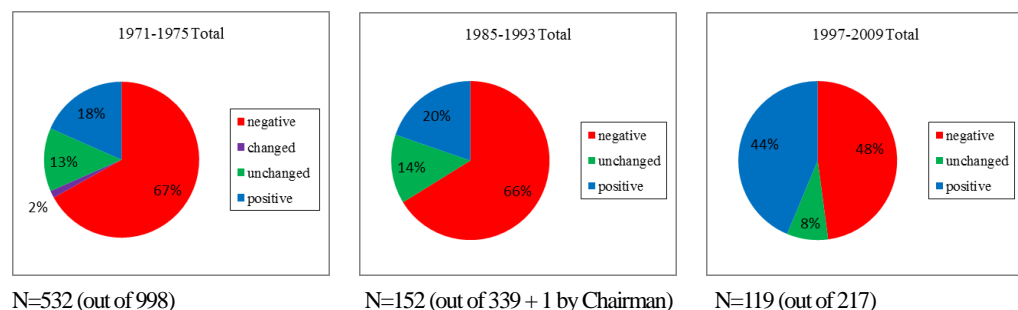




### *The over-time comparison*

Looking at the total of the first and the second periods, interestingly, they are almost the same. The difference is less than 2% in each usage. Though I have argued that there have been some differences and some changes in each period and in each group so far, it is clear that the overall usage has not changed. However, the total of the third period is completely different. The percentage of the 'Negative usage' has decreased by almost 20%, the percentage of the 'Unchanged usage' has decreased by about 5%, and the percentage of the 'Positive usage' has increased by more than 20%. How should we view these differences? I would like to say that these results indicate the existence of some degree of change. Taking the analysis within the third period into consideration, further, the change is more obvious after the year 2000. Around the year 2000, what happened in Europe and in Britain? Before attempting to answer this question, the remaining analysis must be concluded. I thus return to this query in the concluding chapter.

Figure 7.7: The results of total in each period

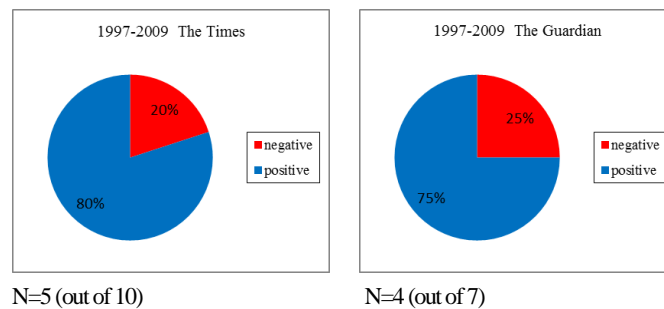


## Newspapers (Figure A4.7)

### *Analysis of the third period*

Although the extent of the data for both newspapers was not great, the percentages of the ‘Positive usage’ in both newspapers were very large. In *The Times*, four usages out of five in total were made by members of government. In the *Guardian*, there was no usage data of members of government but three usages out of four in total were made by the Favour group. The remaining one usage in both newspapers was made by the Abstention group. Therefore, the statement of usage in the Against group was not reported.

Figure 7.8: A comparison of *The Times* and with *The Guardian*

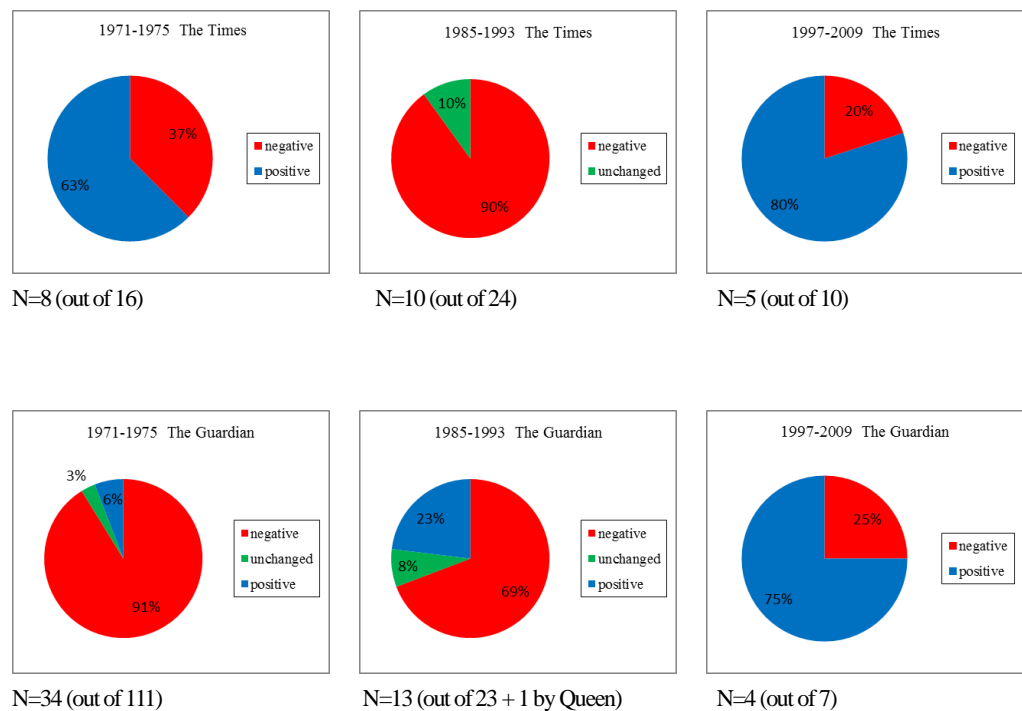


### *The over-time comparison*

The results of *The Guardian* were quite obvious. The percentage of the ‘Positive usage’ had gradually increased and the ‘Negative usage’ had gradually decreased. This trend of the change is very similar to the over-time result of the Labour Party. However, as I noted, the extent of the data, especially in the third period, was very small. It is not reasonable to say that *The Guardian* has Europeanised like the Labour Party. On the

other hand, the results of *The Times* are varying. Although the trend of the change is similar to the Conservative Party, the percentages of those usages were widely apart from the results of the Conservative Party. By observing these two newspapers, interestingly, the results were gradually getting closer.

Figure 7.9: The results of both newspapers in each period



### 7.1.2 The word of possession

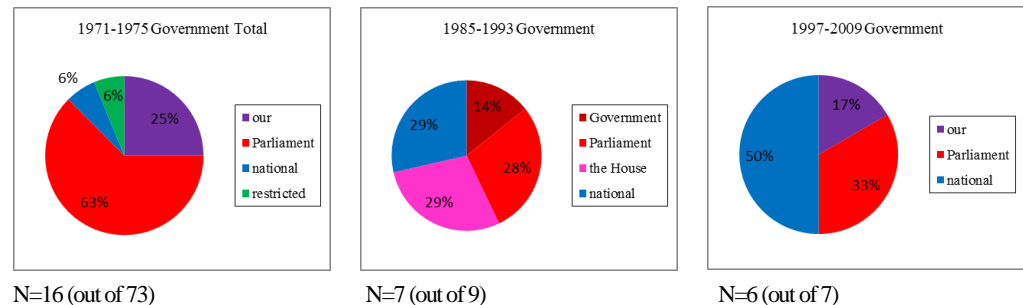
Some related pie charts will be shown in the text and all pie charts with numbers of data are shown as Figures A4.8 – A4.14 in Appendix 4.

### Government (Figure A4.8)

*Analysis of the third period and the over-time comparison*

Because of no data for the Treaty of Amsterdam and the Treaty of Nice debates, it is impossible to find the change in this period. In the Treaty of Lisbon period, which became automatically the total of this period, the largest percentage was ‘national’ and the second was ‘Parliament’. This result means that the usage of ‘national’ has gradually increased over time. In the first period, it was the third largest with only 6% followed by ‘Parliament’ and ‘our’. In the second period, the usage of ‘national’ became the same percentage with as ‘Parliament’ and ‘our’. Then, in the third period, it became the largest. Although the amount of data is not much, we may say that governments have shifted the usage of the word of possession in this aspect of analysis.

Figure 7.10: The results of government in each period



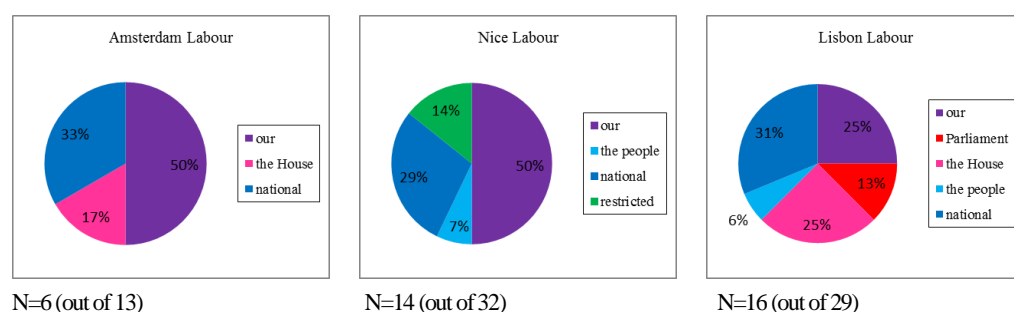
### The Labour Party (Figure A4.9)

#### *Analysis of the third period*

In the Treaty of Amsterdam and the Treaty of Nice periods, members of the Labour Party tended to use the word ‘our’ when they talked about sovereignty. The results were 50% in both debates. In the Treaty of Lisbon, however, the percentage of ‘our’ decreased

and became the second largest with ‘Parliament’, and the usage of ‘national’ became the largest percentage in this debate.

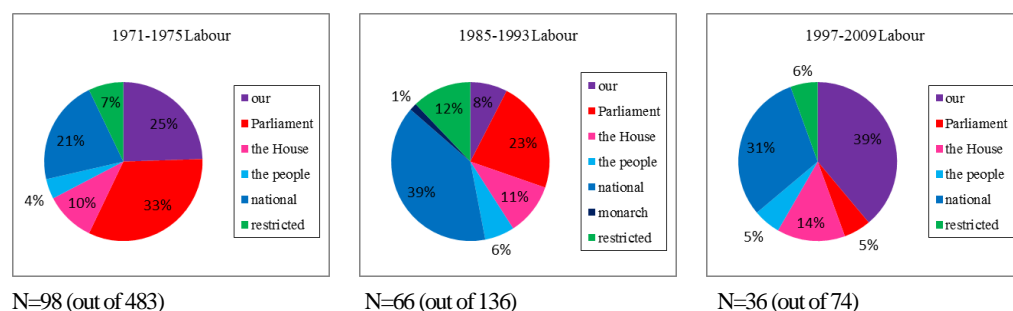
Figure 7.11: The results of the Labour Party in each debate



### *The over-time comparison*

The change in the Labour Party seems to be uniform. The usage of ‘our’ decreased in the second period but greatly increased in the third period. And the percentage of ‘national’ increased more than double in the second period but slightly decreased in the third period. However, the percentage of ‘Parliament’ gradually decreased over time: 33% in the first period, 23% in the second period, and 14% in the third period. Therefore, the Labour Party tended to not use ‘Parliament’ in this aspect. However, how should I treat the usage of ‘our’? If some of them intended to use ‘our’ instead of ‘Parliament’, this result would be changed. Thus it is hard to evaluate when the usage of ‘our’ occupies a large percentage.

Figure 7.12: The results of the Labour Party in each period



## The Conservative Party (Figure A4.10)

### *Analysis of the third period*

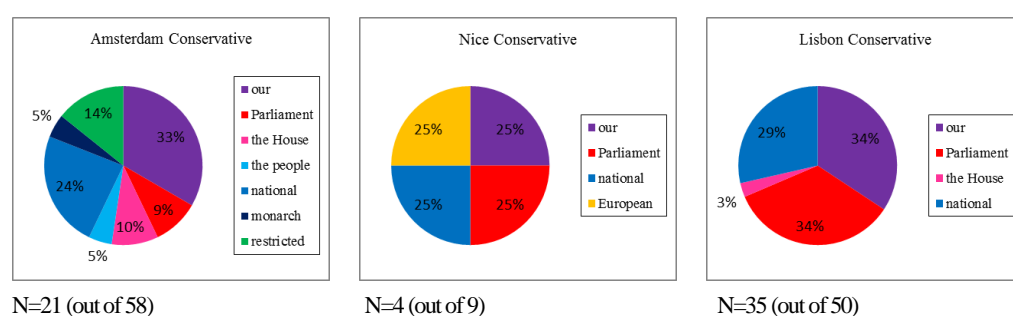
In general, the percentage of 'our' and 'national' were quite large in this period. The feature of the Conservative Party in this period is the usage of 'monarch' and 'European'. The usage of 'monarch' was stated in the debate of the Treaty of Amsterdam by Mr Robert Jackson who voted against the bill. He said that legitimacy has changed the way in which it was expressed. Then he stated:

In the long history of my party, we have successively envisaged the basis of legitimacy as the divine right of the monarch; the union of the throne and altar; the sovereignty of the Crown in Parliament; and—in the dawning era of referendums—the sovereignty of the people.

This means that the possession of sovereignty has shifted from monarch to the people. The usage of 'European' was by Mr Chris Grayling, who voted against the bill of the Treaty of Nice. He said, 'The pooling of European sovereignty belies the fact that if

recent history teaches us one lesson, it is that nationalism in Europe is not dead and that the spirit of sovereign nations is not dead.’ Though no other MPs used ‘European’ in statements in this period, he might purposely use ‘European’ as the opponent word of nationalism.

Figure 7.13: The results of the Conservative Party in each debate

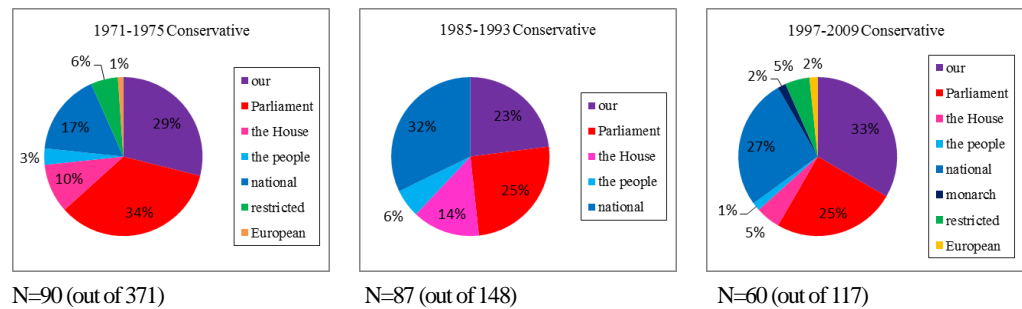


### *The over-time comparison*

Throughout the three periods, I cannot see a distinguished change in the Conservative Party. And also, I cannot see a big difference between the Labour Party and the Conservative Party. In the first period, although the percentages were not the same, the usage of ‘Parliament’ was the largest in both parties. In the second period, the usage of ‘national’ was the largest in both parties. And, in the third period, the usage of ‘our’ was the largest in both parties. That means there was not much difference of the word of possession between parties. As I argued in the section of the Labour Party, it is difficult to evaluate the usage of ‘our’. If both parties tended to use the ambiguous word ‘our’, there

would be an intention or a meaning. I would like to consider it in the total section with other aspects.

Figure 7.14: The results of the Conservative Party in each period



## Favour and Against (Figures A4.11 & A4.12)

### *Analysis of the third period*

The result of the Favour group was almost linked with the Labour Party in this period. On the other hand, the result of the Against group was close to the Conservative Party. The differences between the two groups were more usage of 'national' and 'our' in the Favour group and more usage of 'Parliament' in the Against group in total of this period.

### *The over-time comparison*

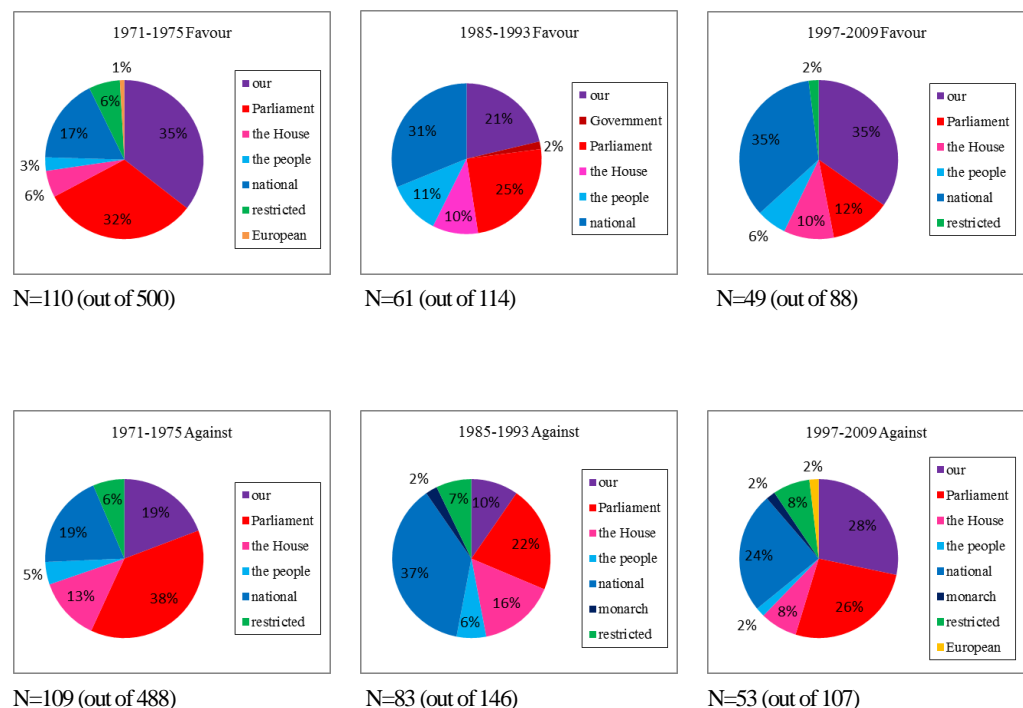
In the Favour group, the percentage of 'national' has gradually increased over time: 17% in the first period, 31% in the second period, and 35% in the third period. On the other hand, the percentage of 'Parliament' has gradually decreased over time: 32% in the first period, 25% in the second period, and 12% in the third period. This means that the



Favour group has certainly shifted its usage in this aspect of analysis. Although it is difficult to evaluate the usage of ‘our’ again, because this is also 35% as the largest in the third period and the first period, why has the usage of ‘national’ superseded the usage of ‘parliament’? It is hard to regard it as the rise of the nationalism because they are the Favour group. One possibility would be the national interest. As I have presented as the theoretical classification in the Interpretation analysis, MPs might seek national interests when they talk about the European matters. I will discuss it in the section of Interpretation analysis and the conclusion chapter with other aspects.

In the Against group, it is difficult to see the change throughout the three periods. The percentage of each usage has gone up and down throughout the three periods.

Figure 7.15: The results of the Favour and the Against group in each period

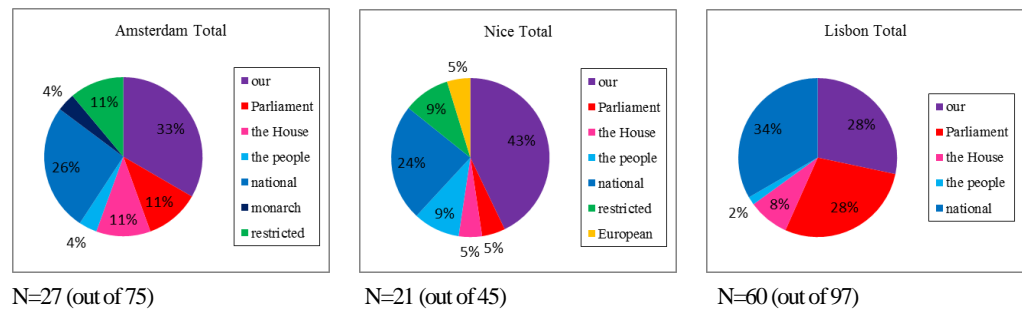


## Total (Figure A4.13)

### *Analysis of the third period*

The feature of this period was that the usage of ‘Parliament’ in the Treaty of Lisbon period was much larger than the other two debates. In the Treaty of Amsterdam period, the percentage of ‘Parliament’ was 11%, and in the Treaty of Nice period it was 5%. In the Treaty of Lisbon period, however, it was 28%. Although the usage of ‘Parliament’ dramatically increased in the Treaty of Lisbon period, the largest percentage was the usage of ‘our’, and the second one was the usage of ‘national’ in total of this period.

Figure 7.16: The results of total in each debate

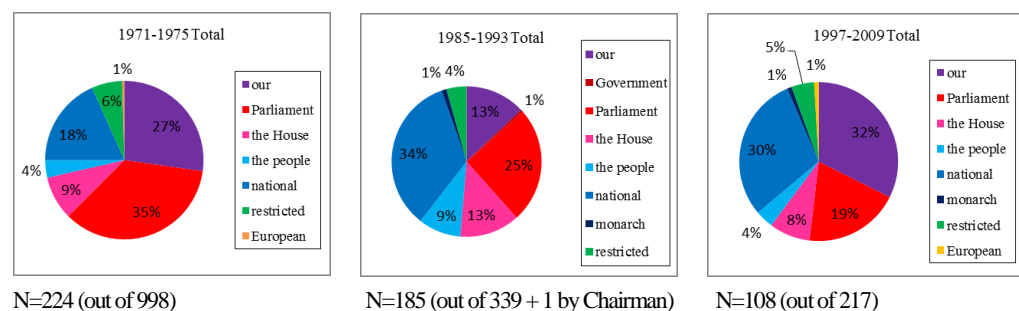


### *The over-time comparison*

Similarly to the Labour Party and the Favour group, the percentage referring to ‘Parliament’ in the context of sovereignty gradually decreased over time. The change of other usages was varying. For example, the usage of ‘our’ decreased in the second period but increased in the third period, and the usage of ‘national’ increased in the second period but decreased in the third period. The assumption which I presented in the

previous chapter was that national sovereignty gradually became an important aspect of MPs. However, this will not be an appropriate conclusion if the third period is included. The problem is, as I have previously stated, lies with the usage of ‘our’. Although the usage of ‘our’ can be replaced by other usages, this usage can imply a couple of other usages. For example, the usage of ‘our’ means ‘national’ and ‘the people’. In this case, when the usage of ‘our’ is large, MPs might view sovereignty from various aspects. However, this is nothing but one assumption. I need to evaluate it with other aspects of analysis. Therefore, it is reasonable to say that only the usage of ‘Parliament’ has shifted throughout the three periods in this aspect of analysis. Does this mean that parliamentary sovereignty has become unimportant for MPs or that MPs have changed their viewpoint of sovereignty? I will discuss this in the final chapter.

Figure 7.17: The results of total in each period



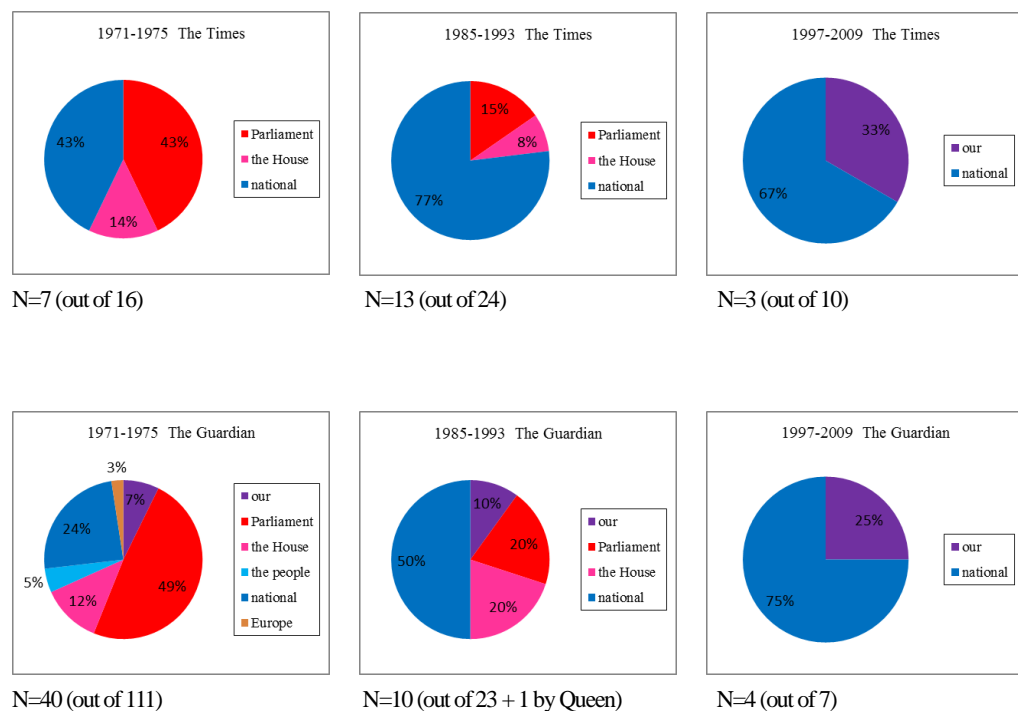
## Newspapers (Figure A4.14)

*Analysis of the third period and the over-time comparison*

The extent of the data was not great in this period. In both newspapers, the usage of ‘national’ was the majority and there was no usage of ‘Parliament’.

Throughout the three periods, the usage of ‘national’ increased and the usage of ‘Parliament’ decreased in both newspapers. This is a quite similar result with the Hansard records. Therefore, newspapers have faithfully reflected the discourse of MPs.

Figure 7.18: The results of both newspapers in each period



### Summary of Word usage analysis

In the word of exposition, the result of Hansard in this period is definitely different from those in the other two periods. The percentage of the ‘Positive usage’ is very large. Especially, the increase in the ‘Positive usage’ amongst the Conservative Party and the Against group is a surprise. Of course, the percentage of the ‘Positive usage’ amongst

them is still smaller than of the ‘Negative usage’. Taking the volume of difference from other periods into account, however, it is safe to say that the usage in this aspect of sovereignty has changed.

In the word of possession, on the other hand, it is not clear but possible to find that the percentage of the usage of ‘parliament’ decreased. With only this view point, it is hard to conclude that the usage has changed.

## **7.2 Definition analysis**

The analysis is carried out in the same way as for the previous two chapters. Thus this section analyses how speakers define sovereignty. My expectation is that Definition analysis can indicate which argument MPs pay attention and can suggest whether their points of argument have changed. Therefore, I tried to find differences, commonalities and consistencies from the various comments. The extent of the data that I found from each debate is shown as Table A4.2 in Appendix 4. The extent of the data is not great in this period. Paradoxically speaking, MPs have tended not to talk about the definition of sovereignty. Has the definition of sovereignty come down to a certain agreement or have MPs tried to abstain from stating the definition of sovereignty? Because of the shortage of data in this period, I include the over-time comparison in each group discussion.

## **Governments**

There was no statement of government in this period. Five statements of definition in total were found in the first and the second period. Two of them stated the location of sovereignty as *in Parliament*. The statements of what sovereignty should be in governments can be seen only in the first period. Hence, members of government have tended to abstain from speaking their definitions of what sovereignty should be and it is almost impossible to find the change in governments in this aspect of analysis.

## **The Labour Party**

In the Treaty of Amsterdam debates, there was no statement of definition. In the Treaty of Nice debates, Mr Wayne David said that sovereignty rested with the people. In the Treaty of Lisbon debates, Mr Mark Hendrick said, 'Sovereignty is either with the House or the people.' Both of them talked about which body or who should have sovereignty. In the previous two periods, members of the Labour Party made a variety of definitions of what sovereignty should be. In this period, there was no such statement in three debates.

## **The Conservative Party**

Two definitions in the Treaty of Amsterdam debates and one in the Treaty of Lisbon debates were found in this period. No definition was found in the Treaty of Nice debates. In the Treaty of Amsterdam debates, Mr Owen Paterson said that sovereignty should rest

with the people. And also, Mr Laurence Robertson focussed on a *practical* meaning and said, 'Sovereignty enables us to create the economy that suits our own industry, our own businesses and our own work force.' In the Treaty of Lisbon debates, Mr Richard Shepherd said that sovereignty surely lies in the House. Therefore, two of them made statements about who or which body should have sovereignty. Only one made a statement of what sovereignty can do rather than what sovereignty should be.

In comparison with previous two periods, it is possible to say the same thing of the Labour Party.

### **Favour and Against**

All statements of the Labour Party were as the Favour group, and two statements of the Conservative Party, except for Mr Paterson who abstained from voting, were as the Against group. Therefore, the result is not different from two parties. And it is difficult to compare between two groups and over time.

### **Summary of Definition analysis**

The most important point of this analysis would be how the shortage of definitions in the third period should be evaluated. As I have examined the frequency of definition in the previous two periods, the frequency in this period is as follows. In the Treaty of Amsterdam period, there were two statements of definition in total out of 52 statements of sovereignty. The percentage was 3.8%. In the Treaty of Nice period, there was only

one statement of definition in total out of 34 statements of sovereignty. The percentage was 2.9%. In the Treaty of Lisbon period, there were two statements of definition in total out of 84 statements of sovereignty. The percentage was 2.4%. In the previous two periods, the percentages of definition in all statements were between 8.5% and 11.7%. Thus, the statements of definition in this period are obviously few. Especially, there was no definition of 'what sovereignty should be' in the Treaties of Nice and Lisbon debates.

Why has no-one, except one in the Treaty of Amsterdam period, talked about what sovereignty should be like in the first and the second periods? Some of the answers may be those two which I provided in the beginning of this section. 1) The definition of sovereignty has come down to a certain agreement. 2) MPs have tried to abstain from stating the definition of sovereignty. If answer no.1 was true, there should be found a certain agreement of definition. In the second period, it was possible to find the trend that the point of argument was likely to come down to focus on a *practical* meaning. In fact, the only definition of what sovereignty should be, which stated in the third period, was the one which focussed on a *practical* meaning. However, it is impossible to find any statements that mentioned about an agreement for the definition of sovereignty. Thus, answer no.2 seems to be appropriate. But why have MPs needed to abstain from making statements of definition? What I can say is that almost all statements of what sovereignty should be, although some statements of who or which body should have sovereignty were found, appeared before the implementation of the Treaty of Maastricht; in other words, before the creation of the EU. It is reasonable to suppose that the impact of the



creation of the EU was strong on elites' discourse of definition. Have MPs been unable to make any statements of definition after the creation of the EU? Certainly, they can assert the definition as before if they want to do so. Then, why did not they assert it? One possibility is that to assert just one aspect of various definitions became meaningless for them under the evolution of European integration that involves complex institutional changes. As we have seen three points of argument: *legal*, *theoretical* and *practical*, these definitions are non-equivalent in various angles of European policies because it is possible to lose sovereignty in one sense and gain it in another (Lord 1992, p422). Hence the result in this period shows the difficulty of definition argument. As for when I examined the usage of possession in the previous section, the ambiguous usage 'our' was the largest percentage in the third period. One may say that it became difficult to state a clear view on sovereignty for MPs in relation to the European matter. And as mentioned in Chapter 1, political elites would attract the usage of function rather than discuss what it means in political practices.

The table below is the total points of definition through this period. Tables of each debate are shown in Table A4.3 in Appendix 4.

Table 7.1: 1997-2009 Total

Number of speakers	What sovereignty should be	Who or which body should have sovereignty
Government: Nil	N/A	N/A
Labour: 2	N/A	in the people: 1 either with the House or the people: 1
Conservative: 3	practical: 1	in the House: 1 in the people: 1
Favour: 2	N/A	in the people: 1 either with the House or the people: 1
Against: 2	practical: 1	in the House: 1
(Abstention): 1	N/A	in the people: 1
Total: Favour+Against +Abstention	practical: 1	in the people: 2 in the House: 1 either with the House or the people: 1

### 7.3 Interpretation analysis

The Interpretation analysis was carried out in the same way as for the previous two chapters, applying the following theoretical classifications:

By joining in the EC or passing a bill of European matter,

1. *Cession*: Sovereignty will be transferred to the EC/EU, or all or a part of sovereignty will be lost or limited.
2. *Unaffected*: Sovereignty will not be changed.
3. *Utilisation*: Sovereignty will be transferred to or be pooled in the EC/EU in exchange for some advantages.

And also, through membership activities in the EC/EU,

4. *Reinforcement*: Sovereignty will be strengthened, be used or be transformed by way of enhancing its capacity.

My expectation is that MPs' interpretation of sovereignty can be affected and changed over time through the mechanisms of adaptational pressure and interactions as to the progress of European integration and through other factors such as competitive discussion between government and opposition, the Conservative and the Labour, the Favour and the Against etc. As a result, the inclination of discourse in each group and period can be found.

## **Government**

In the Treaty of Amsterdam and the Treaty of Nice debates, there was no statement of government.

In the Treaty of Lisbon debates, four members made statements of interpretation. All of them can be classified as sovereignty being *unaffected* but their points of discourse are not the same. For example, Ms Bridget Prentice, the Parliamentary Under-Secretary of State for Justice, talked about 'the human rights provision' in the treaty and Mr David Miliband, the Secretary of State for Foreign and Commonwealth Affairs, talked about 'immigration, asylum, visas, police co-operation and civil law' in the treaty. They argue that these provisions do not reduce or infringe sovereignty of the UK or member states. In the previous two periods, members of government usually talked about sovereignty in

general or talked in an evasive way of expression like ‘ultimate’ sovereignty or a certain defined field without specification. One exception was that Mr Norman Lamont stated, ‘Nothing in the treaty interferes with the sovereignty of the Government of this country in monetary and fiscal matters in stage 2’ in the debate of the Treaty of Maastricht. However, two other members in this period talked about the treaty in general, therefore, pointing out that certain provisions by members of government would be one feature of this period.

In addition to the categorisation, Mr John Hutton, the Secretary of State for Business, Enterprise and Regulatory Reform, made a different statement of interpretation or, precisely, a statement of affirmation. He said, ‘The treaty contains a proper recognition in the laws of the EU, for the first time, of the sovereignty of member states over their national resources.’<sup>20</sup> Paradoxically speaking, this reveals that there are no other provisions that contain a proper recognition of the sovereignty of member states. That is to say, it is reasonable to view that members tend to consider the interpretation of sovereignty focussing on some specific provisions.

### **The Labour Party**

In the Treaty of Amsterdam debates, three members of the Labour Party made statements of interpretation. Two of them can be classified as sovereignty being *unaffected* and one of them can be classified as *utilisation* of European integration for

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<sup>20</sup> Some more statements, which are not the way of interpretation, on this matter can be found in members of back-benchers and the Conservative Party.

national interests. This *utilisation* type of interpretation was made by Mr Bill Rammell who had repeatedly made the same meaning in statements like, 'By pooling some of our sovereignty, we would have greater economic control.'

In the Treaty of Nice debates, six members made statements of interpretation. One of them can be classified as *cession* of sovereignty, two of them were as sovereignty being *unaffected*, and three of them were as *utilisation* of European integration for national interests.

In the Treaty of Lisbon debates, four members made statements of interpretation. One of them can be classified as sovereignty being *unaffected* and three other members can be classified as *utilisation* of European integration for national interests.

Throughout this period, there was no member of the Against group and two members who abstained in the voting. Thus, others voted in favour of the bills. One member who made a statement of the *cession* type of interpretation in the Treaty of Nice abstained in the voting. Therefore, all members of the Favour group made statements of either as sovereignty being *unaffected* or *utilisation* of European integration for national interests. Compared with the debate in the Treaty of Maastricht that came after the change of attitude in the Labour Party, the statement of the *cession* type of interpretation had dramatically decreased. Is this because the Labour Party had transformed from the opposition to the government? As I illustrated in the section of the Labour Party in Chapter 3, for the vast majority of the Labour Party MPs, there is a tendency to toe the

party line. They follow the party leader (Jones 2007, pp136-137). This tendency is now confirmed by this Interpretation analysis.

Regarding the division of the *utilisation* type of interpretation which I presented in the section of the Labour Party in the previous chapter, there were no first and second kinds that are the denial of the negative behaviour and the acceptance of the negative behaviour in this period. All statements were the third kind that is the presence of the 'Positive usage'. Although this tendency will be discussed again later in the section of 'Favour, Against and Abstention', discourse of the *utilisation* type of interpretation in the Labour Party has definitely changed in this aspect.

Focussing on individual members in the Labour Party, only Mr Peter Hain made statements in both the second and the third period. His statements obviously show the change in discourse. In the debate of the Treaty of Maastricht, he voted against the bill and said, 'Sovereignty was ceded to a Euro-level, not so much politically but, more important, economically, a long time ago.'<sup>21</sup> In the debate of the Treaty of Nice, on the other hand, he voted in favour of the bill and said:

Membership of the European Union does not mean surrendering sovereignty, which we have kept. We have retained the veto where it matters: for example, over taxation, social security and defence. As my hon. Friend said, we are considering pooling sovereignty.

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<sup>21</sup> Mr Hain opposed not European integration but the content of the Treaty of Maastricht.

Even if his attitude to European integration had not changed, his discourse on sovereignty would have obviously changed. It is dangerous to conclude whether discourse of all members of the Labour Party had changed on the basis of the discourse of just one person. Allowing for a tendency to toe the party line in the Labour Party, and as long as the basic line of the Labour Party for the EU had not changed, his tendency of change would penetrate other members' discourse.

### **The Conservative Party**

In the Treaty of Amsterdam debates, eight members of the Conservative Party made statements of interpretation. Seven of them can be classified as *cession* of sovereignty. All of them voted against the bill. One of them can be classified into either the *cession* type or the *utilisation* type of interpretation: this was made by Mr Ian Taylor who abstained in the voting. He paradoxically expressed the importance of joining:

It is not only by joining that we lose sovereignty, but by not joining. We lose sovereignty by not having influence and not being able to ensure that the rules of the game are not only properly formed but observed.

He did not say anything about the advantage of the UK in return but this discourse said that the advantage would be lost if we did not join. Therefore, it is difficult to classify into four interpretations.

In the Treaty of Nice debates, two members made statements of interpretation. Both of them can be classified as *cession* of sovereignty and voted against the bill.

In the Treaty of Lisbon debates, five members made statements of interpretation. Four of them can be classified as *cession* of sovereignty and one of them can be classified as *utilisation* of European integration for national interests. All four members of the *cession* type of interpretation voted against the bill. And one member of the *utilisation* type of interpretation voted in favour of the bill. This was Mr Kenneth Clarke and he was the only member who voted in favour of the bill within all statements of interpretation of the Conservative Party throughout this period. He said, 'We have pooled our sovereignty with the European Union and I think that that has been overwhelmingly to our benefit.' This, only one member of the Favour group, is the feature of the Conservative Party in this period. In the first and second periods, it was possible to find more members of the Favour group in the Conservative Party.

Focussing on individuals, four members of the Conservative Party made their statements in the previous period as well. They are Sir Teddy Taylor, Mr Bill Cash, Sir Patrick Cormack and Mr Kenneth Clarke. Sir Teddy Taylor made statements in the debate of the SEA and the Treaty of Amsterdam and both statements can be classified as *cession* of sovereignty. Mr Bill Cash made statements also in the debate of the SEA and the Treaty of Amsterdam and both statements can be classified as *cession* of sovereignty. However, his discourse has slightly changed in a certain aspect. This will be explained in the next section. Sir Patrick Cormack made statements in the debate of the Treaty of



Maastricht and the Treaty of Lisbon. As I introduced in the section of the Conservative Party in the previous chapter, his interpretation can be classified as *utilisation* of European integration for national interests but it was conditional. This condition might not be met. His interpretation in this period can be classified as *cession* of sovereignty. On the other hand, Mr Kenneth Clarke made his statement as sovereignty being *unaffected* in the debate of the Treaty of Maastricht and as *utilisation* of European integration for national interests in the debate of the Treaty of Lisbon. Accordingly, there was no fixed sign of the individual change of interpretation.

### **Favour, Against and Abstention**

In the Treaty of Amsterdam debates, the number of the Favour group corresponds exactly to the Labour Party. On the other hand, seven members who voted against the bill made statements of interpretation. They are all from the Conservative Party and all their statements can be classified as *cession* of sovereignty. Further, there was one member who abstained in the voting. This was Mr Ian Taylor, as I cited in the section of the Conservative Party.

In the Treaty of Nice debates, four members who voted in favour of the bill made statements of interpretation. They were all from the Labour party. One of them can be classified as sovereignty being *unaffected* and three of them were as *utilisation* of European integration for national interests. On the other hand, three members who voted against the bill made statements of interpretation. All statements can be classified as

*cession* of sovereignty. Further, there were two members who abstained in the voting. They are both from the Labour Party and one of their statements can be classified as *cession* of sovereignty and the other statement can be classified as sovereignty being *unaffected*.

In the Treaty of Lisbon debates, nine members who voted in favour of the bill made statements of interpretation. Five of them can be classified as sovereignty being *unaffected* and four of them can be classified as *utilisation* of European integration for national interests. On the other hand, four members who voted against the bill made statements of interpretation. They are all from the Conservative Party and all statements can be classified as *cession* of sovereignty.

As the result of the word of exposition shows, 'Positive words' were used quite often in this period in both the Favour and the Against groups. Needless to say, this phenomenon can be seen in the statements of interpretations. In the Favour group, they often used 'Negative words' in the first and the second periods when they made statements of the *utilisation* type of interpretation. In the first period, there were 26 members who stated the *utilisation* type of interpretation in the Favour group in total. Eighteen of them used 'Negative words' and six of them used 'Positive words' for explaining the advantage of the UK. In the second period, there were seven members who stated the *utilisation* type of interpretation in the Favour group in total. Two of them used 'Negative words' and three of them used 'Positive words' for explaining the

advantage of the UK. And, in this period, there were nine members who stated the *utilisation* type of interpretation in the Favour group in total. None of them used 'Negative words' and eight of them used 'Positive words' for explaining the advantage of the UK. Thus, it is possible to find the change of discourse to explain the advantage in the Favour group. This trend can be seen in the Against group as well.

Because there was only a couple of the *utilisation* type of interpretations in the Against group, I examine the whole members of the Against group by focussing on the 'Positive words'. In 1971 and 1975 of the first period, no-one in the Against group used 'Positive words'. In 1972, some members of the Labour Party in the Against group used 'Positive words' in the statement of interpretation. In the second period, no-one in the Against group used 'Positive words' in the statement of interpretation. This reveals two things. One is that members of the Conservative Party in the Against group never used 'Positive words' in the statement of interpretation. And the other is that no-one in any parties has used 'Positive words' since Britain actually became a member of the EC. Therefore, this period is the first time to find 'Positive words' in the statement of the Conservative Party in the Against group and the first time to use 'Positive words' since the accession to the EC.

Further, I will look at those statements with 'Positive words'. Four statements can be found in 14 statements of the Against group. In the debate of the Treaty of Amsterdam, Mr David Prior and Mr Bill Cash made their statement of interpretation. Mr David Prior said:

I, too, am in favour of the Single European Act, but when the Chancellor of the Exchequer says that monetary union will involve some pooling of economic sovereignty, that statement is disingenuous. I believe that monetary union goes beyond that. That view is not necessarily wrong, as I accept that there are different views on Europe, but monetary union goes way beyond some pooling of economic sovereignty.

Mr Prior recognised some pooling of economic sovereignty in the EU but he did not recognise monetary union as some pooling of economic sovereignty. Mr Cash states:

However, we are moving beyond thin slices to enormous chunks of our sovereignty being taken away from us, or being pooled with those of other countries and put into a legal framework, which will create impossible difficulties for us in the future.

Of course he opposed that sovereignty was to be pooled with other countries. However, what we can find from his discourse is that he did not say that sovereignty cannot be pooled. He said that pooled sovereignty would create impossible difficulties. In the debate of the Treaty of Nice, Mr Chris Grayling said:

Step by step, as we move from treaty to treaty, the process of integration develops, we hand over more sovereignty to an international pool, and decisions that should be taken in this country are taken at European level.

Mr Grayling recognised the concept of an international pool. And finally, in the debate of the Treaty of Lisbon, Mr Gerald Howarth said:

The British people have found out that the pooling of sovereignty to which she refers has proceeded to such an extent that we, the elected representatives of the people of this country, are no longer able to decide on a whole raft of issues on their behalf because powers have been progressively handed over to Brussels.

The expression of ‘the pooling of sovereignty’ in this statement is to use a previous speaker’s phrase. However, he did not say that sovereignty cannot be pooled. Thus all four members have not only used for the first time ‘Positive words’ in their statements of interpretation but also, surprisingly, not denied the concept of pooling or pooled sovereignty as an act or an existence.

### **Newspapers**

*The Times* in this period introduced two members with interpretations. Both of them were members of government. *The Times* cited a statement of Mr Tony Blair, the Prime Minister, at the time of the debate of the Treaty of Amsterdam, as follows:

We willingly pay the price of pooled sovereignty in defence, for the greater prize of collective security through NATO. We should be ready to pay a similar price in the

European Union for the prizes of political security and stability, liberal and open markets, higher incomes and more jobs.

And also a statement of Mr Jack Straw, the Secretary of State for Foreign and Commonwealth Affairs, at the time of the debate of the Treaty of Nice was cited:

The EU does not threaten our independence, our sovereignty or our identity. Rather, in today's world, more interdependent than it ever has been, the EU provides the surest guarantee that our voice will be heard in the world.

Thus, both interpretations can be classified as *utilisation* of European integration for national interests. In the data of Hansard, there was no statement of interpretation of government in the Treaties of Amsterdam and Nice. Therefore, these statements are the only interpretation of government.

*The Guardian* in this period, on the other hand, introduced three members with interpretations. All of them can be classified as *utilisation* of European integration for national interests. One of them was a statement of Mr Gordon Brown, the Prime Minister, and was cited as follows:

Brown insists the treaty does not impinge on British sovereignty and breaks new ground in providing opportunities for the EU to tackle global poverty, climate change and children's rights.

He did not directly say that Britain would get some advantages in return. He expands the scope of the advantage for the world. Two other statements of interpretation also referred to the scope of the world. One was Mr Peter Hain, of the Labour Party:

Speaking to the Labour group Progress he said it was time to ‘get real’ about the issue of sovereignty and recognise that in a globalised economy, pooling sovereignty could promote British interests.

The other was Mr Nick Clegg, the leader of the Liberal Democrats:

In an increasingly insecure world, the EU offers us safety in numbers. It strengthens our real sovereignty in an age in which national borders have become increasingly meaningless.

The statement of Mr Hain can be classified as *utilisation* of European integration and the statement of Mr Clegg can be classified as *reinforcement* of sovereignty by membership. This is the only interpretation of *reinforcement* type in this period. The statement of Mr Hain was delivered in the debate of the Treaty of Nice where he also made statements in the House of Commons as I cited in the section of the Labour Party, and the statements of Mr Brown and Mr Clegg were delivered in the debate of the Treaty of Lisbon.

### Summary of Interpretation analysis

In this analysis, three key words were found: provision, pooling, and the scope of the world. In interpretation of government, members tend to view sovereignty through some provisions in the law or the Act such as human rights. Some members of the Against group in the Conservative Party have used the term 'the pooling of sovereignty' and have recognised it for the first time. According to the study of Ludlam in Chapter 3, the Conservative Party can be divided into two camps: 'absolutists' and 'poolers' (Ludlam 1998, p42). Consequently, some absolutists have changed their discourse. And some statements of MPs, which were reported in newspapers, tend to view and consider sovereignty in relation to the scope of the world such as globalised economy.

Regarding detailed interpretations of *utilisation* type that were presented in the previous chapter, further, the change is obvious. Now all interpretation of *utilisation* type is expressed with the 'Positive usage'. This result can correspond with a survey of Labour MPs in the 1992-97 Parliament. This was shown in Chapter 3 and indicated that a majority accepted that British sovereignty could be pooled (Daniels 1998, p89; Featherstone 1999, p7).

These results would give indications of the change in discourse. However, the result that there was no interpretation of *reinforcement* type, except for one in newspapers, in this period was contrary to my expectation. As I argued in the previous chapter, this result makes it difficult to argue that there is a 'new' interpretation of sovereignty. Therefore, is



it reasonable to conclude that discourse change has not taken a direction of the *reinforcement* type of interpretation? I would like to argue this in the final chapter.

### **1997-2009 Conclusion**

In the debate of the Treaty of Lisbon, Sir Stuart Bell, of the Labour Party, states, ‘Back in 1972, Edward Heath talked about pooled sovereignty and we are still talking about pooled sovereignty today. We have never given a single power away to Europe.’ Apart from whether a single power has been given away or not, surely, they are still talking about pooled sovereignty. However, is it the same in recent years? As we found in the Word usage analysis and in the Interpretation analysis, the use of ‘Positive words’ including the term ‘pool’ has dramatically increased in this period, and, further, some members of the Conservative Party in the Against group have used this word for the first time ever in their statements of interpretation throughout three periods. Are they only a short-lived phenomenon of this period? Meanwhile, the definition of sovereignty has come to be not discussed in this period. One possibility of this trend is that it became difficult to state a clear general definition on sovereignty in relation to European matters as individual provisions of the treaties were focussed on in some interpretations. I will take up this question and detailed conclusion that came to light in this period in the next chapter.

## 8 Conclusion

I shall summarise, firstly, what I have examined up to Chapter 3. In the Introduction, three contexts of the research were provided. The historical context revealed that the meaning of sovereignty has evolved as political and historical contexts change. This result indicated that the impact of European integration would be another change of political context with potential implications for the meaning of sovereignty. The component context raised the question of whether dual and constitutive character of sovereignty could explain the phenomenon of European integration. In other words, the problem is whether it is possible to recognise the power in the supranational institution as sovereignty and whether sovereignty can truly be detached from a state as an ideology. These questions might suggest that the concept of sovereignty would require another component of sovereignty, neither internal nor external, as a member state of the EU. The theoretical context showed that the studies of International Relations and European integration have presented various views on sovereignty that would predict discourse change surrounding sovereignty. These contexts suggested the possibility of discourse change on sovereignty by European integration. The originality of this study was to focus on actual parliamentary debates and to analyse them to determine the extent of change. This study thus aimed at investigating the question of whether elite discourse on sovereignty has indeed changed in the context of European integration by applying discourse analysis.

To start with, in Chapter 1, I illustrated and examined how the academic literature has discussed sovereignty in the contemporary world. Academic literatures would be the basis from which to understand sovereignty for political elites. In academic literature, rationalists and constructivists have presented a variety of views on sovereignty. According to the shared viewpoint of constructivists, sovereignty can be changed through the construction of national interests within various social practices in a state. In recent works, Daniel Philpot and Neil Walker argued for the possibility of the change in sovereignty (Philpot 2001; Walker 2003). Especially, Philpot pointed out that the phenomenon of European integration would be one of five revolutions in sovereignty that was brought by revolutions in ideas. In relation to elites' understanding, then, the study focussed on the usage of sovereignty. Rebecca Adler-Nissen introduced the view by which 'sovereignty is a discourse' and argued that, by emphasizing sovereignty as a claim, the emphasis is placed on how it is used, or being played out, in legal and political practices (Adler-Nissen and Gammeltoft-Hansen ed. 2008, p82). As a result, these academic debates have given meaning to the study of discourse change of sovereignty in the context of European integration.

In Chapter 2, my focus narrowed down to Britain. The chapter examined how sovereignty has generally been conceptualised in Britain. The concept of parliamentary sovereignty had been established over a long period of time, from the sixteenth century to the nineteenth century. This study understood how the concept was uniquely accepted in Britain, whereas it also contained some intrinsic problems. Despite some criticisms,

the concept has been given support by British people, history and culture. In comparison with other member states of the EU, further, it was possible to draw attention to the differences of the conceptualisation in Britain. The concept of parliamentary sovereignty and its context were likely to be the grounds of discourse of MPs as well.

Chapter 3, therefore, examined the challenge of European integration on Britain thoroughly, including the perspective of theory, law, constitution and politics. The first section considered a theoretical perspective and concluded that theories of European integration have developed conflictingly but have offered a neutral view by focussing on the logic of arguing or communicative action. That is to say, an idea or a preference can be altered through argumentative persuasion. The change in theory might lead the trend of the debate on sovereignty. Nevertheless, I raised some unsolved questions about sovereignty such as whether sovereignty can be divided, whether shared sovereignty can be viewed as the same sovereignty of the nation state, and whether pooled or delegated sovereignty can be understood as keeping supreme power at the national level. These questions were posed by the gap between theoretical and practical perspectives and between a viewpoint of the state and the EU. Before we consider these answers, the section required to view a legal perspective of sovereignty as well. The examination of the legal perspective showed that ‘supremacy’ and ‘direct effect’ of Community law has already been established and accepted by the ECJ through court cases prior to the British accession to the EC. As a result, we found that sovereignty can be theoretically changed and EU law has already affected the sovereignty of member states.

Under these circumstances, how has European integration influenced elites discourse? The next section presented two possible mechanisms of discourse change and examined the impact on governmental machinery (Whitehall) of the UK. One of mechanisms could be found through the Europeanisation approach as adaptational pressure and the other mechanism could be found through the MLG approach as interactions between three levels: supra-national, member states and subnational. As the latter mechanism has worked mainly since the Blair Government implemented devolution, Europeanisation was the major mechanism of change for the whole period of European integration in the UK. This section cited such mechanisms as Europeanisation of Whitehall at the end.

As we have examined British case of Europeanisation, the next section considered the legal impact on the British constitution, especially on parliamentary sovereignty. Consequently, scholars and lawyers viewed that parliamentary sovereignty has declined or, at least in Foster's words, is in abeyance (Foster 2007, p63). However, existing literature indicated that debates of MPs on sovereignty have not always developed in accordance with these legal understandings. Nicol argued that MPs have failed to perceive parliamentary sovereignty in terms of judicial power (Nicol 2001, p106). The reason behind this was that there were three points of argument: *legal*, *theoretical* and *practical*, which were incompatible, over sovereignty. One possible reason why the questions, which were mentioned in the first section of the chapter, were unsolved would be the divergence of arguing points over sovereignty. The point here was MPs could

change their focus on these arguing points over time by the mechanisms of discourse change.

The last section found that the British political system has also complicated these arguments. Thus the section examined how debates over sovereignty developed into a confrontation, between and within parties, in the British political system. This confrontational style of British politics would be a factor of discourse change as well.

The examination of Chapter 3 revealed that the challenge of European integration has made an impact on both theoretical and legal perspectives, which can be elements of three different points of argument over sovereignty with practical perspective, and has provided the possibility of discourse change by mechanisms of institutional change such as adaptational pressure and interactions, and domestic factors like a competitive political culture.

It follows from what has been said thus far that elites' discourse change on sovereignty is fully conceivable. The dissertation then moved to an analysis of elite discourse surrounding sovereignty. This study used discourse analysis by applying key stages of the work of Potter and Wetherell for investigating discourse change.

*Sample selection:* The sample of this study was members of the House of Commons and eight debates on European matters.

*Collection of records and documents:* My data sources were Hansard records and two newspapers.

*Transcription:* Hansard records and newspaper articles were already transcribed and can be accessed by websites or documents in libraries.<sup>22</sup>

*Coding:* The first step of coding was to find a sentence which includes the word 'sovereignty'. Those sentences that were repetitions of other speakers and views as a third party were excluded. The second step was to classify speakers by their backgrounds, which were their party and their attitude to the resolutions.

*Analysis:* The analysis was carried out by comparing patterns and differences over time. The period of time was separated into three groups: 1971-1975; 1985-1993, 1997-2009.

In addition to these steps, this study applied three approaches for discourse analysis: Word usage analysis, Definition analysis and Interpretation analysis. The focus of this analysis was the question of how MPs have used the word 'sovereignty' and of whether they have changed its meaning or usage. Thus, more precisely, the viewpoints were how they have qualified or explained the word 'sovereignty', how they have expressed the definition of sovereignty and how they have interpreted sovereignty in relation to European integration.

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<sup>22</sup> Although transcription of data in 1970s was conducted manually, it appears that the data from the 1970s is now available electronically. Unfortunately, there was not enough time to re-do the analysis by using the search function like other periods. It may be conceivable that a couple of instances of 'sovereignty' might have been missed during the manual analysis. However, the result of the manual analysis is not likely to differ too much from the one electrical because the data for this period was large enough that one or two missing observations should not have a substantial impact on the overall results.

## Findings

From Chapter 5 to Chapter 7, this study conducted the analysis of three time periods. The following results were obtained.

### *Not changed*

Firstly, I present what has not changed throughout the three periods. In the word of exposition, the 'Negative usage' of the Against group was over 60% in total of all periods. And, also, in Interpretation analysis, the majority (all in the second and the third periods) of the Against group has continuously made statements of *cession* type of interpretation. The analysis shows that the usage of discourse has not changed in these two aspects of approaches.

### *Changed*

The big change in the word of exposition was the Labour Party in Hansard records. The 'Positive usage' has dramatically increased throughout the three periods. It was only 11% in total between 1971 and 1975, then 24% between 1985 and 1993, and finally 65% between 1997 and 2009. As the result shows a continuous 65% at all debates in the third period, the change became clear. The 'Positive usage' in newspapers is also very large in the third period but it was not possible to view any stable movement in the newspaper analysis throughout the three periods. In the word of possession, the usage of 'Parliament' in Hansard records has decreased throughout the three periods. This result



can also be found in both newspapers. On the other hand, the usage of 'national' in *The Guardian* has increased throughout the three periods. The usage of 'national' in *The Times* is also very large and larger than *The Guardian* in the third period but has decreased since the second period.

In Definition analysis, what was obvious is the shortage of data in the third period. MPs have begun to not speak about the definition of sovereignty. Also, in comparison between the first and the second periods, it was impossible to find consistency of definitions. One can say that the point of argument over sovereignty was likely to come down to focus on a *practical* meaning. And finally, in the third period, only one MP mentioned the definition of what sovereignty should be. This is discussed further below.

In the Interpretation analysis, the interpretation of *reinforcement* type has decreased throughout the three periods and is non-existent in the third period in Hansard records. In the interpretation of *utilisation* type, on the other hand, the 'Positive usage' like the term *pooling of sovereignty* has increased and all interpretations in the third period were the 'Positive usage'. Further, the third period is the first time to find the 'Positive usage' in the statement of the Conservative Party in the Against group and the first time to use 'Positive words' in any parties since the accession to the EC. And also, all members who made statements with 'Positive words' did not deny but, to put it another way, recognised 'pooling or pooled sovereignty' as an act of the nation or an existence of the concept.

### *Has discourse changed?*

Contrary to my expectation, it was impossible to find definite evidence for a new interpretation of sovereignty. I expected that a new phrase or new interpretation of sovereignty could be found from the Definition analysis and Interpretation analysis. The conclusion of no finding can be explained that there was almost no definition in the third period and that the interpretation of *reinforcement* type could not be found in the third period in Hansard records, though these may not be the only way for finding a new interpretation of sovereignty. If so, have we not found the answer to questions which were raised in the beginning of Chapter 3 in MPs' discourse as well? These were three questions of whether sovereignty can be divided between the state and the EU or into several sectors, whether shared sovereignty can be viewed as the same sovereignty of the nation state, and whether pooled or delegated sovereignty can be understood as keeping supreme power at the national level. As we could find in Interpretation analysis, all detailed interpretations of *utilisation* type now used 'Positive words' and some members in the Against group recognised 'the pooling of sovereignty' for the first time in the third period. Governmental elites and some members of the Favour group have already had this concept from the beginning. Therefore, it seems to me that the concept of 'the pooling of sovereignty' may be penetrating the Against group as well.

This result could indicate the answer to whether it is perceived that sovereignty can be divided. Facing the fact of sectional legal impact and in order to accept it, and having continuous discussion of sovereignty, it appears that MPs may have gradually adopted

the divisibility of sovereignty. If so, British discourse on sovereignty has changed. As cited in Chapter 2, Pappamikail argued, 'the British often view sovereignty as something indivisible, either you have it or you don't' (Pappamikail 1998, p217). Almost all the Against group has repeatedly denied any loss or the limitation of sovereignty by European integration, and they said that a further step of integration would be the surrender or the transfer of sovereignty in the first period. Mr Raymond Fletcher, of the Labour Party, in 1972 said, 'I can accept neither the phrase "pooling of sovereignty" nor the idea behind it.' This discourse was representing the view of Pappamikail. However, the discourse of the pooling of sovereignty, at least the phrase, has permeated into the Against group. The idea of the pooling of sovereignty means that a part of sovereignty can be placed under joint control. The idea contains the meaning of the divisibility of sovereignty both between the state and the EU and between sectors. As Fella noted, the Labour party turned its attentions towards a more pluralistic model of power (Fella 2002, p26). And, in relation to it, as the Labour Government introduced devolution, a pluralistic view of power has gradually been accepted in the UK. Have some people in the Against group accepted this idea too? They may have tried to find a mediating interpretation in a controversial idea that the UK should pool sovereignty to the EU which is not desirable in legal and theoretical perspective but the UK still has influence on the joint control in a practical manner; thus, although MPs understand that sovereignty of the UK cannot be absolute because of membership, this mediating interpretation or pluralistic view can bring the interpretation that sovereignty has not completely separated from the UK. That

is why discourse has converged in the way that the Against group absorbed the idea of the pooling of sovereignty. People may struggle to find the way of interpretation within the established concept without applying new meaning or adding a new component of sovereignty, which is neither internal nor external, as discussed in the component context in the Introduction. The concept of pooling sovereignty will be discussed again below.

How about the other two questions which were also raised as ‘unsolved questions on sovereignty’ in Chapter 3? One of them was whether shared sovereignty can be viewed as the same sovereignty of the nation state, if the EU acquires full control over governance of member states. Well, this is almost impossible unless the EU becomes a nation state or a federal state. No-one has mentioned this view in debates. As long as member states are independent states, they will try to view sovereignty as the concept for a state. People cannot apply this concept other than to a state. The other question was whether pooled or delegated sovereignty can be understood as keeping supreme power at the national level. This may become possible if MPs seek the interpretation of sovereignty in the same way as the first question which was the idea of the pooling sovereignty, although there was no discourse of ‘delegated sovereignty’ in debates. That is to say, sovereignty has not detached from the UK in a practical manner. Thus the points are whether sovereignty can be viewed through the sight of national level and whether this trend of mediating interpretation will continue and will be generalised.

Now, putting aside these points, I would like to find out the change of discourse by answering more questions which were raised during the analyses of Chapters 5-7.

In the analysis of the word of exposition in the third period, the result showed that a change was obvious after the year 2000. This was the double increase (from 26% to 52%) of the 'Positive usage' between the Treaty of Amsterdam and the Treaty of Nice. And the same percentage of the 'Positive usage' was seen in the Treaty of Lisbon. At the end, I raised the question of what happened in Europe and in Britain around the year 2000. Apart from these treaties, the Euro was introduced in 1999 and circulated in 2002 in Europe, and the Human Rights Act 1998, which aimed to apply the ECHR to UK law, came into force in 2000 in Britain. Although the ECHR is not a matter of the EU, the decision was likely to affect the interpretation of sovereignty. According to the study of Borthwick, as cited in Chapter 2, the ECHR and a written constitution was one of challenges to the sovereignty of Parliament (Borthwick 1997, p26). While Britain did not join the Euro, the argument on the sovereignty of currency has still become heated in Britain. Further, the Step Change programme of the Blair government in 1998, which sought to change the UK's European orientation from a passive and reactive approach, and devolution in Scotland, Wales and Northern Ireland in 1999 were viewed as critical junctures of institutional change by Bulmer and Burch (Bulmer and Burch 2005, p876; Bulmer and Burch 2009, p190). It is unclear whether all debates or some of them have influenced discourse on sovereignty. Although I took eight debates of European matters for the analysis in this study, there could be more debates which influence elites' discourse on sovereignty.

The second question which needs to be considered is the word of possession. The usage of 'Parliament' has decreased, the usage of 'national' was substantial in the second and the third periods, and the usage of 'our' was the largest in the third period. How should we evaluate these results? One possibility is that the usage of 'national' and 'our' has a meaning of larger extent than the usage of 'Parliament'. With the development of the EU, the organisations and the functions have grown more complex. Discourse on sovereignty may not be as simple as transferring it between Westminster and Brussels. Under these circumstances, it is possible to consider that MPs had difficulty in specifying whose sovereignty should be applied. Therefore, it is unreasonable to suppose that parliamentary sovereignty has become unimportant for MPs.

The third question is what I see as the decrease of the specification of a definition of sovereignty. This result can be considered through the Europeanisation approach. As I mentioned in the previous chapter, although some definitions of who or which body should have sovereignty were found, almost all definitions, except one in the third period, of what sovereignty should be appeared before the implementation of the Treaty of Maastricht; in other words, before the creation of the EU. As Bulmer and Burch considered that the Treaty of Maastricht is a critical juncture for institutional changes in the UK (Bulmer and Burch 2009, pp189-190), MPs may also have adapted their discourse to one which can correspond to those institutional changes resulting from the implementation of the Treaty of Maastricht. They might realise that asserting only one aspect of definitions of sovereignty was meaningless in the context of complex

institutional changes. Weber and Barterson argue that to define sovereignty is impossible because sovereignty is a source of theoretical confusion and a site of political struggle (cited in Hoffman 1998, p17). Rather than claiming the contentious definition of sovereignty, elites needed to change their focus on how sovereignty can be connected to a certain political and economic results which involve national interests. In other words, political elites would be interested in using the function of sovereignty rather than discussing and seeking what it means in political practices as mentioned in Chapter 1.

The fourth question is whether the increase of the pooling of sovereignty is a short-lived phenomenon or not. This is related to the question of the divisibility of sovereignty and the points which I temporarily put aside. This concept is not new but it is likely to start being accepted at a national level viewpoint. The concept has already been established for academics and at the European level. Anderson and Weymouth regarded pooled sovereignty as a European concept (see Pilkington 2001, pp87-88). That is why governmental elites and some of the Favour group have repeatedly used this concept that sovereignty can be pooled in the EU. It is true that those MPs in these groups who interpreted as *utilisation* of European integration for national interests at first tended to include 'Negative words' instead of this concept for obtaining some advantages in their interpretation but, at last, the concept of the pooling of sovereignty came to be used by all of governmental elites and the Favour group. That is to say, the concept, which was used in a part of these groups, has gradually been adopted possibly by the mechanisms of Europeanisation and the competitive political debates between parties and within each

party. The Against group, in other words Eurosceptics, has repeatedly refused this concept until the second period, as 'absolutists' to use Ludlam's word. And, in the third period, some of them used it for the first time, like 'poolers' in Ludlam's words. Assuming that MPs in the Against group realised this concept as a useful phrase for explaining the issue of sovereignty in relation to European integration, which some institutions have already Europeanised, and that they believed the concept to be maintaining the UK's practical aspect of sovereignty, the idea of pooling sovereignty that implies a view of British control would prevail into the viewpoint of national level by the pluralistic manner. Thus pooling sovereignty, which was firstly viewed as a European concept, could have been accepted as a useful interpretation in the domestic concept too. In short, it is quite likely that the discourse change has occurred by way of the adoption of European idea into the national standpoint. And if this concept had a sentiment that sovereignty has not completely separated from the UK, as stated above, the concept would evolve into the middle idea like building a bridge between rationalists' and constructivists' views on sovereignty, as Checkel argued (Checkel 2001).

The fifth question is why discourse change did not take a course of interpretation of *reinforcement* type. In the first period, many MPs said that sovereignty will be enhanced or strengthened by joining the Community or sharing sovereignty. In the second period, a couple of *reinforcement* type of interpretations can be found, and no such statement can be found in the third period in Hansard records and only one in newspapers. Britain joined the EC almost 40 years ago. Since then, discourse on sovereignty has been



repeated. As I illustrated at the end of the last chapter, from the statement of Sir Stuart Bell of which we are still talking about pooled sovereignty today, discourse on sovereignty has not changed at first glance. Further, it is impossible to find discourse which confirms how sovereignty has been strengthened or how enhanced sovereignty has worked by giving a specific example. Therefore, it was hard to reiterate the interpretation of *reinforcement* type. It is reasonable to say that some MPs have changed their sight from seeking the meaning of sovereignty in European integration to applying the practical aspect of sovereignty for the state as to changing the view levels from European to national.

#### *The implications of the demarcation*

Those above findings pertain to data that were limited, as described in Chapter 4. Elites were defined as British MPs. Are the findings likely to be similar to these results if I examined the discourse of other British elites? As I wrote in Chapter 4, it is quite difficult to find discourse of other elites in consecutive actual debates. If we analysed sporadic debates of different elites, the findings are unlikely to be similar to these above. The hardest part for the analysis of other elites is how many of them should be included and how we can find their discourse. For example, if we need to examine discourse of scholars, who should be included? Is it enough to view just those scholars who have written about European integration? Even if we want to examine them, it will still be difficult to demarcate who should be included because there are unlimited people who

have written about sovereignty and European integration. Further, if we need to examine discourse of bureaucrats, which machinery or office should be included and from where can their statements be found? Journalists could be easier than other elites. Are they different from MPs? It seems very likely that journalists and MPs would, in fact, use similar discourse: journalists may speak or write in reacting to those discourses of MPs and vice versa. They may take one of postures in the debates of MPs. Although the detailed findings may differ from MPs, it is a likely supposition that the overall findings could be similar to them if we include a wide range of journalists. This is an interesting question which should be pursued in future research projects on this topic.

What would happen if discourse outside of the period of parliamentary debates had been examined? Although there is a problem regarding how the other periods can be defined, it is possible to imagine that the discourse of the Cameron administration is different from those of the Labour government between 1997 and 2009. As we found that more members of the Conservative Party have changed their attitude towards European integration to scepticism, it seems likely that we will find more negative discourse on European integration than was the case with the Labour government. In terms of the crisis of European finance in recent years, non-government members also may imply more sceptic view in their discourse. The result of the current debates should be examined once a certain period has defined such as after the next change of administration. Prior to 1971 should be considered from a different perspective. As we have examined discourse change from the impact of European integration, the finding

under non-membership status could be different from those as a member of the EC/EU. Of course, it is possible to analyse discourse change on sovereignty by tracing back to 1961 when Britain first applied to join the EEC or even to 1951 when the Treaty establishing the European Coal and Steel Community was signed. As this study is including 1971 and 1972 before Britain actually joined the EC, and the findings of these years have showed different perspectives from other periods of this study such as more of the *reinforcement* type of interpretation, the analysis of 1971 and 1972 may reflect the result of the period prior to 1971. Although it is hard to say that discourse change has begun since the UK accession to the EC, this study has focussed more on the influence of membership as Europeanisation. Thus the period between 1971 and 2009 should be sufficient for analysing British elites' discourse change resulting from the impact of European integration so far. Future research could, however, extend the data collection back to the 1960s and provide a comparison of discourse over this lengthier time period to try to detect whether there have been fundamental changes in the usage and meaning of sovereignty in the pre- and post-accession periods.

Were discourses of MPs authentic? In other words, isn't it possible that MPs were simply 'posturing' and taking stands in parliament in a way that was designed specifically to support the government? When we look at the result of the word of exposition, for example, the numbers of Positive words by government members were obviously larger than non-government members of the Conservative Party in 1971 and 1972. This result indicates that discourses of those MPs who were in parliament might

not be authentic. However, in the third period when we compare government members and non-government members of the Labour Party, these perspectives were not much different from one another, although it must be acknowledged that the amount of data for government members was small. What we can find from this result is that discourse of non-government members has actually changed whether discourse of government members were authentic or not and, further, whether non-government members of the Labour Party in the third period who used more Positive words than before also postured as the support for the government or not. Thus even if the intention of discourse was not clear, it should be possible to draw some conclusions regarding whether the usage of discourse has changed or not.

In addition to this argument, then, could we find better indication of discourse change if we had examined discussions outside of parliament? This would depend on which people are included. Therefore, it might be possible to find more obvious change of discourse outside of parliament but the result could be biased in terms of whether all MPs have participated in such discussions. Ideally, data should be included for all kinds of MPs who are representative of various opinions. In parliament, all MPs participate in discussion though not all of them have the right to speak. We may find those MPs who have not made statement in parliament and add their discourse outside of parliament to data of this study. However, statements about sovereignty and the EU outside of parliament are almost unlimited, raising the problem of how to go about conducting such an analysis. Unfortunately, this must be left to future research.

Taking these implications of the demarcation into consideration, in sum, the findings of my research show that elites discourse on sovereignty has changed in the last four decades, and the change was especially obvious at the time of the Treaty of Maastricht and at around the year 2000. The divisibility of sovereignty has gradually been accepted. This is surmised by the prevailing concept of 'pooling sovereignty'. Further, it is reasonable to suppose that the interpretation of 'pooling sovereignty' has evolved from the European concept as the idea, in which sovereignties of member states should be pooled in the EU for the development of European integration, into the national concept as the purpose, which the UK utilises its sovereignty in the way of pooling sovereignty while retaining the view that the UK still has influence on its matters in order to pursue national interests. The decrease of the definition of sovereignty also indicates that people have shifted from the pursuit of the meaning of sovereignty to the focus on its usage under complex institutional changes of the EU. It is reasonable to view that the mechanism of adaptational pressure in Europeanisation has contributed to the shift of elite focus. Further, the large difference of the result in the third period, in the word of exposition and in the Definition analysis, could be also explained by the mechanism of interactions in the MLG approach.

These results do not mean MPs have changed the meaning of sovereignty. They have just changed the usage of sovereignty because they did not seek the meaning or the definition of sovereignty in the third period. In short, whether new phrases or new

interpretations of sovereignty, which I assumed to be one of the indications of discourse change, emerge and evolve in discourse depends on whether people continuously seek the meaning or the definition of sovereignty in revolutionary phenomena like European integration. Thus, as long as people do not seek the meaning or the definition of sovereignty, this study showed that the change occurred in usage as the evolution of the established discourse such as the pooling sovereignty.

Has the change of meaning or interpretation ever occurred? It is difficult to examine and prove it at the time of writing or only with this study. It may be possible to detect in the future from a longer historical perspective. As we have seen, for the establishment of 'popular' sovereignty that had taken almost a century or of 'parliamentary' sovereignty that took a couple of centuries, only four decades of discussion may not be enough to detect a substantial change. The difficulty also derived from the limitation of this study. The analysis only focussed on eight debates of European matter and only took three analytical approaches. Although this study analyses sovereignty discourse, further, data were only sentences which include the term sovereignty. Thus the problems were how those discourses that have spoken in other debates of European matter and those discourses that did not speak the term sovereignty but might have influenced the interpretation of sovereignty should be treated. Whether the hypothesis can be better analysed by making up for these deficiencies is open to discussion.

Then, is there any possibility that the change in usage, which this study showed, lead to a change of meaning or interpretation? The institutions of the EU are under evolution.

The impact of European integration would continue bringing some institutional change within member states as Europeanisation, especially at a time when significant change will be found in the process of European integration from now on. The future of European integration may be decided depending on how elites understand sovereignty. To put it another way, a changed elites understanding of sovereignty which is a part of shared idea can affect and construct the future reality. If sovereignty evolves with the change in usage, this changed usage will affect and construct the collective understanding or the meaning itself in the future. The acceptance of the divisibility of sovereignty in usage could be an indication of the change meaning.

Thus future research needs to find out whether the meaning of sovereignty will be sought in European integration by elites again and whether the change of the meaning can be derived from the change in usage. Of course, the analysis at least needs to view historical changes in discourse which can be found through the over-time analysis and to include institutional changes that bring adaptational pressure of Europeanisation.

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## Appendix 1

### The word list of usage analysis

**Table A1.1: The word of exposition**

Type	Words
<b>Negative</b>	abandon/abandonment, abate, abdicate, abolish, abridge, abrogate/abrogation, at stake, barter away, bind, breach, cede/cession, cease, challenge, circumscribe, concede, curtail, damage, danger, decline, denigration, deny, depart, derogate/derogation, destroy/destruction, deterioration, detract from, dilution, diminish/diminution, dissolve, divest/divestment, do away with, encroach/encroachment, end, eradicate, erode/erosion, extinction, fetter, forfeit, gamble, gamble away, give, give away, give up, go, hand over, impinge, impair, impugn, infringe/infringement, interfere, intrusion, invasion, jettison, lack, limit/limitation, loss/lose/lost, lose out, move away, offer, pass, pass over, part with, qualify, reduce/reduction, relinquish, remove, render, renounce/renunciation, resignation, restrict/restriction, risk, rob, sacrifice, sap, secession, seepage, sell, sell out, shift, sign away, subject, subordinate/subordination, suffer, surrender, take, take away, threaten, trade, transfer, trespass, undermine, under pressure, weaken, wreck, yield, yield up
<b>Changed</b>	affect, change, combine, embody, merge, transform,
<b>Unchanged /Defensive</b>	assert, continue, defend/defence, exist/existence, guarantee, have, hoard, keep, leave, lie, maintain/maintenance, persist, possess, preserve, prevent, protect/protection, remain, reserve/reservation, retain/retention, safeguard, salvage, save, secure, unaffected, unchallengeable, unimpaired, uphold,
<b>Positive</b>	accretion, add, application, claim back, enhance, enjoy, exalt, exercise/exercisable, exert, extended, gain, get back, growth, increase, obtain, pool, reaffirm, re-establish, regain, restore, share, strengthen, use, wield,

**Table A1.2: The word of possession**

**Our**

**Government**

**Parliament:** parliamentary

**The House:** the House of Commons, this Chamber

**The people:** electorates, the nations, popular, the citizens

**National:** British, this country, the United Kingdom, state

**Monarch:** Queen, the Crown

**European**

**Restricted:** legal, legislative, legitimate, economic, financial, personal

## Appendix 2

**Table A2.1: The number of the word sovereignty (1971-1975)**

- 1) Debates which responded to the White Paper of July 1971 whereby the government announced the intention of entering the EC (October 1971)

The number of the word sovereignty

Party and stand for the resolution	Hansard	Newspaper
Conservative Government (cabinet ministers)	8	3
Conservative in favour	51	5
Conservative against	32	5
Labour in favour	39	Nil
Labour against	36	6
Other in favour	5	Nil
Other against	3	Nil
Total	174	19

- 2) Debates on European Community Bill 1972 which are readings of the Bill for the accession to the EC (February – July 1972)

The number of the word sovereignty

Party and stand for the resolution	Hansard	Newspaper
Conservative Government (cabinet ministers)	59	17
Conservative in favour	127	5
Conservative against	65	9
Conservative abstention	2	Nil
Labour in favour	Nil	1
Labour against	322	21
Labour abstention	3	Nil
Other in favour	35	1
Other against	4	Nil
Other abstention	4	Nil
Total	621	54

- 3) Debates on continued membership which are called towards a referendum on membership (April 1975)

The number of the word sovereignty

Party and stand for the resolution	Hansard	Newspaper
Labour Government (cabinet ministers)	6	31
Conservative in favour	84	16
Conservative against	9	3

Conservative abstention	1	1
Labour in favour	72	3
Labour against	11	Nil
Other in favour	14	Nil
Other against	6	Nil
Total	203	54

The total number of the word sovereignty 1971-1975

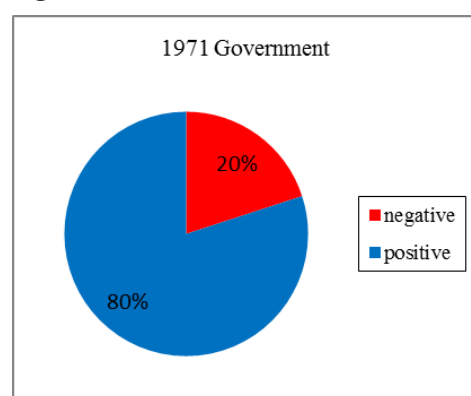
Party and stand for the resolution	Hansard	Newspaper
Governments (cabinet ministers)	73	51
Conservative in favour	262	26
Conservative against	106	17
Conservative abstention	3	1
Labour in favour	111	4
Labour against	369	27
Labour abstention	3	Nil
Other in favour	54	1
Other against	13	Nil
Other abstention	4	Nil
Total	998	127

### The word of exposition 1971-1975

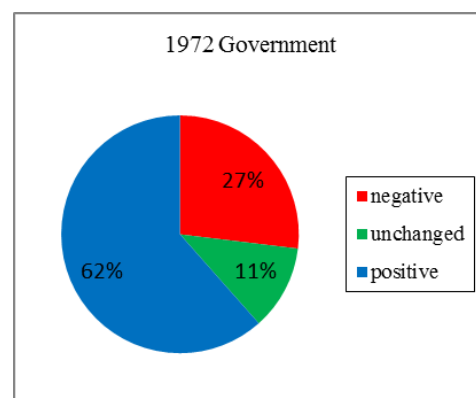
Colour coding

negative: red, positive: blue, changed: purple, unchanged/defensive: green

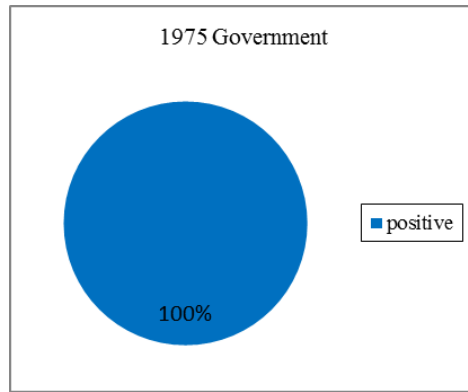
**Figure A2.1 Government**



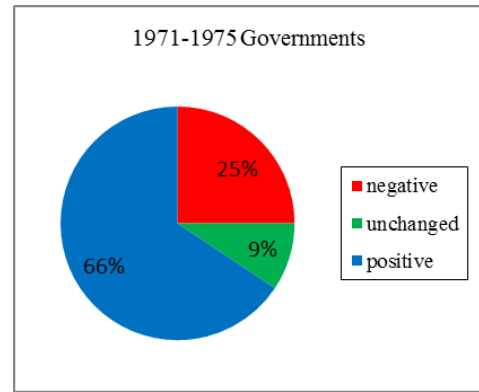
N=5 (out of 8 words of sovereignty)



N=26 (out of 59)



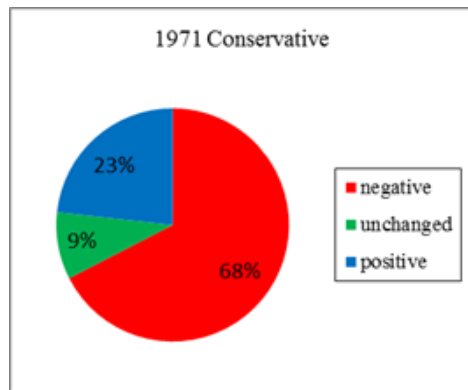
N=1 (out of 6)



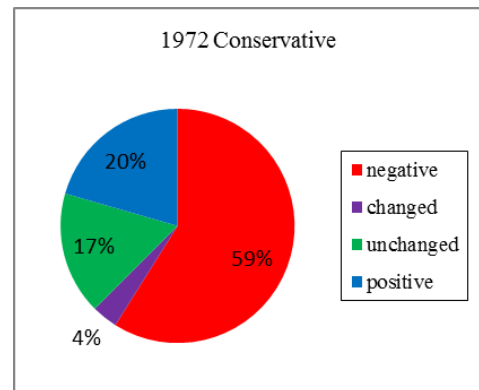
N=32 (out of 73)

1971 and 1972 were the Conservative and 1975 was the Labour Government.

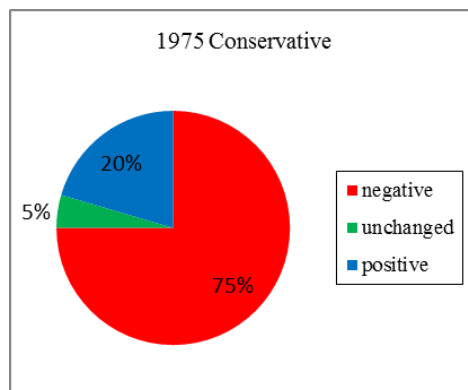
**Figure A2.2 The Conservative Party**



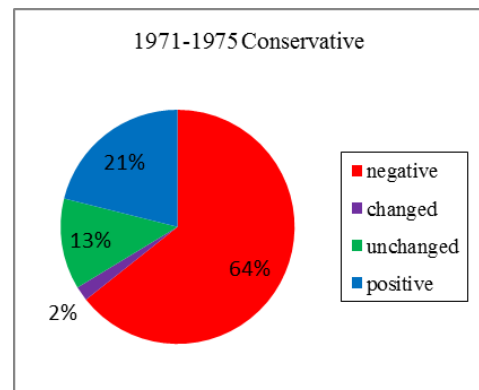
N=43 (out of 83 words of sovereignty)



N=112 (out of 194)



N=44 (out of 94)

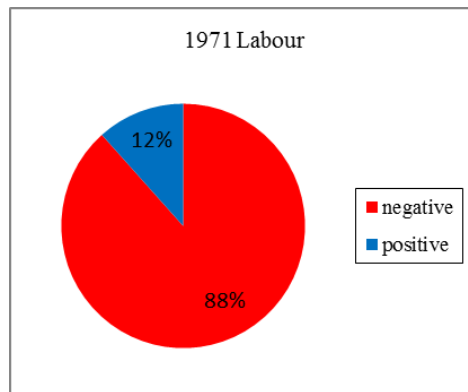


N=199 (out of 371)

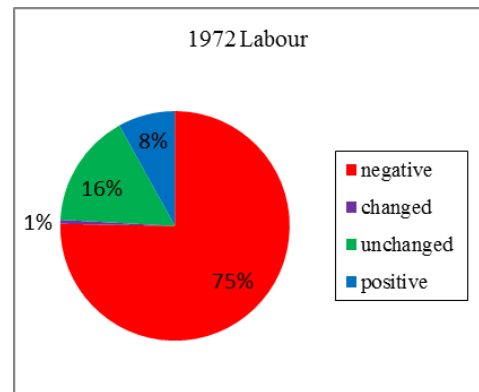
In 1971 and 1972 were as the governing and in 1975 was as the opposition party.



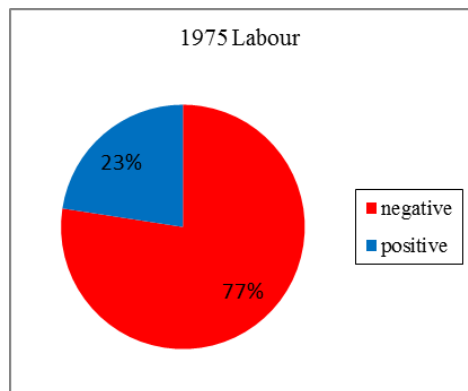
**Figure A2.3 The Labour Party**



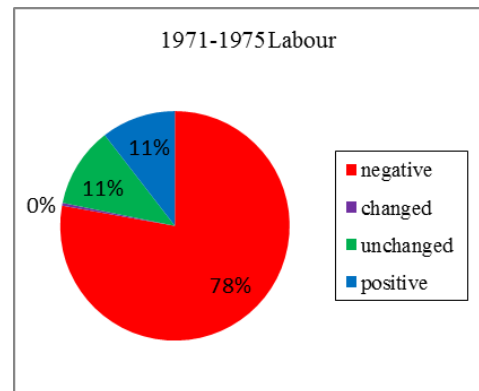
N=43 (out of 75 words of sovereignty)



N=174 (out of 325)



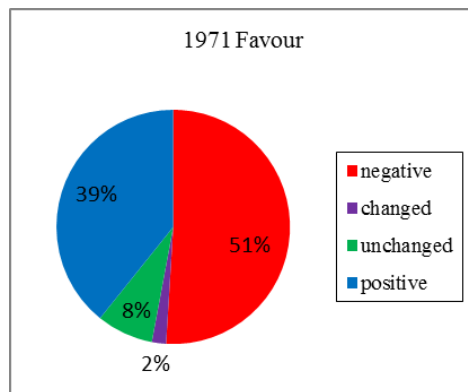
N=31 (out of 83)



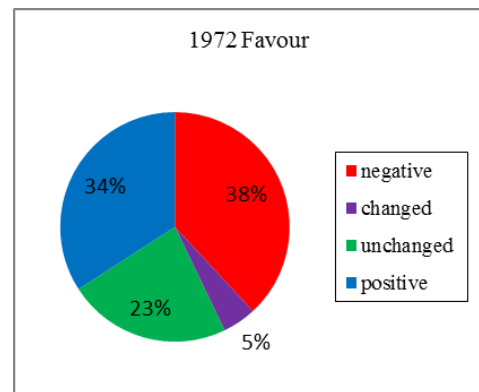
N=248 (out of 483)

In 1971 and 1972 were as the opposition and in 1975 was the governing party.

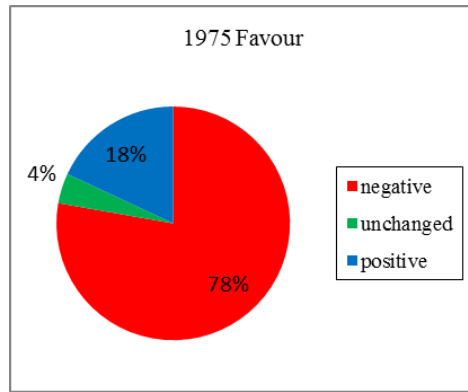
**Figure A2.4 Favour**



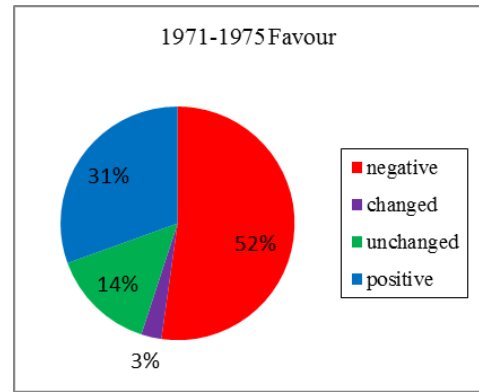
N=51 (out of 103 words of sovereignty)



N=126 (out of 221)

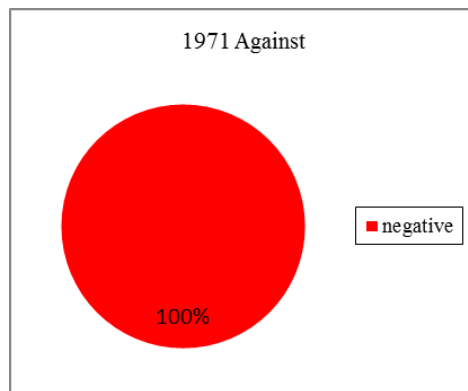


N=72 (out of 176)

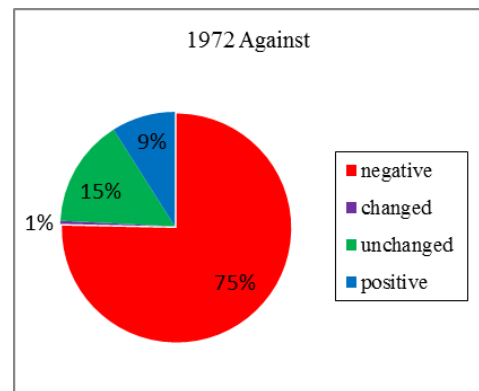


N=249 (out of 500)

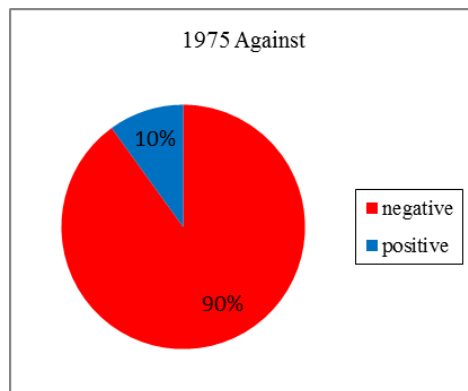
**Figure A2.5 Against**



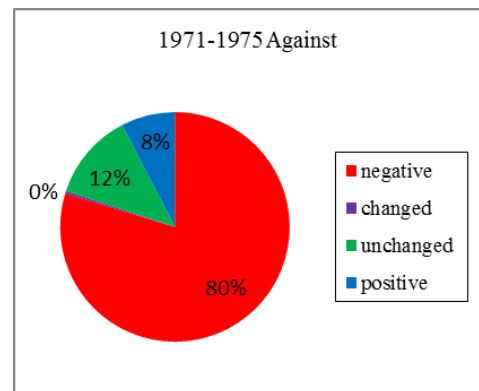
N=43 (out of 71 words of sovereignty)



N=223 (out of 391)

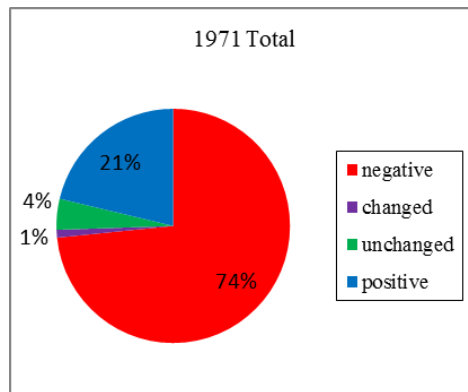


N=10 (out of 26)

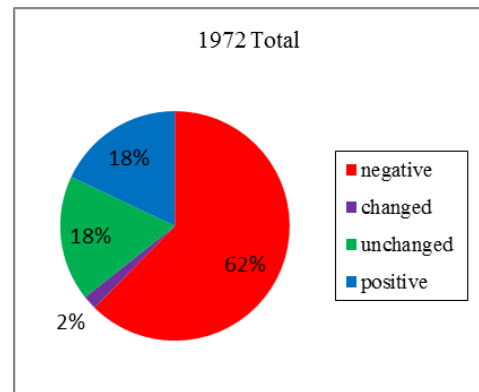


N=276 (out of 488)

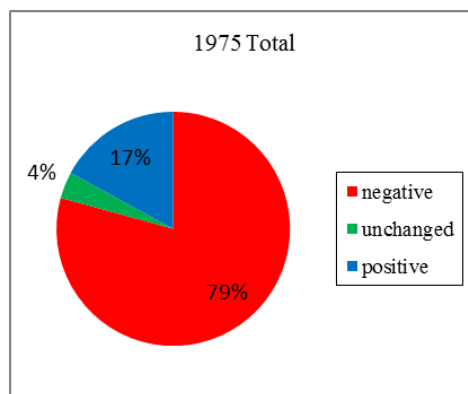
**Figure A2.6 Total**



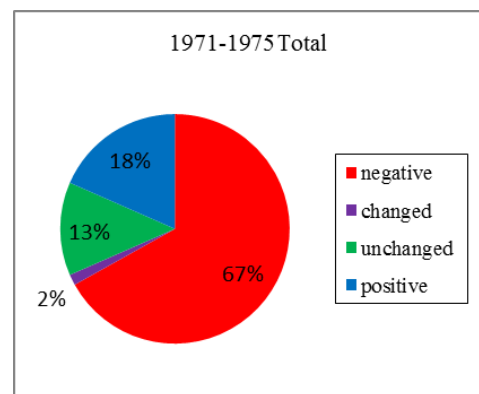
N=94 (out of 174 words of sovereignty)



N=356 (out of 621)

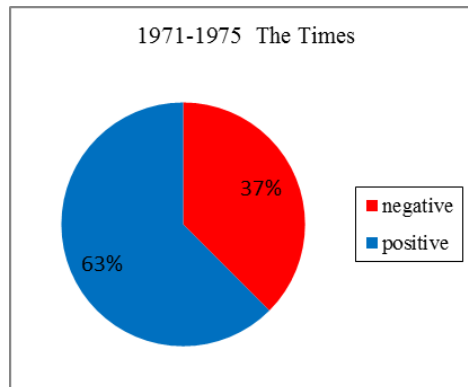


N=82 (out of 203)

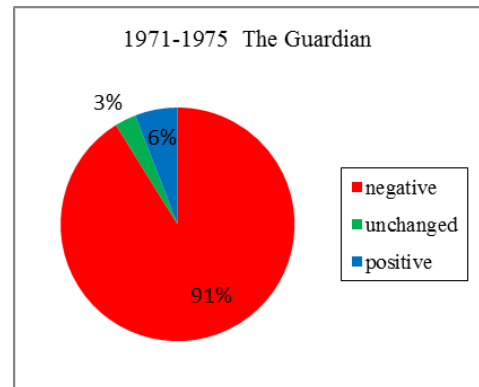


N=532 (out of 998)

**Figure A2.7 Newspapers**



N=8 (out of 16 words of sovereignty)



N=34 (out of 111)

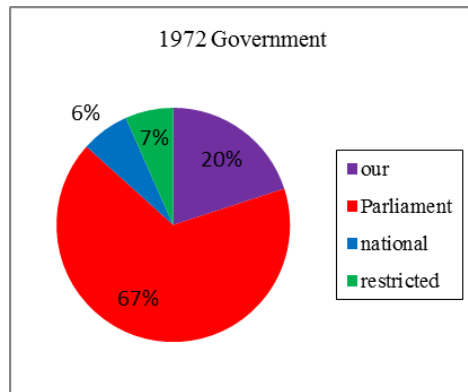
### **The word of possession 1971-1975**

Colour coding

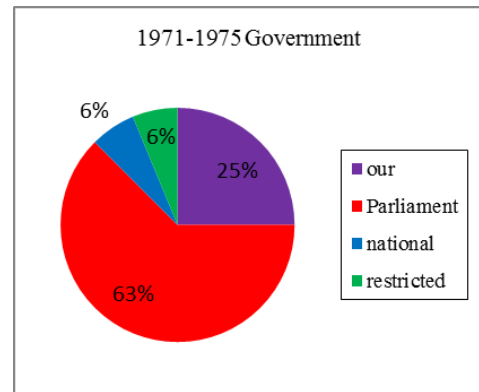
our: purple, Government: dark red, Parliament: red, the House: pink, the people: light blue, national: blue, restricted: green, European: orange

**Figure A2.8 Government**

In 1971, there was only one 'our'. In 1975, there was no word of possession.



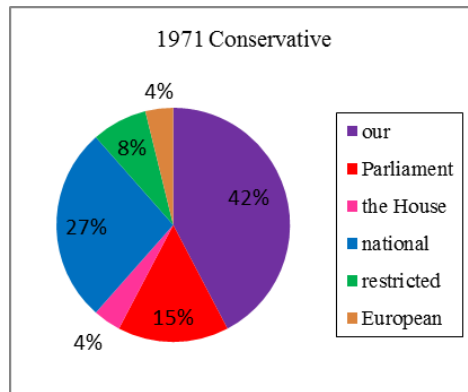
N=15 (out of 59 words of sovereignty)



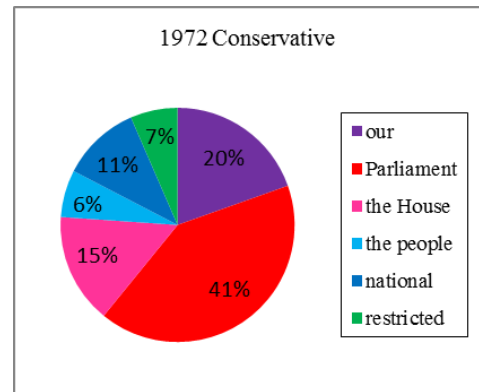
N=16 (out of 73)

1971 and 1972 were the Conservative and 1975 was the Labour Government.

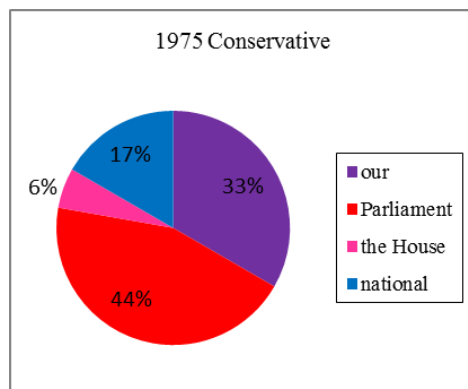
**Figure A2.9 Conservative**



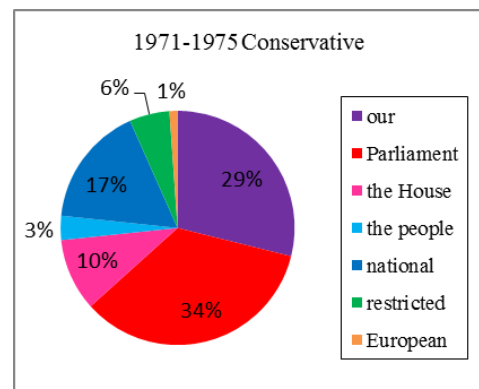
N=26 (out of 83 words of sovereignty)



N=46 (out of 194)



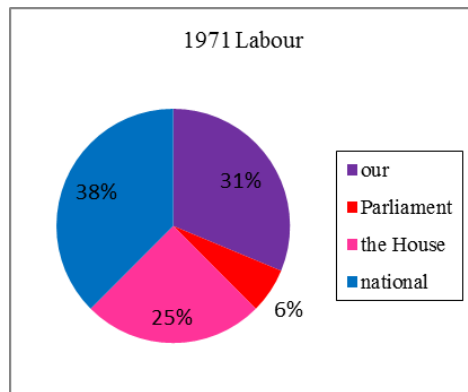
N=18 (out of 94)



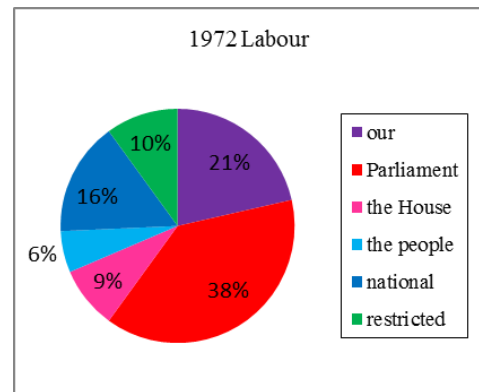
N=90 (out of 371)

In 1971 and 1972 were as the governing and in 1975 was as the opposition party.

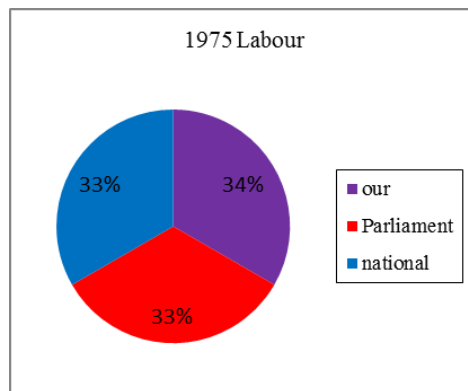
**Figure A2.10 Labour**



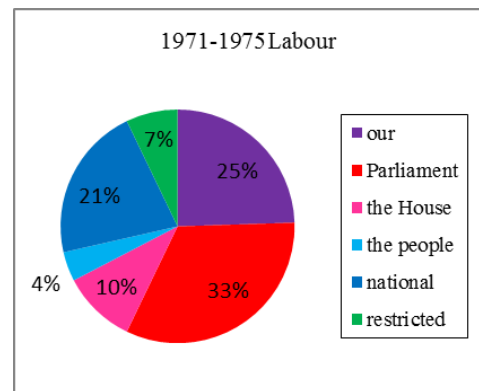
N=16 (out of 75 words of sovereignty)



N=70 (out of 325)



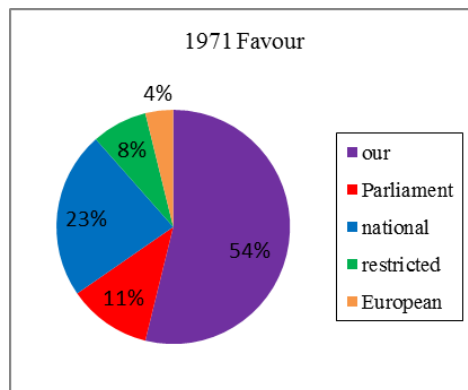
N=12 (out of 83)



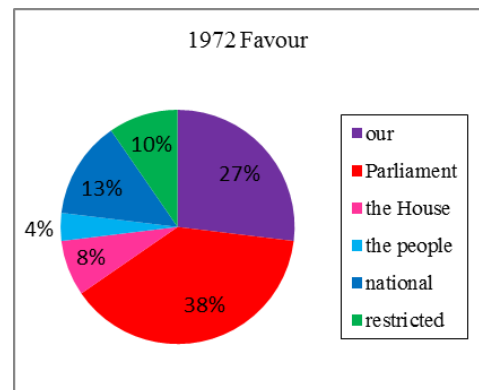
N=98 (out of 483)

In 1971 and 1972 were as the opposition and in 1975 was the governing party.

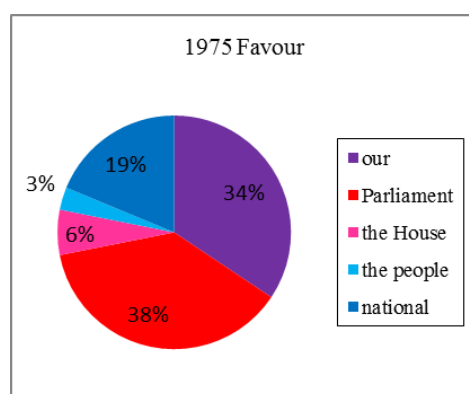
**Figure A2.11 Favour**



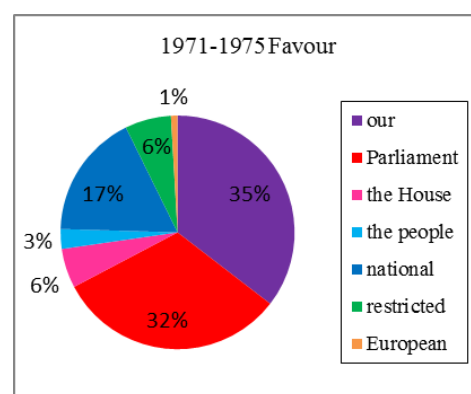
N=26 (out of 103 words of sovereignty)



N=52 (out of 221)

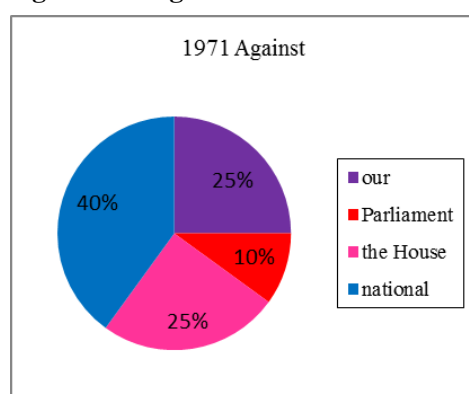


N=32 (out of 176)

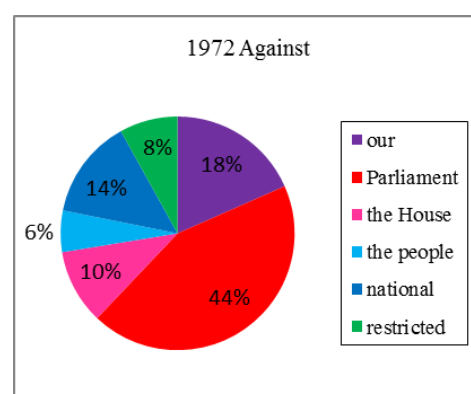


N=110 (out of 500)

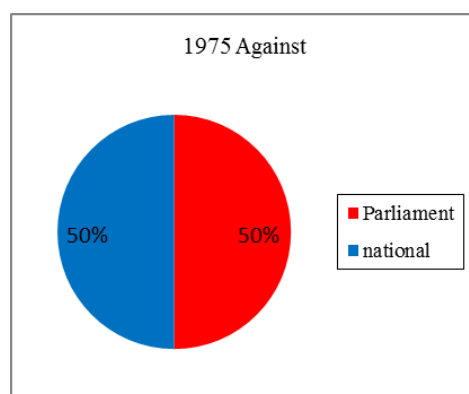
**Figure A2.12 Against**



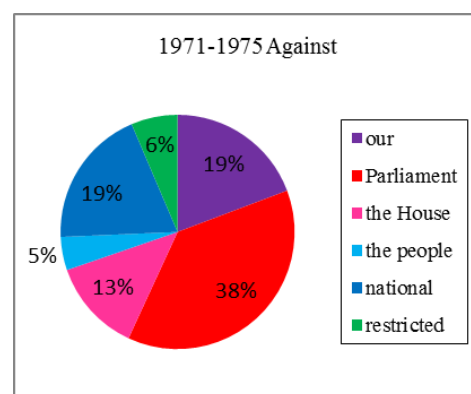
N=20 (out of 71 words of sovereignty)



N=87 (out of 391)

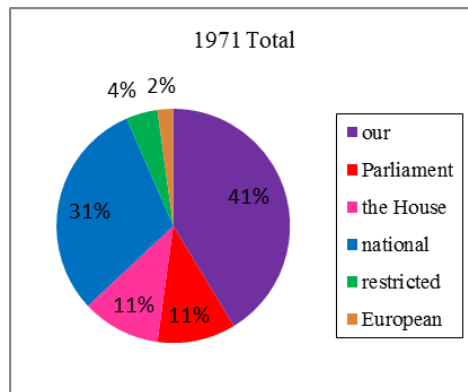


N=2 (out of 26)

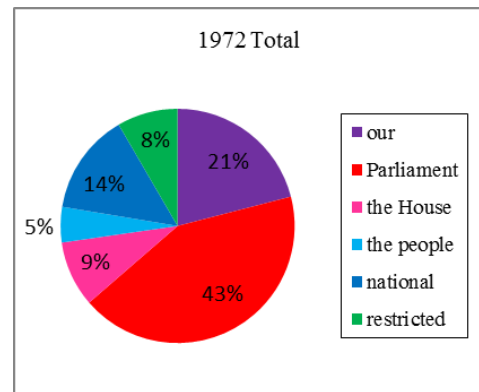


N=109 (out of 488)

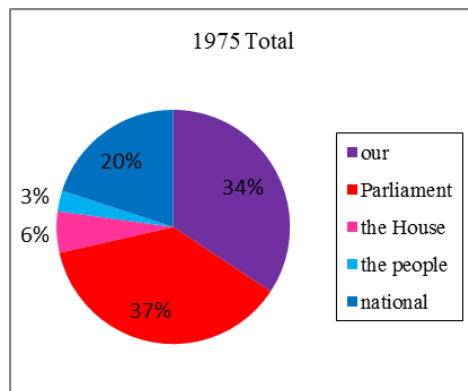
**Figure A2.13 Total**



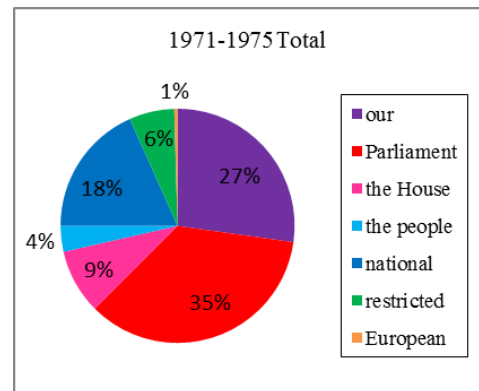
N=46 (out of 174 words of sovereignty)



N=143 (out of 621)

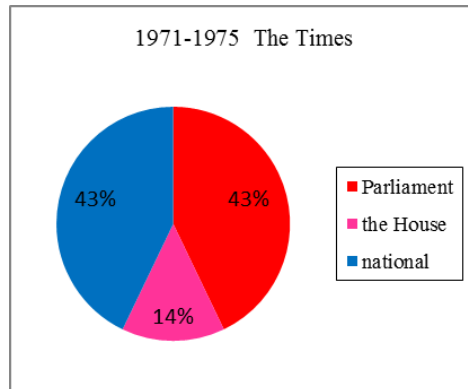


N=35 (out of 203)

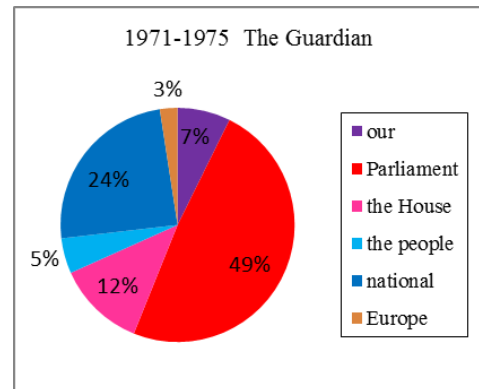


N=224 (out of 998)

**Figure A2.14 Newspapers**



N=7 (out of 16 words of sovereignty)



N=40 (out of 111)

**Table A2.2: The number of definition discourses (1971-1975)**

	1971	1972	1975	Newspapers (1971-1975)
Governments	1	2	1	4
Conservative	9	9	7	3
Labour	3	21	4	1

Favour	9	10	12	5
Against	4	25	1	4

**Table A2.3: The points of definition**

1971

Number of speakers	What sovereignty should be	Who or which body should have sovereignty
Government: 1	N/A	in all: 1
Conservative: 9	changed: 3 theoretical: 2 practical: 2 multiple: 1	in Parliament: 1
Labour: 3	changed: 1 practical: 1	in Parliament: 1
Favour: 9	changed: 4 practical: 3	in all: 1 in Parliament: 1
Against: 4	theoretical: 2 multiple: 1	in Parliament: 1

1972

Number of speakers	What sovereignty should be	Who or which body should have sovereignty
Government: 2	legal: 1	in Parliament: 2
Conservative: 9	theoretical: 2 changed: 2 not theoretical: 1 legal: 1	in the House of Commons: 2 in Parliament: 1
Labour: 21	practical: 4 theoretical: 3 not practical: 2 legal: 2 multiple: 2 changed: 1	in Parliament: 4 both in Parliament and the people: 2 in the House of Commons: 1
Favour: 10	changed: 2 theoretical: 1 practical: 1 not practical: 1 legal: 1 multiple: 1	in the House of Commons: 2 in Parliament: 1
Against: 25	theoretical: 5 practical: 4 legal: 3 multiple: 2 not practical: 2 changed: 1	in Parliament: 5 both in Parliament and the people: 2 in the House of Commons: 1

1975

Number of speakers	What sovereignty should be	Who or which body should have sovereignty
Government: 1	practical: 1	N/A
Labour: 4	practical: 2 not practical: 1	in the House of Commons: 1
Conservative: 7	practical: 4 theoretical: 2	in the people: 1
Favour: 12	practical: 7 theoretical: 2	in the House of Commons: 1 in the people: 1



	not practical: 1	
Against: 1	practical: 1	N/A

1971-1975 Total

Number of speakers	What sovereignty should be	Who or which body should have sovereignty
Governments: 4	practical: 1 legal: 1	in all : 1 in Parliament: 1
Conservative: 24	theoretical: 6 practical: 6 changed: 5 legal: 1 multiple: 1 not theoretical: 1	in Parliament: 2 in the House of Commons: 2
Labour: 28	practical: 7 not practical: 3 theoretical: 3 legal: 2 changed: 2 multiple: 2	in Parliament: 5 in the House of Commons: 2 both in Parliament and the people: 2
Favour: 31	practical: 11 changed: 6 theoretical: 3 not practical: 2 legal: 1 multiple: 1	in the House of Commons: 3 in Parliament: 3 in all: 1 in the people: 1
Against: 30	theoretical: 7 practical: 5 legal: 3 multiple: 3 not practical: 2 changed: 1	in Parliament: 6 both in parliament and the people: 2 in the House of Commons: 1
Total: Favour + Against	practical: 16 theoretical: 10 changed: 7 legal: 4 not practical: 4 multiple: 4	in Parliament: 9 in the House of Commons: 4 both in parliament and the people: 2 in all: 1 in the people: 1

## Appendix 3

**Table A3.1: The number of the word sovereignty (1985-1993)**

- 4) Debates on the Single European Act which are readings of the European Communities (Amendment) Bill (June and July 1986)

The number of the word sovereignty

Party and stand for the resolution	Hansard	Newspaper
Conservative Government (cabinet ministers)	1	Nil
Conservative in favour	20	Nil
Conservative against	11	6
Conservative abstention	1	1
Labour in favour	Nil	Nil
Labour against	20	1
Other in favour	3	Nil
Other against	7	Nil
Total	63	8

- 5) Debates on the Treaty of Maastricht which are readings of the European Communities (Amendment) Bill (May 1992 - May 1993)

The number of the word sovereignty

Party and stand for the resolution	Hansard	Newspaper
Conservative Government (cabinet ministers)	9	18
Conservative in favour	49	Nil
Conservative against	56	8
Conservative abstention	11	1
Labour in favour	8	Nil
Labour against	50	3
Labour abstention	58	5
Other in favour	24	4
Other against	2	Nil
Other abstention	9	Nil
Total	276 (+1 by Chairman)	39 (+1 by Queen)

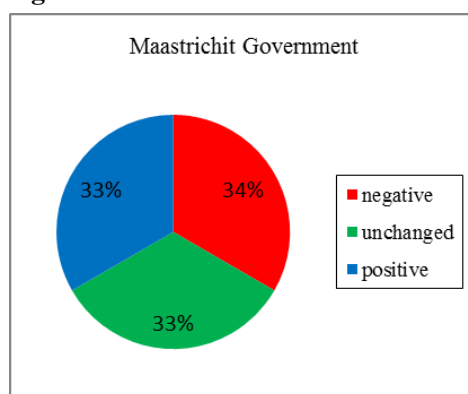
The total number of the word sovereignty 1985-1993

Party and stand for the resolution	Hansard	Newspaper
Conservative Government (cabinet ministers)	10	18
Conservative in favour	69	Nil
Conservative against	67	14

Conservative abstention	12	2
Labour in favour	8	Nil
Labour against	70	4
Labour abstention	58	5
Other in favour	27	4
Other against	9	Nil
Other abstention	9	Nil
Total	339 (+1 by Chairman)	47 (+1 by Queen)

## The word of exposition 1985-1993

**Figure A3.1 Government**

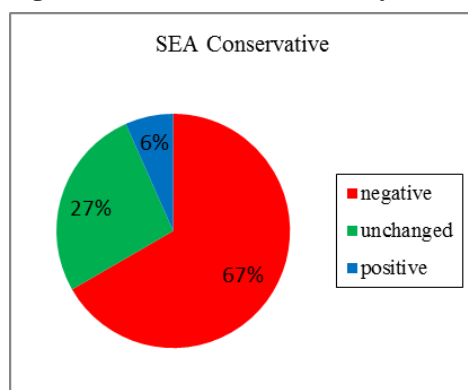


There are no data for SEA.

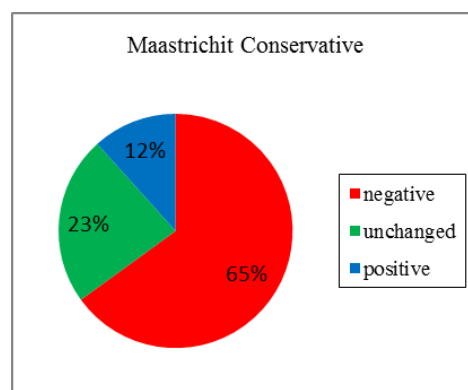
N=3 (out of 9 words of sovereignty)

This chart is also the Government total of the period between 1985 and 1993 (out of 10 words of sovereignty).

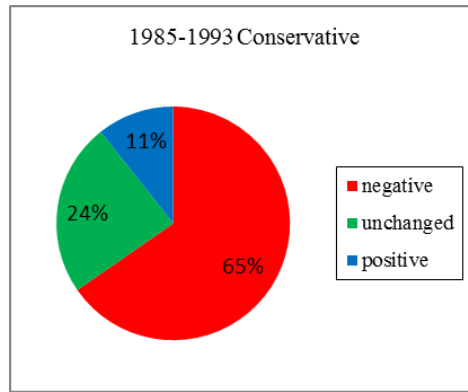
**Figure A3.2 The Conservative Party**



N=15 (out of 32 words of sovereignty)

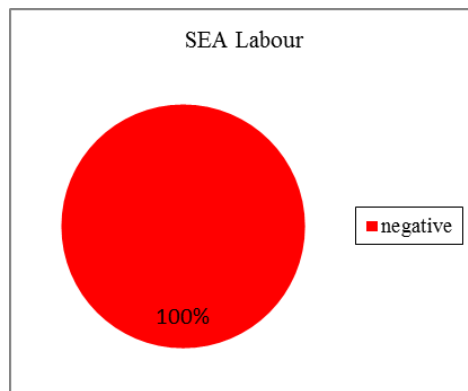


N=60 (out of 116)

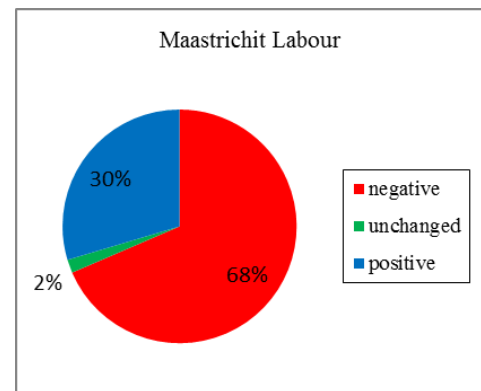


N=75 (out of 148)

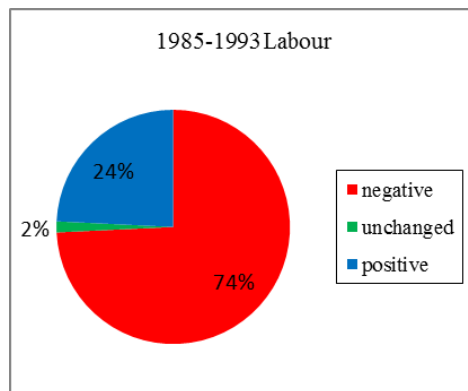
**Figure A3.3 The Labour Party**



N=12 (out of 20 words of sovereignty)

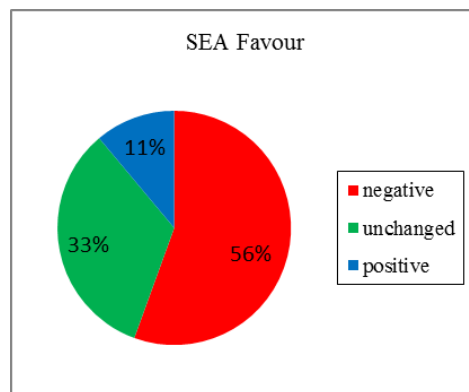


N=54 (out of 116)

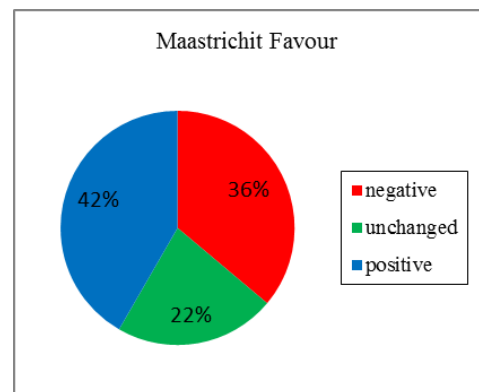


N=66 (out of 136)

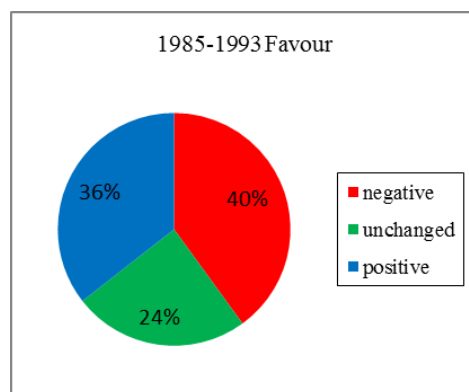
**Figure A3.4 Favour**



N=9 (out of 24 words of sovereignty)

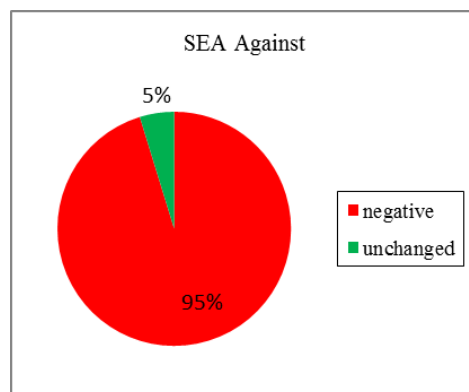


N=36 (out of 90)

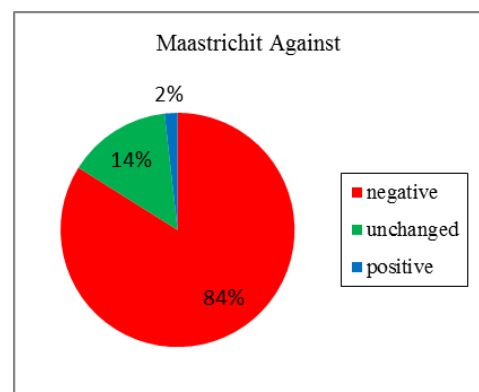


N=45 (out of 114)

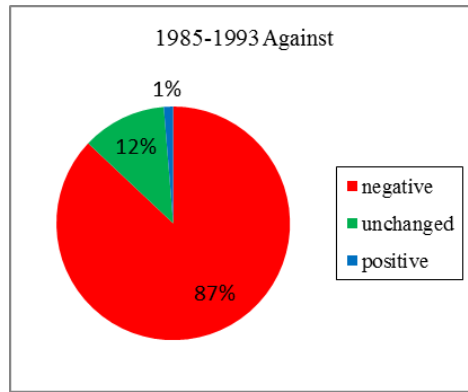
**Figure A3.5 Against**



N=21 (out of 38 words of sovereignty)

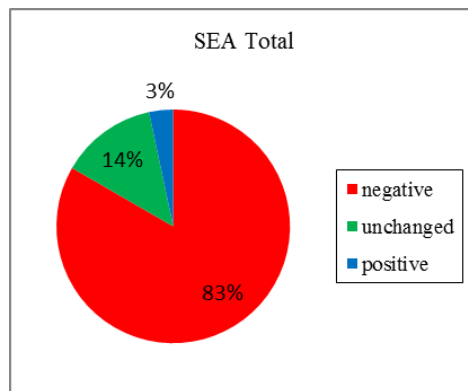


N=56 (out of 108)

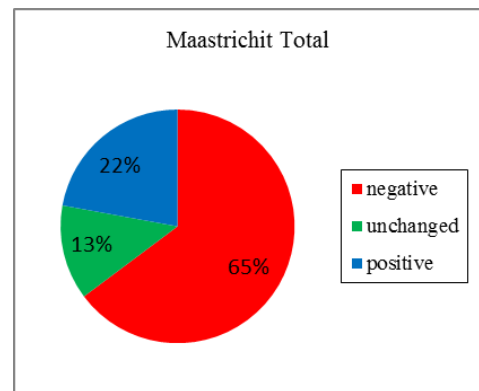


N=77 (out of 146)

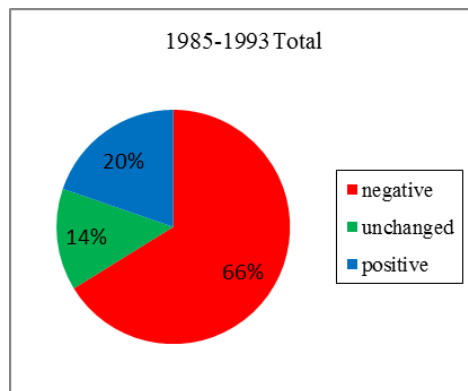
**Figure A3.6 Total**



N=30 (out of 63 words of sovereignty)

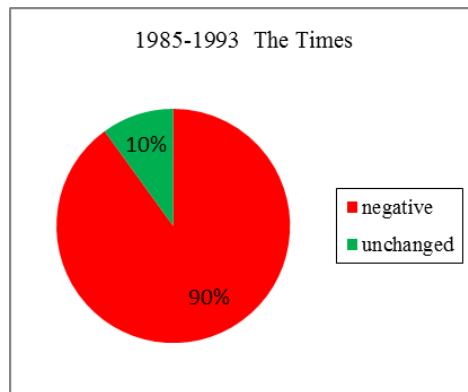


N=122 (out of 276 + 1 by Chairman)

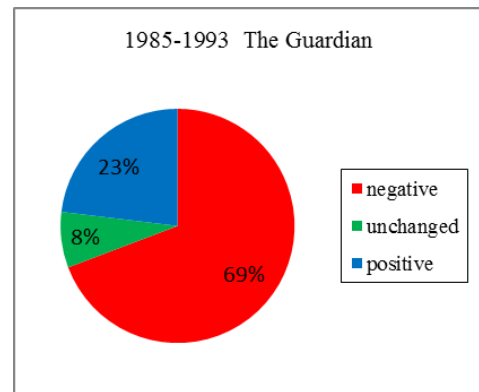


N=152 (out of 339 + 1 by Chairman)

**Figure A3.7 Newspapers**



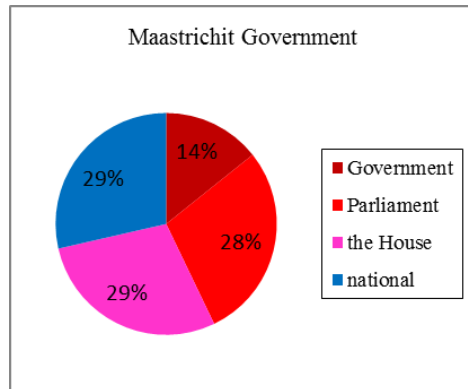
N=10 (out of 24 words of sovereignty)



N=13 (out of 23 + 1 by Queen)

### The word of possession 1985-1993

**Figure A3.8 Government**

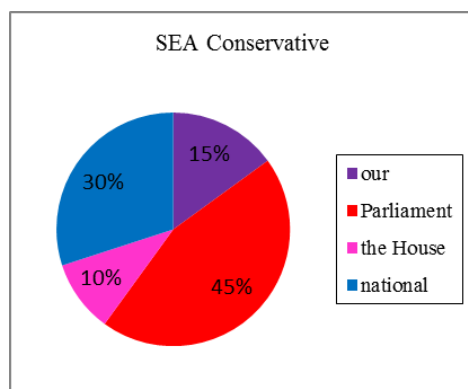


There are no data for SEA.

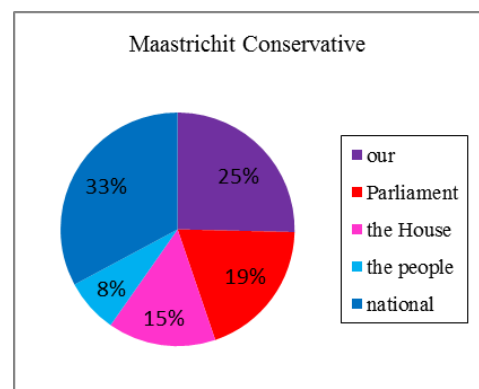
N=7 (out of 9 words of sovereignty)

This chart is also the Government total of the period between 1985 and 1993 (out of 10 words of sovereignty).

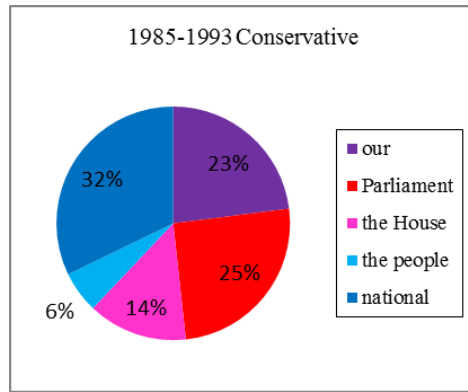
**Figure A3.9 The Conservative Party**



N=20 (out of 32 words of sovereignty)

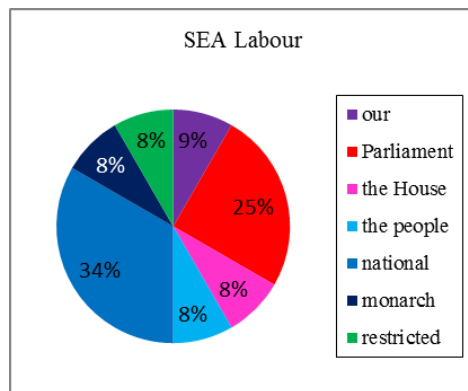


N=67 (out of 116)

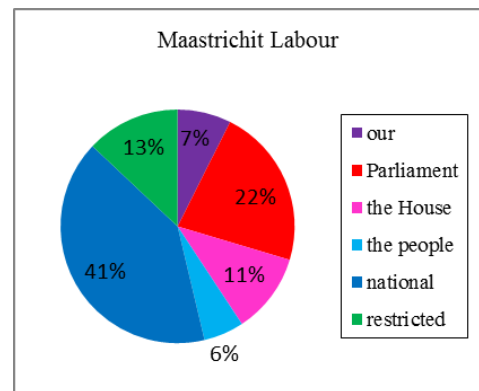


N=87 (out of 148)

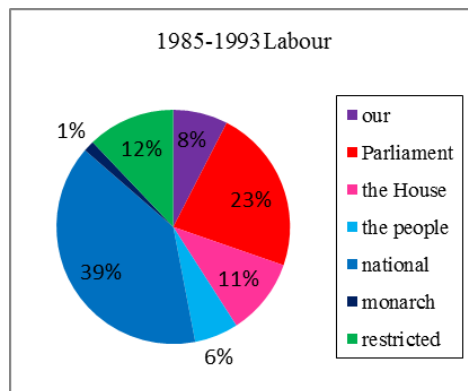
**Figure A3.10 The Labour Party**



N=12 (out of 20 words of sovereignty)



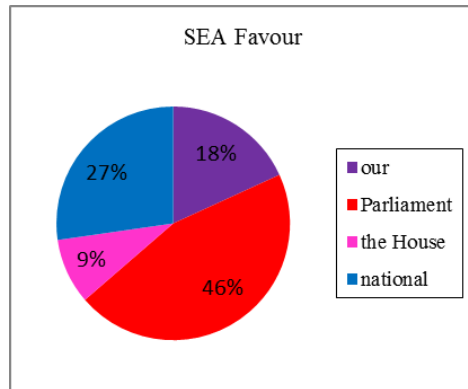
N=54 (out of 116)



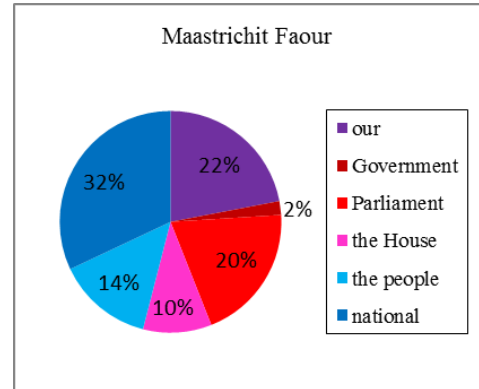
N=66 (out of 136)



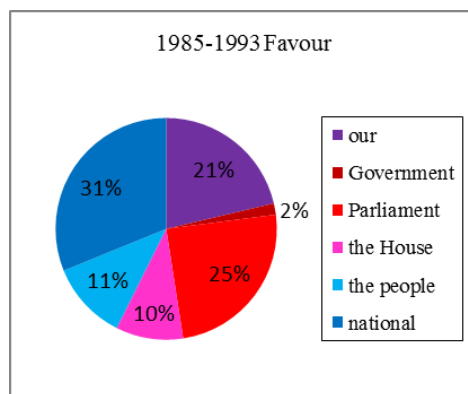
**Figure A3.11 Favour**



N=11 (out of 24 words of sovereignty)

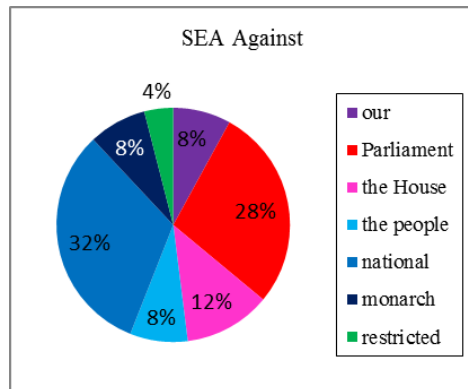


N=50 (out of 90)

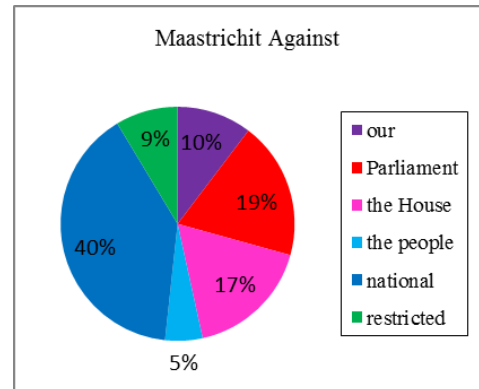


N=61 (out of 114)

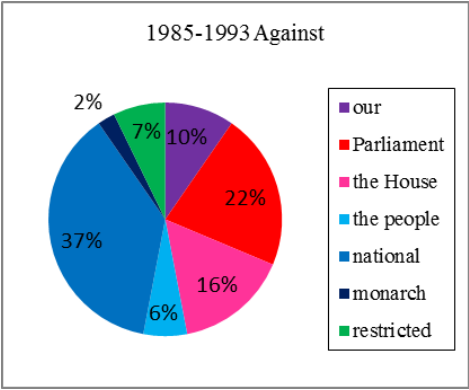
**Figure A3.12 Against**



N=25 (out of 38 words of sovereignty)

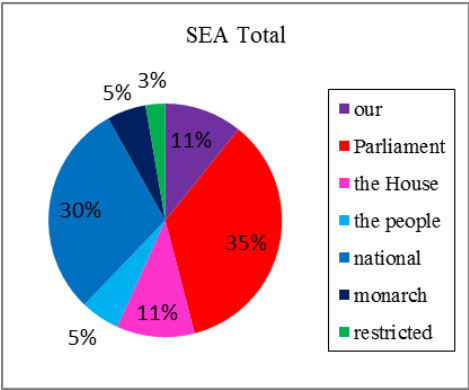


N=58 (out of 108)

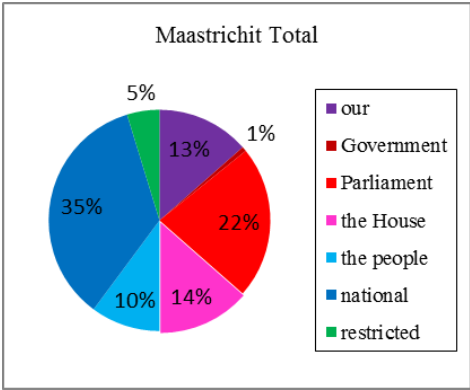


N=83 (out of 146)

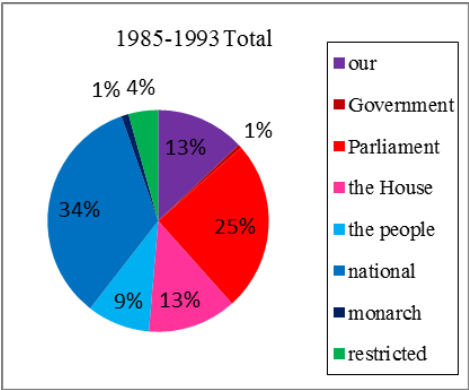
**Figure A3.13 Total**



N=37 (out of 63 words of sovereignty)

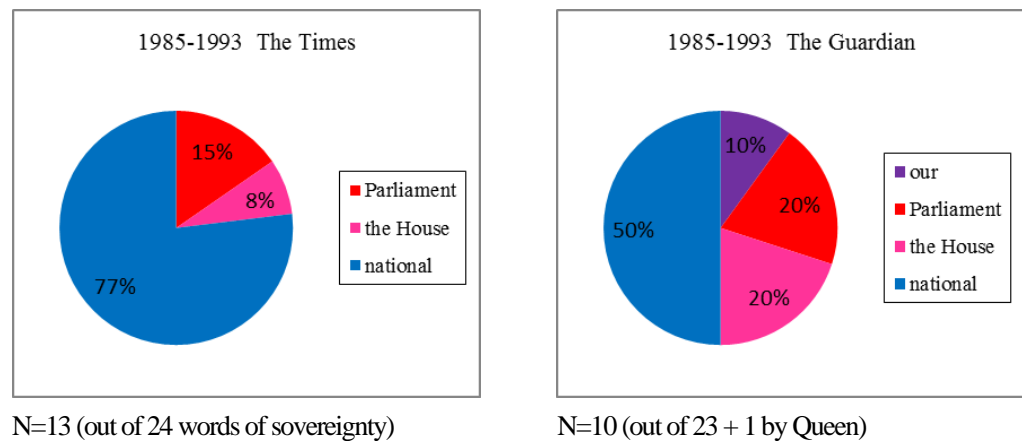


N=148 (out of 276 + 1 by Chairman)



N=185 (out of 339 + 1 by Chairman)

**Figure A3.14 Newspapers**



**Table A3.2: The number of definition discourses (1985-1993)**

	SEA	Maastricht	Newspapers (1985-1993)
Governments	Nil	1	2
Conservative	2	11	Nil
Labour	1	11	Nil
Favour	2	10	3
Against	2	8	Nil
(Abstention)		(10)	

**Table A3.3: The points of definition**

**SEA**

Number of speakers	What sovereignty should be	Who or which body should have sovereignty
Government: Nil	N/A	N/A
Conservative: 2	practical: 1	in Parliament: 1
Labour: 1	practical: 1	N/A
Favour: 2	practical: 1	in Parliament: 1
Against: 2	practical: 1	in Parliament: 1

**Maastricht**

Number of speakers	What sovereignty should be	Who or which body should have sovereignty
Government: 1	N/A	in Parliament: 1
Conservative: 8	practical: 3 theoretical: 3 myth: 1 multi: 1	N/A
Labour: 10	practical: 5 not theoretical: 2 myth: 1	in the people: 2
Favour: 8	multiple: 2 theoretical: 1 myth: 1	in Parliament: 2 in the people: 2
Against: 6	practical: 2 theoretical: 2 not theoretical: 1	N/A

	myth: 1	
(Abstention): 10	practical: 6 not theoretical: 1 myth: 1	in the people: 2

#### 1985-1993 Total

Number of speakers	What sovereignty should be	Who or which body should have sovereignty
Government: 1	N/A	in Parliament: 1
Conservative: 11	practical: 4 theoretical: 3 myth: 2 multiple: 1	in Parliament: 1
Labour: 11	practical: 6 not theoretical: 2 myth: 1	in the people: 2
Favour: 10	multiple: 2 theoretical: 1 practical: 1 myth: 1	in Parliament: 2 in the people: 2
Against: 8	practical: 3 theoretical: 2 not theoretical: 1 myth: 1	in Parliament: 1
(Abstention): 10	practical: 6 not theoretical: 1 myth: 1	in the people: 2
Total: Favour+Against +Abstention	practical: 10 theoretical: 3 myth: 3 multiple: 2 not theoretical: 2	in Parliament: 3 in the people: 4

## Appendix 4

**Table A4.1: The number of the word sovereignty (1997-2009)**

- 6) Debates on the Treaty of Amsterdam which are readings of the European Union (Amendment) Bill (November 1997 – January 1998)

The number of the word sovereignty

Party and stand for the resolution	Hansard	Newspaper
Labour Government (cabinet ministers)	Nil	2
Labour in favour	13	Nil
Labour against	Nil	Nil
Conservative in favour	Nil	Nil
Conservative against	44	2
Conservative Abstention	14	Nil
Other in favour	Nil	Nil
Other against	4	Nil
Total	75	4

- 7) Debates on the Treaty of Nice which are readings of the European Union (Amendment) Bill (July - Oct 2001)

The number of the word sovereignty

Party and stand for the resolution	Hansard	Newspaper
Labour Government (cabinet ministers)	Nil	6
Labour in favour	27	2
Labour against	1	Nil
Labour abstention	4	Nil
Conservative in favour	Nil	Nil
Conservative against	9	Nil
Conservative abstention	Nil	1
Other in favour	2	Nil
Other against	2	Nil
Total	45	9

- 8) Debates on the Treaty of Lisbon which are readings of the European Union (Amendment) Bill (January - March 2008)

The number of the word sovereignty

Party and stand for the resolution	Hansard	Newspaper
Labour Government (cabinet ministers)	7	1
Labour in favour	26	1
Labour against	1	Nil
Labour abstention	2	Nil

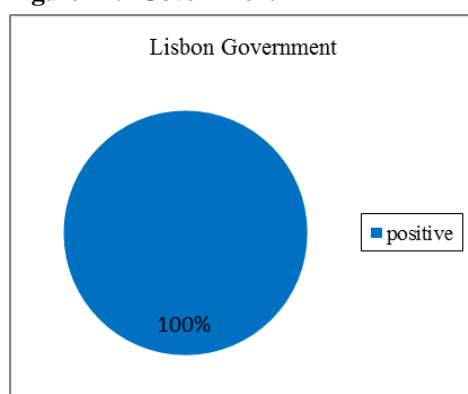
Conservative in favour	5	Nil
Conservative against	43	Nil
Conservative abstention	2	Nil
Other in favour	8	1
Other against	3	Nil
Other abstention	Nil	1
Total	97	4

The total number of the word sovereignty 1997-2009

Party and stand for the resolution	Hansard	Newspaper
Labour Government (cabinet ministers)	7	9
Labour in favour	66	3
Labour against	2	Nil
Labour abstention	6	Nil
Conservative in favour	5	Nil
Conservative against	96	2
Conservative abstention	16	1
Other in favour	10	1
Other against	9	Nil
Other abstention	Nil	1
Total	217	17

## The word of exposition 1997-2009

**Figure A4.1 Government**

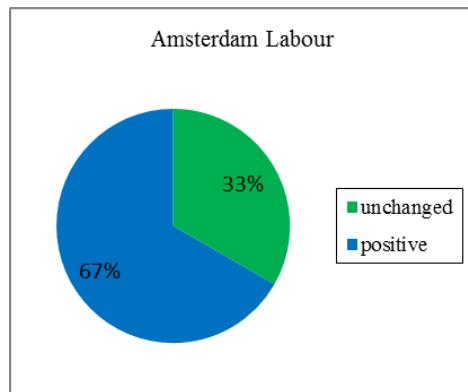


There are no data for Amsterdam and Nice.

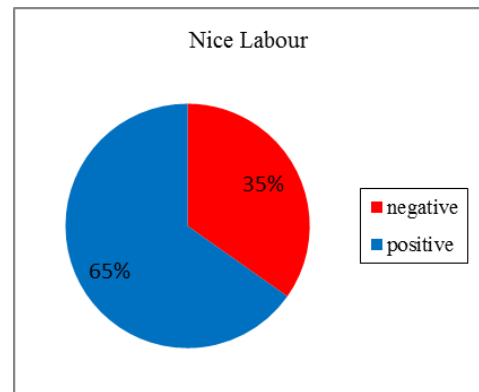
N=3 (out of 7 words of sovereignty)

This chart is also the Government total of period between 1997 and 2009.

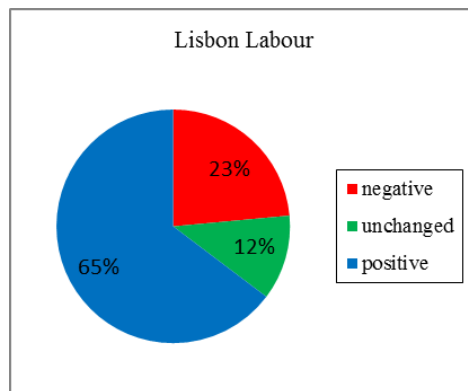
**Figure A4.2 The Labour Party**



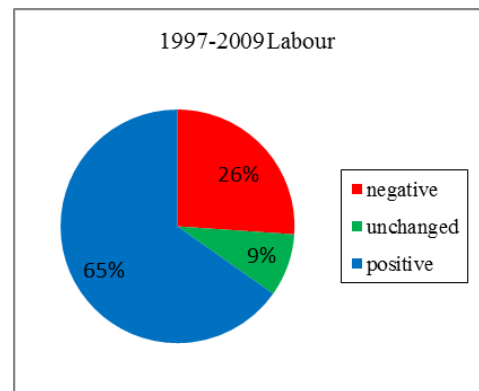
N=6 (out of 13 words of sovereignty)



N=23 (out of 32)

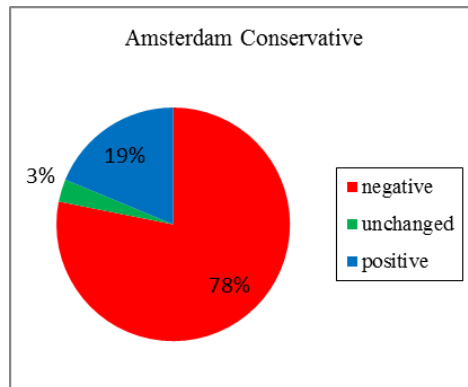


N=17 (out of 29)

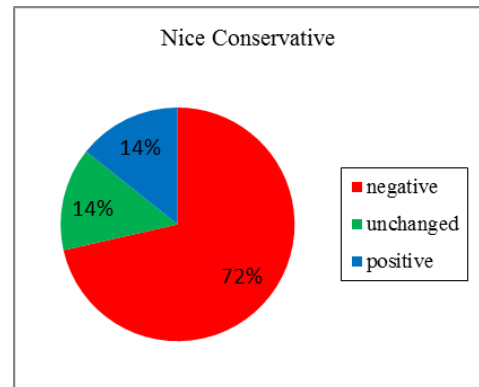


N=46 (out of 74)

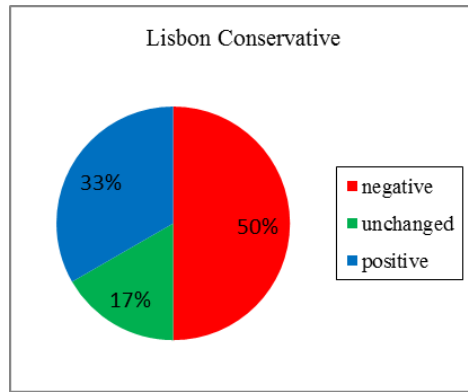
**Figure A4.3 The Conservative Party**



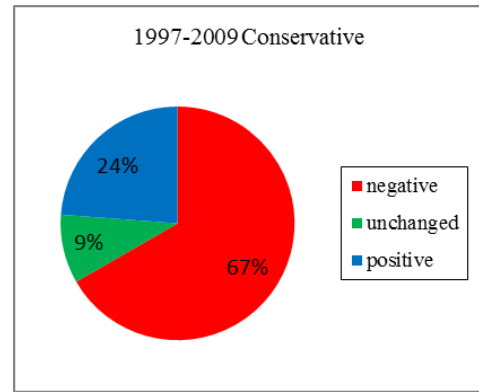
N=32 (out of 58 words of sovereignty)



N=7 (out of 9)

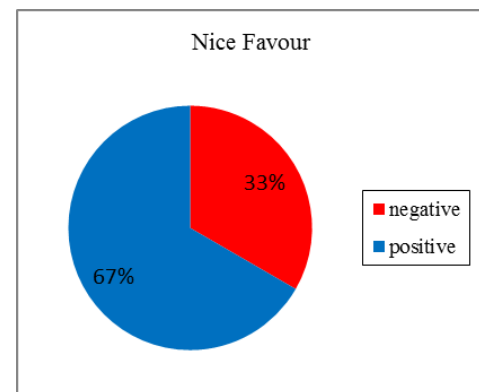


N=24 (out of 50)



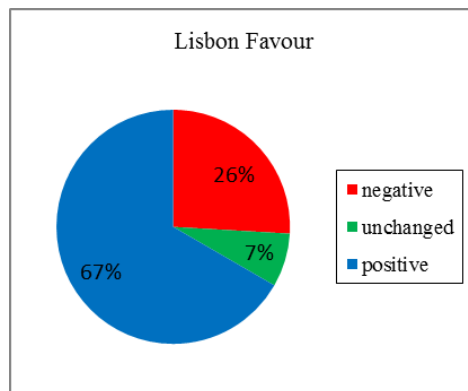
N=63 (out of 117)

**Figure A4.4 Favour**

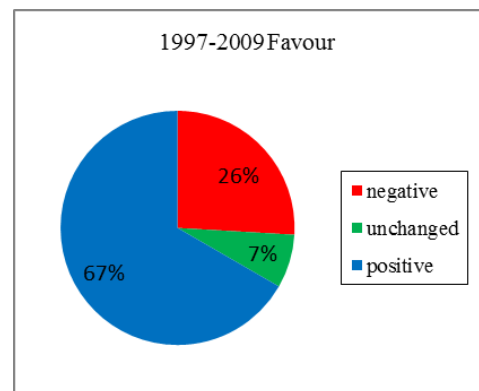


Amsterdam: Same as the Labour Party

N=21 (out of 29)



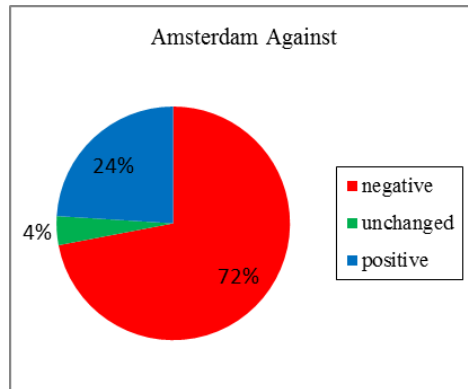
N=27 (out of 46)



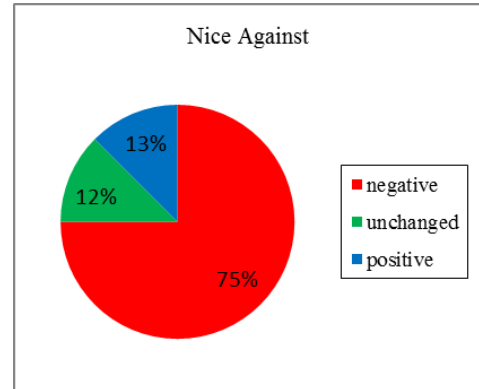
N=54 (out of 88)



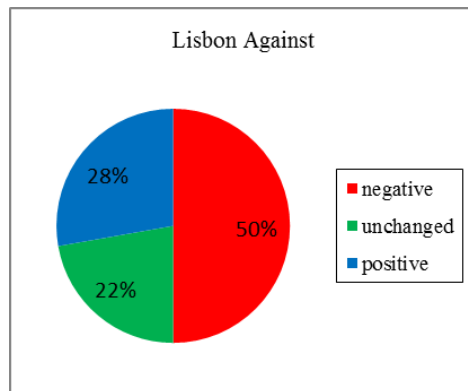
**Figure A4.5 Against**



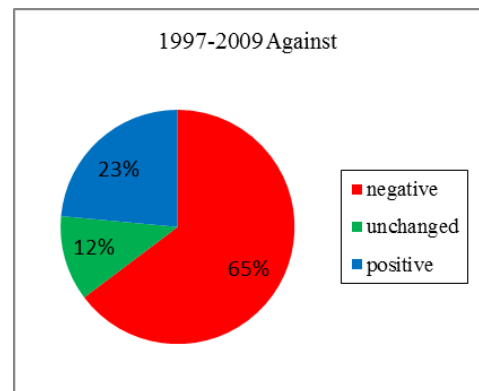
N=25 (out of 48 words of sovereignty)



N=8 (out of 12)

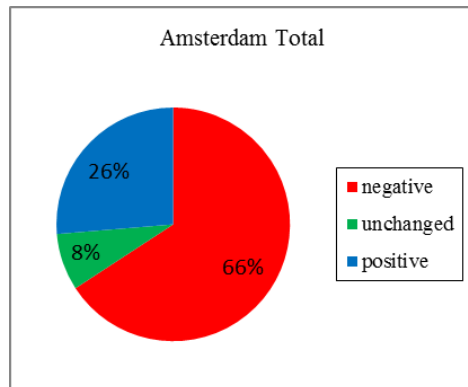


N=18 (out of 47)

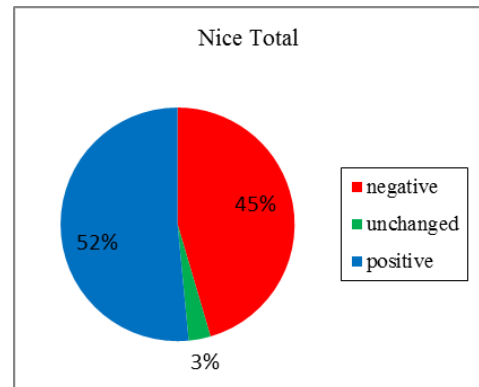


N=51 (out of 107)

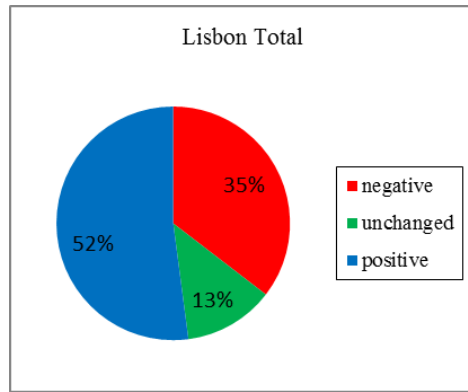
**Figure A4.6 Total**



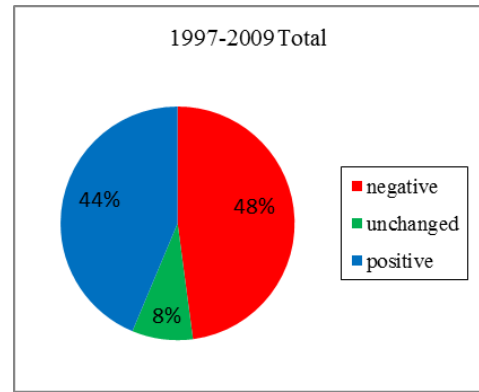
N=38 (out of 75 words of sovereignty)



N=33 (out of 45)

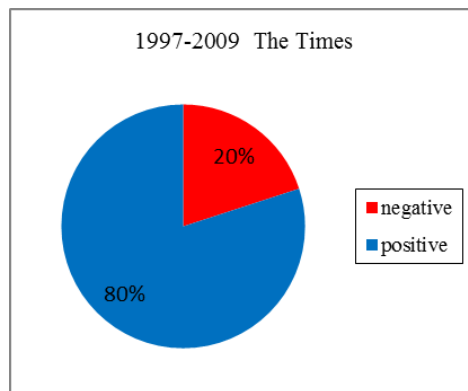


N=48 (out of 97)

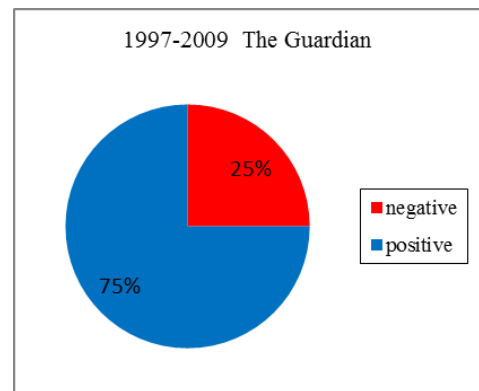


N=119 (out of 217)

**Figure A4.7 Newspapers**



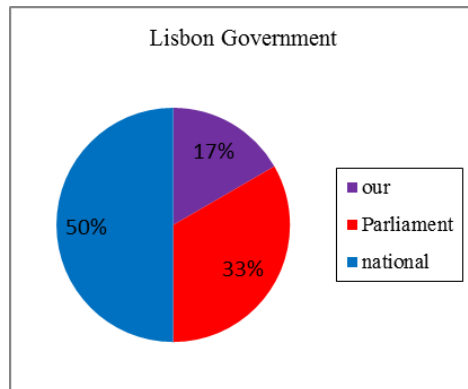
N=5 (out of 10 words of sovereignty)



N=4 (out of 7)

## The word of possession 1997-2009

**Figure A4.8 Government**

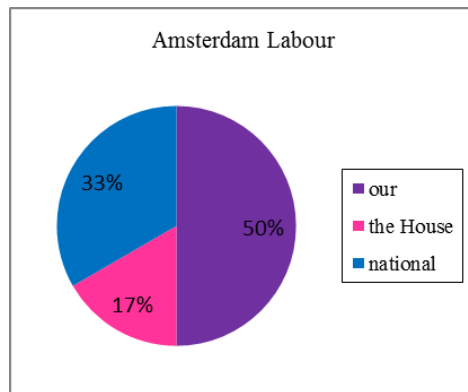


N=6 (out of 7 words of sovereignty)

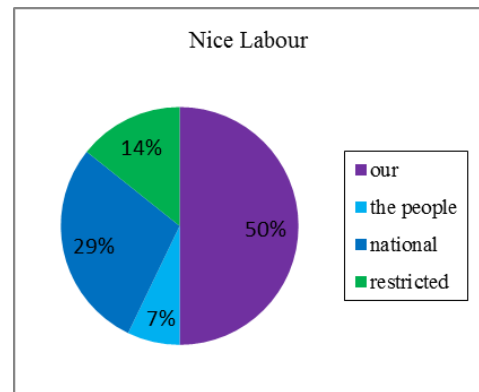
There are no data for Amsterdam and Nice.

This chart is also the Government total of the period between 1997 and 2009.

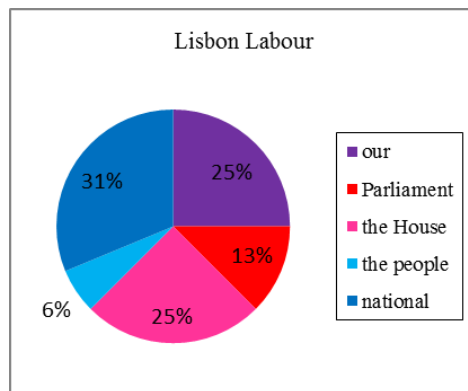
**Figure A4.9 The Labour Party**



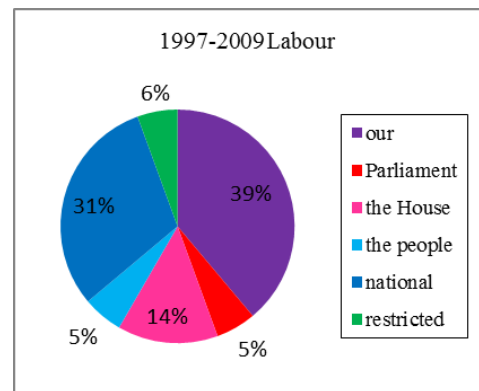
N=6 (out of 13 words of sovereignty)



N=14 (out of 32)

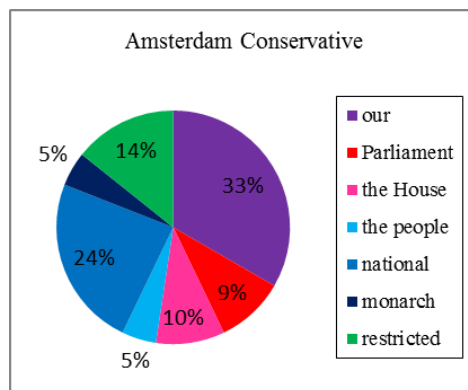


N=16 (out of 29)

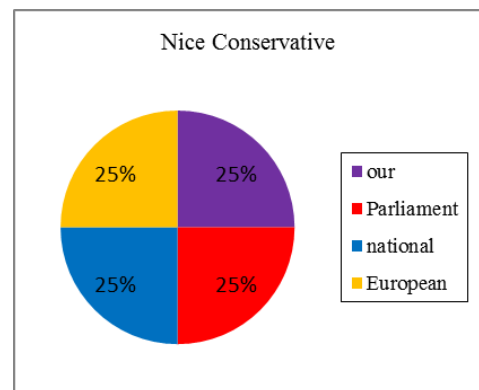


N=36 (out of 74)

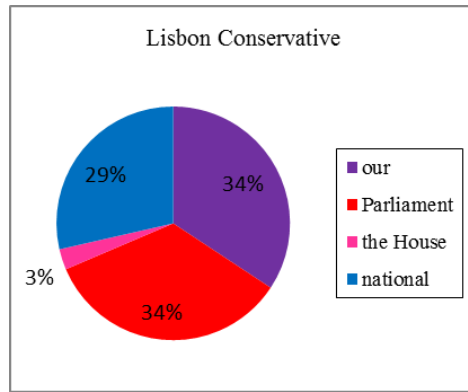
**Figure A4.10 The Conservative Party**



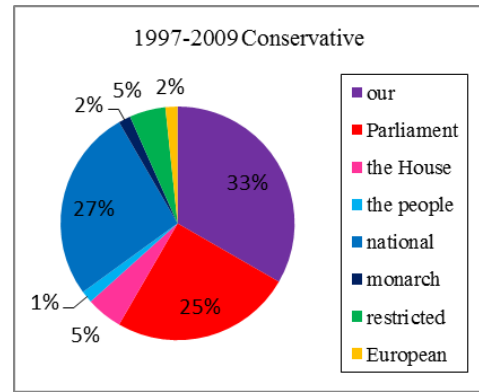
N=21 (out of 58 words of sovereignty)



N=4 (out of 9)

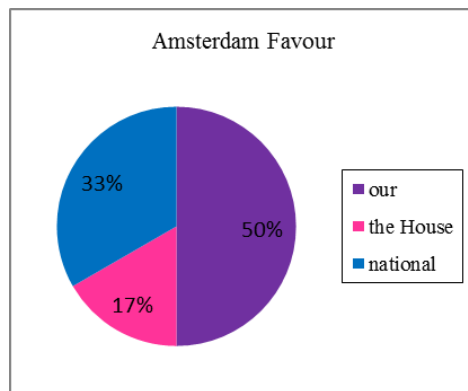


N=35 (out of 50)

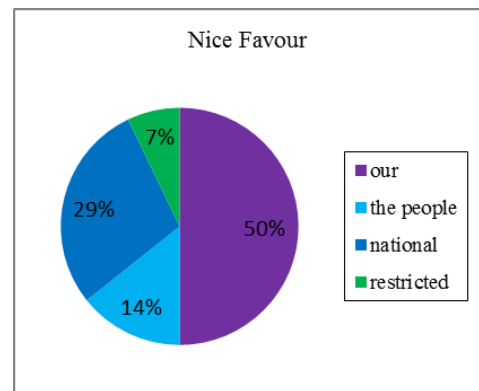


N=60 (out of 117)

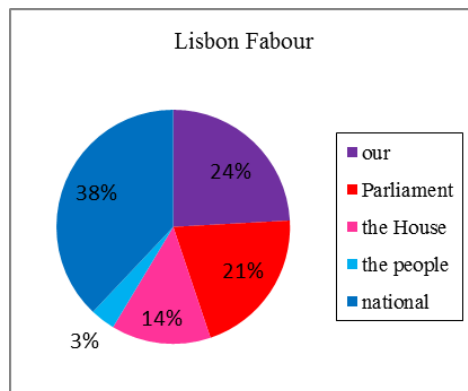
**Figure A4.11 Favour**



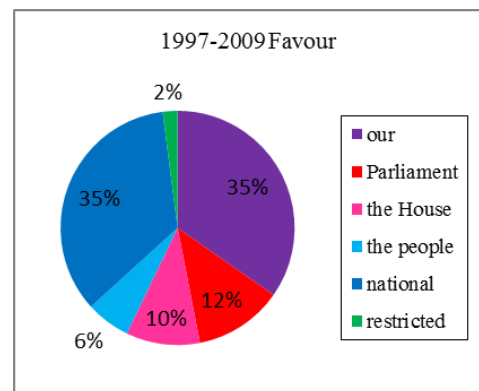
N=6 (out of 13 words of sovereignty)



N=14 (out of 29)

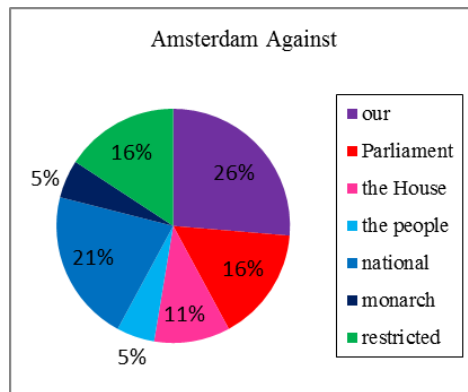


N=29 (out of 46)

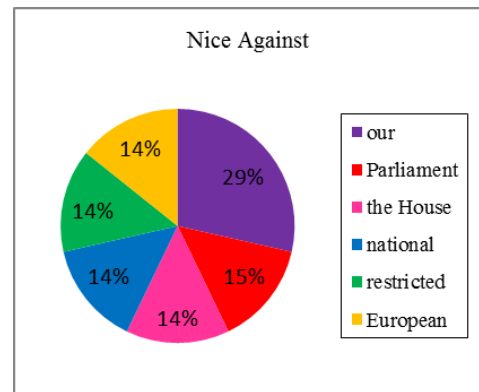


N=49 (out of 88)

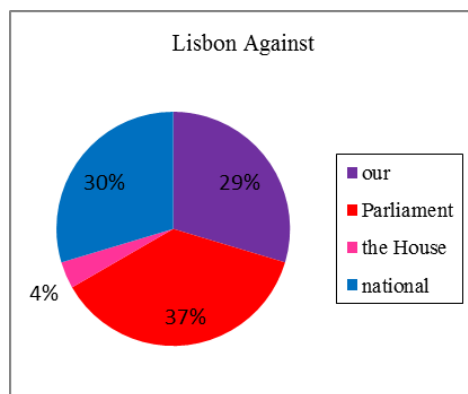
**Figure A4.12 Against**



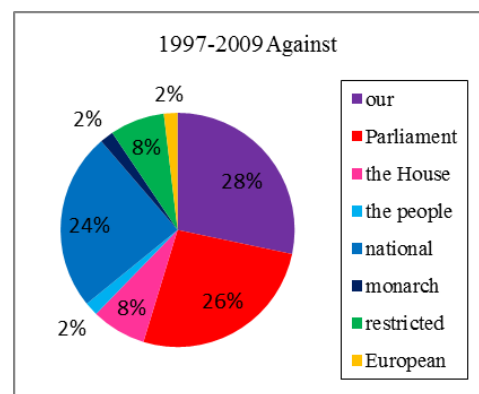
N=19 (out of 48 words of sovereignty)



N=7 (out of 12)

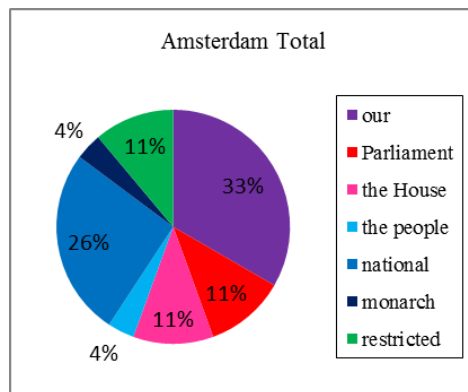


N=27 (out of 47)

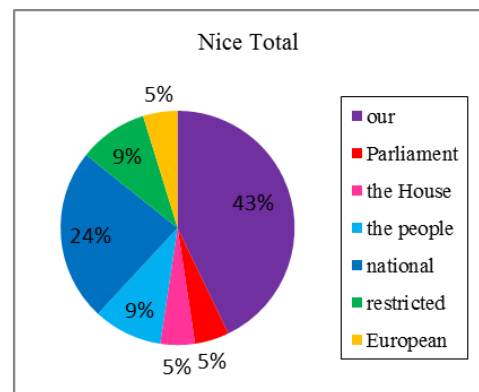


N=53 (out of 107)

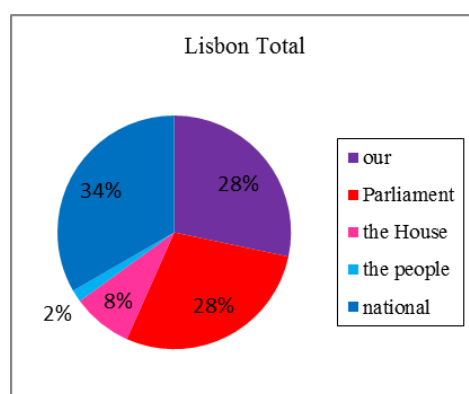
**Figure A4.13 Total**



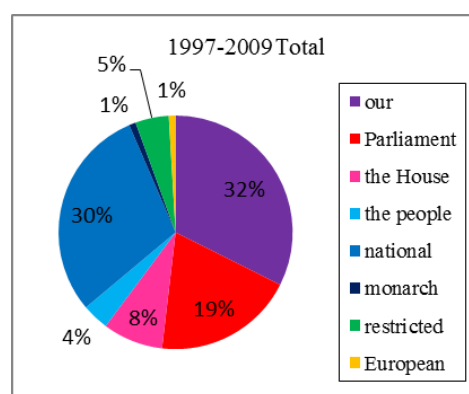
N=27 (out of 75 words of sovereignty)



N=21 (out of 45)

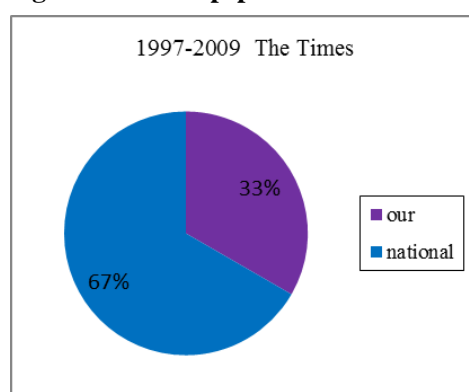


N=60 (out of 97)

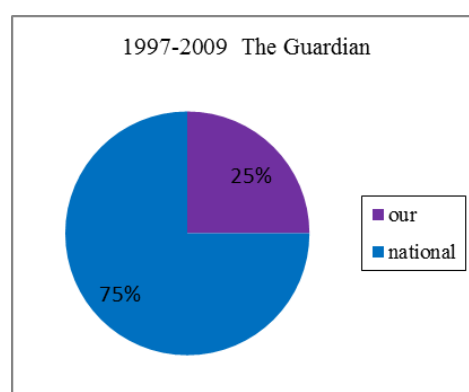


N=108 (out of 217)

**Figure A4.14 Newspapers**



N=3 (out of 10 words of sovereignty)



N=4 (out of 7)

**Table A4.2: The number of definition discourses (1997-2009)**

	Amsterdam	Nice	Lisbon	Newspapers (1997-2009)
Government	Nil	Nil	Nil	1
Labour	Nil	1	1	Nil
Conservative	2	1	1	Nil
Favour	Nil	1	1	Nil
Against	1	1	1	Nil
(Abstention)	(1)			

**Table A4.3: The points of definition**

Amsterdam

Number of speakers	What sovereignty should be	Who or which body should have sovereignty
Government: Nil	N/A	N/A
Labour: Nil	N/A	N/A
Conservative: 2	practical: 1	in the people: 1
Favour: Nil	N/A	N/A
Against: 1	practical: 1	N/A
(Abstention): 1	N/A	in the people: 1

### Nice

Number of speakers	What sovereignty should be	Who or which body should have sovereignty
Government: Nil	N/A	N/A
Labour: 1	N/A	in the people: 1
Conservative: Nil	N/A	N/A
Favour: 1	N/A	in the people: 1
Against: Nil	N/A	N/A

### Lisbon

Number of speakers	What sovereignty should be	Who or which body should have sovereignty
Government: Nil	N/A	N/A
Labour: 1	N/A	either with the House or the people: 1
Conservative: 1	N/A	in the House: 1
Favour: 1	N/A	either with the House or the people: 1
Against: 1	N/A	in the House: 1

### 1997-2009 Total

Number of speakers	What sovereignty should be	Who or which body should have sovereignty
Government: Nil	N/A	N/A
Labour: 2	N/A	in the people: 1 either with the House or the people: 1
Conservative: 3	practical: 1	in the House: 1 in the people: 1
Favour: 2	N/A	in the people: 1 either with the House or the people: 1
Against: 2	practical: 1	in the House: 1
(Abstention): 1	N/A	in the people: 1
Total: Favour+Against+Abstention	practical: 1	in the people: 2 in the House: 1 either with the House or the people: 1