

# transforming Britain:

the politics of modern  
progressive reform

## The Smith Institute

The Smith Institute is an independent think tank that has been set up to look at issues which flow from the changing relationship between social values and economic imperatives.

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By Chris Bryant MP



THE SMITH INSTITUTE

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Published by the Smith Institute

ISBN 1 902488 96 2

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### Chris Bryant MP

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The author would like to acknowledge his indebtedness to several friends who have given sound advice on early drafts, including in the Rhondda Labour Party, and in particular to his researcher Marc Lockwood.

## Preface

Wilf Stevenson, Director, Smith Institute

The Smith Institute is an independent think tank, which has been set up to undertake research and education in issues that flow from the changing relationship between social values and economic imperatives. In recent years the institute has centred its work on the policy implications arising from the interactions of equality, enterprise and equity.

*Transforming Britain – the Politics of Modern Progressive Reform* is the second in a series of monographs that the Smith Institute has commissioned which deals with the implications of a politics based on shared moral sentiments. Over recent months, the Smith Institute has held a number of seminars and events around issues that their proponents claim are rooted in the “common ground”.

This has developed in tandem with a growing concern that the tribal politics of Westminster is becoming increasingly alien to the British public, whose trust of politicians is diminishing and for many of whom party loyalty is no longer the core component of political identity. Single-issue lobbies are attracting significant attention, while the offerings of the single-issue political parties are often supported beyond their reasonable expectations.

In this pamphlet, Chris Bryant MP argues that the rapid deterioration in the nexus between party affiliation and social position, occupation or family background has led to a growing timidity among progressive politicians, who have tempered their public arguments for socially just policies in the light of perceived public opinion and a concern to appease the assumed conservatism of Britain's median voter.

Building on Douglas Alexander's assertion, in the predecessor pamphlet in this series, that “the point for any political party is not simply to inhabit the centre ground but to shift it, consciously and irrevocably, towards its own vision of a good society”, Chris Bryant argues that progressive politicians should take on conservative elements in British society through the statement and restatement of fundamental progressive values; that they can afford to expend political capital on winning arguments for progressive causes; and that they must frame issues in a manner that clearly and coherently explains their proposed policies in the light of a progressive vision.



## Chapter 1

# A personal introduction

## A personal introduction

These have been extraordinary years for the Labour Party. We have won three general elections in a row, each with hefty parliamentary majorities. The opposition is neatly split between Conservatives and Liberal Democrats. In Scotland and Wales the nationalists are in retreat. The Conservative Party is still floundering ideologically and organisationally, uncertain whether to adopt a more stridently right-wing tone or to seek the political centre. We could almost feel indomitable.

Yet all in the red rose garden is not quite what it seems at first glance. In subsequent local elections Labour's share of the vote has fallen. The Conservatives and Liberal Democrats combined have nearly twice as many local councillors as has Labour, with the Tories well ahead of us on 8,160 to our 6,157. We now hold fewer than 30% of all local council seats.

Just looking at my corner of the UK, the problem is self-evident. Since winning power in 1997 Labour has lost seats at council, Welsh Assembly and parliamentary level in a swathe of once rock-solid heartland Welsh seats. Plaid Cymru momentarily won the assembly seats of Rhondda, Llanelli and Islwyn in 1999, as well as Rhondda Cynon Taff and Caerphilly councils. These results have subsequently been reversed, but in Merthyr Tydfil the new People before Politics group won nine seats in 2004, the Liberal Democrats are now the leading party in Swansea, Bridgend and Cardiff, and disgruntled Labour managed to seize both Wrexham in the assembly elections of 2003 and the parliamentary seat of Blaenau Gwent in 2005. In other words, Labour has suffered knock-backs in the former parliamentary seats of three of the party's most recent leaders: Callaghan, Foot and Kinnock.

Moreover, this year's hefty general election majority belies a more slender hold on the political affections of the nation than we might hope. Labour won with a mere 35.3% of the vote and a low turnout of 61.3%. In England the Conservatives won more votes (though fewer seats) than Labour. It was a convincing victory – and probably, without the political ramifications of taking Britain into the war in Iraq without a second UN resolution, it would have been more convincing – but Labour needs to look carefully at its strategic objectives over the next two years if it is to ensure that it is well placed at least to hold its ground, if not to increase its majority at the next general election.

I am enormously fortunate in occupying one of the safest Labour seats in the land, but I am constantly aware that politics has changed. Even in their heartlands, parties cannot

command the automatic loyalty of historic supporters. Year by year fewer people say their grandfather or grandmother would turn in their graves if they did not vote Labour. More and more we need to earn people's support. We centre-left progressives need to have a compelling argument if we are to retain the backing, the affection, the respect of the electorate. Even more importantly, we need to have a coherent philosophy if we are to transform our country, let alone change the world.

Let me be clear, however. This is not an argument in favour of a more ideologically driven political programme. Ideological clarity and consistency may be political virtues, but it is vital that we do not relapse into easy nostrums. Ideologically driven politics can all too often miss a trick, closing down options rather than exploring possibilities. Those who argued after the general election that Labour must adopt more "left-wing" politics in order to re-enthuse our core supporters ignore the fact that new Labour's great achievement lies in building a coalition of middle England (and middle Wales and Scotland) and the Labour heartlands. Disappearing into a cloud of ideological incense may strangely warm our hearts, but it would do little to help us achieve the longer goals of our progressive politics.

I may not be arguing for a stronger ideological edge to our policies, but I am arguing for centre-left progressives to be more assertive. That requires us to be clearer about what we believe in. Indeed, Labour needs to restate some of its fundamental tenets in clear terms if it is to maintain the bond between its heartlands and middle England support, between the liberal intelligentsia and the mainstream working class. We need to engage in what RH Tawney called "the intolerable burden of thought" if we are to match principles with practicalities, if we are to make ageless values work with the grain of modern human nature and experience. Otherwise we surrender the opportunity to establish our first principles as the founding principles of a new national consensus, a new "common sense". I would argue that expending political capital in such a way is not only the morally right thing to do, it is also the most likely way to accumulate political dividends.

This pamphlet is therefore an attempt to set out some of the parameters of such a philosophy. After establishing what I would suggest to be core propositions for the progressive centre left, it looks at two specific challenges for those who hold such beliefs – the need to win rather than always follow arguments, and the need to establish a robustly progressive position on the question of liberalism and personal freedom – before considering Labour's experience of government with a more ideological bent in Wales. It ends with two chapters devoted to important elements of a progressive agenda that

I believe have so far received too little direct attention – parliamentary reform and Europe.

As I say at several points, this is not an attempt to build an all-encompassing programme of centre-left thought. My aspiration is rather less lofty. At points I try to highlight the difficulty of developing an entirely consistent philosophical scheme when key progressive priorities clash. And I am conscious that some will feel that the issues I raise would not be at the top of their list of priorities for a progressive government. Yet my central contention is that if modern British progressives are to win arguments and transform society they need to be clearer about what they believe in and more assertive in the way they put those values into the public arena despite the complexity of so doing in a rapidly changing world.

## Chapter 2

# What is progressive politics?

## What is progressive politics?

Just as every pacific society needs a solid foundation of broadly shared values and principles, so too every political movement needs a guiding compass, a set of coherent and consistent beliefs that inform its policies, its arguments and its tone of engagement. In an era of moral relativism it is tempting for political parties to ditch the compass and travel from political landmark to landmark. I believe this is a dangerous temptation, in electoral as well as moral terms. Progressives cannot make progress unless they know where they intend to get to. The centre left cannot win arguments unless we can articulate what it is we stand for.

That is not to say that it is easy to lay out a fully fledged centre-left or progressive political philosophy. Centre-left nostrums are cheap to come by, but unless they work with the grain of human nature and the modern world they are no more than political aphorisms. Moreover, it is self-evident that not everyone agrees what constitutes progress. The emancipation of women may be central to my understanding of progress, but to some it is a sign of the decadence of modern society, ushering in the collapse of family values and decency.

Even within the community of centre-left progressive politics there is much debate, not least on issues of civil liberty. Antisocial behaviour legislation is widely seen in the Rhondda as progressive because it allows ordinary families in hugger-mugger housing an opportunity to live in peace, but to many civil libertarians within and without the Labour Party it is inimical to progress because it is essentially authoritarian. This tension around civil liberty issues is almost certain to increase following the London bombings in July 2005 as the government and society respond to a largely unquantifiable threat.

It is therefore all the more important that we are clear what we are talking about when we refer to "progressive politics". Put simply, in David Blunkett's words, "we have to be able to spell out what politics is for".<sup>1</sup> Others have agreed. Douglas Alexander argued earlier in 2005 that the answer to the problem of Labour's apparent underachievement, and the source of possible Labour third-term renewal, must lie in Labour returning to its moral principles. As he put it, "Labour must assert the ethical foundation to its activities so that voters can recognise not just our politics but our inspiration for action."

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<sup>1</sup> Blunkett, David *Politics Et Progress: Renewing Democracy Et Civil Society* (Methuen, 2001), p15.

I too would argue that the centre left needs to return to its first principles. As Geoff Mulgan points out, "we currently lack a synthetic framework for thinking about how all of the different aspects of social policy fit together. A single grand theory is unlikely to be viable for all sorts of reasons. But there is much to be gained from having some common frames, a common language and common ways of thinking about how different policies impact on the same individuals, families and communities."<sup>2</sup>

Moreover, the tendency of many on the left to cry "havoc" and make overstated accusations of lack of principle or betrayal the moment they disagree with a policy must be resisted. Progressives can properly disagree over policies. Often the dividing line is not between repression and liberty, but between two conflicting principles of personal freedom and collective security. Sometimes these are matters more of tone than of substance. And often the message that is framed with a tabloid readership and tabloid journalists in mind comes across merely as nasty, brutish and short in the hands of the broadsheets. But after eight years in power, Labour needs to be more sure-footed about this. It also needs to be far clearer about the progressive basis of its policies. By definition, that requires as a first step a better statement of what Labour is truly for.

Certainly the world is not short of definitions. Every political philosopher and practising politician has attempted at some point to distil the essence of their political thinking into simple premises, and virtually all political parties have a declaration of values and principles. Labour is no exception. Its original Clause IV lasted nearly eight decades, with its commitment to "secure for the producers by hand or by brain the full fruits of their industry, and the most equitable distribution thereof that may be possible, upon the basis of the common ownership of the means of production and the best obtainable system of popular administration and control of each industry and service". It is a moot point whether the Labour Party ever truly held such a policy of rampant nationalisation, but Tony Blair's move to a new statement of fundamental premises was certainly long overdue.

The party under Neil Kinnock had already re-examined virtually every policy position, through from unilateral nuclear disarmament to membership of the EEC, and under John Smith it had found a new focus for its central tenets, but the new Clause IV was drafted to serve an electoral, not a philosophical function. Consequently, it is a more moderate, more ambiguous and more (both grammatically and philosophically) confused statement,

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2 Pearce, Nick and Paxton, Will (eds) *Social Justice, Building a Fairer Britain* (Institute for Public Policy Research, 2005), p103.

with its declaration for democratic socialism: "by the strength of our common endeavour we achieve more than we achieve alone, so as to create for each of us the means to realise our true potential and for all of us a community in which power, wealth and opportunity are in the hands of the many, not the few. Where the rights we enjoy reflect the duties we owe. And where we live together, freely, in a spirit of solidarity, tolerance and respect."

Many of the buzzwords of social democracy are there – common endeavour, community, opportunity – though thanks to the inelegance of some of its phraseology it hints at more than it says. Interestingly, it is not that far distant in tone and content from the Liberal Democrats' preamble to their constitution, with its overt commitment "to build and safeguard a fair, free and open society, in which we seek to balance the fundamental values of liberty, equality and community, and in which no one shall be enslaved by poverty, ignorance or conformity".

### **Clarity on social justice**

In government Labour has fairly regularly fretted about its ideological clarity and consistency, but the driving force behind much of its thought has remained the work of the Commission on Social Justice which reported in 1994. This seized on the concept of social justice as the central tenet of progressive politics and amplified it into a series of propositions. There is good reason for this. As David Miller, the Professor of Political Theory at Oxford, argues, "the idea of social justice has been the driving force behind centre-left politics in Western societies for over a century"<sup>3</sup> and most Labour politicians use a concept of social justice as their political compass.

But there is an urgent need for us to reassess this focus, in part because society has changed and faces complex new challenges that were not envisaged in 1994 and also because the several strands inherent in the concept of social justice need teasing out.

So, for instance, the growth of consumer choice has dramatically altered British sensibilities about how we interact with government, so that few people now understand why they cannot choose a doctor or a school for themselves – or for that matter the time at which they see the doctor. Where once progressives might have seen any concept of choice in public services as gross luxury, all would surely now argue that public services need to become more user rather than producer focused.

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3 Pearce and Paxton, *op cit*, p3.

Moreover, different aspects of social justice can clash with each other, and what seems just to a theorist operating under Rawls' "veil of ignorance" might not seem fair to the British public who believe in merit and desert as the principles of economic justice and ardently support the right to pass on wealth to their children regardless of the regressive social impact of inherited wealth. The targeting of support to the poorest pensioners through pension credit may seem like the perfect embodiment of social justice to the politician in Westminster, but to the widow living on £80 a week who refuses, in her words, "to beg for benefits" it may feel like a monstrous intrusion.

Thus, social justice may encapsulate much of what we seek to achieve politically, but it is not sufficient alone to meet the ideological needs of a 21st-century Labour Party.

In trying to articulate a fuller perspective, there is plenty of choice. A whole host of British centre-left thinkers have attempted to schematise progressive politics in a variety of ways. In a predecessor pamphlet to this one, Douglas Alexander suggested four cornerstones of a modern British progressive consensus: "social cohesion, equality of opportunity, a sense of community and a commitment to high-quality public services".<sup>4</sup> Anthony Giddens has a similar list of what he calls "Third Way values", namely: equality, protection of the vulnerable, freedom as autonomy, no rights without responsibilities, no authority without democracy, cosmopolitan pluralism and philosophic conservatism.<sup>5</sup> And in the Institute for Public Policy Research's recent book on social justice, David Miller has articulated a very clear set of four principles: equal citizenship, the social minimum, equality of opportunity and fair distribution.<sup>6</sup>

If anything, I fear these attempts to construct a schematic framework for what constitutes progressive political thought have erred on the side of excessive tidiness. Some of the inherent clashes of principle – between personal freedoms and the security of the nation or between choice and targeting in public service delivery, for instance – are ignored. I think this is a mistake. What follows, therefore, is an attempt to articulate what 21st-century progressive politics might mean in Britain through a series of propositions, several of which may seem contradictory. I hope it steers clear of what RH Tawney would have decried as "private socialisms".

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4 Alexander, Douglas *Telling It Like It Could Be* (Smith Institute, London, 2005), p28.

5 Giddens, Anthony *The Third Way: The Renewal of Social Democracy* (Polity, London, 1998), p66.

6 Pearce and Paxton, op cit.

## **The propositions of progressive politics**

1. Society is not just a random collection of individuals and families, because humanity is fundamentally social in nature.

Thatcher's dictum that there is "no such thing as society", even when tidied up by her apologists, is clearly wrong. We depend on our interactions with others to understand the world in which we live and to make sense of our own existence. Language, meaning, money and value are all social constructs that could not exist in independent isolation of the individual.

The family may be the first society into which we are all cast, but the family is not the sole determinant of our understanding of life and so any political schema has to base itself not only on enabling the family but in strengthening the social ties between all citizens. This must necessitate a strong understanding of the responsibility that the individual owes to society as well as the duty that society owes to each of its members. A social programme that merely reflected one half of this equation would be lopsided and regressive.

As Hazel Blears put it in her pamphlet for the Social Market Foundation, "this fundamental concept of the individual's place in a wider society, coupled with the notion that it is only through strong, cohesive communities that the individual can thrive, is socialism's main bulwark against the neo-conservative account of choice and the free market. This idea – expressed in the past as 'solidarity' – is the starting point for any serious discussion about the nature of modern society, how it can be improved and how we ensure no one is left out."

Or, as Thomas Paine more pithily put it, "If we do not hang together, we shall surely hang separately." Moreover, since humanity is social, it is not only individuals that can be good or just. So too can society, so Hayek's belief that social justice is a chimera is flawed, because our social arrangements can indeed be an agent in determining the way we live our lives.

2. Notwithstanding our social nature, the individual should enjoy the fullest possible freedom commensurate with the freedom of others and may require the intervention of the state to enjoy that freedom.

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7 Collins, Philip (ed) *Reform Works* (Social Market Foundation, 2005) p15.

Historically the left has often simultaneously flirted with individualism and decried it in the pursuit of greater justice for the collective. Yet the tyranny of mass public opinion can weigh heavily on the individual. Oscar Wilde, who knew that tyranny well, expressed a properly progressive respect for the individual when he said, "one's regret is that society should be constructed on such a basis that man has been forced into a groove in which he cannot freely develop what is wonderful and fascinating and delightful in him – in which, in fact, he misses the true pleasure and joy of living ... Individualism, then, is what through socialism we are to attain to."<sup>8</sup> John Gray has also put it succinctly: "individualism is a historical fact, which we can hope to temper, but not to overcome."<sup>9</sup>

While we may all share a theoretical or formal freedom, the ability to enjoy that freedom is not, however, evenly shared. The welfare state, through a universal guarantee of education, health, shelter, food and income, makes the fuller freedom of the individual possible. Moreover, the freedom of the individual can often depend on the restriction of the freedoms of others. The antisocial behaviour of one family can ruin the personal freedom of a whole street, and the state must therefore be robust in ensuring the personal security of all. Likewise, a London that is fearful of using public transport or a Britain that is fearful of visiting its capital city is not fully able to exercise its freedoms. Curtailing the freedom of radicalised fundamentalists who advocate the overthrow of Western society and nourish potential suicide bombers may be a progressive act.

Similarly, the left has traditionally been understandably mistrustful of acquisitive consumerism. RH Tawney inveighed against its pernicious atomisation of society, its overemphasis on material rather than social wealth and its tendency to treat people as economic tools rather than agents. Yet the material needs of the individual are not to be derided, not just in terms of the bare minimum necessary to survive, but also in terms of realising one's own fuller potential and autonomy. Just as William Temple was right to argue that Christianity was the most materialist of all the religions, so too progressives cannot ignore people's material needs, aspirations and desires.

### 3. All men and women are of equal worth and should enjoy equality before the law.

Stated thus, there are few people who would disagree with this proposition. It is a fundamental premise of any democracy that all should be equal before the law. Indeed an

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<sup>8</sup> Wilde, Oscar *The Soul of Man under Socialism* (1891)

<sup>9</sup> Mulgan, Geoff (ed) *Life after Politics* (Fontana, London, 1997), p333

early (feudal) version of it was embodied in the Magna Carta's clause 40 declaration that "to no man will we sell, or deny, or delay, right or justice". Yet many people's experience is at odds with the principle. Justice in the retributive sense is not equally available to all because all do not have the same access to highly qualified and effective lawyers. Few people can afford libel lawyers. Many do not even understand their rights under the law and therefore have no idea of how to exercise them.

What is more, equality is far more controversial than we assume. Deep-seated prejudice still exists within many of our institutions. Moreover, public perceptions are not entirely moving in our direction. Take attitudes towards immigration. The British Social Attitudes survey has seen a dramatic change in recent years, with the proportion of respondents agreeing that immigrants improve British society by bringing in new ideas and cultures falling from 51% to 31% between 1995 and 2003. A similar change has been seen in those who agree that immigrants increase crime rates, rising from 25% to 39%. In part this may be thanks to the pernicious increase in newspaper articles on immigration in the intervening years (*The Times* alone has seen a fourfold increase), but across the board anti-immigration views have increased, even among graduates. Similarly, nearly two-thirds of the British population now believe that the government spends too much money assisting immigrants.<sup>10</sup> In other words, there is a growing sense that immigrants are not somehow equal, that asylum seekers are not of equal worth as humans.

Likewise it may seem irrational to treat a disabled person as any less a person than an able-bodied one, yet the disabled suffer as much from prejudice as from physical restrictions. The emancipation of women may seem like a battle that is already won in theory, yet in practice women still earn only 85.7% of what men earn in the same job (according to 2003 figures from the Office for National Statistics). That figure, for full-time work, has risen from 82.6% in 1998, but the parallel figure for part-time work has barely budged and bumps along at roughly 55%.

#### 4. Poverty has human causes and is susceptible of human remedies.

The right would have us believe that poverty is an immutable aspect of life. Some, they would argue, are poor by virtue of their own laziness or ineptitude. For others, their poverty is just a quirk of fate that has left them at the bottom of the pile. This is, of course, no more than a secular version of the old Christian hymn, "The rich man in his castle, the poor

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<sup>10</sup> *British Social Attitudes: The 21st Report* (Sage, 2004), pp185-9.

man at his gate; God made them high and lowly and ordered their estate" – an ideology that prevailed in Victorian Britain and still holds sway in much of religious America despite the fact that it flies in the face of most of the Bible and all of the teaching of Jesus. For all conservatives, then, the only moral imperative for the wealthy is to be charitable. Indeed, Friedrich von Hayek, Margaret Thatcher's favourite political philosopher, argued that the very idea of social justice is a mirage.

The left, by contrast, refuses to accept that poverty is a mysterious dispensation from on high. Of course we accept that all of us have a duty in so far as possible to try and provide for ourselves. In the words of the Social Justice Commission, "paid work for a fair wage is the most secure and sustainable way out of poverty".<sup>11</sup>

But child poverty remains a scandal, with countless youngsters growing up with scant opportunities and flimsy chances of achieving the luxurious world that television promotes, other than through a life of crime. The statistics, even after eight years of a Labour government committed to tackling child poverty, are depressing. According to Eurostat, 21% of British children live in households earning below 60% of median income. In Denmark that figure is just 5%, in Germany 14%. Even more depressing is the fact that in 1968 the UK figure was half what it is today. A similar pattern emerges when we look at pensioner poverty, with a fifth of pensioners in poverty.

Depressed ambition, negligible self-confidence, underachievement, benefit dependency, social exclusion, debt, weak education, poor health – this inexorably vicious circle of deprivation in many communities and families must be the target of a sustained campaign of progressive thought across several generations. The former Labour leader John Smith argued the point: "the scourges of poverty, unemployment and low skills are barriers, not only to opportunities for people, but to the creation of a dynamic and prosperous society. It is simply unacceptable to continue to waste our most precious resource – the extraordinary skills and talents of ordinary people."

5. Not all inequalities are unjust, but, as the Commission on Social Justice argued in 1994, those that are should "be reduced and where possible eliminated".

Few progressives would argue for perfect mathematical equality of wealth or income. The repressive experience of trying to enforce such equality in Communist societies has taught

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11 Commission on *Social Justice Social Justice: Strategies for Social Renewal* (Vintage, 1994), p20.

even the most ardent of egalitarians that it is wrong-headed to go so hard against the grain of human nature. Private ownership and the proper remuneration of talent, hard work, entrepreneurial spirit and risk taking are also important principles. The consultant of 10 years' standing should be paid more than the trainee doctor, and the exceptional singer, actor or football player is worth what the market will pay. As David Miller has put it, "our principles of social justice don't set any direct limits to the size of income differentials, but very large differentials will certainly make justice harder to achieve in the long run".<sup>12</sup>

But the inequality of pay between men and women, the geographical and ethnic bias of poor health, and the insurmountably higher hurdles to employment for black and Asian men and women are examples of active injustices that need to be addressed by the state. As RH Tawney put it, "what is repulsive is not that one man should earn more than others ... it is that some classes should be excluded from the heritage of civilisation which others enjoy, and that the fact of human fellowship ... should be obscured by economic contrast"<sup>13</sup> In particular, the inequality of the "peripheral economy", which affects areas of the country (most notably the former mining and heavy industry constituencies and some of the inner cities) and certain key groupings (young black men and those suffering from mental health problems) needs redress.

Inequality is of course also a hereditary principle. Poorer pupils, as measured for instance as those who claim free school meals, do considerably worse in school than their wealthier counterparts. GCSE results are astoundingly class-conscious, with the top social classes achieving pass rates of 74%, more than twice that of the lowest. Even the drive to get more young people to continue into higher education has floundered in its attempt to redress the historic imbalance. More students from poorer backgrounds are remaining in education – up from 11% to 19% – but they still fall well behind the professional classes, who are now at 50%.

And in the workforce inequality persists, with the disabled five times more likely to be out of work and on benefits than their non-disabled counterparts. Inequality is a remarkably persistent and invasive weed and it will require extraordinary political pertinacity to eradicate it.

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<sup>12</sup> Pearce and Paxton, *op cit*, p18.

<sup>13</sup> Tawney, RH *Equality* (Allen & Unwin, London, 1931), p10.

## 6. Everyone is entitled to be able to meet his or her (and their family's) basic needs.

For the vast majority this will mean paying their own way. But the most vulnerable will always need the support of the welfare state and nearly all of us will need it to tide us over times of crisis and financial difficulty. In effect the welfare state helps all citizens manage risk and redistribute their own income across the full span of their life. But the universal provision that the welfare state provides is a blunt instrument. It can all too easily provide perverse incentives – incentives not to work, incentives not to care for one's own relatives, not to make provision for one's own retirement. A progressive welfare state therefore needs constantly to reform itself, as its intervention is not always benign. Moreover, the ineluctable sclerotic tendency of large institutions can be writ all the larger in the case of the great institutions of the state, which develop into self-regarding, self-protecting and self-absorbed bodies of reaction.

The Labour Party long ago recognised the dangers of size, admitting in 1989 that "there is a limit to what the modern state can and should do",<sup>14</sup> but if the government were to slow down on public service reform out of a desire to reassert a collectivist approach to the state it would almost certainly reinforce the producer-driven mentality of many public services. In 1994 the Commission on Social Justice wisely argued for an "intelligent welfare state", exposed some of the problems inherent in means-tested benefits and suggested many reforms that have now been put into place.

But we shall have to go further if we are to ensure that the welfare state is truly progressive. Giddens makes a fair point when he argues that the welfare state "is essentially undemocratic, depending as it does upon a top-down distribution of benefits. Its motive force is protection and care, but it does not give enough space to personal liberty. Some forms of welfare institution are bureaucratic, alienating and inefficient and welfare benefits can create perverse consequences that undermine what they were designed to achieve."<sup>15</sup> His (somewhat nebulous) answer is to insist on "positive welfare".

David Blunkett, more amply, argues in his *Politics & Progress* for an "active welfare state" and suggests several ways in which welfare reform should proceed, including building in a more reciprocal principle, establishing more flexible pathways that treat people as individuals, and relying on more locally determined provision. Most significantly, he points

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<sup>14</sup> Labour Party, *Meet the Challenge, Make the Change* (1989), p6.

<sup>15</sup> Giddens, *op cit*, p112-113.

to the limits of the welfare state in picking up the pieces when people's lives fall apart. Representing a seat where nearly one in five people of working age are claiming incapacity benefit, I am certain that a new social contract for an empowering rather than debilitating welfare state will be a vital part of properly progressive welfare.

#### **7. Power should never be absolute, but moderated, devolved and shared and based on democracy.**

Those of the reactionary right have rested their understanding of the exercise of power on tradition and hierarchy. Their close cousins, the meritocratic right, believe that the talented and the self-taught alone should rule. The progressive left would argue that authority cannot be presumed but can only be earned through the ballot box or some other form of accountability.

Of course there are limits to democracy. Novels cannot be written by committee. The experience of the USA, where "propositions" are frequently put to the electorate concurrently with local and national elections, would suggest that referendums might seem democratic, but can simply be demotic. Few voters have the full level of information that they themselves admit would be vital to make an informed decision and often vote not on the proposition itself but on some other issue – the popularity of the government or an individual advocate of the policy. Moreover, Ghandi was right to point out that "No charter of freedom will be worth looking at which does not ensure the same measure of freedom for the minorities as for the majority."

But the fundamental right of everyone to share in the decisions that affect their lives, their community and their country, through a fully participatory democracy, is a cornerstone of progressive thought. Voting and sharing in decision making is not only good for the state in enabling better legislation. It is also good for the citizen, who is empowered and capacitated. So the more power can be devolved, the better.

Pope Pius XI put the case most neatly in his encyclical, *Quadrogesimo Anno*: "Just as it is gravely wrong to take from individuals what they can accomplish by their own initiative and industry and give it to the community, so also it is an injustice and at the same time a grave evil and disturbance of right order to assign to a greater and higher association what lesser and subordinate organisations can do. For every social activity ought of its very nature to furnish help to the members of the body social, and never destroy and absorb them."

The left in Britain, by contrast with the left in the rest of Europe, has tended to be less certain about constitutional reform, preferring to win control of the system as it is, rather than seek to change it. Yet if the process of politics excludes the vast majority then it will remain impossible to advance progressive arguments. It is not only the power of government that must be moderated (for instance through a powerful Commons and a revising second chamber) but the power of other institutions, such as banks, supermarkets, the police and the press.

**8. Markets are a settled and central part of our economic life but they are not always benign.**

For some the original definition of socialism was the rejection of competition as the founding economic principle and a dedication to co-operation under a collectivist seizing of the commanding heights of the economy. Labour rightly rejected such a rigidly purist policy as far back as 1990 when it argued in favour of the "efficiency and realism that markets can provide".<sup>16</sup> Yet we still fail to comprehend the profound change that modern economic realities have now effected in society.

Market economics could still play a more important part in reforming our public services, not because the private sector is always right and the public sector always inefficient, but because both sectors have cultural, organisational and social lessons they could teach each other. Large companies, just like large public services, can find it difficult to discern the signs of the times, and in an era of rapid technological and social change both sectors could similarly learn from the often more flexible voluntary sector.

Interestingly, out of a strong desire to maintain a competitive economy, Labour has addressed some elements of the worst anti-trust excesses. It rightly established Ofcom to tackle anticompetitive practices in broadcasting, telecoms and ICT, it made the Competition Commission fiercely independent and it has significantly toughened up penalties for running cartels. But, thanks to a historical anxiety about dealing with business, the Labour government has sometimes tended to fight shy of direct confrontation with a whole series of monopolistic practices in some of our key industries.

Within a highly developed market such as, for instance, the consumer credit industry, competition for scarce new business can lead to irresponsible marketing and sharp

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<sup>16</sup> Labour Party, *Looking to the Future* (1990), p6.

practices. A progressive government will not want to intervene so heavy-handedly that the market stagnates or new product development is stifled, but the protection of the consumer from the effects of unbridled market competition is a vital aspect of progressive government. Likewise in industries essential to the common good, such as broadcasting, state intervention through subsidy for the commercially unviable is not only acceptable but also important. The market will not always provide, and where it fails the state should intelligently intervene.

#### 9. Narrow nationalism is a false patriotism.

The left has always been internationalist, rightly believing that the fortunes of the whole human race are best resolved in harmony. That internationalism has at times been naive in the extreme, with, for instance, much of the hard left offering slavish and misguided support to Communist Russia and Cuba over decades. But the belief that Britain can survive and prosper in splendid political, economic and environmental isolation is a foolhardy chimera that owes more to distant memories of Empire and Raj than to anything approaching modern political realism. Being prepared to share authority through the United Nations or pool sovereignty through the European Union is an important progressive principle.

Moreover, a respect for the other peoples of the world and a preparedness to act where human rights are being abused distinguish the internationalist left from the isolationist right, who are more committed to rebuilding an English sensibility than exploring Britain's role in the wider world. In an era of swift global communications and easy international travel, an internationalist approach is all the more important. Aid for the poorest nations, together with intelligent debt relief and serious reform of the world's trading arrangements so that the poorest nations have a chance to prosper and stand on their own feet rather than sink further and further into poverty, is essential because the adage that charity begins at home is false. Aid is about social justice, not charity.

#### 10. The natural resources of the world are finite.

Many might argue that economic progress requires us to ignore our environmental concerns. After all, man's ingenuity is such that one day we shall manage to circumvent our reliance on fossil fuels, and if prosperity is to be shared in the here and now it has to be created out of the resources around us. But it takes not much more than a cursory examination of the state of the planet to see that reckless exploitation of natural habitats

not only imperils endangered species, it also has a habit of destroying those things that humans need for their own survival.

The Brundtland report for the 1987 World Commission on Environment & Development rightly argued that sustainable development should meet “the needs of present generations without compromising the ability of future generations to meet their own needs”. Reducing greenhouse gas emissions, tackling pollution, encouraging public transport, household and industrial recycling and energy efficiency are important elements in a progressive agenda, regardless of whether one believes that protecting the natural environment is a moral imperative in itself or not. Ensuring that everyone can access clean water and air, that land is not over-farmed, that forests are not denuded and that seas are not polluted is often a precondition of enabling people to live a decent life – or indeed a life at all.

### **We need to be explicit**

Clearly, this list of progressive propositions is not exhaustive. There are elements of it that individual progressives will contest. But my central contention is that we need now to proceed on the basis of a shared set of propositions and deliberately argue for them so that they can become part of the accepted common sense of Britain. We cannot engage in progressive reform without owning up to it. We need to win arguments, not follow them. We need to be explicit about what we believe in and about how we match our beliefs and our values to our policies and our practices.

In the following two chapters I shall look at two specific challenges that progressives now face in applying their philosophy to the practical world of party politics.



## Chapter 3

# Political leadership

## Political leadership

Douglas Alexander made an important point in a predecessor pamphlet for the Smith Institute earlier this year. "The right in America has understood that the point for any political party is not simply to inhabit the centre ground but to shift it, consciously and irrevocably, towards its own vision of a good society. The Republican victory suggests that building strength in office demands not simply following public opinion but working with it to fashion a new 'common sense.'"<sup>17</sup>

Of course, Douglas is not just commenting on the success of the Republicans (though this "success" seems rather fragile at the moment, with Bush suffering his worst ever ratings). He is also, by implication, criticising his and my government, and his criticism is right. It may be right to say that it is impossible for a political party to win the political argument in opposition. It has too few of the levers of political debate within its grasp. But a party that fails to determine the political direction of the nation or that simply kowtows to perceived political opinion can find its hold on the political affections of the nation very tenuous. It can all too easily lay itself open to the charge of political cowardice or incoherence. Political opinions are notoriously fickle. Events, especially in an era of war, terrorism or economic uncertainty, can bring great tidal waves up the political beach, sweeping all before them.

This is difficult for new Labour. We formed our political strategy against the background of a bruising, 18-year-long opposition. The hard shock of losing the 1992 election meant that every policy or pronouncement had to be held up to the light of public opinion and focus-group testing before it could be allowed room in the party programme. We learned discipline. No commitment could be made by a Labour spokesperson without it being fully costed and road-tested. We dampened down expectation as far as we could without demoralising our support.

We also had to fight shy of a whole series of reputation problems. We were seen as soft on crime, weak on defence, profligate in economics, obsessed with minorities. So we rightly set about burnishing our centre-ground credentials. On every issue where we thought we had a political problem in terms of positioning ourselves in the centre ground, we chose to triangulate along the lines successfully adopted by Bill Clinton. We slaughtered the sacred cow of the old Clause IV. In opposition and then in government we picked fights

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<sup>17</sup> Alexander, Douglas *Telling It Like It Could Be* (Smith Institute, London, 2005).

with, or at least allowed there to be an impression that we were at odds with, a series of chosen targets: the hard left, the unions, the "idealistic" pro-Europeans. We declared ourselves in favour of "what works", pragmatists to the core.

Meanwhile we set about introducing a series of progressive measures. The national minimum wage is the most commonly identified socially progressive policy of the past eight years, but the list is lengthy. We extended maternity and paternity rights. New trades union rights to membership and consultation were introduced. Additional support for pensioners was targeted at the poorest. The child trust fund, working tax credits, the various New Deal programmes and the introduction of Sure Start all made real Labour's commitment to tackling poverty in this country, while the dramatic increase in international aid and development budgets has put flesh on our rhetoric about poverty overseas. Most significantly, the vast uplift in public services budgets, especially when accompanied by reform, has underlined a commitment to universal provision of the best in healthcare and education.

### **Socialism by stealth**

The result has been socialism by stealth. The danger is clear. Those who have never wanted socialism spot what we are doing and object to it, while those who want a healthy dose of socialism in the body politic fail to see what we are doing and condemn us for being mealy-mouthed and Tories in all but name. Fewer people object to our policies but fewer people cheer them as well.

A classic example is the government's policies on equality and sexuality. There can be little doubt that the Labour Party in the almost exclusive majority supports equal rights for gays and lesbians. Its commitment has been longstanding, at least since the 1988 introduction by the Tories of Clause 28 with its attack on "pretended family relationships". Blair and Straw in opposition spoke forcibly in favour of repeal. And the government's record has been virtually impeccable. An equal age of consent was introduced and forced through parliament by invoking the Parliament Act. Clause 28, after countless to-ing and fro-ing between Lords and Commons, was repealed in 2003. Gay couples, along with their unmarried heterosexual counterparts, were given the right to adopt.

We made it illegal to sack someone merely because of his or her sexuality. The traditional objections to gays in the armed forces were overturned and the Army, Navy and RAF all now openly recruit and parade in uniform at Gay Pride marches. The ancient sexual offences laws, including the gross indecency law under which Oscar Wilde was

imprisoned, were reformed. Those who were on the sex offenders register by virtue of under-age gay sex at 16 to 20 before the equal age of consent was introduced were allowed to apply to be removed. And in December 2005 the Civil Partnerships Act comes into force, allowing same-sex couples the same fiscal, pension and legal privileges as heterosexuals.

Yet, despite the enormous private and personal commitment of individual ministers, the government has hardly trumpeted the cause. At times it has sent out signals that it is acting reluctantly, most notably over the question of gays in the military, where, perhaps mindful of Bill Clinton's problems in his first week of office, the government acted only in response to a judgment by the European Court of Human Rights. Likewise the provisions on employment rights for lesbian, gay and bisexual people were introduced as a result of pressure from the European Court of Human Rights and included an opt-out clause for faith-based organisations. Even the civil partnership legislation was drawn up in such a way as to make a clear distinction from gay marriage – a form of triangulation that succeeded in taming virtually all opposition, even in the Lords.

By contrast, in Spain the Zapatero government has deliberately proceeded with a bill to allow fully fledged gay marriage in the face of heated opposition from the powerful Catholic Church. The result in Spain is an enormously grateful lesbian and gay community and a wider impression of a government that has clear ideals and principles on which it proceeds to act forcefully. Now 70% of Spaniards support gay marriage – an instance where government has led and changed opinion. By contrast, in Britain there are remarkably few homosexuals who believe that they owe the government any favours and many who believe that Labour has acted only reluctantly in their interests. They point to Ken Livingstone in London, the Scottish Parliament or the Welsh Assembly for a less ambiguous measure of progressive support. Needless to say, the more socially conservative elements in Britain object just as forcefully to civil partnerships as they do to gay marriage. It is almost certain that pressure for Britain to move to gay marriage will increase, potentially leaving the Labour government on the reactionary end of the argument.

In broader terms, there are several problems with the socialism by stealth approach. Firstly, the government's failure to expend political capital has all too often meant that it has found it difficult to accumulate political value with the voters. Moreover, our deliberate air of moderation has meant that we can all too easily come across as valueless, not to say unprincipled. This may be easily weathered when questions of trust are not in the air,

but when personal levels of distrust in individual politicians are high, such as following the decision to go into Iraq, this has been very difficult.

Most significantly, however, by trying to adapt our message to the prevailing views of the day we can surrender vast acres of political territory to the socially and politically conservative. By choosing not to have a row with society or even with elements in society we can end up simply accepting political conservatism as the norm. The politician who offends nobody probably has little to offer.

### **Too quiet internationalism**

Nowhere is this more evident than in the government's approach to Europe. Most progressive thought is internationalist in nature. It accepts, in John Donne's words, that "any man's death diminishes me, because I am part of humanity". The travails of the poor in Ethiopia or the Czech Republic may not be the immediate concern of progressives in the UK, but their plight is ours. Pro-Europeanism, in the broadest sense, is a subset of this internationalist approach, informed by a belief in the equal worth of all humanity and the imperative of avoiding another war in Continental Europe.

This does not necessarily mean that all progressives would support all aspects of the European Union. Indeed, progressives would most often want to offer a serious critique of many aspects of the EU as she has developed since her inception. But the knee-jerk response of the Euro-sceptics would sit oddly within progressive thought. That the nations of Europe should combine, should pool their sovereignty in key areas so as to achieve a set of greater political goals – environmental protection, social welfare, high employment, healthy trade – is essential to progressive thinking.

Yet the British political psyche – and in particular the English political psyche – has in large measure been framed by the experience of the Second World War and of Britain having to fight the Axis powers virtually alone. Every night and every day our newspapers, television and radio carry more wartime stories and perpetuate the sense of Britain against the rest. The political challenge that presents for pro-Europeans is significant. To argue for compromise with the other nations of Europe may not only run counter to the views of the national newspapers (especially the *Daily Mail*, the *Daily Express*, *The Sun*, *The Times* and the *Daily Telegraph*). It may also feel as if it is going against the grain of British political nature.

Labour's policy on Europe has been sound and sensible, but as often as not it has sought to get away with its pro-European position rather than proclaim it and the result has been a steady increase in Euro-scepticism throughout the years of the Labour government. In the most recent Eurobarometer opinion survey, more people in Britain thought that the nation had not benefited from membership of the EU than thought that it had benefited, by 42% to 40%. Only 36% of Britons now think that membership is "a good thing". The danger is that by appeasing the anti-European media and indulging Britain's natural scepticism we actually feed the xenophobic monster.

Europe is just one example of this problem Labour has in following rather than leading the argument (and one I shall return to in fuller measure in the final chapter). Geoff Mulgan has also noted the wider problem: "politicians now face a difficult job in building on the progress made in reducing poverty and exclusion over the last decade. For despite the success in reframing political arguments better to fit the reality of public understandings of justice, and despite some success in adjusting public attitudes (always a responsibility for progressive politicians), many of the most pressing issues come up against contradictory or resistant public attitudes".<sup>18</sup> In other words, it is not enough to govern progressively; we need to win people's hearts and minds for progressive views and sometimes that will involve judiciously fronting up the public, going against perceived opinion so as to build a new "common sense". Of course, a wise general does not choose a battle he knows he cannot win, but to cede territory without a plan to regain it is tactical folly.

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18 Pearce and Paxton, *op cit*, p96.

## Chapter 4

# The challenge of liberalism

## The challenge of liberalism

The second area where new Labour has issues to address if it is to maintain its successful coalition of support is in the realm of personal liberty. This is complex political terrain, with a whole host of competing militants, through from Christian authoritarians to civil libertarians, all only too happy to do battle. Part of the complexity lies in the very hotly contested term "liberal", which is almost as nebulous as the word "progressive". In parliamentary debate many politicians who claim the term seem simply to adopt Humpty Dumpty's strategy of declaring "when I use a word it means just what I choose it to mean, neither more nor less". And in the USA it is often used as a term of political abuse, with candidates for high office in all but the safest of liberally minded seats fighting hard to establish their anti-liberal credentials.

But in Britain, as in most of Europe, some element of liberal social policy (as distinct from economic policy) has been a vital element of progressive thought. That is not to say that British Labour has always been unambiguously liberal in its thinking. In fact it has a somewhat uncertain tradition of support for personal liberty, often historically advocating collective responsibility over the rights of the individual in the interests of social justice. Not all its early supporters, for instance, advocated votes for women – let alone their wider emancipation. In addition, eight years in government have (partly by accident and partly by design) given Labour a decidedly authoritarian hue.

### Getting a good name on crime

Some might argue that, far from being a problem, this is sound politics. After all, one of the major weaknesses of the 1980s Labour Party – one that helped keep it out of office – was the fact that it was seen as soft on crime, immigration and terrorism and that it devoted too much energy to "loony left" obsessions like support for lesbian self-help groups in Lambeth. Some of this was mere caricature, but some was real. It was virtually impossible in many London Labour Party meetings in the 1980s or early 1990s to refer to crime and disorder issues without being accused of being a crypto-fascist, despite the fact that those who suffered most from the rapid rise in crime under the Tories were the Labour-voting communities we sought to represent.

So it has been no accident that new Labour has worked hard to ditch its lily-livered (and feeble-minded) reputation on some of these issues. Tony Blair's neat rhetoric of being "tough on crime and tough on the causes of crime" allowed Labour back into the debate on crime. It redressed an imbalance in Labour's own thinking and, most importantly,

allowed her to start winning political arguments about how authoritarian responses to crime alone would not solve our many social problems. It has not just been a one-sound-bite wonder, however. The last decade has seen Labour consistently developing a tough argument on a series of law and order related issues.

Partly thanks to pressure from Labour MPs who saw more and more people complaining about vandalism, graffiti and antisocial behaviour, Labour came to power in 1997 committed to tackling the low-level criminality and petty nuisance that affects many communities. The original antisocial behaviour legislation was then billed as a tough response to a modern social problem, but in fact Labour had to bow to pressure from the liberal establishment (both professional social workers and others in the field, and the House of Lords) and ended up with a timid and overly bureaucratic system that was virtually unusable. It was only in Labour's second term, with local communities (and a few professional converts) clamouring for more robust measures, that Labour managed to overcome objections and put in legislation that might work.

The sheer quantity of legislation has been exhausting, with measures to close crack houses, remove abandoned cars, prevent truancy, tackle graffiti, stop fly-posting and fly-tipping, clear up litter, extend CCTV surveillance, enforce acceptable behaviour, evict unruly and disruptive tenants, avert late-night noise and prohibit drinking in the streets. Alcohol exclusion zones, child curfews, acceptable behaviour contracts and antisocial behaviour orders have all been tools in an armoury of measures designed to deal with a set of quality-of-life issues across the nation. Since the British Crime Survey shows that roughly one in four people feel there is a major issue of social disorder in their area, clearly Labour has been responding to real concerns.

### **Losing a grip on civil liberty**

Meanwhile Labour almost boasted of its illiberalism. So much so that nobody thought it a problem that Hugo Young condemned the government in the roundest and most hyperbolic of terms in *The Guardian* in 2002: "The Blair government is, in this respect, old, old Labour. With one exception, it has run away from every libertarian challenge. It is profoundly illiberal." Clearly, this takes us a long way from Anthony Crosland's injunction that "in the blood of the socialist there should always run a trace of the anarchist and the libertarian, and not too much of the prig and the prude".

Even more significant in terms of fixing Labour's reputation on personal liberty has been the question of anti-terrorism legislation, something that Labour had considered in

opposition, but only in relation to Irish politics. The Labour Party that campaigned against apartheid and the abuse of police power in South Africa or against dictatorships in Chile or Argentina would have found it difficult to believe that a Labour government might have to introduce control orders, detention without charge or virtual house arrest for suspected terrorists.

Of course, there are dramatic differences between Pinochet or Franco's torture and detention of political prisoners and the measures Labour has introduced. Belmarsh is not Carabanchel or Robben Island. Democracy and the rule of law prevail. The police are subject to close scrutiny and remain openly accountable. The press and media are free and exercise their freedom with relish. And the public overwhelmingly support measures that necessarily compromise the freedom of the individual in the interests of the collective good, as long as those powers are exercised judiciously and transparently.

Nevertheless, the problem remains for Labour that an increasing air of authoritarianism may be attractive to the populist in us all, but it is in danger of fracturing new Labour's coalition of support, which saw us attract the civil libertarian and the Labour heartland activist, the Amnesty International member and the Labour Club stalwart. At moments of national or international crisis Labour may need to reassure the nation and burnish its security credentials with tough words and it may need to take proportionate action on a wide range of security issues, but it simply cannot afford to lose the on-going support of British liberals, however easy it may be to characterise them as the chattering classes of Hampstead, Pontcanna and Morningside.

EM Forster may have been right when he said that "the hungry and the homeless don't care about liberty any more than they care about cultural heritage. To pretend that they do care is cant."<sup>19</sup> Or as Brecht argued, "first feed the face and then talk right and wrong". Nevertheless, liberty is not an alternative to but an element of social justice.

What is more, there is a problem of consistency and intellectual coherence. For at the same time as developing tough policies on crime and antisocial behaviour, Labour has advocated a raft of measures that actively advance personal liberty. I have already referred to Labour's record on gay and lesbian equality, but the incorporation of the European Convention on Human Rights in the Human Rights Act, the liberalisation of alcohol licensing and gambling, the Freedom of Information Act, enhanced child-protection

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19 Forster, EM *Abinger Harvest* (London, 1936).

measures and the reform of sexual offences laws have all been liberal measures, many of them hotly contested by the right-wing authoritarian press.

Some might argue that this shows that Labour is striking a proper balance – and they may be right – but my concern is that either Labour is wantonly inconsistent on personal freedom or else it simply does not have a coherent argument to advance on the issue. Because we are all too often happy to trumpet measures that reinforce our authoritarian reputation but far more hesitant when it comes to arguing for more liberalising measures, it could be argued that we in effect get away with what might be considered unpopular (or less populist) under the cloak of tougher politics.

But the argument (and the tactic) is flawed on three counts. First, as I have argued above, it means we fail to win hearts and minds for the extension of personal freedom that most centre-left progressives would argue for. Consequently we often find that our own legislation comes back and bites us (as, for instance, with the liberalisation of alcohol licensing). We need to lead these arguments, not follow them. Second, we expose a potential logical and political incoherence in our thinking that leaves us open to the charge of being opportunistic and vacillating. And third, we steadily lose the support of a section of the community for whom personal freedom, the liberty of the individual, democracy and political transparency are the overriding litmus-test concerns in modern politics.

### **Time to renew our liberal credentials**

What, then, should Labour do? I am certainly not arguing that Labour should suddenly perform a volte-face on the issues of law and order, immigration or anti-terrorism. It would be foolhardy in the extreme for Labour to abandon its hard-won (and only just won) reputation for tackling crime and antisocial behaviour with at least as much vigour as the Tories would. On the whole nexus of asylum, immigration and anti-terrorism the government is absolutely right to adopt robust and, if necessary, severe measures to ensure the greater security of us all. Indeed, I would argue that the government also needs to adopt a more robust attitude on incapacity benefit as the only way of tackling the hideous waste of human potential that a life spent unnecessarily on benefit can represent.

But Labour does need to revitalise its liberal tendency and reputation. Many of our most liberal policies go unnoticed by the public because unheralded by the government. Our record on tackling domestic violence, on lesbian and gay rights, on freedom of information, on support for the liberal arts, is impeccable. We need a sustained campaign to burnish

those credentials if we are not to lose the support and votes of liberal-minded left-of-centre voters who have already flirted with the Liberal Democrats.

Labour also needs to argue the progressive rationale behind every element of its legislation – including measures for collective national and international security. We should never allow people to represent these measures as repressive if we can argue their progressive basis – and if we cannot argue their progressive basis then we should probably not be enacting them.

So, for instance, let us take two areas where we should be able to make a better progressive case: antisocial behaviour policy and legislation on incitement to religious hatred.

Few doubt that antisocial behaviour is one of the most pressing of modern British political issues. The collapse of a sense of respect for those in authority, the dearth of suitable activities for young people, and the increased expectations (but not ambitions) of many youngsters have all led to a steady rumble of low-level criminality which it has been difficult for the police to deal with through traditional methods. To my mind, the battle for peaceful neighbourhoods, especially in poorer communities where people live on top of each other, is a progressive cause. It enables people to enjoy the fullest life possible. It makes it possible for the elderly to sit outside in their gardens at night without being harangued or harassed. It makes it possible for the poor man to enjoy the same peacefulness in his two-up two-down as the rich man in his castle.

But the battle against antisocial behaviour has led the government into a seeming confrontation with much of the liberal establishment. From the introduction of the very first antisocial behaviour legislation, Labour has found itself at odds with a wide array of social workers, civil liberties militants, defence lawyers and even the more liberal of police officers. Just as on anti-terrorist measures, the judges have struck down – or driven a horse and coaches through – many key policies. Most recently Lord Justice Brooke effectively derailed the child curfew orders by ruling in July that the police could not force a young boy in Ham in London to go home as this would impede him from exercising his human rights – a classic instance of one government policy (the Human Rights Act) in effect scuppering another.

The government has been right to pursue the agenda. After all, low-level crime and antisocial behaviour have not most dramatically affected those who live at the end of long drives and in gated communities. It is the poor and those who live on troubled

council estates who have suffered most from the collapse in personal respect and respect for authority. So the government's measures, once derided by the Liberal Democrats, remain a properly progressive set of proposals, which are working and are popular, especially in the Labour heartlands such as the Rhondda.

Likewise there can be few who doubt that Islamophobia is a growing problem in Britain. Even before the bomb attacks on London in July there had been regular attacks on mosques and on women and men in traditional religious garb. That Sikhs and Jews have enjoyed a greater degree of protection under the law from incitement to hatred against them than have Muslims, because of their concatenation of ethnicity and religion, has meant that there has been a real as well as a perceived injustice to the Muslim community, which the government now seeks to redress. In other words, the measures are progressive in that they advance the cause of a poorly protected minority and enable them fully to enjoy their inalienable right to worship and hold a faith. This is not how these measures have been seen, however. Indeed, they have been almost universally condemned by Unionists, theatre directors, comedians and Her Majesty's opposition as "profoundly illiberal".

In both these areas, then, I believe Labour has been slow to explain the properly progressive nature of its policies, partly out of carelessness and partly because it does not really object to being thought of as slightly authoritarian and it fears being cast as liberal. But we have big fights ahead, on identity cards, on new anti-terrorist measures, on smoking in public places, where the question of personal liberty will be the main issue in hand. If we fail to explain the properly progressive basis for what we are doing, thereby in effect surrendering to the right the political argument on key areas of policy, we risk fracturing our coalition of support and losing the liberal-thinking population to the Liberal Democrats.

That is why, most importantly, in addition to burnishing its liberal credentials in areas where it has already acted, Labour has to develop a more coherent political argument on personal liberty that can underscore all its policies, through from anti-terrorism to policing, prostitution to smoking in public places and identity cards.

I believe it also has to act with consistency and conviction on areas that are closely allied (at least in the minds of modern British liberals), namely political, electoral and parliamentary reform, if it is to regain a clear political identity that will maintain its progressive coalition. This is a matter I shall return to in chapter six.



## Chapter 5

# Clear red water – the experience in Wales

## Clear red water – the experience in Wales

The city I was born and brought up in has changed beyond recognition in the past 40 years. Cardiff is only this year celebrating its centenary as a city (and 50 years as capital), but the city that was once dominated by the docks, built to carry the coal from the Valleys off to the rest of the world, is now transformed. The fine Edwardian buildings that once defined the city – the university, the national museum, the city hall and the recreated castle – have been overtaken in glory by the new Millennium Stadium, the Millennium Arts Centre and an array of swish new hotels. Soon Richard Rogers' Welsh Assembly building will open, overlooking the elegantly accoutred Cardiff Bay with its bars and restaurants. The dock railway where my grandfather worked has gone and flats in the Penarth Marina sell for half-a-million pounds. In survey after survey Cardiff is listed as one of the cities with the best quality of life in Europe.

It is not just Cardiff. Swansea, Newport and Wrexham have all been revitalised and Wales itself has changed, socially and economically. The M4 corridor has enjoyed an extraordinary economic revival over the past few years, actually outstripping growth in the rest of the UK. Some 47,000 more jobs have been created in south-east Wales in the past eight years. The valleys that were once black with coal dust are now green again. Herons fish in the Rhondda.

Politics, of course, has also changed quite radically. In 1962 Wales was a mere adjunct to England, its laws drafted in Westminster and virtually identical to those in England, its public services all administered by Whitehall. It was only in 1964 that Labour created the Welsh Office under Jim Griffiths. Steadily it assumed powers from a number of Whitehall departments – education and training, health, trade and industry, environment and transport, and agriculture – and began to do things differently from the rest of the country. Although an incipient Welsh nationalist movement began as early as 1886, the calls for devolution have always been far more muted in Wales than in Scotland, a fact that was evidenced not only by the robust defeat of Labour's devolution proposals in the 1970s but also by the extremely narrow margin of victory for the Yes campaign in the 1997 referendum (50.3% on a turnout of 50.1%).

With the advent of the Welsh Assembly came a renewed sense of political identity in Wales, capitalising in a sense on a century of Welsh politics that had been defined by the unionism of the South Wales Valleys, the collectivism of figures like Nye Bevan and Michael Foot, and opposition to the era of Thatcher and Major and their English Secretaries of State for Wales, John Redwood and William Hague.

Curiously, however, that new political identity has received remarkably little analysis since the assembly was formed in 1999. Certainly there have been major political rows in Wales. The resignation as Secretary of State of Ron Davies, the architect of the devolution programme, followed by the internecine warfare over who should succeed him, with the seemingly London-inspired imposition/election of Alun Michael as leader of Welsh Labour, helped determine some of the character and tone of modern political debate in Wales. But what has received little real analysis outside Wales is the ideological bent of Welsh Labour. Yet the very fact that Labour, either in minority or narrow majority in the assembly, has been deliberately implementing a quite different set of policies to those being advanced in England should give us pause to think.

I do so, however, with some trepidation. The principle of subsidiarity and devolution is somewhat undermined if Westminster politicians (even Welsh ones) constantly try to drive the Welsh Assembly from their comfortable back seat. Yet I would contend that we in Welsh Labour should not be divisible into assembly and Westminster. We shall only be able to deliver a better, more prosperous, fairer Wales as a united team of MPs and AMs – and that means that Welsh Labour MPs need to have a far greater sense of ownership of their Welsh Assembly government.

### **The drive to differ**

It is worthwhile, first of all, recalling the political realities that have helped shape our Welsh Labour agenda. Firstly, in part thanks to the debacle of the leadership contest, Labour did poorly in the first assembly elections. The electoral system is so shaped that it will always be difficult for Labour to win an outright majority in the assembly (indeed it is possible that this was an aspect of the proposals that recommended itself to the people of Wales in the referendum), but we lost first-past-the-post seats that we had never ceded to another party before: Rhondda, Islwyn and Llanelli. Alun Michael, narrowly elected on the list, survived only a little over a year as leader of a minority administration before Rhodri Morgan took control. In a sense, Rhodri now had if not quite a mandate, then at least an excuse for a deliberate strategy of independence from London and from new Labour.

Certainly it was a common belief that if the party was to win a majority in the assembly then it needed both to step out from under Tony Blair's skirts and to follow a distinctive, more traditionally socialist policy agenda, as opposed to new Labour's perceived advocacy of market solutions to public service problems. Thus in a series of speeches starting in 2002 and running through to today, First Minister Rhodri Morgan has outlined a set of fundamental principles that he overtly distinguishes from the kind of political suppositions

that new Labour is adopting in Westminster.

Most notably, in a speech to the National Centre for Public Policy at the end of 2002, he told his audience that the Welsh (as opposed to the English) way is rooted in collectivist values and aimed not only at equality of opportunity, but "the fundamentally socialist aim of equality of outcome". He amplified his point with an overt rejection both of consumerism and choice in public services and of the use of private finance initiatives to fund capital expenditure projects. In the media briefing afterwards – though not in the speech itself – it was suggested that there should be (and was) "clear red water" between the Labour administration in Wales and its Westminster counterpart in relation to social policy.

It is a theme Rhodri has stuck to. Speaking of public service provision, he argues: "The competitive model seems to regard the user of services – the tenant, the patient, the pupil, the parent and so on – as some sort of shopaholic, always on the lookout for new ways of elbowing their way to some new smidgin of fresh personal advantage."<sup>20</sup> That is why he opposes "breaking up large-scale public sector organisations into smaller bodies with delegated budgets and greater degrees of freedom as providers", which is how he sees the panoply of English new Labour public service reforms such as city academies and foundation hospitals.

In part his argument is that Wales requires different political solutions because it already has a tradition of collectivism. "The dominant values of people in Wales ... assert that public services should be designed to improve the quality of life for all and promote success, rather than a safety net for market failure – comprehensive rather than residual, proactive rather than reactive." Hence his desire to extend the universal provision of new citizenship rights, "free at the point of use and unconditional". He has also argued that because Wales does not face the same threat from the private sector as is the case in England, choice in the NHS is irrelevant to Wales. As he puts it, "our geography does not encourage this social model, and I don't think our values encourage this model either". So, in developing "Welsh solutions for Welsh problems", he and his assembly colleagues are for the most part keen to pursue what they often term a "collectivist" approach to social justice.

There are clearly differences between Wales and England; that is not in doubt. Wales does

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<sup>20</sup> *agenda* (Institute of Welsh Affairs journal) (Autumn 2004), p5.

indeed have a distinctive political history. It was home to the two main architects of Labour's welfare state, Nye Bevan and Jim Griffiths, and we have enjoyed more natural hegemony here than any other part of the UK. We also have a very high union membership, with 39% of our workers in unions, numbering 500,000 members. The public sector is our most important employer and biggest spender – public expenditure is 59% of GDP, higher than everywhere else in the UK. Consequently more people work for, and rely on, public services than in other parts of the UK and this dramatically affects public perceptions of political realities in Wales.

In recent years this public-sector reliance has increased. Between 1998 and 2002 we lost 44,000 private manufacturing jobs but gained an extra 67,000 public administration jobs, mainly in health and education. The concern for progressives is that in such an environment there is a deep-seated reluctance to upset the status quo within public services when it forms such a mitigating electoral factor. The producer-driven agenda is almost impossible to disrupt.

We have other political idiosyncratic strengths in Wales. The nonconformist tradition that was so prevalent in Wales, especially following the Welsh Revival, inspired not just a style of public speaking but also a set of values based on respect and solidarity that we should never eschew. But that tradition also included a fierce degree of independence and rugged individualism, a respect for hard work and an insistence on personal duty and responsibility. The anti-"scrounger" rhetoric in the Pig and Whistle in Treorchy or the Tynwydd Labour Club is every bit as forceful as it is in the stockbroker belt in Surrey. Moreover, merely because we have done things a certain way in the past is not a valid argument for continuing to do them that way in perpetuity. Indeed, it could be argued that an obsession with the past may be good for Welsh tourism but is a poor political compass.

The deepest trough in the red water, however, surrounds Rhodri Morgan's declaration for equality of outcome (although he understandably never advocates a perfect mathematical equality of income). As he put it in his Swansea speech, "approaches which prioritise choice over equality of outcome rest, in the end, upon a market approach to public services, in which individual economic actors pursue their own best interests with little regard for wider considerations". This could not be further from the arguments put forward by Tony Blair, when in a speech to party activists in 2003 he specifically stated that the true meaning of equality was not equality of outcome, or when he argued forcibly for choice in public service provision at the Labour Party conference in 2005.

## Policy variance

It is not just rhetoric. In the assembly Welsh Labour has set about implementing a raft of measures that attempt to meet Rhodri's ideological objectives. During its first term of office, the Welsh Assembly government vastly extended universal free public services. Free prescriptions for the under-25s and a price freeze for everybody else, free eye tests for high-risk groups, free bus passes for pensioners and disabled people, free school milk for infants, new grants for Welsh university students – it is an impressive list. At the same time it abolished school league tables and standard assessment tests (SATs) for seven-year-olds, essential elements of any choice agenda in public services.

Since the 2003 election Welsh Labour in the assembly has gone further. Prescriptions will soon be free for all, home care charges for the disabled will be abolished, free swimming has been introduced for the elderly and for school pupils during the holidays and breakfast is being provided free for all primary school pupils. The election promise not to introduce top-up fees in Welsh universities for the duration of the assembly has come up against the exigencies of minority rule and a deal has had to be struck with the other parties, but the thrust of Labour's agenda in the assembly has been clearly at variance with that of the party in Westminster.

The question is not so much whether this has been electorally successful. It could be argued that the collapse of Plaid Cymru and the personal popularity of Rhodri had much to do with Labour's success in the 2003 assembly elections. But undoubtedly Welsh Labour's pitch to the Welsh electorate was attractive, especially in the Valleys heartlands. We won back all the key seats we sought in 2003, with massive swings here in Rhondda and in Islwyn, and saw off challenges in Clwyd West, Cardiff North and Preseli Pembrokeshire. No, the real question is whether Labour's distinctive assembly agenda is really delivering progressive outcomes. I intend to look at just two areas, health and education.

## Health

In terms of health, the assembly government faces an enormous challenge because of the state of health of the nation as a whole. Described in some quarters as the "sick man of Europe",<sup>21</sup> our Welsh statistics speak for themselves – over 50% of the adult population are obese, over a quarter smoke, 18% are being treated for high blood pressure, 14% have arthritis, 12% suffer from back pain, and 23% of the population have a limiting long-term illness.<sup>22</sup> On average we die three years younger than our European counterparts.

<sup>21</sup> *Western Mail* (2005).

<sup>22</sup> *Health Statistics Wales* (2005).

We also have an ageing population (over 17% of the population are aged over 65) and still suffer from many of the ravaging effects of the former heavy industries that once defined our economy. Poverty and poor health are intimately connected, with all the poorest wards in Wales charting high levels of diabetes, sight problems, heart complaints and mental health problems. In sum, there are large clusters of our population that suffer from a range of hindering health problems and lifestyles.

In response the assembly has rightly been keen to advocate a positive health agenda, trying to turn the NHS into a health service rather than an illness service. The programme is not just deliberately distinctive from that in England in terms of policy on prescriptions, eye tests and home care. Organisationally too Welsh Labour has struck out on its own, retaining the community health councils (abolished in England) and reorganising the NHS in Wales into 16 trusts and 22 local health boards, which share boundaries with the 22 local government unitary authorities and are thus expected to work closely with the councils. This forms part of the strategy to meet the assembly government's stated aim of democratising health provision, bringing "a greater local voice to NHS decision making", according to former Health Minister Jane Hutt.

By contrast, new Labour's English innovations such as stand-alone foundation hospitals, designed to inject some of the positive benefits of the private-sector ethos such as greater efficiency and dynamism while remaining under social ownership, have been rejected in Wales. Rhodri stated, in a 2003 speech to the Welsh Centre for Governance, that foundation hospitals will "end, not with patients choosing hospitals, but hospitals choosing patients".

Although we have had diagnostic and treatment centres similar to those that have significantly contributed to getting waiting lists down in England, with a system of protected elective surgery facilities in Cardiff and Bro Morgannwg, Labour in the Welsh Assembly has refused to consider a major escalation of their use along English lines because of private-sector involvement and because they smack of the very "consumerism" that Rhodri distrusts. This is despite the fact that the 29 centres in England have already performed 120,000 treatments.

Moreover, in its early days the Welsh Assembly government argued forcibly (as did many commentators in England) that clinical considerations had to be addressed before waiting lists could be tackled. In recent years this emphasis has changed, especially with a change of leadership under the new Welsh Health Minister, Brian Gibbons.

We have certainly seen significant advances. Our infant mortality, for instance, has dropped rapidly in the past five years, thanks to a strengthened collaboration between health visitors, midwives, nurses and parents.

The second-offer scheme launched in April 2004, whereby patients waiting over 12 months are offered treatment at another (possibly private) hospital, has led to a fall in waiting list numbers. A year ago 1,447 people had been waiting more than 18 months for in-patient or day-case treatment. That figure is now just 123. The number of those waiting 12 months has fallen from 7,493 to 1,073. Out-patient waiting figures have fallen too, with only 83 now having had to wait more than 18 months (down from 7,105 a year ago).

But the evidence suggest that our Welsh NHS is not improving as fast as its English counterpart – and this is despite receiving more funding per head of population than in England. Last year our NHS received £1,421 per head while England received £1,350.<sup>23</sup> While English waiting lists have dropped to their lowest levels since the 1980s, nearly one in 10 of our population is on a hospital waiting list (229,217 for out-patient and 65,492 for in-patient care), with waiting times generally longer than in England. The fall in in-patient waiting list numbers has also been sharper in England, down 17% on the 2003 figure of 992,600 to 823,900. In Wales for the same period the fall is a mere 12%, from 74,641 to 65,674 now, an increase of 92 on the 2001 figure.

My local NHS trust, Pontypridd and Rhondda, tells me that orthopaedic waiting times now stand at 10 months for a first appointment and 10 months for surgery, and that with a new consultant just appointed we shall see a further fall. But the manifesto aspiration of six months for all treatment still lies somewhere in the distance and these targets are less ambitious than those in England.

Derek Wanless, who also reported on the English NHS, reviewed health and social care in Wales for the Welsh Assembly and was critical, concluding that the position in Wales was “generally ... worse than the UK”, and that “Wales does not get as much out of its spending as it should”.<sup>24</sup> He pointed to a series of problems. Partly thanks to the fact that Wales has 19% higher attendance at accident and emergency departments and 40% more emergency admissions than the rest of the UK, the Welsh occupancy rate in the acute sector is, at 98%, far higher than the maximum level for the efficient delivery of services.

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<sup>23</sup> HM Treasury figures (2005)

<sup>24</sup> Wanless, Derek *Review of Health & Social Care* (Welsh Assembly, 2003)

Compared with the Northern and Yorkshire region, in Wales there are 8% more nursing, midwifery and health visiting staff per head of population; there are 17% more hospital beds per head of population; the average length of stay is 15% longer; 9% more per head is spent on prescribing and 12% more items are prescribed per head. Yet, as Wanless points out, "we did not get as much for our additional spending as we might have expected: at the end of March 2002 almost a quarter more people per head of population were on the in-patient and day-case waiting list in Wales than in Northern and Yorkshire, and 14.3% of them had waited over a year, compared with only 0.3% in Northern and Yorkshire".

Some 80% of prescriptions in Wales are repeat ones, suggesting both that there is a high degree of long-term illness and that there is poor medication management. Given these statistics, it is not surprising that Wanless found that the "current position [of the NHS in Wales] is not sustainable".

Wanless has not been the only critic. Dr Tony Calland, chair of the British Medical Association's Welsh council, also levelled criticism at the assembly's handling of health in that patients in England were experiencing far shorter waiting lists than those in Wales.

From the perspective of a constituency MP, the criticism has been overstated. There have been improvements. The new Royal Glamorgan Hospital at Llantrisant will soon be complemented by a new community hospital at Llwynypia. Mental health services have been improved, with a new suite of mental health wards, new day-care and at-home support services and a new drug and alcohol treatment service. There are plans for a series of new health centres to replace the often ancient, decrepit and inappropriate local doctors' surgeries. There is a steadily evolving strategy for attracting new GPs to replace the large number that are due to retire in the next three years across the Valleys. By dint of these recruitment problems we are – much faster than elsewhere – developing a new model of salaried GPs working in teams in properties leased directly by the local health boards.

But patients regularly have to wait four or five weeks for an ordinary GP appointment. The local health boards and community health councils are so numerous that they are bureaucratic and find it difficult to provide specialist coherence across regions (although the assembly has now instituted a review of these working arrangements, under Sir Jeremy Beecham). The Rhondda Cynon Taff local health board has tried to improve the out-of-hours service and has taken out only an 18-month contract with Primecare, but the service remains patchy and unresponsive to the needs (let alone wants) of patients.

Despite added investment, waiting lists, especially for orthopaedic surgery, are lengthy and it is remarkable quite how many constituents, even with very meagre resources, will choose to pay to jump the queue and see the consultant privately. Indeed, the virtual refusal of the Welsh Assembly to use every means at its disposal to increase capacity in the NHS at speed (such as private finance initiatives) has in effect encouraged more and more patients to go private as they hear of long local waiting lists and shortening ones in England. By not tackling waiting lists fast enough we may inadvertently have made private healthcare an accepted part of the consensus in modern Wales.

In the light of this experience, our refusal or reluctance to use measures such as diagnostic and treatment centres or private-sector capacity in sufficient measure as to increase surgery capacity at speed seems like an ideologically driven decision that reduces the health opportunities of the poorest in the Rhondda. I suspect that since we have only just begun to touch the tip of the unmet health need in South Wales we shall have to pedal extremely hard even to stand still, increasing capacity by every means available.

Of course, this does not of itself prove that our "clear red water" policy is failing Wales, but it must surely be of concern that reform of the NHS in Wales is not delivering improved outcomes in line with the additional cash that it is absorbing. To reject policy ideas that do seem to have delivered improvements in England and to do so purely so as to establish clear red water would be irresponsible and wrong. Moreover, I worry that to adopt a political stance that rejects any element of choice in the NHS in effect sides with a producer-driven rationale for the service.

Yet the insights of the patient and the convenience of the patient are not to be sneered at. Indeed, the evidence of the success of the second-offer scheme (6,389 patients had taken it up by March 2005) would suggest that contrary to Rhodri's objection to consumerism in the NHS, most Welsh patients are far from reluctant to shop around for the best and swiftest care available as long as it is provided free at the point of delivery.

Not everyone can make informed choices regarding their healthcare. Choice is not suitable in every aspect of healthcare. And often patients will prefer to remain with the local doctor they know rather than travel (as evidenced by the Pontypridd and Rhondda trust's difficulty in persuading many of my constituents to take up second-offer surgery options in Bristol). But choice (as opposed to competition) has a role to play in delivering better, more responsive healthcare. For most of the people Labour seeks to serve, the primary principle is universal, free, efficient, responsive, patient-focused healthcare, not

the maintenance of the NHS structure or its freedom from private-sector provision per se. And people of every financial background are already exercising choice every day by paying to go private.

There is a fundamental cultural point here too. If we are to change the culture of health in Wales, as Wanless suggests, we shall need to co-opt the patient far more into his own healthcare. Indeed, this is something that the assembly has very expressly incorporated into its agenda for transforming the health of Wales. It has already declared that it will support a full ban on smoking in public places (as opposed to the mealy-mouthed version Whitehall seems to be offering for England) and it has focused heavily on positive health measures that specifically recruit the public as their own best physician, which is why it seems so odd that the assembly should turn its back so decidedly on choice in the NHS.

If we are trying to help people make healthy choices day by day, why not allow them to make choices in the provision of healthcare? Neither the NHS nor any other public service can truly serve the public unless it is constantly refocused towards the public. The belief that because we are a relatively small country our public services do not suffer from the dangers of monopoly, institutional conservatism or excessive size could be dangerously naive.

### **Education**

That other pillar of public-sector provision, education policy, has also seen a distinctive agenda from that adopted in Westminster. SATs were first abolished for seven-year-olds, have since been abolished for 11-year-olds, and are now being phased out for 14-year-olds. The Welsh baccalaureate is being piloted across Wales, free breakfasts for primary school children have been brought in, and the play-based curriculum for three- to seven-year-olds, Foundation Phase, has been introduced, all giving education in Wales a distinctively different feel to that in England, with no hint of private-sector involvement. With regard to the use of the private sector to turn around problem schools, the Education Minister, Jane Davidson, has stated that she does not see why it should do any better than the public sector in terms of trouble-shooting teams.<sup>25</sup>

Indeed, as far back as 2001, the assembly government's document *Wales: A Learning Country* stated: "In a small country, with relatively small unitary authorities, with so many distinctive features and circumstances there would be real risks in a wholesale shift to

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<sup>25</sup> *The Guardian* (2002).

extensive and untested measures delivered solely through the private or other sectors without the most careful consideration. As a matter of policy, that reliance on the private sector has been ruled out. So too has the introduction of a programme of specialist schools." (In fact it could be argued that we have our own brand of specialist schools in the shape of Welsh-medium schools, which have a distinctive ethos.) In contrast to Tony Blair's view that we have entered a "post-comprehensive era", Jane Davidson argues "we have a comprehensive system that we are fully proud of and which has served Wales well."<sup>26</sup>

In part Davidson is right. Welsh middle-class parents are far less likely to opt out of the state system and send their children to private schools than are their English (and especially London) counterparts. Moreover, results have been impressive, with our GCSE pass rate behind England in 1999 but now ahead. This year, Welsh students achieved a 96.8% pass rate at A-level, compared with 96.2% in England, with 23.7% getting A grades as opposed to 22.7% in England.

With regard to policy on higher education, we have had a more troubled time. Despite a clear preference not to allow any form of top-up or variable tuition fees in Wales, in contrast to the fiercely debated policy in England, the assembly government has had to strike a deal with the opposition parties following Peter Law's self-expulsion from the party and Labour's consequent loss of its majority.

The deal means that as in England (although a year later than in England), Welsh universities will be able from 2007/08 to charge variable fees of up to £3,000. Welsh students at Welsh universities will receive a means-tested £2,700 maintenance grant and a £1,800 fee remittance grant for the difference between the new, variable (up to £3,000) fee and the previously capped £1,200 tuition fee (which will now be deferred, as in England). In addition there will be a Welsh bursary scheme for poorer students. Other UK students studying in Wales will have to pay the full variable deferred tuition fee. By contrast, a Welsh student studying in England will receive the £2,700 means-tested maintenance grant like his Welsh university colleague, but will have to pay the full variable tuition fee pertaining there, without the additional fee remittance grant of £1,800. They may be able to receive the £300 bursary available for poorer English students studying in England.

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<sup>26</sup> "Great Wales", *The Guardian* (2 October 2001).

In other words, there is a financial incentive for a Welsh student to study in Wales. The poorest Welsh students studying in Wales will attract at least £2,700 maintenance and £1,800 fee remittance grant, plus some bursary income. The poorest Welsh student studying in England will receive only the £2,700 maintenance grant plus the £300 university bursary.

It is worth bearing in mind that policy on student funding and higher education was not originally a devolved responsibility and that it was only in response to some lobbying in favour of devolution at the point when Westminster was forming its tuition fees policy that the assembly was given this new power. Several Labour MPs argued at the time that this was a mistaken over-commitment to devolution. After all, there is not a separate Welsh market in university education. Thousands of students cross the border every year (18,035 full-time and 8,915 part-time Welsh students in England in 2002/03, and respectively 24,740 and 4,535 English students in Wales) and lecturers and professors move regularly. So the proposals for higher-education funding risk creating a Welsh higher-education ghetto by discouraging our students from going to the university that is best for them regardless of whether it is in England or Wales and putting active financial incentives in place to force Welsh students to study only in Wales.

Leaving aside for a moment the fact that for many living on the border the closest and most accessible university is in England, my concern is that if the young people of the Rhondda only ever study in Glamorgan or Cardiff, however good those universities are, we shall have failed to give them an equal opportunity in life. At present 85% of full-time Rhondda students study at Welsh institutions and they will benefit from what is being proposed. But it cannot just be the wealthy who are given the chance to study wherever they want in the UK. Over half of Rhondda students currently get the full public contribution to tuition fees and a further 19% get partial contributions, so we know that the financial incentive to study in England may well deter Rhondda students from straying beyond Offa's Dyke.

If we are to increase the number of young people from the Rhondda in higher education (it increased by nearly 60% between 1998/99 and 2003/04, from 235 to 405) and if we are to give them all an equal opportunity, we need to look at both ends of the market – how we assist both those studying part-time locally and those who want to study full-time wherever they choose.

It may be that this issue is not yet closed. The assembly has already suggested that it would like to do more to assist Welsh students studying elsewhere but that it is barred from doing so by European Union legislation which would entail Wales having to afford the same support to all EU students as it offered Welsh ones. If this is true, then the law is an ass and we should fight to change it.

Either way, as things stand this is a case where the proper ideological commitment to devolution or the particularity of Wales has inadvertently undermined an important further progressive principle, namely the equal freedom of the student to choose where he studies, regardless of whether he is Welsh or English. Building the widest possible educational opportunities for Rhondda students is an important principle for which to fight, and these financial disincentives are a pernicious unintended consequence of the pursuit of devolution.

### **The limits of red water**

In the assembly Welsh Labour has, for reasons of belief and political circumstance, adopted a different course from that of new Labour in Westminster. That "red water" seems to consist of four basic contentions: that public services should not be tainted by consumerist or market forces; that the state should extend its provision of free, universal benefits so as to reduce inequities; that Wales should cultivate its particularities and distinctions from England; and that it is mostly best to devolve power from Westminster to Cardiff.

I believe that all of these are attractive but misleading propositions for progressives *if always pursued to their logical conclusions*. It is too early to tell, but it may prove to have been a mistaken allocation of resources to extend free prescriptions to all when we already know that Wales prescribes significantly more than England and that doctors spend too much time prescribing aspirin for headaches because it is cheaper on free prescription than going to the chemist. Likewise, I find it difficult to believe that public services can learn nothing from the private sector or indeed from the insight of patients and ordinary members of the public. We want people to make good, healthy, wise choices when it comes to eating, learning and taking exercise, so we should extend that area of choice into the provision of health and other public services.

A civil society of extensive and extending universal free public services may actively encourage a culture of dependency rather than independence or interdependence. The something-for-nothing society is a failure of modern individualism that we should be correcting, not enhancing, and there is little evidence that a universal benefit will always

benefit those who most need it. Although I support the free swimming initiative because it meets both a social inclusion and a public health agenda, unless we administer it carefully it may merely subsidise wealthy people who already swim. A £1,800 universal tuition fee remittance grant may make higher education more affordable to all, but might it not be better to target resources at those who most need them rather than include the rich and the ludicrously rich?

Moreover, the argument so often advanced that Wales is different in that it is so small that everyone knows everyone else and can therefore readily spot "where the shoe pinches" is dangerous. A political cosiness that refuses adequately to challenge vested interests within public services may fail to deliver properly progressive public services. Even in the heartiest of Labour heartlands (and even among those who work in the public services) people worry more about whether the school bus is clean and on time, whether they will have to wait when they need a doctor and whether the council is spending its money properly than about ideological niceties of consumerism and its relation to public services.

Most significantly, we in Welsh Labour should never adopt or refuse to adopt a policy simply because it has or has not been advocated by new Labour in Westminster. Deliberate "red water" as a policy per se is a mistaken ideology. It must be right to derive our policy prescriptions from first principles, but red water as such is an electoral device, not a moral argument.

"What works" is of course not a strong enough argument for centre-left progressive thinking, but an element of pragmatism is vital if we are to deliver practical change on behalf of ordinary people who do not live in ideological cocoons. In fact the assembly has been extremely pragmatic in much of its wider policy agenda, as shown by its creation of the second-offer scheme when it became clear that capacity and performance in some areas were more advanced than in others. What is more, new Labour in Westminster has implemented many progressive policies, such as the New Deal, the child trust fund, pension credit, tax credits, the minimum wage and increased investment in public services, with which Welsh Labour should seek more actively to co-ordinate.

I am certainly not arguing that Welsh Labour should be an ideology-free zone. Often we are more courageous and more imaginative than our English counterparts. On smoking in public places, for instance, the Welsh Assembly is rightly prepared to force the agenda with a full ban, perhaps in sympathy with our Celtic cousins in Ireland (or for that matter our Italian friends). It was right to push for the creation of a Children's Commissioner.

But I do contest that constantly striving to build a distinctive Welsh agenda for the sake of it is right.

John Smith said "let us never be fearful of saying that we espouse a policy because it is, quite simply, the right thing to do. And let us not underestimate the desire, which I believe is growing in our society, for a politics based on principle."<sup>27</sup> He was right, and we in Welsh Labour are at our best when we rest our arguments on principle, not on distinctiveness as its own reward.

Perhaps there was a time when we had to prove our independence of mind by distancing ourselves from Westminster. But now there is a new dispensation and we need to enter a new phase where we hold firmly to our principles but scavenge a bit more widely for policies that can deliver effectively and imaginatively the objectives of social justice and shared prosperity. If we fail to use this period of Labour rule in Westminster and Cardiff to good effect, if our public services do not radically improve, then we shall have failed the people we seek to represent. Pragmatic reform is an urgent moral imperative for us all in Wales.

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27 Smith, John *Reclaiming the Ground* (Hodder & Stoughton, London, 1993), p128.

## Chapter 6

# Is progressive Lords reform possible?

## Is progressive Lords reform possible?

Labour has always found constitutional reform difficult. As Vernon Bogdanor has argued, "Traditionally, the British left has sought to capture the state, not to reform it ... for most of its history, Labour has been at least as constitutionally conservative as its political opponents, and often more so."<sup>28</sup> So in Labour's early days it simply argued for abolition of the then entirely hereditary House of Lords, without ever seeking to proceed with a coherent programme of root and branch constitutional reform.

On proportional representation, alone of all the centre-left parties in Europe, it adopted a sceptical attitude from the outset. Thus as late as 1926 George Lansbury said in summing up the debate on proportional representation at the Labour Party conference, that "the majority of the decisions under the present system had worked for the other people; but if they were wise, they could now make it work for themselves."<sup>29</sup> Precisely the same words could be said by many Labour Party opponents of reform of the House of Lords today. The aim is less to reform the system than to seize hold of it and make it work for ourselves.

Even in the areas where Labour has been an effective constitutional reformer, the pattern has not been one of co-ordinated, consistent reform from the basis of first principles. Devolution in Scotland, Wales and Northern Ireland has proceeded according to very different political realities in each dominion and its asymmetry now leaves many citizens entirely at a loss to understand who is actually in charge of what in their local areas. Indeed, the devolution settlement is still being worked through in Wales, with a bill for additional powers for the assembly likely in the next session of parliament.

But neither the Welsh nor the Scottish devolution arrangements have yet been tested, as there has been one party in the lead in Edinburgh, Cardiff and Westminster. We have no constitutional court to adjudicate in disputes between parliaments and between parliament and assembly and leave this to the wholly unaccountable and untested judicial committee of the Privy Council. Similarly, we now have such a multitude of voting systems – sometimes, as in London for the mayoral and assembly elections, in operation in the same polling station on the same day – that, again, one might feel that there was little co-ordination behind government thinking on voting systems.

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28 Brivati, Brian and Bale, Tim (eds) *New Labour in Power* (Routledge, London, 1997), p112.

29 *Labour Party Conference Reports* (1926), p273.

The separation of the judiciary from the legislature is a long overdue step (and one which we insisted on in every other country in the world) but many think it odd that we should set about altering elements of the Lords, such as the role of the Lord Chancellor, without an overarching plan for Lords reform. Moreover, it is fashionable in the Labour Party to argue that Lords reform does not really matter, that the energy and political will required to achieve a consensus and to force through reform would be a distraction from the real matter in hand, namely economic justice.

But Lords reform is about the distribution of power in the land. It concerns who gets to decide how we are run, who is the final arbiter. It is not just that the Lords can effectively prevent the enactment of democratically agreed legislation. It is also that the modus operandi of the Lords/Commons means that the Commons is too lazy to do its job of parliamentary scrutiny properly. Government, reluctant to be seen to cave in to the opposition in the high-profile, highly partisan Commons, chooses to submit thousands of amendments to its own legislation in the dim, religious light of the Lords.

So the issue is not just whether Labour can get its programme through parliament without the reactionary forces of the hereditary and appointed peers dismantling or delaying it. The real question is whether we have a constitutional settlement that is fit for the purpose whatever the government of the day and whether it is one that embodies our progressive principles.

### **Why the status quo will not suffice**

Let us just look at the present reality. The Lords holds 723 members. For the first time Labour, on 215, now forms the largest group, although it is closely followed by the Conservatives on 208 and the cross-benchers on 187. With the Liberal Democrats on 74, no one party either has a majority or permanently holds the balance of power. In some regards this is a more accurate reflection of the electoral state of Britain today than we see in the elected House of Commons, though it is a moot point quite how genuinely independent the cross-benchers are since their voting record would suggest them to be rather more reactionary than progressive. On some measures the Lords are not that much less representative than the Commons. There are 133 women, at 18.2% just a smidgin below the 127 women who form 19.7% of the Commons.

But in truth the House of Lords as at present constituted is wholly unrepresentative of modern Britain. It is almost entirely white. It is elderly, with an average age of 68. It is very much London-centred. Out of the 323 peers created since 1997, 147 were from London

and a further 38 from the South East of England, a ludicrous preponderance, especially when one considers that there were only three from the East Midlands and five from the North East.

The most glaring example of the nonsense that is the present composition of the Lords is the continuing presence of the hereditary peers. Leaving aside for a moment the anachronistic concept of anyone sitting in a legislature by virtue of their birth and breeding, it is important to point out that the status quo simply cannot hold.

Under the 1999 House of Lords Act it was agreed that 92 hereditary peers would remain in the Lords until such time as full reform of the Lords was effected. Because these seats were doled out in proportion to the relative strengths of the parties among the hereditary members of the house (42 Conservatives, 28 cross-benchers, two Labour and three Liberal Democrats, in addition to 15 office holders, and the Earl Marshal and the Lord Great Chamberlain as royal office holders) and because some of those elected in 1999 have subsequently died, we now have the bizarre and surreal experience of hereditary peer by-elections by political party.

So, when the Labour hereditary peer Lord Milner of Leeds died, there was a by-election among Labour hereditary peers with 11 candidates (and not many more voters). Likewise in the by-election to replace the late cross-bench hereditary peer Baroness Strange, 29 cross-bench hereditary peers were eligible to stand. Twenty-six did so. Using the alternative vote system (the only such example in the British constitution) and after five transfers of votes, Viscount Montgomery of Alamein defeated the Earl of Effingham by 11 votes to eight. In 2005 there have already been four such by-elections. The Lords clerks even have to maintain an annual list of hereditary peers who would like to stand in any by-election. There are 135 at present on the list. It is probably the most accurate electoral register in the land.

It seems clear that you would have to be a card-holding member of the traditionalist brigade to believe that the system of hereditary peers can remain. Labour was right to pledge to remove them in its manifesto in 2001 and again in 2005.

More controversial is the presence of the bishops. Two archbishops (Canterbury and York) and 24 bishops of the Church of England (Durham, London and Winchester plus 21 others on an episcopal escalator towards peerage) sit in the Lords. They dress in rochet and chimere, they lead prayers at the start of every day, they participate in debates and they

vote. Unlike other peers, who are there for life, they cede their seat to another bishop on retirement.

The problem for progressives here is manifest. Theocracy is wholly inimical to progressive politics, however much the ideas of the centre left may owe to the Christian faith and the teaching of Jesus. The campaign for disestablishment of the Church in Wales was intimately associated with the early Labour movement and while most progressives might not feel it worthwhile to try to dismantle the establishment of the Church of England, few would support explicit religious representation in the legislature.

Moreover, even if one were to argue that there should be some overt religious representation in parliament, it is difficult to argue that this should be on any basis other than parity between the faith communities. Yet the bishops represent only a tiny segment of the faith communities of the UK. Wales, Scotland and Northern Ireland have no such representation (although the present Archbishop of Canterbury is the most senior Welshman in Britain since Lloyd George) and the Catholic, Methodist, Pentecostal, Muslim, Jewish, Hindu and Sikh communities have no explicit representation other than through the chance appointments of individuals such as Lord Sacks or Lord Griffiths.

The two other groups of members of the Lords are appointed. First are the party political so-called "working peers" (I say this not because I doubt that they work – in my experience they are extremely dedicated – but because they are often referred to as such because they form the bedrock of the day-to-day grind of Lords political life). Here the Prime Minister gets to exercise patronage to an extraordinary degree, offering people a soft landing outside the Commons after defeat or on retirement and enabling people who might not choose to seek election a chance of ministerial preferment. I shall return later to the issue of why a wholly appointed second chamber is problematic for progressives.

The second group of appointees is the "people's peers", appointed by the Independent Appointments Commission under Lord Stevenson. The first batch of 15 who were appointed in 2001 were much derided, not so much for their own personal qualities, but for the sense of the great and good co-opting yet more of their own. Elspeth Howe, who became a lady when her husband was knighted and then again when he became a peer, now became a lady in her own right, prompting Robin Cook to declare that she was "once, twice, three times a lady". Moreover, one person who sat on the selection panel for membership of the commission, Herman Ousely, was one of the first beneficiaries of the commission panel's largesse. In all, the 15 included six people who already had

knighthoods, three OBEs and two CBEs. Many had assumed that the commission was in abeyance, but it has now appointed 29 peers, with two appointed in March 2005 and five in the first week of this year's parliamentary recess.

What had been touted as a popular innovation, helping to make the Lords more representative and enabling the Prime Minister's office to step aside from direct appointment, has become a heavily ridiculed flop. The problem is not often with the calibre of the individuals appointed. If one is going to appoint people to the legislature, then Adair Turner or David Hannay are eminent figures. The problem is appointment itself. It not only gives patronage to a select body. It also encourages a snivelling obsequiousness in those who seek a peerage and stalk the corridors of power in search of one.

It is not just in terms of composition that the status quo is fundamentally flawed. Equally important are the powers of the Lords. For the present system hangs on a delicate thread of convention and gentlemen's agreement. The formal powers of the Lords are extraordinarily far-reaching. Money bills, as certified by the Speaker of the Commons, are exempt from Lords scrutiny, but in all other legislation the Lords can ride roughshod over the Commons, the only formal limit on their power being the Parliament Acts of 1911 and 1949, which allow the Commons to assert its will after a period of a year. Since there is no requirement for the Lords to consider Commons bills in any set time frame, their power of delay is extreme. They can threaten so to delay each and every bill that they effectively derail a government's whole programme – something they threatened over the Hunting Act 2004. Moreover, the power of the Lords increases the further one gets into a parliament

The fact that gridlock has not so far happened is partly due to a sense of deference to the elected chamber (a sense of deference that was much stronger during the years of Tory rule and has rapidly subsided in recent years) and partly thanks to the Salisbury Convention. This was framed by the then Conservative leader in the Lords, following Labour's election victory in 1945. Despite the Conservatives enjoying a massive Lords majority at the time, Salisbury agreed not to vote against the second reading of any bill implementing Labour's manifesto commitments. This has never been a very reliable basis for the relationship between the two houses. The Lords certainly felt able to table reasoned amendments to all government legislation and to vote the government down on key elements of proposals. Indeed, they have felt more able to do so when there has been a Labour government.

A casual glance at the statistics is enough to show the reality of the Lords' reactionary nature. Since 1970 Tory governments have suffered a grand total of 268 defeats in the Lords, an average of 12 defeats a year across their 22 parliamentary sessions. In the Wilson/Callaghan governments from 1974 to 1979 Labour was overturned 356 times, an almost identical figure to that enjoyed by Blair's government, which has now notched up 353 defeats – a Labour average of 51 a year.

So it is a decidedly moot point whether the Salisbury Convention has been in effective operation in the last 35 years. Either restraint is exercised more effectively when there is a Conservative government or else the Lords' natural instincts incline towards conservatism and reaction rather than socialism and progress. Moreover, both the Conservative and Liberal Democrat front benches in the Commons have made it clear that they do not feel bound by the Salisbury Convention following the 2005 election because of the relatively low turnout and narrow result in terms of share of the vote.

All of which leaves us with a constitutional settlement that is skating on remarkably thin ice.

### **Why we need a second chamber**

Not all on the left support the existence of a second chamber. Indeed, many Labour MPs not only argue for the straightforward abolition of the Lords, but voted for it in the first Commons free vote on composition of the Lords in 2003. I believe they are wrong.

If we believe that power should always be moderated, then it must surely follow that the power of the executive, which in Britain is drawn from the majority in the Commons and not from separate executive election, should be moderated by a further body. That is not to say we should insist on the same system of checks and balances as in the USA. But if the executive is to be held to account and if its legislation is to be adequately scrutinised, we shall need more than a unicameral system. The Lords does allow government time and political space to reconsider proposals beyond the full glare of party politics. It is important that legislation is considered in an atmosphere where the power of the whips is more moderated and where no one party has an overall majority.

### **What is wrong with appointment?**

The arguments for either maintaining the status quo or else having a second chamber that is wholly appointed (and therefore has no elected hereditary members) are fairly simply put.

## 1. Appointment guarantees the independence of the Lords.

It is frequently argued that because the House of Commons is elected it can never be independently minded enough to engage in proper scrutiny of government legislation. MPs who owe their preferment to the Prime Minister or to the leader of their party rarely risk their party's displeasure and so vote loyally, regardless of what their true views might be. This is certainly the common conception of how party politics works in the media. Leaving to one side the exaggerated caricature that this represents, or the fact that more MPs have voted against their party in the past two parliaments than in any other previous, the point is whether the Lords is, properly speaking, any different. In fact it could be argued that the appointment system is the ultimate form of patronage open to the party leaders and actually encourages far greater discipline (and therefore less independence) within the Commons as MPs seek to impress with their loyalty in the hope of a peerage. Since the working peers primarily consist of former MPs, this is clearly the case.

Moreover, it is far from clear that the appointed peers are actually more independent than the elected MPs. Only 187 of the present Lords members are cross-benchers and several of them owe allegiance to an ideology if not actually a party. Lord Birt, for instance, is a government adviser but sits on the cross benches. And the voting record of cross-benchers on issues such as hunting, sexual offences and civil partnership would suggest that the cross-benchers are a reactionary rather than a progressive (or indeed independent) contingent.

Equally, the appointment system inevitably provides conflicts of interest which compromise genuine independence. The Lords has several people who have real expertise in broadcasting and the media. They can add intelligently to debates, but many of them either have actual financial concerns in the industry or have only recently set them aside. This is not independence, it is vested interest dressed up as expertise.

Part of the argument that is put is that a person appointed for life is far more free to express his or her view than someone elected for a mere five years. This is to underestimate the relative power of the ordinary MP to retain his party's nomination. Apart from changes necessitated by boundary reviews and the loss of 13 Scottish seats at the last election, only one Labour MP and one Conservative MP were not reselected by their local party. The independence of mind of an individual MP or peer is a matter for their conscience, but it also has to be said that a wholly unaccountable politician with no community to

represent, to be badgered by, to listen to or even to disagree with is probably a menace, not a saint.

Moreover, it would be perfectly easy to incorporate into an elected Lords several measures that enabled a greater sense of independence, such as longer terms of office for members of the second chamber (up to 10 years) and limits on the number of times one can stand.

## 2. Appointment ensures the quality of expertise of the Lords.

Many have argued that one of the most important things that the Lords can bring to the process of politics is real expertise. They point to Lord Winston, an eminent fertility expert, or Lord Hannay, a member of the United Nations high-level group looking at reform of the UN and argue that without the interventions of these people parliament would be weaker. The fact that the Lords has former senior civil servants, captains of industry and generals makes it a fitting complement to the elected Commons.

There are two problems with this. Firstly, because most successful figures in every walk of life are simply too busy to devote large amounts of time to sitting in parliament during their active working life, most of these experts arrive in the Commons only once they have already made their name, and often once they have already retired. In time their expertise becomes more and more out of date. Since the average age of peers is 68 it is difficult not to assume that their expertise is rather past its use-by date.

This has been nowhere more evident than in debates on the media in the Lords, which have often been dominated by a series of former broadcast executives, all of them well-informed, but many of them putting forward arguments already five or 10 years old.

Secondly, while it might be useful to have the contribution of Lord Winston on fertility treatment provision in the NHS, his views on pension provision would be no more relevant than those of any other intelligent member of the public. If we want expertise then we should seek the relevant advice when we are legislating, not co-opt experts in the hope that one day they might be useful.

## 3. Appointment ensures that the Lords does not simply replicate the Commons.

The prime exponent of this argument is Lord Howe, who frequently refers to the need to ensure that the Lords does not become "a clone of the clowns" in the Commons. It is of

course curious (to say the least) to hear a former MP describe the Commons as a set of clowns, but his point is more fundamentally flawed. In fact a large number of peers are former MPs. Former Cabinet members and other ministers plus a smattering of those who have lost their seats or retired constitute the main body of the working peers, who are the mainstay of the Lords.

Again, there are means of ensuring that the Lords is not a simple mirror image of the Commons. The present House of Lords, for instance, is far too large, larger even than the Commons. Limiting it to, say, 250 members would radically alter the style of debate and the nature of the political argument. A regional rather than a constituency pattern of election (whether direct or indirect, mandated or secondary mandate) would ensure that members of the second chamber were not constantly interfering in the casework of local MPs. And a different method of election that ensured that no one party enjoyed a majority in the Lords would allow the more consensual atmosphere that already pertains in that house.

**4. By virtue of not being democratically legitimate, an appointed second chamber can never challenge the primacy of the Commons.**

This is the argument that most recommends itself to many on the left, who may be frustrated by the powers of the Lords, but believe that a more legitimate Lords would threaten Labour's programme of reform. It is difficult to see how this argument stands up. For a start, it already accepts that the Lords is to some large degree illegitimate. For any progressive analysis of the constitution this must surely be a flaw that needs urgent correction.

Moreover, the premise of the question is wrong. The primacy of the Commons depends not on the informal arrangements embodied in the Salisbury Convention. The Commons is primary because it is only in the Commons that the government can be formed. The Prime Minister holds his office by virtue of enjoying and retaining a majority in the Commons and the Lords cannot remove him.

Moreover, if we want to affirm the primacy of the Commons we need to deal with the powers of the second chamber, codifying the old gentlemen's agreements under which it at present subsists. Primacy should not mean absolute primacy. Churchill was right when he said, as a Liberal minister, "Counterchecks upon democratic assemblies must be conceived in the national interest ... [they] should be in the nature of delay and not in the

nature of arrest. They should operate equally and evenly against both political parties, and not against only one of them. Above all, they should be counterchecks conceived in the national interest, and not in a partisan interest."<sup>30</sup>

5. The Prime Minister should be allowed to appoint people from all walks of life as ministers.

Britain is not the only country where government has felt the need to co-opt people as ministers who were not elected to parliament. In many countries there is no requirement to be an elected deputy in order to hold ministerial office. The French Prime Minister, Dominique de Villepin, for instance, is not elected. But his democratic authority lies in the election of the head of state who appoints him.

Because all British ministers of the Crown must be members of one or other house of parliament, it is therefore important that the Prime Minister should be able to appoint a limited number of people to the legislature to serve as ministers. Indeed, there is a strong argument for allowing ministers (especially Cabinet ministers with departmental responsibilities) from either house to answer questions in the Commons. If we were to cease to appoint members of the Lords for life, but were to make appointed ministers to sit in the second chamber *ex officio* (as do the bishops at present) we would actually allow the Prime Minister greater freedom rather than less.

### **The conundrum of Lords reform**

In its founding years Labour's cry was simple: "Abolish the Lords!" In recent times the Labour Party has gone through more complex terpsichorean gyrations on the issue. The 1997 manifesto made clear that "the House of Lords must be reformed", although the form of reform involved little more than removing the right of hereditary peers to sit and vote in the House of Lords, which would be "the first stage in a process of reform to make the House of Lords more democratic and representative" while leaving the legislative powers "unaltered".

So in its first term Labour proceeded to remove those hereditary peers it could, while commissioning Lord Wakeham to come up with further proposals. Hence the deal whereby 92 hereditary peers remain until a fuller package of reform is agreed. In Labour's 2001 manifesto much of the 1997 wording remained – "We are committed to completing

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30 Churchill, Winston *The People's Rights* (New York, 1931), p42.

House of Lords reform, including removal of the remaining hereditary peers, to make it more representative and democratic" – although a new air of scepticism now entered the equation with an additional (and potentially conflicting) commitment to "maintaining the House of Commons' traditional primacy".

At the start of Labour's second term Lord Irvine duly presented proposals for a minority-elected chamber, which were supposed to "complete the reform", but soon found these almost universally condemned, by opposition and normally loyalist Labour backbenchers alike.

Caught in a seeming impasse, the government formed a joint committee under Jack (now Lord) Cunningham to consider reform. This led to a couple of reports and a series of votes in each house on composition, varying from fully appointed to fully elected. The only options that came anywhere near winning in the Commons were the 80% majority-elected option and the 100% elected option, and there was a narrow majority for the 80% option among the parliamentary Labour Party (on a mostly free vote), but none of the options gained a Commons majority.

For a while the government considered bringing forward a simple *de minimis* bill to remove the remaining hereditary peers. But with an election looming and its legislative programme being threatened in the Lords, it opted instead for postponement. Two things scuppered reform in the Commons: uncertainty over whether those who supported *indirect* election should back election or appointment and a fear that without reform of the powers of the Lords the primacy of the Commons would be undermined by any form of election to the second chamber.

Labour then went into the 2005 election with a much battled-over commitment, which is worth citing in full: "Labour believes that a reformed Upper Chamber must be effective, legitimate and more representative without challenging the primacy of the House of Commons. Following a review conducted by a committee of both Houses, we will seek agreement on codifying the key conventions of the Lords, and developing alternative forms of scrutiny that complement rather than replicate those of the Commons; the review should also explore how the upper chamber might offer a better route for public engagement in scrutiny and policy-making. We will legislate to place reasonable limits on the time bills spend in the second chamber – no longer than 60 sitting days for most bills. As part of the process of modernisation, we will remove the remaining hereditary peers and allow a free vote on the composition of the House."

Since the election Lord Falconer, as Secretary of State for Constitutional Affairs, has outlined the government's proposed process for reform. A new joint committee will consider codifying the conventions of the Lords so as to protect the primacy of the Commons prior to a free vote on the composition of the Lords in May or June of 2006. Should the Lords and Commons disagree on composition, the view of the Commons should hold when legislation is then drafted for the following parliamentary session.

This gives progressives who recognise the unsustainable nature of the status quo and support reform a real opportunity – and one that they must not throw up. It would be all too easy for reformers each to pursue their own favoured option. Heaven knows there are plenty of different sets of proposals, through from secondary mandate, to the creation of "constituencies of interest" so that teachers, doctors, industrialists and so on could elect their representatives.

But the experience of recent years is that we progressives have allowed the perfect to be the enemy of the good. Several of those who voted for a wholly elected second chamber in the Commons failed to support the 80% elected option, arguing that they wanted to send a clear message in favour of election. In practice this sunk the 80% option by a mere four votes. Moreover, when everyone holds out for their own first choice there is no chance of building a sufficient groundswell of support for any one proposal. Robin Cook was absolutely right when he argued that it was wrong to think that we could build a consensus on Lords reform. That, after all, implies that everyone will agree, whereas we know that many people will remain implacably opposed to election of any kind to the second chamber.

But there is a centre of gravity as far as the parliamentary Labour Party, constituency parties and indeed the public is concerned. They want a more democratic second chamber and it is a bit difficult to see how it can be more democratic without some form of election. What we need to build is a stronger coalition of support for reform, and every progressive (Labour, Liberal Democrat, Nationalist and Conservative alike) will have to knuckle down to the hard task of compromise.

Clearly, Lords reform is not a simple conundrum to resolve. Getting the Lords to accept significant reform will not be easy. Turkeys do not normally vote for Christmas and peers have an obvious vested interest in maintaining their lifetime positions. Moreover, it is in the interests of the opposition parties in the Commons to play fast and loose so as to disturb the government's programme of reform. Each of the political parties is split on the matter of composition.

But it would be sheer folly for the Labour Party to resile from reform, or to pursue reform that merely creates a wholly appointed second chamber. For appointment, by its very nature, encourages an air of patronage and of behind-the-door deals. It turns politics into a self-perpetuating oligarchy and in the end pollutes the body politic. The more we rely on appointment, the more this is true.

The 1911 Parliament Act anticipated further Lords reform in its preamble: "... whereas it is intended to substitute for the House of Lords as it at present exists a Second Chamber constituted on a popular instead of hereditary basis, but such substitution cannot be immediately brought into operation: And whereas provision will require hereafter to be made by Parliament in a measure effecting such substitution for limiting and defining the powers of the new Second Chamber, but it is expedient to make such provision as in this Act appears for restricting the existing powers of the House of Lords."

Labour should make it a key priority to deliver both elements of this in time for the anniversary of the 1911 act. The potential dividends are immense. It would give us a properly democratic and progressive constitutional settlement that could stand the test of time (and be as useful to progressives in opposition as in power). It would give an elected government a proper chance to see its business implemented after due scrutiny. It would enhance support for parliament and for the political process. It would force the Commons to do its job better. It would strengthen Labour's reputation for progressive reform. By contrast, failure to deliver reform will leave Labour looking weak and at the end of its natural span in government.

## Chapter 7

# Can progressives win the argument on Europe?

## Can progressives win the argument on Europe?

If progressives need to unite and provide political leadership on Lords reform, matching political principle to a preparedness to compromise, precisely the same could be said of progressives when it comes to the question of Britain's commitment to Europe.

As I have argued earlier, it is difficult to see how a progressive could be anything other than an internationalist, as committed to justice overseas and between the nations as to social justice at home. Narrow ideological nationalism that only looks for the national advantage conflicts directly with a belief in the universal value of all humanity.

For the centre left in Britain, that internationalist commitment must surely also then entail an obligation to build a Europe where peace and prosperity are shared by all. Our nearest allies and trading partners do not command all our loyalty, but if we cannot work out a shared destiny with them we have little chance of transforming the wider world. You cannot build socialism village by village, or even nation by nation. Our economies are no more hermetically sealed than our environment.

Moreover, our altruism is matched by a real patriotic interest. A Britain that deliberately sidelined itself in Europe, either by leaving the European Union or by allowing for a two-speed Europe, with us in the slow lane, would soon find itself isolated politically, economically and socially. It would lose clout in the international arena. It would pass up the opportunity to help shape the largest economy in the world. Even a Britain that opted for semi-membership would find itself excluded from vital decisions on trade, the environment, immigration and security.

I would therefore argue that it is inevitable that the majority of progressive opinion is (or should be) wholeheartedly committed to a European community of nations in some form or other. Yet it is conventional these days – especially since the French and Dutch referendum rejections of the European constitutional treaty – for self-confessed pro-Europeans to feel depressed about the European cause. Europe is in crisis. Enlargement is stalled. The "political Euro-elite" are shell-shocked. The euro itself is faltering and may not last.

So goes the argument. And it is certainly true that the two comprehensive No votes eclipsed the prior Yes vote in Spain and led to a public letting of Euro-sceptic blood in the UK and elsewhere. Understandably perhaps, pro-Europeans have battered down the

hatches in the hope that the squall will pass. But I believe that we need to move into a far more assertive phase if we are not just to get away with our broadly pro-European policies but to win hearts and minds for a rational and realistic brand of patriotic pro-Europeanism.

### **Appreciating the EU's success**

For a start, we need to put this moment in its true historical context and to consider for a moment quite how successful an enterprise the EU is, despite the odds.

After all, long before the existence of the EU, Europe – her history, her culture, her modern reality – presented a phenomenal challenge to progressive politics. Those of us who believe that narrow nationalism is a false patriotism and subscribe to the universal value of all peoples, regardless of their nationality, have to face up to the extraordinary history of Europe, with its steady development of the fiercely patriotic nation state through tribalism and feudalism. The royal families of Europe may have been a multi-national taskforce, but the European experience of centuries has been division, diversity and difference.

Take some of the basics. Our cultural diversity is phenomenal. You only have to look at the variety of ways we choose to eat. The philosopher Roland Barthes wrote about the significance of the French eating their cheese before their dessert while the British take their cheese and biscuits at the end of the meal, but this is just a tiny aspect of an enormous panorama of European diversity. Spain cuts pork differently from the rest of Europe; France has the *onglet* cut of beef, unknown in Britain. We order food differently; we tip differently; we drink differently.

It is not just nations that have their specialities; tiny regions do. Take a platter of European cheeses. Manchego, Parmigiano, Brie, Wensleydale, Edam, feta and Jarlsberg have their national identities, but within France, Germany, Italy and the UK alone there are literally hundreds of subtly different cheeses – a range that no other continent can match. That is to say nothing of our linguistic variety. We Europeans speak at least 25 languages and a host of dialects.

That diversity is a precious jewel. The US has one film industry; Europe has at least five, with Spain, France, Italy, the UK and Germany all providing very different slants on the world. The US has one broadcasting market; the EU has at least 20, with public-service broadcasters in each providing local news, local drama and local comedy.

We are not only culturally diverse. Our democratic systems vary enormously too, with republics and monarchies, proportional representation and first-past-the-post elections, fixed and standing parliamentary mandates, directly and indirectly elected presidents. Most countries have a formal, written constitution but some are remarkably new. Some are ancient democracies, but Greece, Spain and Portugal were post-war dictatorships and the new Eastern European members all lived under the heel of Soviet communism. We even have separate understandings of how the rule of law should be applied, some subscribing to English common law, others to the Napoleonic Code.

The diversity of the nation states and peoples of Europe is not all positive, however. It is easy to forget in our temperate isle, but we live in a warring continent. The First World War took 9.4 million lives, the Second World War a further 70 million, both with their epicentre in Europe. In each and every corner of Europe the bloodstains are evident.

In Spain, for instance, the civil war of 1936-39 was only the latest in a series of extraordinary peninsular bloodbaths through the centuries. Rome and Greece marauded across Iberia. The Moors fought their way to southern power in the early 700s and were ejected in the 15th-century Reconquista and subsequent Inquisition. Then came the Thirty Years War, with Catholic Spain trying to assert itself over the Netherlands and combining forces with the Habsburg allies of Ferdinand II. France, Germany, Austria, Sweden and Poland all took part, with France and Spain only finally signing the Treaty of the Pyrenees in 1659. War and consequent famine, poverty and disease took their toll. The population of the Holy Roman Empire fell from 21 million to 13.5 million in the course of the war. Yet, less than two centuries later, Spain was fighting its neighbours again, with the brutal Peninsular War and War of Independence against Napoleon and his brother the imposed King Joseph.

Likewise, Italy has seen three millennia of war. The *pax romana* was built on the military subjugation of others. The sixth-century Graeco-Gothic War and the subsequent invasions by the Lombards, the Franks, the Carolingians and the Normans were almost as bloody as the feudal battles between the *signorie* of the feudal city states of Milan, Florence, Naples and Venice. Napoleon wreaked his own havoc here too and eventually Garibaldi's military victory in 1870 created the modern state.

Moreover, when we Europeans were tired of fighting each other at home we exported our pugilistic tendency, conquering the new worlds in the name of progress or fighting our European neighbours in far-flung places. In South America, in Africa, in the Middle and

Far East, Europeans fought each other for land, for wealth, for slaves, for gold and for power.

Europe's diversity poses challenges when it comes to economic development. Electrical manufacturers have to adapt their products for each different market. Any manufacturer that wants to trade beyond their small national market would have had to comply with the legal requirements of 24 different countries (25 if you include Norway) if they were to prosper. The single market obviates that unnecessary expense and allows European industry to be more efficient. Mobile telephony took off so much faster here than in the US in part because Europe chose to mandate standards far sooner, enabling text messaging from Nokia to Motorola. Likewise the EU intervened in the development of digital television, enabling a far faster roll-out than in the hamstrung, entirely free-market US.

So, against the background of diversity, difference and division, the slowly unfolding project of Europe has been an outstanding success. Along with NATO (though several European nations are not NATO members) the EU has guaranteed peace. It has extended democracy and the rule of law. It has ensured universal respect for human rights, including for minorities. It has brought an end to torture, political imprisonment and the death penalty.

Some of the poorest countries in Europe have been given a chance, through Structural Funds support and through membership of the single market, to grow their economies and transform their societies beyond recognition. The success of Ireland's economy since its accession in 1973 is well documented, but Greece, Spain and Portugal have all prospered too, just as Poland, Hungary, Estonia, Lithuania and Latvia will surely do now.

Depending on whose statistics you accept, Europe's economy at \$12.48 trillion (£7.05 trillion) is now just larger or just smaller than that of the USA. Either way, this is a dramatic advance. In 1950 the US economy was twice the size of Europe's (interestingly, the USA's GDP was also then five times Japan's; today it is less than double Japan's). With increased prosperity has come greater stability, which in turn has created the best environment for entrepreneurial industry to grow.

The EU has not only had internal successes. It has been a positive influence on its neighbours, not an inconsiderable matter when you consider that its neighbours now include Russia, Belarus, Ukraine and potentially, should Turkey join, Iran, Iraq and Syria. Turkey herself, where once the military ruled with scant regard for human rights or

minority interests, has pushed through six programmes of democratic and constitutional reform, abolishing the death penalty, emancipating women and guaranteeing the independence of the judiciary, all out of a desire to join the EU.

### **Public misperceptions of the EU**

All this may be true, but it is not what the British public believes. I have already cited the Eurobarometer figures for the UK, which show a depressingly high level of distrust of the EU – fewer than three in 10 Britons feel we have benefited from membership and when asked whether they feel positive about the EU, the British are the most negative of all 25 nations. The list of common misconceptions about Europe is even more dispiriting. The EU is all too often perceived to be overly bureaucratic, wasteful, corrupt, lacking in democracy and full of vaunting federal ambition. Stories of European Commission intervention abound in the Euro-sceptic British media.

Thus in 2001 *The Sun* reported that chip shops would be forced to sell fish under their Latin names. This was soon followed by a further story that Brussels was insisting, on sex-equality grounds, that there should not only be Father Christmas, but Mother Christmas outfits available in shops. Various under supposed threat from Brussels have been the St John's Ambulance, church bells, brandy butter, car boot sales, corgis, firemen's poles, smoky bacon crisps and wood-burning pizza ovens. Not just bananas but British rhubarb is supposedly to be straightened.

Given the degree of campaigning fanatical anti-Europeanism in much of the British media, it is surprising that anyone in Britain has managed to retain a sane position on the matter, but as Thomas Paine put it, "A long habit of not thinking a thing wrong gives it a superficial appearance of being right." *The Independent* (consistently), the *Mirror* (intermittently) and *The Guardian* (rarely) advocate the benefits of the EU, but the overwhelming coverage is negative, with even the BBC admitting earlier in 2005 to a "measure of ignorance of the EU on the part of some journalists" and "a failure to report issues which ought to be reported, perhaps out of a belief that they are not sufficiently entertaining".

These "entertaining" caricatures of the EU are wholly inaccurate. Far from being bloated and overstaffed, it actually employs fewer people than many local authorities, with just 22,000 full-time staff. Many of the accounting irregularities that the EU is accused of each time its auditors refuse to give it a clean bill of health are actually found at the member-state level in the spending of EU funds, not at the European Commission.

Without a European arrest warrant it will always be impossible to pursue the member states for these discrepancies.

### **Why a quiet approach to Europe won't do**

Given such a background, it is perhaps understandable that the government has been hesitant about baring its pro-European chest. In poll after poll Europe comes at the very bottom of any list of issues that matter to voters. So to maintain a steady campaign of persuasion on Europe would risk portraying the government as an ideological pro-European obsessive: in short, as an anorak.

But in some ways the government and parliament unwittingly assist the Euro-sceptic cause. All too often, when Europe has delivered a popular policy, the government takes the credit, without reference to the EU. Thus each of the measures in the Social Chapter to which the UK signed up soon after the 1997 election (trade union rights to consultation, extended maternity rights, two weeks' paid holiday and paternity entitlement) were announced separately as British initiatives rather than as EU-wide measures.

Moreover, the British parliamentary system effectively occults European legislation. We incorporate most EU directives into UK law via statutory instruments that are discussed for a mere 90 minutes in a committee room, without opportunity for amendment. Even issues as hotly contested as the artists' resale right (or *droit de suite*) will probably hardly appear on the political radar screen as they will never reach the chamber of the House of Commons. No minister faces direct questioning in the Commons before or after travelling to a European Council of Ministers meeting, even though he or she may be striking an important deal. The Commons has no dedicated period for European questions. In consequence European legislation takes on a secretive air and it feels as if laws are simply sprung upon us.

There are two problems here. First, if we internationalists surrender the argument on Europe, if we try just to get away with our European agenda under the radar, if we fail to win hearts and minds for a sane pro-Europeanism, we shall find some of what we need to do in coming years increasingly difficult and we cede important territory to the nationalists, the little Britain-ers and the xenophobes. We make it more difficult for ourselves to win other internationalist arguments. Even the practice of triangulation, equally excoriating the "extremist" Euro-sceptic right and the "extremist" Europhile Liberal Democrats while campaigning in favour of a reformed EU, is problematic. The media seize on our calls for reform and yet again the public gain the impression that the EU is

fatally flawed. Euro-scepticism mounts.

Second, the EU will almost certainly need to play an increasing role in some areas of our national life. The challenges of international crime, immigration and terrorism all mean that a purely national policy will have scant chance of guaranteeing security. People and money now travel too easily and too fast for us to rely on hermetically sealed national security policies. Bilateral arrangements between European nations will hardly meet the need for long-term sustained police and military co-operation.

Take the instance of a "European army". The term is an emotive one. It implies British troops being committed to war without Britain's say-so. It suggests Britons fighting under an alien force, commanded by a French, German or Italian officer, an image that inspires the worst of xenophobia. Thus Euro-sceptic MPs, including many in the so-called main-stream of the Conservative Party, regularly condemn any move towards a European rapid reaction force or a common security and defence policy.

Yet you only have to look at the situation in the former Yugoslavia to see that a European force is not just a future possibility, it is a reality. Few can really doubt that Europe must retain a distinctive military and defence role. At the time of writing, British troops command the multinational taskforce in the north-west of Bosnia and Herzegovina and the commander of the European Union Force (EUFOR) is British, but they work alongside troops of 33 different nations and in Kosovo British troops operate under the overall command of an Italian. Indeed, there is scarcely a military intervention one can envisage that would not be part of a multinational group.

There is both an altruistic reason for our engagement in the Balkans and a self-interested one. After all, Blair was right to argue that the West could hardly look on while thousands were killed and whole regions were "ethnically cleansed". The massacre at Srebrenica in 1995 was an outrage that demanded redress. The fact that Bosnia still has nearly 300,000 antipersonnel and other mines as well as thousands of private arsenals of rifles, pistols and anti-aircraft missiles (let alone the vast hidden partisan arms caches) cannot be a matter of indifference to an altruistic internationalist. If EUFOR were to leave the Bosnia/Kosovo theatre of operations, the danger of at least localised conflict and possibly escalating warfare would be intense.

But equally, Britain has an interest. The heroin that is grown and manufactured in Afghanistan finds an easy route through Bosnia while the country remains in chaos and

while the rule of law is only partially observed. Illegal logging and smuggling of alcohol, tobacco and people across the porous border with Croatia fuel corruption and instability on the doorstep of Europe.

Moreover, experience suggests that Britain often acts as the glue that cements many of the multinational military taskforces. Not only do we bring military expertise that is experienced (thanks to decades of engagement in Northern Ireland) in peace-keeping missions that have to win the hearts and minds of the local population, we also bring in other Commonwealth countries and some nations that would otherwise not volunteer for such active duty, such as the Chileans. Were we to withdraw from European multinational force operations such as this, we would not only lose face and influence, we would end up dismantling a necessary force.

So if anyone wonders whether a "European army" could ever work, they should witness the French, Dutch, Italians, Germans, British, Swedes, Slovenes, Romanians and even Swiss at work in Banja Luka, Sarajevo and Gornj Vakuf under a direct EU mandate. Of course, the national caveats that affect engagement by each nation's forces operate separately, but the existence of a European military force (even one that embraces several non-NATO members) is entirely benign. If anything, we need to learn better how to work alongside and indeed integrate with the armed forces of other countries.

All of which means that if we are to defend Britain's best interests we need to start arguing for a stronger sense of co-operation between the nations of Europe, by which I do not just mean loose-ended bilateral agreements, but structured, long-term shared power, authority and sovereignty. Of course, the authority for the EU will always stem from the power of the member states, but it is important that that authority is not on temporary but on permanent loan.

That is not to say that we should not campaign for reform of the EU. Progressives should surely advocate the old Latin tag regarding the Church – *semper reformanda* (always ripe for reform) – to any institution and the EU is no different. After all, it is far from perfect.

In a modern world it is an immoral anachronism that nearly 40% of the budget is spent on the European common agricultural policy. The caravanserai between Brussels and Strasbourg is an expensive nonsense. The Council of Ministers still meets in secret and the structures of the EU are far from readily comprehensible. The European Commission, especially in the absence of a clear definition of the respective powers of the separate EU

institutions, tends to overreach itself. The rotating presidency builds in political instability that is unhelpful for economic development. Economic reform across the continent is long overdue. Greater financial accountability and transparency is vital and the EU should shape its budget to meet the economic needs of the future.

But in substantive measure the EU is a success and we should never be afraid to say so. It is good for progress in Europe. It is good for human rights in Europe. It is good for British prosperity. It is good for Britain.

### **Steps to win the argument on Europe**

But if we are to win the argument on Europe in the UK, I think we shall have to raise our game. There are several concrete steps we could take.

First, we should improve our scrutiny of EU legislation. The EU scrutiny committee does a fine job within its limitations, but it is a sequestered corner of the body politic. Europe is lucky if it features once in the six-weekly session in Foreign & Commonwealth Office questions, and European commissioners very rarely appear before select committees. The Commons should have a regular session of EU questions and should amend its standing orders to allow commissioners (and not just the UK commissioner) to answer questions in the full chamber. It should be standard practice for any new President of the European Commission to address parliament. Instead of incorporating most European legislation via unamendable statutory instruments, we should create a special category of European legislation, which does not go through the whole three readings process, but does have proper time on the floor of the House of Commons.

Second, we should repatriate European issues, not in the sense that John Redwood might intend, but in the sense that we should stop seeing European matters as international affairs. When the Secretary of State for the Environment holds forth in the Commons we should be honest enough to admit that in nearly every particular (the environment, agriculture, shipping, fisheries) he or she is articulating policy agreed at European level. So the proper integration is not with the Foreign & Commonwealth Office but with the relevant domestic ministerial team. Europe would be better co-ordinated within a department for constitutional and devolved affairs than within the Foreign & Commonwealth Office.

Third, we should continue to argue for our own version of Europe. Economic and labour market reform, a better European neighbourhood policy, an EU that allows for and

cherishes the cultural and political diversity of Europe, increased structured co-operation on matters of national security and on immigration – these are the hallmarks of a sanely patriotic pro-European position.

Finally, we should abandon triangulation on Europe and say what we think. Britain will always find it difficult to embrace its European destiny. Less than a century ago we had an empire, and that mentality hangs heavy on our political culture when it comes to international affairs. Effortless British superiority has been made all the easier now that such a large percentage of the world speaks English, at least as their second language. And the images of plucky Britain up against the rest in the two world wars are too readily conjured up for us not to feel anxious at subsuming some of our power, authority and sovereignty within Europe. But that makes it all the more important that we should win the argument for the fullest possible British engagement in the EU. To abandon that platform is to cede terrain to narrow nationalism (however well intentioned). Politics, like nature, abhors a vacuum and if pro-Europeans do nothing the rabid right will fill the space and win the day.