

Mapping Conservative Divisions Under Michael Howard

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One of the most damaging episodes in Iain Duncan Smith's leadership of the Conservative Party came on 4 November 2002 when he faced a small, but significant, backbench rebellion over the Adoption and Children Bill.

Instead of allowing Conservative MPs a free vote on the issue of whether unmarried couples (whether gay or straight) should be allowed to adopt, the Conservatives issued a whip, instructing their MPs to vote no. Although only eight Conservative MPs defied this instruction voting in the opposite lobby to their leadership, many more abstained, including a number of Tory frontbenchers. The rebellion prompted Duncan Smith's 'unite or die' speech – seen by many commentators as merely raising yet more doubts about his leadership.¹

In his first year as Conservative leader, Michael Howard faced several equally controversial issues. But by contrast with his predecessor, he has generally dealt with divisions within the party by allowing free votes, ensuring that splits within the parliamentary party have not become the focus of media attention.

But it is clear that there are still divisions within the parliamentary party over these issues. The key divide is between those who believe the Conservative Party should espouse both economic and social liberalism and those who prefer economic liberalism to be combined with a more traditional approach to social policy.

This briefing paper examines Conservative divisions over these issues since Michael Howard became party leader. How do issues like civil partnerships for gay couples divide the Conservative parliamentary party? And where there are disagreements, how deep are they?

The votes

We examined the six key parliamentary divisions which have divided Conservative MPs since Michael Howard became Party Leader and where free votes have been allowed:²

- the Second and Third Readings of the Gender Recognition Bill, which gives transsexuals the right to marry in their adopted sex, and to apply for substitute birth certificates showing their new genders.
- the vote on 'presumed consent', during the Report Stage of the Human Tissue Bill, which would have made organ donation automatic unless someone had previously registered their objections.

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¹ See Philip Cowley and Mark Stuart, 'Still causing trouble: the Conservative Parliamentary party', *Political Quarterly*, 2004.

² We have excluded the various votes on the Hunting Bill, on which Conservative MPs are almost completely united. For example, on the key votes on 19 November 2004, just three Conservative MPs opposed the so-called compromise option (2% of those voting), whilst 143 (98%) backed it.

- the Second Reading of the Mental Capacity Bill, which would allow people to set out in advance a wish to refuse treatment if they became mentally incapacitated.
- the Second and Third Readings of the Civil Partnership Bill, which establishes 'civil partnerships' for gay couples, giving them the same rights as married couples on such matters as pensions benefits, inheritance tax and life assurance.

One slight drawback with the data from these six divisions is that Conservative participation in these votes was generally low. With the exception of the Second Reading vote on civil partnerships (in which 106 Conservative MPs voted), fewer than half the Conservative MPs voted in each vote. But collectively the votes can still give us a good guide to the divisions within the parliamentary party.

These divisions were most evident over the issues of gender recognition and civil partnership. The Second Reading of the Gender Recognition Bill split the Conservative parliamentary party (or at least the third of it that voted) almost down the middle, with 25 Conservative MPs (53%) voting in favour, 22 (47%) per cent against. Third Reading saw a slightly larger turnout (although still under half the parliamentary party), with the majority of those voting (66%) voting against the Bill. Combining the two votes gives a total of 36 Conservative MPs who voted in favour of either Second or Third Reading (or both) and a total of 44 Conservative MPs who voted against either Second or Third Reading (or both). One (John Randall) voted for Second Reading but against Third, whilst another Andrew Murrison cast two contradictory votes at Third Reading (one pro, one anti), a tactic commonly used to register abstention. Randall and Murrison excluded, this means that 45% of Conservatives who voted supported the Gender Recognition Bill, whilst 55% opposed it.

Table 1. Conservative MPs voting on moral issues under Michael Howard

<i>Issue</i>	<i>Voting</i>				
	<i>Aye</i>		<i>No</i>		<i>Total</i>
	<i>N</i>	<i>%</i>	<i>N</i>	<i>%</i>	
Gender Recognition: 2R	25	53	22	47	47
Gender Recognition: 3R	20	34	39	66	59*
Gender Recognition (combining 2R and 3R)	36	45	44	55	80
'Presumed consent'	18	28	47	72	65
Mental Capacity	10	16	54	84	64
Civil Partnerships: 2R	66	63	39	37	105
Civil Partnerships: 3R	43	52	39	48	82
Civil Partnerships (combining 2R and 3R)	74	60	49	40	123

Notes: * In addition, Andrew Murrison voted in both lobbies. The Second Readings of the Gender Recognition Bill, the Mental Capacity Bill, and the Second and Third Readings of the Civil Partnership Bill also saw Andrew Hunter, the Independent Conservative, vote no.

Similarly stark splits were obvious over civil partnerships. Although the Second Reading vote saw the majority of those MPs who voted voting in favour (63%), the Third Reading, albeit on a lower turnout, saw the party split almost right down the middle, with 52% voting in favour and 48% voting against. Two MPs – Iain Liddell-Grainger and John Taylor – switched their votes between Second and Third Reading.³ Combining these two votes produces 74 Conservative MPs (60%) who voted for the Bill at Second or Third Reading but never against it, and 49 (40%) who voted against it at either Second or Third Reading, but never for it.⁴

The other issues saw more asymmetric division. The issue of ‘presumed consent’ saw almost three-quarters (72%) of voting Tory MPs opposed; whilst the Second Reading of the Mental Capacity Bill saw the parliamentary party largely united in opposition: 84% of Conservative MPs who voted opposing the measure.

The voting

The generally low participation rates mean that some caution is needed when examining the relationship between individual votes. For example, of the 151 MPs who participated in at least one of these votes, just six participated in all of them. Even if we group the two votes on gender recognition together and the two votes on civil partnership together, we still have just 21 Conservative MPs who voted on all four of the issues discussed here.

But despite the low participation rates, it is still possible to see relationships between the voting on different issues. For example, as Table 2 shows, there was a very good relationship between a Conservative MP’s views on gender recognition and those on civil partnerships.

Table 2. The relationship between Conservative voting on gender recognition and civil partnership

	<i>Civil partnership</i>				Total
	Yes		No		
<i>Gender recognition</i>	N	%	N	%	N
Yes	29	94	2	7	31
No	6	15	34	85	40
Total	35		36		71

Of those who voted against gender recognition (and who voted on civil partnerships), 34 (85%) also voted against civil partnerships, whilst only six

³ Liddell-Grainger voted for Second Reading but against Third, whilst Taylor voted against Second Reading but for Third.

⁴ There were a further 12 MPs who did not vote at Second or Third Reading but who voted for an amendment moved by Edward Leigh that would have granted siblings the same rights the Bill aims to extend to homosexual couples. Most, but not all, of those backing Leigh’s amendment were also opposed to the Bill *per se*, but because a minority of Leigh’s supporters were also supporters of the Bill, it would be wrong to classify all 12 of these MPs as opponents of civil partnerships (see P. Cowley and M. Stuart, ‘Some not very civil disagreements: the Conservatives and the Civil Partnership Bill’, available from www.revolts.co.uk). Accordingly, these 12 have not been classed here as opponents of the measure.

(15%) voted in favour. Even more starkly, of those who voted in favour of the Gender Recognition Bill (and who voted on civil partnerships), 29 (94%) voted in favour of civil partnerships, with just two (7%) opposing. The relationship in this particular example is statistically significant at $p < 0.000$.

There are similar statistically significant relationships (at $p < 0.05$ or better) between most of the four issues considered above (see Table 3). Those who opposed gender recognition were also more likely to oppose presumed consent ($p = 0.003$) and the Mental Capacity Bill ($p < 0.000$) and *vice versa*. Those who backed the mental capacity bill were in turn more likely to back civil partnerships; conversely, those who opposed the Mental Capacity Bill were more likely to oppose civil partnerships ($p < 0.000$).

Table 3. The statistical significance of the relationships between voting on moral issues

	<i>Gender recognition</i>	<i>Mental Capacity</i>	<i>Presumed consent</i>	<i>Civil partnerships</i>
<i>Gender recognition</i>	-	0.000	0.003	0.000
<i>Mental Capacity</i>	0.000	-	1.000	0.000
<i>Presumed consent</i>	0.003	1.000	-	0.175
<i>Civil partnerships</i>	0.000	0.000	0.175	-

Three of the variables therefore correlate highly with one another: the stance Conservative MPs took on gender recognition, mental incapacity and civil partnerships are highly related to one another.

Given this, it is safe to say that votes in favour of civil partnership, gender recognition, and the provisions in the Mental Capacity Bill are votes in a socially liberal direction. Votes against any of these provisions we can class as socially conservative.

The only issue which correlates less well is that of presumed consent. There is a strong relationship between voting on that issue and gender recognition, but no statistically significant relationship with the issues of civil partnerships or mental incapacity. This might not be altogether surprising. The other issues have a fairly clear 'social liberal' position – for good or ill. But the issue of whether or not the state should 'presume' the consent of someone after death – unless they have specified to the contrary – is perhaps more problematic for social liberals.

The MPs

In order to see which Conservative MPs were the most socially liberal – and which ones the most socially Conservative – we constructed a simple scale, giving an MP one point for each vote cast in a socially conservative direction, and deducting one point for each vote cast in a socially liberal direction. Given the problems with the issue of presumed consent, we excluded that vote from our analysis, and so the most socially conservative MP scores +3, the most socially liberal scores -3.

This produced the breakdown of Conservative MPs shown in Table 4 (below). The depth of the splits within the Party are obvious. There are 61 MPs who score 1 or more (that is, socially conservative); 69 MPs score -1 or less (that is, socially liberal). 21 score zero.

Nor is there any difference in the intake cohorts from which these MPs come. The most recent intake - those elected in 2001 – split almost equally: nine are classed as socially liberal, ten as socially conservative.⁵ Of the latter, seven are amongst the most socially conservative Conservative MPs, scoring +3. If we extend our analysis out to those elected since 1997, we find 24 who we can class as socially liberal, 21 as conservative.⁶ There is no evidence, therefore, of the recent intakes helping to shift the balance of the party one way or the other.

However, it is clear that there is a skewed distribution to the MPs' voting patterns. Those who are socially liberal tend to be mildly liberal, whereas those who are socially conservative are more likely to be strongly conservative. Of those who are socially liberal, the majority (61%) score -1. By contrast, just 30% of social conservatives score +1. Similarly, there are just six Conservative MPs who score the most liberal score (-3), but 25 – four times as many – who score the most conservative (+3).

Discussion and conclusion

Given the fairly small number of issues considered – and the relatively low turnout on some of these votes – it would be unwise to place too much weight on any of the *individual* scores reported here. Had a different set of votes (representing a different set of issues) taken place in this period, they might well (indeed, almost certainly would) have yielded a different set of scores.

But a glance at the names (John Bercow on one side of the table, Edward Leigh on the other) indicates pretty well that the exercise is not worthless. We are clearly doing something right.

For all their limitations, the data clearly show the extent to which the Conservative parliamentary party remains deeply divided on the sort of social issues that split the 'mods' from the 'rockers', the modernisers from the traditionalists. This divide has not gone away under Michael Howard. A more tactically astute – and presumably also more self-confident – leadership has not felt it necessary to draw attention to the party's internal divisions. But the divisions remain. The party splits down the middle on these issues.

⁵ Two did not participate in these votes.

⁶ Again, one MP from the 1997 intake did not participate in any of these votes.

Table 4: Distribution of Conservative MPs, Socially-Liberal to Socially-Conservative

-3	-2	-1	0	+1	+2	+3
David Atkinson	Peter Atkinson	Peter Ainsworth	James Arthbutnot	William Cash	David Amess	Sir Paul Beresford
John Bercow	Gregory Barker	Tony Baldry	Richard Bacon	James Cran	Henry Bellingham	Julian Brazier
Crispin Blunt	Tim Boswell	Peter Bottomley	Simon Burns	Quentin Davies	Christopher Chope	Alistair Burt
Kenneth Clarke	Stephen Dorrell	Graham Brady	Sir John Butterfill	Jonathan Djanogly	Sir Patrick Cormack	Michael Fallon
Edward Garnier	Michael Fabricant	Angela Browning	Sir S. Chapman	Liam Fox	Iain Duncan Smith	Adrian Flook
Robert Key	Nick Gibb	David Cameron	David Davis	James Gray	Eric Forth	Mark Francois
	John Greenway	James Clappison	Peter Duncan	Philip Hammond	Roger Gale	Paul Goodman
	Douglas Hogg	G. Clifton-Brown	Nigel Evans	John Horam	John Gummer	Gerald Howarth
	Boris Johnson	Tim Collins	Chris Grayling	Dr Julian Lewis	Nick Hawkins	Edward Leigh
	Julie Kirkbride	Derek Conway	Damian Green	Sir B. Mawhinney	John Hayes	David Lidington
	Eleanor Laing	David Curry	Dominic Grieve	Eric Pickles	Mark Hoban	Peter Lilley
	Andrew Lansley	Alan Duncan	Tim Loughton	David Ruffley	Greg Knight	Patrick McLoughlin
	David Maclean	Mark Field	Peter Luff	Caroline Spelman	I. Liddell-Grainger	Owen Paterson
	Malcolm Moss	Howard Flight	John Maples	Bob Spink	Anne McIntosh	L. Robertson
	Richard Ottaway	Cheryl Gillan	Michael Mates	Robert Syms	Andrew Robathan	Andrew Rosindell
	Richard Page	William Hague	Andrew Mitchell	Peter Viggers	Sir Michael Spicer	Andrew Selous
	Jonathan Sayeed	D. Heathcoat-Amory	Andrew Murrison	Nigel Waterson	John Taylor	Gary Streeter
	Anthony Steen	Charles Hendry	John Redwood	John Wilkinson	Michael Trend	Desmond Swayne
	Andrew Tyrie	Michael Howard	Richard Shepherd			Sir Teddy Taylor
	Bill Wiggan	Michael Jack	Keith Simpson			Andrew Turner
	Sir George Young	Robert Jackson	Hugo Swire			Angela Watkinson
		Bernard Jenkin				Ann Widdecombe
		Jacqui Lait				David Wilshire
		Oliver Letwin				Ann Winterton
		Andrew Mackay				Sir N. Winterton
		Francis Maude				
		Theresa May				
		Patrick Mercer				
		Stephen O'Brien				
		George Osborne				
		James Paice				
		Michael Portillo				
		Mark Prisk				
		John Randall				
		Hugh Robertson				
		Gillian Shephard				
		Nicholas Soames				
		Richard Spring				
		Sir John Stanley				
		Ian Taylor				
		Robert Walter				
		John Whittingdale				