

Dave's Dissidents? The Conservative Parliamentary Party in the 2005 Parliament

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In 1993, in a (supposedly) off-the-record description, an exasperated John Major referred to some of his backbench rebels as 'bastards' – a phrase which was taken up and worn by some of them as a badge of pride. In 1996, we published a research paper entitled *Blair's Bastards: Discontent within the Parliamentary Labour Party*, which set out to examine the voting behaviour of members of the Parliamentary Labour Party to see whether it was possible that any incoming Prime Minister Blair would have his own bastards. It noted that 'Labour MPs dissent more often than Conservatives; they dissent in great numbers than Conservatives; and they dissent on more issues than Conservatives' – and concluded that 'judging from their current voting behaviour, there is the real possibility that any future Labour Government will face significant backbench dissent'.¹ It ended: 'While many Labour MPs are clearly ministers-in-waiting, there are also some who are rebels-in-waiting'.²

The paper was dismissed as 'academic nonsense' by the Labour Party (a phrase which was taken up and worn by some of its authors as a badge of pride), but it proved remarkably accurate at predicting which MPs would cause trouble for the leadership once Labour entered Government.³ Of the 32 most rebellious MPs in the 1992 Parliament, 30 had rebelled within the first year of the 1997 Parliament; those 30 MPs constituted just seven percent of the PLP, but they made up 40 percent of those who rebelled. The Blair era then went on to see record-breaking levels of backbench dissent. Rather than being nonsense – academic or otherwise – the paper was a very good predictor of MPs' behaviour.⁴

This briefing paper marks the second anniversary of David Cameron's election as party leader by attempting a first stab at something similar with the current Conservative parliamentary party. For much of the last decade, the behaviour of Conservative MPs has been of interest to the sadder legislative anoraks, but almost no one else.⁵ Yet as the prospect of the Conservatives entering government becomes plausible (if still not quite yet probable) then it becomes more important to understand what is going on within the parliamentary party. The parliamentary party will fulfill two important functions – one legislative, the other political – for any Conservative government. In political terms, it will be the focus of attention – for the national media. The costs of a divided parliamentary party were made painfully clear to Conservative MPs during the 1992 Parliament, when the party, once commonly portrayed as united was instead seen as divided. In legislative terms, the

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¹ Philip Cowley and Philip Norton with Mark Stuart and Matthew Bailey, *Blair's Bastards: Discontent within the Parliamentary Labour Party*, Research Papers in Legislative Studies, 1/96 (University of Hull, 1996), pp. 29, 3.

² *Blair's Bastards*, p. 31.

³ *Sunday Telegraph*, 23 August 1996.

⁴ Philip Cowley, 'The Absence of War? New Labour in Parliament', *British Elections and Parties Review*, 9 (1999), pp. 154-170.

⁵ Philip Cowley and Mark Stuart, 'Still Causing Trouble: The Conservative Parliamentary Party', *Political Quarterly*, 75 (4), 2004, pp. 356-361.

parliamentary party will be the bulk vote that will deliver the programme of any incoming Conservative government. If the bulk vote splits, then promised (or hoped for) legislation may not be delivered – a particular problem if the Government only enjoys a small majority. Loose cannons, therefore, are dangerous, whether they are in the House of Commons lobbies or the Millbank Television Centre, broadcasting their opinions to the nation.

The paper investigates three separate issues: the extent of Tory backbench dissent, especially among the 2005 intake of MPs; the propensity of Conservative MPs to split on free vote issues such as whether to ban smoking in public places, House of Lords reform and gay adoption; and whether the Tory frontbench has increased or decreased its support for the Government in the division lobbies.

Conservative backbench dissent

In the course of the last two sessions (2005-2007), there have been 59 Conservative backbench rebellions; 49 of these occurred under David Cameron's leadership. Conservative rebellions have declined from 38 rebellions during the 2005-06 session (11%) to just 21 rebellions in the 2006-07 session (9.5%). There were a total of 221 divisions during the 2006-07 session, a 36% drop on the 343 in the preceding session. As a result, whilst the number of Conservative rebellions fell by 45%, the fall in the percentage rate of rebellion was far less dramatic, from 11% to 9.5%. A similar pattern occurred with Labour dissent for the same period.⁶

Taking the 2005-07 period as a whole, therefore a Conservative backbench rebellion takes place in just one in every ten divisions, which compares very favourably with the rate of rebellion in the Parliamentary Labour Party, which in the same period saw a rebellion in roughly every four divisions.

It is, however, rebellion at a marginally higher rate than in the last parliament (when there was a Conservative revolt in 9.6% of divisions), although much of that dissent occurred during Iain Duncan Smith's leadership. For most of Michael Howard's leadership, the rate of rebellion was running at around 5% - which means that David Cameron is facing rebellion about twice as often as did Michael Howard.

In the whole of the 2001 Parliament, 45% of Conservative MPs defied the party whip. The first two years of this Parliament have already seen 84 Conservative MPs vote against their party line at least once (77 of them under David Cameron's leadership), some 43% of the parliamentary party.⁷ The comparable figure for Labour is 39%. David Cameron is therefore facing dissent from a broader group in his parliamentary party than do the Labour whips, and the almost certain prospect of facing dissent from a broader group of MPs than did either Michael Howard or Iain Duncan Smith. The figure for the 1997 Parliament, however, was 78 percent; Cameron can be fairly confident he will not hit that level.

⁶ The number of Labour rebellions fell by 52%, from 95 (28% of divisions) in the 2005-06 session to 45 (20% of divisions) in 2006-07. See Philip Cowley and Mark Stuart, *From Blair to Brown: Dissension amongst the Parliamentary Labour Party, 2006-2007. A Data Handbook* (University Of Nottingham, 2007), p. 1.

⁷ The seven Conservatives who rebelled before David Cameron became leader are: Michael Mates, Owen Paterson, John Penrose, Andrew Rosindell, Sir John Stanley, Sir Peter Tapsell and Andrew Turner.

Bob Spink is the top Conservative dissenter – by a very wide margin indeed – on 22 dissenting votes, although this represents a dissenting vote cast in just 4% of divisions, much lower than the scores for leading Labour rebels.⁸ Most Tory MPs have not broken ranks that frequently: 42 of the Conservative rebels (exactly half of the total), have cast two or fewer dissenting votes since 2005. Table 1 lists the most rebellious Conservative MPs, all those who have rebelled five or more times against their whip.

1. Most rebellious Conservative MPs, 2005-2007

Name of MP	Total, 2005-7	Under Cameron's leadership
Spink, Bob	22	18
Winterton, Sir Nicholas	9	8
Winterton, Ann	9	9
Evans, Nigel	9	9
Bone, Peter	9	9
Davies, Philip	9	8
Hollobone, Philip	9	8
Hogg, Douglas	8	6
Shepherd, Richard	8	6
Chope, Christopher	8	8
Clarke, Kenneth	6	5
Bottomley, Peter	6	5
Cash, William	6	6
Widdecombe, Ann	6	6
Luff, Peter	6	5
Tyrie, Andrew	6	6
Field, Mark	6	5
Leigh, Edward	5	4
Davies, Quentin*	5	5
Wilshire, David	5	5
Walter, Robert	5	3
Binley, Brian	5	4
Duddridge, James	5	4
Penning, Mike	5	5

Notes: The figures for Quentin Davies are for the period when he was in receipt of the Conservative whip, before his defection to Labour on 26 June 2007.

⁸ Compare that with Jeremy Corbyn, Labour's most rebellious MP, 2005-07, who has 91 dissenting votes to his name, or 16% of all divisions - a rebellion rate four times that of Spink.

The mean average Conservative rebellion since the 2005 General Election has seen only five MPs rebel, compared with an average of 11 Labour MPs.⁹ The largest Conservative backbench rebellion under David Cameron's leadership (and indeed of the Parliament) occurred on 27 April 2006, when 28 Tory MPs voted in favour of an SDLP amendment to the Committee stage of the Northern Ireland Bill that would have given the Northern Ireland Assembly the power to veto Orders of Council emanating from the Secretary of State for Northern Ireland, when the Conservative frontbench line was to abstain.

None of this is especially worrying for the Conservative whips. Conservatives are currently rebelling less often than Labour MPs and they are doing so in smaller numbers; although a slightly larger proportion of Conservative parliamentarians has rebelled compared to Labour, few of these have cast more than a handful of dissenting votes, and even the most rebellious would find himself high up the PLP's league table of troublemakers.

The 2005 intake

One aspect that might cause some concern, however, is the apparent rebelliousness of the most recently-elected Conservative intake, those who came in 2005. They constitute more than a quarter of the parliamentary party, and by the end of the second session, some 31 out of the 51 of the 2005 intake (some 61% of that cohort) had rebelled against the Conservative frontbench line, all but one of them under David Cameron's leadership.¹⁰ Indeed, three of the most rebellious Conservative MPs in the first two sessions – Peter Bone, Philip Davies and Philip Hollobone – are drawn from the 2005 intake. Table 2 lists the 31 Conservative rebels from the 2005 intake.

A significant number of the rebellious members of the 2005 intake have also figured prominently in several key Early Day Motions (EDMs) in the last two years. For example, of the 53 Conservative MPs who signed EDM 1088 in the name of Douglas Hogg in the 2005-06 session, which called for a select committee to review the way in which the Government had discharged its Iraq responsibilities, 23 (or 43%) came from the 2005 intake. And of the 46 Conservative MPs to have signed William Cash's EDM 2143 at the end of the 2006-07 session, calling for a post-ratification referendum on the European Reform Treaty, 15 (or 33%) are drawn from the new intake. Already this session (2007-08), six of these signatories – Peter Bone, Douglas Carswell, Philip Davies and Philip Hollobone, Richard Shepherd and Bob Spink (the first four of these MPs are from the 2005 Tory intake) voted in favour of a Liberal Democrat amendment to the Queen's Speech calling for a wider referendum on whether Britain should remain in the European Union. We will not be surprised to see a relatively large number of members of the 2005 intake prominent amongst those rebelling during any divisions over the ratification of the European Treaty.

⁹ The Labour mean is distorted somewhat by the two exceptionally large Trident revolts: the Labour median is just three; the Conservative median is two.

¹⁰ The only exception was John Penrose, who cast two rebellious votes at the end of Michael Howard's leadership period, but has remained loyal ever since. These data exclude the three retreads: David Evennett, Christopher Fraser, and Sir Malcolm Rifkind.

2. Conservative rebels from the 2005 intake

Name	Total, 2005-7	Under Cameron's leadership
Bone, Peter	9	9
Davies, Philip	9	8
Hollobone, Philip	9	8
Penning, Mike	5	5
Binley, Brian	5	4
Duddridge, James	5	4
Goodwill, Robert	4	4
Walker, Charles	4	4
Dunne, Philip	3	3
Gauke, David	3	3
Kawczynski, Daniel	3	3
Afryie, Adam	3	2
Hands, Greg	3	2
Wallace, Ben	3	2
Wilson, Rob	3	2
Brokenshire, James	2	2
Holloway, Adam	2	2
Jackson, Stewart	2	2
Newmark, Brooks	2	2
Lancaster, Mark	2	1
Penrose, John	2	0
Carswell, Douglas	1	1
Greening, Justine	1	1
Jones, David	1	1
Main, Anne	1	1
Pelling, Andrew	1	1
Scott, Lee	1	1
Shapps, Grant	1	1
Stuart, Graham	1	1
Vara, Shailesh	1	1
Wright, Jeremy	1	1

The rebellious tendencies of the 2005 intake are a problem for the Conservative leadership for two reasons. First, because once MPs develop a habit of rebellion, it is very difficult for them to change. And second, because it is clearly more dangerous to face opposition from the newly-elected than from the old guard, since the latter will retire election by election. The 2005 intake could be around – and causing trouble – for years to come.

Splits over free votes

The last two years have also seen some dramatic divisions revealed over free votes. On 14 February 2006, for example, during the Report stage of the Health Bill, deep splits were revealed in the Conservative party over whether to support a total ban on smoking in public places. The first vote – on a total smoking ban in pubs – saw

Conservative MPs split 81/94 against. The second vote – on whether to include private members' clubs in the ban – saw the party split again (though not as severely), 47/125 against the measure. Andrew Lansley, the Conservatives' Health spokesperson made much of the well-publicised splits on the Government side, but his own troops were far more divided than those of the Government.¹¹

A year later, on 7 March 2007, the Conservatives split again: 80/103 against a 100% appointed House of Lords; 80/98 against an 80% elected Upper Chamber; and 57/126 against a 100% elected House of Lords. The number of Conservative MPs opposed to the official Conservative policy of an 80% elected Upper Chamber was even larger than in February 2003 when Iain Duncan Smith's parliamentary party split 73/76 against its preferred option of an 80% elected House of Lords.

But perhaps the most serious evidence of a moderniser/traditionalist split within the Conservative party occurred twelve days later on 19 March 2007, when Tory MPs divided 29/85 against the draft Equality Act (Sexual Orientation) Regulations 2007, which brought into force the Equality Act 2006 provisions allowing adoption by gay couples. A further 82 Conservatives did not vote. The problem was not the size of the split – numerically, the Conservatives had been more divided in the past – but that their leader David Cameron was one of the 29 Tory MPs voting in favour of gay adoption. Just 15% of Conservative MPs joined their leader in the aye lobby in favour of the measure.

Not a single member of the Shadow Cabinet voted against the order (13 of the MPs voted with their leader in favour of the regulations; ten, including William Hague and Dr Liam Fox, did not vote), suggesting that they were bound by collective Shadow Cabinet responsibility not to vote against it. These rules were relaxed for Shadow Ministers and Whips (most of whom either abstained or voted against), but amongst the 108 Tory backbenchers, only seven voted for the regulations (6%), 62 voted against (57%), while 39 did not vote. Of the 2005 intake only six voted with David Cameron, while 23 voted against, and 22 did not vote. While 15% of Tory MPs backed Cameron's stance on gay adoption overall, only 12 per cent of the 2005 intake did so.¹²

Conservative support for Labour

One complaint, heard occasionally from more tribal Conservative MPs (including some from the 2005 intake) is that the Conservatives are not oppositional enough. On being elected Conservative leader, David Cameron had claimed:

I want and will lead a Conservative party that when the government does the right thing, we will work with them, and when they do the wrong thing we will call them to account and criticise them.

Much was then made of Cameron's decision to support the Government on key aspects of its legislation during the 2005-6 session, particularly the Education and Inspections Bill, where Tory votes helped to secure the passage of the Bill, both at

¹¹ Labour MPs split 304/29 in favour of a total ban on smoking, and 278/52 in favour of extending the ban to all private clubs.

¹² Among the 23 MPs from the 2005 intake to have voted against him on this issue, 20 had already rebelled at least once against his leadership on whipped votes up to this point.

Second and Third Reading. Conservative voting with Labour in the 2005-6 session was in absolute terms a very modest 7.3% (25 out of 343 divisions), although was up markedly on the figure of 4.6% in the 2001 Parliament, and 4.1% in the 1997 Parliament.¹³ In the session just finished (2006-7), however, the proportion of divisions in which the Conservatives voted with Labour fell back to 5% (11 times out of a possible 221 divisions). The figure for the parliament as a whole therefore now stands at 6.4%, still higher than since Labour came into office in 1997.

And whilst the Conservative frontbench rarely votes with the Government, they allow nearly four-fifths of Government legislation through on-the-nod, without a vote at second or third reading. In the first session of the 2005 Parliament, the Tory frontbench contested the principle of just 12 Government bills out of a possible 57 (21%); in the 2006-07 session, the figures were seven out of 32 Government bills (22%). This is significantly down on the 32% average for the whole of the 2001 Parliament, which was itself down on the 41% in the 1997 Parliament (see table 1 below). As the New Labour era has progressed, fewer and fewer Government bills have been contested by the Official Opposition. This downward trend began before David Cameron took office, but it has become much more noticeable under his leadership.

3. Conservative contestation of Government legislation, 1997-2007

<i>Session</i>	<i>Government Bills</i>	<i>Bills contested by Conservative frontbench</i>	<i>As % of Government Bills</i>
97-98	53	19	36
98-99	31	15	48
99-00	42	19	45
00-01	28	10	36
Total (97-01)	154	63	41
01-02	39	12	31
02-03	36	15	42
03-04	35	12	34
04-05	34	7	21
Total (01-05)	144	46	32
05-06	57	12	21
06-07	32	7	22
Total (05-07)	89	19	21

Note: The figures show the bills on which the Conservative frontbench chose to divide the House at Second and/or Third Reading. They exclude government bills where the Conservative parliamentary Party had free votes, but include Reasoned Amendments on Second or Third Reading.

¹³ Seven of these votes occurred on the Education and Inspections Bill.

Conclusion

There is not much in the behaviour of David Cameron's parliamentary party to cause the party whips too many sleepless nights. Rebellion is relatively limited – and noticeably less extensive than seen on the government benches. Most Conservative MPs have not rebelled, and most of those that have have done so infrequently.

Yet rebellion is not unknown either – and several of the free votes have revealed deep divisions within the ranks of the Conservative parliamentary party. There are also signs that the 2005 intake contains several Members who will cause the Conservative whips problems for years to come. At the end of the 2005-06 session, Philip Davies, one of the most rebellious Tory MPs from the new 2005 intake remarked, 'David [Cameron] is relaxed about us having different views on certain issues.'¹⁴ Maybe so. But can such a relaxed attitude prevail as the possibility of a Conservative return to Government grows greater every day?

¹⁴ Henry Deedes, 'Pandora', *The Independent*, 14 November 2006.