

PARLIAMENT

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The period from 1974 to 1979, encompassing two Parliaments, was unique in twentieth century parliamentary history. It was unique because of the juxtaposition of two not obviously compatible features. The first was the vulnerability of government. It was vulnerable to defeat in the division lobbies. It could be, and was, defeated as a result of (i) opposition parties combining against it during the periods when it was a minority government and (ii) its own backbenchers entering the opposition lobby. It suffered more defeats than any government in modern British history. The second feature, peculiar to the 1974-79 Parliament, was the longevity of the Parliament. Despite the fact that the Government was returned in October 1974 with a miniscule parliamentary majority, and lost that majority in April 1976, it survived into a fifth session. It was thus, remarkably, one of the longer Parliaments of the post-war era.

The Government was able to govern during this period but throughout it both Houses of Parliament served as significant constraints on government. Though Parliament was never able to achieve the status of an active, or policy-making, legislature, it was during this period a notably reactive, or policy-influencing, legislature.¹ It was the high point of parliamentary impact on public policy during the twentieth century.

This chapter thus explores the two features of government in relation to Parliament: those of vulnerability and survival. It challenges what may be seen as the received wisdom in respect of both.

VULNERABILITY

The February 1974 election saw the return of 301 Labour MPs in a 635-member House of Commons. After Edward Heath resigned on 4 March, after failing to reach agreement with the Liberal parliamentary party, Harold Wilson formed a government, but one that, like the first two Labour governments of 1924 and 1929, was in a minority in both Houses of Parliament. Though the Cabinet proceeded with a Queen's Speech predicated on a programme for a full Parliament, there was – as Wilson and other ministers recognised – little likelihood of it being anything other than a short-lived Parliament.² Initially, the Opposition was reluctant to try to defeat the government in the division lobbies. 'Mr Heath has let his rank and file know that Opposition tactics will be to win the argument but not to win divisions and thus give Mr Wilson the excuse of saying he is prevented from governing and must fortify his mandate in another general election'.³ This tactic not only created occasional embarrassments for the Opposition – tabling amendments but not dividing on them – but also proved increasingly unpopular among younger Conservative back-benchers. Disquiet was expressed at meetings of the 1922 Committee and the chairman, Edward du Cann, conveyed the feelings of the rank and file to the leader.⁴ The tactic was abandoned, especially after the prospect of a June election has

passed, and the Opposition proved willing to force divisions, on occasion being joined by other parties, or to join other parties in the lobby.

The combination of opposition parties against the government was sufficient to deny the government a majority in the division lobbies. In the course of less than two months – from 19 June to 30 July, when the House rose – it suffered a total of seventeen defeats.⁵ The principal casualties were the Finance Bill (five defeats, including on the rate of income tax) and the Trade Union and Labour Relations Bill (seven defeats). The government also ran into difficulties in the House of Lords, where it suffered fifteen defeats (Table 1). In the Commons, all bar two of the defeats on the Trade Union and Labour Relations Bill were on motions to disagree with Lords amendments to the Bill. As Table 1 reveals, the Parliament was unusual in that the number of defeats in the Commons actually exceeded the number in the Lords.

TABLE 1
GOVERNMENT DEFEATS IN PARLIAMENT 1970-1983

| Parliament | Number of defeats | |
|------------|-------------------|----------------|
| | House of Commons | House of Lords |
| 1970-74 | 6 | 25 |
| 1974 | 17 | 15 |
| 1974-79 | 42 | 347 |
| 1979-83 | 1 | 45 |

Source: P. Norton, 'Behavioural Changes', in P. Norton (ed), *Parliament in the 1980s* (Oxford: Basil Blackwell, 1985), p. 27.

The government encountered opposition, however, not only from the other parties in the House of Commons but also from some of its own back-benchers. Despite its precarious political position, there were eight occasions when Labour MPs voted against it. Six of these involved 20 or more Labour Members. The incidences of cross-voting by Labour back-benchers were embarrassing but not fatal: none of the six large-scale rebellions entailed voting with the Opposition. The eight occasions constituted less than ten per cent of the 109 divisions held during the Parliament. (They also paled alongside the 21 divisions that witnessed rebellions by Tory back-benchers.) However, what the occasions of intra-party dissent lacked in breadth they made up for in terms of depth. No fewer than 132 Labour MPs cast one or more votes against the Labour government.⁶ Three of the votes were on motions related to the European Community. Eighteen Labour MPs voted against the renewal of the continuance order for the Northern Ireland (Emergency Provisions) Act, despite the pleas of the Northern Ireland Secretary, Merlyn Rees.

Such occasions were unhelpful for the government, but they did not constitute the problems posed by the defeats forced on it by opposition parties. The frequency of the defeats rendered the government's position largely untenable. After Parliament rose at the end of July, the expectation was that there would be an autumn election. On 18 September, Wilson announced that the election would take place on 10 October. The election saw the return of 319 Labour MPs, giving the government an overall parliamentary majority of three. The majority was precarious and, in any event, short-lived. By-election losses, defections and the disappearance and then defection of Labour MP John Stonehouse resulted in April 1976 in the government losing its overall majority.

The small and then non-existent majority rendered the government vulnerable. It was vulnerable, after it slipped into its minority status, to opposition parties combining against it. It was also vulnerable throughout to dissent by its own back-benchers. What would appear to be intuitive assumptions about the Parliament are that most defeats are likely to have been imposed by opposition parties combining against a minority government and that any defeats imposed on it by Labour MPs cross-voting are likely to be the product of dissent by left-wing MPs. In fact, neither assumption is correct. Most of the defeats inflicted on the government were the product of Labour back-benchers entering the Opposition lobby (had they not done so, the government would have survived) and, of these, only a small minority were attributable to left-wing Labour MPs voting against the government.

In fact, during the Parliament, the government's majority was under threat from three sources in the House of Commons.

[1] Opposition parties

As we have seen, this was the principal threat during the short 1974 Parliament. It was also a threat in the 1974-79 Parliament, especially after the government slipped into a minority in 1976. However, the scale of this threat should not be exaggerated. Although the government was returned with an overall majority of three, its majority over the Conservatives was 42. There were 13 Liberal, 11 Scottish National and 3 Plaid Cymru MPs, in addition to the 12 MPs from Northern Ireland. On many measures, the government could count on the support of the Liberals and the nationalist MPs. The Ulster Unionist MPs were not noted for their assiduousness in attending parliamentary proceedings. The government's majority was thus under threat only when opposition parties combined to vote against it and were able to ensure a full or virtually full turnout of their members.

For a particular period, from March 1977 to May 1978, the government had the support of the Liberals in any vote of confidence – in return for support for various measures – but this had limited relevance to many of the votes that took place. The Liberals were keeping the government in office but not necessarily supporting it in all the votes that took place in the House. Thus, the one period when one might assume that the government was not under threat of defeat was one in which it was still vulnerable and did, in fact, suffer defeats at the hands of opposition parties (six defeats) as well as, more extensively, at the hands of its own back-benchers (nine defeats).

The expectation of defeat was generally greater than the reality. As Margaret Thatcher recalled, 'The press were inclined to exaggerate our chances of actually defeating a Government which,

after all, still had a considerable margin of votes over the Conservatives.⁷ During the Parliament, no more than 19 of the 42 defeats suffered by the government are attributable to opposition parties combining against it.⁸ Even that figure is a maximum one. One defeat appears to have resulted from some confusion in the division lobbies and two others may have been a product of mismanagement and confusion. The Second Reading of the Reduction of Redundancy Rebates Bill was lost by one vote, in a division where the Prime Minister was absent without a pair.

Though Margaret Thatcher noted that ‘our occasional victories did not seem to lead anywhere’,⁹ some of the defeats were on important issues. The most significant and frequent were on finance and economics. In January 1978 an Opposition amendment to devalue the Green Pound by 7.5% was carried by 291 votes to 280. In May of the same year, an amendment to the Finance Bill, to reduce the basic rate of income tax from 34% to 33%, was carried (by 312 votes to 304) as was an amendment to raise the level at which the higher rate of income tax would apply (by 288 votes to 286). In July 1978, the draft Dock Labour Scheme was rejected by 301 votes to 291. In December 1978, an Opposition amendment, opposing the government’s economic policy of sanctions against firms breaking the 5% pay limit, was carried by 285 votes to 279 (and the amended motion then carried by 285 votes to 283). Opposition parties were also responsible for removing a clause from the Scotland Bill and another from the Wales Bill, though as we shall see it was dissent by Labour MPs that caused the most problems for the government’s devolution legislation. However, Opposition parties scored their ultimate victory on 28 March 1979. Having previously failed in marshalling a majority to pass a vote of no confidence, on this occasion they were successful. The government was defeated by one vote.

However, the biggest consistent impact of the official Opposition lay more in its bark than its bite. There were plenty of back-benchers willing to make life difficult for ministers. They included acerbic debaters such as Norman Tebbit and George Gardiner, and groups of back-benchers were formed by John Peyton and Jasper More, with the approval of the whips, to co-ordinate tactics to harry ministers.¹⁰ On one occasion, following claims that government whips had broken a pair, the Opposition refused to engage in pairing, thus causing chaos for Labour MPs. Though the Opposition may not be able frequently to defeat the government, they were able to make life difficult; it took only a few Opposition MPs to force government supporters to stay into the early hours in order to vote. ‘Another long evening of three-line whips in the House’, was a typical entry in the diary of one Cabinet minister.¹¹ There was always the possibility that Conservative MPs may return suddenly in some numbers and on occasion they did so. Although the government was ultimately brought down by a vote of confidence, it was by that time basically worn out. However, it was not only Opposition MPs who had worn it out. Some of its own supporters had contributed to the process.

[2] The left-wing of the parliament party.

Left-wing Labour MPs were notable in the 1974-79 Parliament for being vocal and for their willingness to vote against a Labour government. Their bark was more notable than their bite. They frequently embarrassed the government but they rarely defeated it.

The Labour left constituted a clear factional element within the Parliamentary Labour Party. It was fairly well entrenched. It had strong roots outside the House, enabling left-wing Members to be elected for safe seats, their position strengthening in the 1970s relative to MPs who were not identified with the left.¹² The faction took organisational form in the Tribune Group. The Group met once, sometimes twice, a week to debate issues of current concern, especially those coming before the House. Though not having a designated whip, the Group did co-ordinate the activities of its members.¹³ The result was that, as in the 1966-70 Parliament, there was a strong positive correlation between voting against the government on one issue and then voting against it on another.¹⁴ This applied also in the short 1974 Parliament as well as in the 1974-79 Parliament. In the latter, Tribune Group MPs voted against the government persistently and in substantial numbers. Of the 69 votes in the Parliament in which 40 or more Labour MPs voted against the government, Tribune Group MPs constituted a majority in all but five of them. (The proportion ranged from 39% to 87%.) Of the 86 MPs who were members of the Group for all or part of the Parliament, *all* cast one or more votes against the government, with a majority voting against on 40 or more occasions.¹⁵ (The figure includes ministers, as they were permitted to vote against the government in the votes on European Community membership and the European Assembly Elections Bill.) Of the 27 MPs who cast 70 or more dissenting votes, all were members of the Tribune Group.

The Tribune Group was thus a thorn in the government's side. Members voted against the government on a range of issues, albeit largely predictable in terms of their ideological stance. They opposed the government's economic policy. They voted against it on immigration rules, defence, the civil list, renewal of the Prevention of Terrorism Act, pay beds in the National Health Service, as well as on direct elections to the European Parliament and devolution,¹⁶ though in the last two cases they were joined by non-Tribune MPs. For Group members, the government was moving more and more away from Socialism and was increasingly indistinguishable from a Tory government. The distancing of the Group from the bulk of Labour MPs reinforced what Pat Seyd has identified as the left's cultural orientation as 'outsiders'.¹⁷

As outsiders, they were often strident in their criticisms of government. However, it was largely to little effect. As Geoff Hodgson noted, 'the Tribune Group, schooled in the long tradition of parliamentary oratory, pressured the government not with muscles but with words. With their narrow parliamentary outlook they stood amazed as the government paid no heed.'¹⁸ They lacked muscle because they were usually on their own. They often voted against the government but rarely did so with Conservative support. When Tribune MPs trooped into the lobby against the government, the Opposition usually either abstained or voted with the government. As a result, few of the defeats attributable to dissent by Labour MPs were caused by Tribune Group MPs.

Of the 23 defeats suffered by the government as a result of Labour MPs entering the opposition lobby, only six can be attributed to Tribune Group MPs. Of these, the most high profile defeat was on the Expenditure White Paper in March 1976, forcing the government to seek a vote of confidence the following day. The defeat delighted the left. Tony Benn noted in his diary, 'The defeat last night has transformed the situation; it has ended the phoney peace and people see now that the Government is supported by the right-wing forces in society, that they can't carry the Labour Party in

the way they have...'.¹⁹ For many Cabinet ministers, the rebels were no more than thugs, some of whom according to Jim Callaghan would not mind a Tory government.²⁰

The defeat was the most high profile defeat achieved on the floor of the House. The other main impact of left-wing dissent occurred in Standing Committee, where the votes of one or two Labour MPs could be crucial.²¹ During committee stage of the 1977 Finance Bill, two Labour Members – Jeff Rooker and Audrey Wise – tabled amendments which, with Opposition support, were carried. The amendments raised the levels of income tax allowances and partially indexed them against inflation. The government decided to accept the defeats, but – as one minister recalled – ‘Repercussions from the Finance Bill Committee defeat simmered on throughout the summer, with the Prime Minister becoming very angry’.²² These defeats, coupled with the other defeats on the floor of the House, had an effect on public policy, but they were isolated successes, occurring against a backdrop of growing animosity within the PLP and frustration on the part of the left.

[3] MPs drawn from different wings of the PLP.

The left had the loudest bark, but the effective bites came from Labour MPs drawn from different wings of the party combining with the Opposition to defeat it. The left and the Conservatives were not natural allies. It was easier for Labour MPs from different wings of the party to enter the lobby on issues, such as devolution, that were not obviously definable in ideological terms. During the Parliament, they did so and to effect.

Of the 23 defeats inflicted Labour dissidents, six as we have seen were the result of dissent left-wing MPs. A further two can be attributed to dissent by right-wing MPs (on an attempt to lift the disqualification on councillors in Clay Cross, who had refused to implement provisions of the 1972 Housing Finance Act, and on the central provisions of the Dock Work Regulation Bill). The remaining defeats – the most significant both in quantitative and qualitative terms – were the product of MPs drawn from different parts of the PLP entering the lobby to vote against the government.

During the Parliament, the PLP was split on a range of issues. However, the two most prominent and persistent were membership of the European Community and devolution. The divisions over European integration were deep and intense and they existed within the ranks of ministers as well as among back-benchers. So deep was the split that ministers were permitted to speak in favour of a ‘no’ vote in the 1975 referendum on continued membership of the EC (though not in the House – one who did so was dismissed) and given a free vote on the European Assembly Elections Bill in July 1977, even though the Government’s advice was to support the Bill. (The Bill provided for direct elections to the European Parliament and stipulated the use of the regional list system. The House later rejected, on a free vote, the regional list method of election.) During the Parliament, there were no less than 51 divisions on EC and EC-related matters in which Labour MPs voted against the government. There was a concentrated core of Tribune Group MPs who regularly voted against the government but they were joined by others from different wings of the party. However, their action had little effect on outcomes. The stance taken by the government was normally supported by the Opposition, which itself was split on the issue. Hence, votes were not usually those involving

government versus Opposition, but rather a majority of Labour and Conservative MPs combining against a dissident minority of both parties.

Devolution was a different matter. Though both parties were split, the official Opposition line was to oppose the government and there were more dissidents on the Labour benches than on the Opposition benches. The government proceeded with legislation despite opposition from its own backbenches. Its first bill providing for elected bodies in Scotland and Wales was abandoned when, in February 1977, 22 Labour MPs voted with the Opposition against the guillotine motion for the Bill. The motion was lost by 312 votes to 283. The government then introduced separate bills for Scotland and Wales. The government suffered defeats on both. Of these, the most significant were those providing for a threshold in referendums. The government had not planned to have referendums in Scotland and Wales but because of dissent within its ranks had agreed to hold them. During the passage of both bills, amendments were carried providing for a 40% threshold of all voters voting 'yes' in referendums in order for devolution to be implemented. Committee stage of both bills was taken on the floor of the House. The threshold requirement was agreed in committee on the Scotland Bill by 166 votes to 151; an attempt by the government to overturn the defeat at Report stage was defeated. An amendment to the Wales Bill, incorporating the same provision, was carried by a sizeable margin: 280 votes to 208. The government suffered no fewer than thirteen defeats to its devolution legislation as a result of Labour MPs voting against it; a further two defeats, as already noted, occurred because of opposition parties combining against the government. The most dramatic consequence derived from government accepting the case for referendums and the imposition of a threshold requirement. When voters in Wales voted 'no', and the proportion voting 'yes' in Scotland failed to meet the 40% threshold, the government tabled the requisite orders to repeal the Acts. As a consequence of what had happened in Parliament, the government failed to implement its central constitutional measure. The failure of the referendums also set in train the events leading to the government losing the vote of no confidence on 28 March 1979.

For the government, it was thus a gruelling Parliament. The defeats it suffered constituted the tip of an iceberg as far as dissent by its own backbenchers was concerned. The number of divisions witnessing dissenting votes by Labour backbenchers grew in each succeeding session, from 14.5% in 1974-75 to a staggering – and unprecedented – 45% in the final 1978-79 session. In other words, by the end of the Parliament, almost one in every two divisions involved Labour MPs voting against the government. The Parliament experienced the greatest level of intra-party dissent in post-war history. The government thus faced a threat from opposition parties and from its own backbenchers. In the circumstances, survival was the principal goal.

Nor was the government under threat solely from the House of Commons. As Table 1 reveals, it was defeated even more times in the House of Lords. As the table shows, the government lost 347 votes in the Lords during the course of the Parliament. Few bills escaped amendment by the Upper House. The problem for the government, though, was not simply the fact that it lacked a majority in the Lords. (There had been a preponderance of Tory peers since the time of Pitt the Younger.) What created problems was the fact that it had a tiny and then non-existent majority in the Commons. It could thus not be certain that it could muster a majority to reverse a defeat in the Lords.

Of the defeats it suffered in the Commons, seven were on motions to disagree with Lords amendments. Furthermore, even if the government could muster a majority, there was the danger the Lords would insist on their amendments. Even if ultimately the Upper House gave way, it was for government a time-consuming process. The business managers were thus prone to press for compromise rather than confrontation. As Tony Benn recognised, there were certain measures – such as his 1975 Industry Bill – which some senior ministers were not unduly concerned whether they reached the statute book or not.²³ They were thus not going to get into a fight with the Lords. Though on occasion the use of the Parliament Act was discussed as a way of ensuring a measure got on to the statute book, it was never employed.

The House of Lords contributed to the government's problems with its devolution legislation – four of the government's defeats in the Commons were on motions to overturn Lords' amendments to the Scotland and Wales Bills – as well as to the troubled passage of the Aircraft and Shipbuilding Industries Bill. The Bill, designed to take the industries into public ownership, had not survived the short 1974 Parliament, had been re-introduced in the 1975-76 session, spent 58 days in Standing Committee, and then been delayed because a Conservative back-bencher, Robin Maxwell-Hyslop, had claimed that it was a hybrid bill. Attempts by the government to over-turn the Speaker's ruling, involving allegations of cheating in the division lobbies (a 'paired' Labour MP voting to give the government a majority of one), led to Michael Heseltine famously swinging the mace, in protest, in the chamber. When the bill went to the Lords, the House voted by 190 votes to 90 to remove ship repairing from its provisions. It was not the only bill during the Parliament that, courtesy of members of both Houses, gave the government's business managers headaches.

SURVIVAL

It was thus a troubled Parliament but its most remarkable feature was its longevity. The survival of the government into a fifth session may be ascribed to three variables.

First, there was the relative rarity of opposition parties combining to defeat the government. On a range of issues, the Liberals and nationalist MPs had more in common with Labour than with the Conservatives. It was this, more than anything else, that ensured that the government was able to carry all but 42 of approximately 1,500 votes held during the course of the five-session Parliament. Furthermore, opposition parties were not always enthusiastic about the prospect of an early election. Though the Conservatives were at times riding high in the opinion polls – in early 1977 the party in one poll enjoyed a lead of more than 16% – the electoral fortunes of other parties were not necessarily so rosy. For nationalist MPs, an early election would not necessarily have been to their electoral advantage. The same applied to the Liberals. In 1977, when co-operation with the government was being discussed, David Steel received the results of findings from party officials of whether the party was prepared for an election. 'Their conclusion was that though the party was not anxious for an election we were marginally more ready than in February 1974.'²⁴ Though Liberal MPs agreed to vote against the government if the party did not achieve the concessions it wanted, the backdrop was one

that, in electoral terms, was not necessarily favourable. During the period of the Lib-Lab Pact, Liberal support in the polls slipped, from 11.5% in April 1977 to 8% by the end of the year.²⁵

Second, there was the successful operation of the whips and the government's business managers. The effectiveness of the whips lies not in their disciplinary powers (they have very few) but rather in their power of persuasion and their organisational skills. The Government chief whips in the Parliament, Bob Mellish and Michael Cocks, were highly effective, assisted by a deputy, Walter Harrison, generally acknowledged by Labour MPs as being an outstanding occupant of that office. During the Parliament, the whips plied their skills with vigour. As one government whip, Betty Boothroyd, recalled: 'We were the first to arrive and the last to leave.'²⁶ The whips made sure they knew where all their MPs were and, as necessary, kept them in the House for important votes or brought them back from wherever they were – Shirley Williams was called back from China after a 17-hour flight getting there. 'That Whip's Office, without the help of any mobile phones, pagers etc., simply because these things had not been invented, knew the whereabouts of every one of the 300-odd Labour MPs instantly. And if they did not they could damn well soon find them.'²⁷ If MPs showed signs of wavering, the whips adapted their skills accordingly. Cocks and Harrison, according to a fellow whip, were skilled at playing the 'good cop, bad cop' routine, being able to play either role effectively.²⁸ They could, as occasion demanded, be forceful: 'I once saw hardman Harrison grab hold of Eric Heffer by his lapels on the Commons Terrace and threaten to throw him over the wall into the Thames if he didn't get into the Chamber and effin' vote'.²⁹

The whips were helped by the Leader of the House, Michael Foot, who proved a skilled negotiator, as well as by the culture that prevailed in government. There was a recognition from the top down that Parliament was an important institution. Wilson, like his successor, took the House seriously. Wilson 'resisted almost every attempt to pay overseas visits while the House of Commons was sitting'.³⁰ He spent time in the House. So too did his ministers. They were needed for votes, so they spent time being visible in the House. It was not unusual, recalled one back-bencher, to see ministers in the tea room at 2.00 or 3.00 a.m.³¹ It was not just the whips who stayed in touch with back-bench opinion. So too did Downing Street. Wilson held a Friday morning meeting with the Chief Whip and Leader of the House, and others, to discuss House of Commons matters.³² Bernard Donoghue, the Prime Minister's senior policy adviser, would usually go over from No. 10 two evenings a week to spend time in the tea room and bars to hear what Members' concerns were.³³ It was thus possible for the PM and ministers to anticipate reaction and to meet worried back-benchers.

The whips were also helped by the fact that channels of communication were institutionalised, as in previous periods of government, through a Liaison Committee, composed of back-benchers and ministers (including the Chief Whip and Leader of the House), to act as a conduit between government and back-benchers. The committee also had the task of ensuring the effective functioning of back-bench subject groups. The groups, previously many in number but failing to attract much of an attendance, were re-organised in the 1976-77 session.³⁴ The changes did not necessarily have all the effects hoped of them: the expansion of the number of back-benchers on the liaison committee to make it more representative still left it dominated by centre-right MPs; by 1977 no back-bench member of the Tribune Group served on it. The subject groups remained less influential than their Conservative

counterparts. Nonetheless, some Members, especially chairmen of the groups, believed that the groups had some influence on policy;³⁵ one back-bencher believes that, given the imperatives of the situation, ministers were more willing to listen, with the Foreign and Commonwealth Affairs group being especially active.³⁶ Backbench regional groups, set up to liaise with regional party organisations, were also active. The effect of this institutionalisation was that there was an infrastructure that could absorb criticism and ensure views reached whips and ministers before being made public.

Third, there were negotiations with opposition parties. The most visible, but not the only, effect was the Lib-Lab Pact. This lasted for just over a year and ensured that the government stayed in office.³⁷ In return for a government commitment to consult and to pursue certain measures, such as devolution and the European Assembly Elections Bill, the Liberals ‘would work with the Government in pursuit of economic recovery’. This meant support from the Liberals in key votes. It was negotiated in order to save the government in a confidence vote in 1976 and, as such, it succeeded. However, it was of limited utility. The Liberals were not averse to voting against the government on a range of issues and they got relatively little from the Pact. It was also not popular with all Liberal activists or with all members of the PLP. In many ways, a more effective relationship, though not amounting to a pact, was achieved with another opposition party, the Ulster Unionists. The Unionists, led by James Molyneaux, were effective negotiators and Callaghan and Foot established good relations with Molyneaux.³⁸ As a consequence, the Unionists achieved the House of Commons (Redistribution of Seats) Bill, providing that the number of parliamentary seats for Northern Ireland, then set at 12, should be ‘not greater than 18 or less than 16’. The Ulster Unionists got more out of negotiations than arguably the Liberals. The government achieved its aim of staying in office.

The government thus survived well into a fifth session of Parliament. It was only brought down by the combination of the outcome of the devolution referendums – triggering the tabling of a motion of no confidence – and the serious illness of a Labour MP, Dr Alfred Broughton. The whips had variously brought in sick and injured MPs for crucial votes – the MPs staying in ambulances in New Palace Yard to be nodded through by the whips – and on occasion Dr Broughton, who was seriously ill, was brought in against the advice of his doctor. Though other sick MPs were brought in for the confidence vote, on this occasion Broughton’s doctor said that if he were brought in for the vote he would go public. After reflecting on the matter, Callaghan made the decision that Broughton should not be brought in.³⁹ The government lost by one vote. Alfred Broughton died a few days later.

CONSEQUENCES

The consequences of what happened during the 1974-79 Parliament were significant for the institution itself. The most important and lasting consequence was structural.

For Parliament, the period from 1974 to 1979 was both the best of times and the worst of times. They were the best of times in that Parliament was able to affect the outcomes of public policy. It was a constraint on government. Such was its impact that one academic study concluded that it was developing the capacity to be a transformative legislature, able to mould and shape measures of public policy.⁴⁰ They were the worst of times in that the House of Commons limited government only on a

sporadic basis and it was but one of many influences on government – and a reactive one at that. The government achieved passage of most of the measures it wanted. Wilson was able to draw attention to the fact that, in terms of legislative output and parliamentary activity, the 1974-75 session was busier than the busiest sessions of the reforming 1945-50 Parliament.⁴¹ The government was influenced by many bodies, including the International Monetary Fund, some of which were more important than Parliament in the *making* of public policy. Though government may anticipate parliamentary reaction, MPs were not involved in the genesis and formulation of measures of public policy. There were no formal mechanisms through which MPs could be involved. The party backbench groups offered some means of specialisation and there were some select committees in the House, but there was no comprehensive means by which the House could have some consistent and targeted involvement in the policy process.

During the Parliament MPs thus exhibited some political strength (the essentially negative power to say ‘no’ to government) with a growing sense of frustration. This frustration found various outlets. In 1976, for example, Edward du Cann, the chairman of the Public Accounts Committee, drew attention to the fact that the House lacked ‘adequate machinery for scrutinising expenditure plans before being called on to vote the money involved’.⁴² Other criticisms of the incapacity of the House to scrutinise and challenge government effectively were voiced by MPs and commentators.⁴³ The government acknowledged the case for a review of practice and procedure – an acknowledgement embodied in the Queen’s Speech in 1975 – and, following a debate in the February, the House in June 1976 appointed a Procedure Committee ‘to consider the practice and procedure of the House in relation to public business and to make recommendations for the more effective performance of its functions’.

The committee, comprising some significant parliamentary figures,⁴⁴ held 68 meetings before reporting in July 1978. The committee’s report argued that ‘the balance of advantage between Parliament and Government in the day to day working of the Constitution is now weighted in favour of Government to a degree which arouses widespread anxiety and is inimical to the proper working of our parliamentary democracy’.⁴⁵ The committee believed that ‘a new balance must be struck’ and made recommendations for reform of the legislative process as well as for replacing the piecemeal system of select committees with ‘a system of new, independent, select committees, each charged with the examination of all aspects of expenditure, administration and policy in a field of administration within the responsibilities of a single government department or two or more related departments’.⁴⁶ Between them, the committees would cover all government departments.

Pressure built up in the House for the committee’s report to be debated. Michael Foot, as Leader of the House, resisted the demands: he believed in the centrality of the chamber as the debating arena of the nation. (He argued that draining away the energies of MPs in committees would ‘destroy the distinctive qualities of the British House of Commons’.) His opposition to change was shared by members of the Cabinet. However, the pressure from back-benchers was too great and Foot conceded a debate. In the debate, in February 1979, he resisted demands for a vote on the committee’s recommendations. Again, pressure from MPs on both sides was such that he conceded the case for a vote. As *The Economist* recorded, ‘MPs were in no mood to be fobbed off. Support for the proposals and demands for a vote came from all sides of the House.’⁴⁷ Before a vote could be arranged, the

government fell. In the new Parliament, the reform-minded Leader of the House, Norman St. John-Stevas, moved quickly to put motions before the House. In June 1979, the House – by 248 votes to 12 – agreed to the establishment of a series of departmental select committees.

The committees that are now a central and indispensable part of the parliamentary landscape thus have their origins in the 1974-79 Parliament. Members' frustrations, and the recognition that, through their votes, they had some political leverage, led to the most important parliamentary reform of the past fifty years.

There was also a consequence in terms of behaviour and attitudes. Underpinning the structural reforms was a change of attitude, deriving from the behavioural change of the 1970s. MPs in the 1970s proved willing to defeat the government in the division lobbies. This willingness was demonstrated first under the Heath government of 1970-74: the government suffered six defeats when Tory MPs entered a whipped opposition lobby.⁴⁸ The defeats demonstrated that governments could lose votes in the House without losing office. The Heath government acted in line with past practice. This was important for what happened under the Labour government. On the one hand, it showed government back-benchers that they could defeat the government on particular issues without the defeat having any wider, constitutional implications. On the other, it allowed the government to accept defeat and move on. The Wilson/Callaghan government acted in line with precedent in reacting to defeats. If defeated on a vote of confidence, it followed the convention and sought a dissolution (the alternative was simply to resign). When defeated on a major issue (as on the Expenditure White Paper in 1976), it could resign or (the favoured alternative) seek a vote of confidence from the House. On all other defeats, it had only to decide whether to accept the defeat or seek, in effect, to reverse it at a later stage.⁴⁹ It could thus continue in office despite a string of defeats. For back-benchers, they could continue to impose defeats.

Recognition of what they could achieve through such behaviour led to an attitude change on the part of MPs, or rather some MPs. In the words of Sam Beer, they discarded their previous deferential attitude in favour of a more participant attitude: they wanted to be more involved in the making of public policy.⁵⁰ They therefore favoured select committees and were willing to press government in a way they had not previously been prepared to do. In subsequent Parliaments, MPs had less effect, largely because of the parliamentary arithmetic: a large overall majority can absorb small levels of back-bench dissent more effectively than a small one. Even so, dissent was not without effect: there were various defeats in standing committee during the 1980s and the Thatcher government lost the second reading of the Shops Bill in 1986 when 72 Tory MPs voted with the opposition: it was the first time in the twentieth century that a government with a working majority had lost a bill at second reading. Dissension also remained a feature of Labour's ranks in the 1980s, though in the 1990s it was overshadowed by the publicity attracted by Conservative dissent: the split over European integration under a Conservative government (1992-97) with a small and at times non-existent majority attracted media attention. The fact that Labour MPs were split on a wider range of issues than Conservative MPs largely passed unnoticed.⁵¹

Labour MPs in the wake of victory in the 1997 general election were largely united in supporting the government.⁵² The contrast with the 1974-79 Parliament is stark. The government in

1997 enjoyed a large parliamentary majority and for most of the Parliament it was riding high in the opinion polls: it appeared to be delivering what was expected of it. There were not significant external pressures on back-bench MPs leading them to question what the government was doing. This may have been facilitated by the high turnover in the 1997 election: one-third of MPs were new. However, for the Parliament returned in 2001, the contrast with 1974-79 is less stark. The government saw its support dip, there was widespread popular disquiet over several policies, and backbench dissent became a significant feature of the Parliament. Its policy on Iraq led to the largest rebellion suffered by any government in modern British history on a major issue of policy. By the middle of the Parliament, it was witnessing a situation not dissimilar to the Wilson/Callaghan government of 1974-79 in terms of the willingness of most of its back-benchers to refuse to support the government on one or more occasions. The government's overall majority has proved able to absorb the dissent, but there appears to have been behavioural and attitudinal changes that mirror those of the 1970s. There has also been growing back-bench frustration at the failure to be able to scrutinise and influence government. Demands for reforms of practice and procedures have been as marked as in the 1970s.

There are, though, two significant differences that have rendered the Blair government vulnerable. The first has been the attitude of the leadership. Though some ministers have been good at negotiating with back-benchers, Tony Blair has not followed Wilson and Callaghan in taking Parliament seriously.⁵³ He has met groups of back-benchers (with greater frequency than did Wilson or Callaghan) but there is not the same attention to, or the same attendance in, Parliament as exhibited by Wilson or Callaghan. Harold Wilson once made a point of attending a debate to listen to a junior minister make his first speech at the despatch box. There is little likelihood of Tony Blair ever contemplating such an action. He is, in essence, detached from the process.

The second has been the work of the whips. Here the problem has been one of emulation when it has not been necessary. In the 1997 Parliament, the whips were largely viewed as ineffective.⁵⁴ Despite the government's large overall majority, the whips treated many votes as requiring a large attendance of Members. The approach was somewhat mechanistic and took compliance as a given. Chief Whip Nick Brown exhibited 'an air of quiet menace'⁵⁵ when such a stance was not necessary to achieve the desired outcome. Unlike in 1974-79, back-benchers could not see why they should be required to turn out in such numbers. The means of communication between back and front benches were not as extensive or as effective as in the 1970s.

The combined effect of apparent indifference on the part of the leadership and stringent expectations on the part of the whips created the conditions for disquiet and dissent. The difficulty for the government comes not from the 'usual suspects' – the Campaign Group of left-wing MPs – but from members of all parts of the party combining against it. That was the case in 1974-79 and it remains the case. The Wilson/Callaghan government could not avoid attracting opposition from different parts of the parliamentary party, but it had in place mechanisms for reducing its extent. The Blair government lacks the attitude and infrastructure necessary to achieve the same.

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