

## **Solidly against Labour: Liberal Democrat Voting in the House of Commons, 2001-2005**

PHILIP COWLEY and MARK STUART\*

Studies of backbench behaviour used largely to ignore the third party – on the not entirely unreasonable grounds that there wasn't all that much to study. When you could fit the entire Liberal Parliamentary Party into a taxi cab, it was a little difficult to have a sensible discussion about its cohesion. If only one of them voted one night, was he (and it was almost always a he) rebelling – or was he just the only one who'd turned up that night? Even at the height of the SDP/Liberal Alliance – at the end of the 1979 Parliament, when their ranks were bolstered by more than 30 defections from Labour – Alliance MPs accounted for just six percent of the House of Commons. But then, first in 1997 when 46 were elected, and then in even greater numbers in 2001, when the Lib Dems won 52 seats (rising to 55 as a result of a defection from Labour and by-elections), the party became big enough both to warrant, and to facilitate, study.<sup>†</sup>

This briefing paper reports the behaviour of the Lib Dems during the second Blair Parliament, between 2001 and 2005.<sup>‡</sup> It updates, and replaces, earlier briefing papers on the subject that we have published during the Parliament.<sup>§</sup> It covers the party's cohesion when whipped and when voting on free votes, and it examines the direction of their voting.

### **Whipped votes**

During the whole of the 2001 Parliament, there were 1072 occasions when the Liberal Democrat parliamentary party was whipped. Out of these, there were just 45 occasions (4%) when Liberal Democrat MPs voted against their party whips: 12 in the first session, 17 in the second session, 11 in the third and just five in the fourth. That meant that less than one in 25 divisions saw a Liberal Democrat rebellion – however small - compared with around one in 12 for the Conservatives and one in five for Labour. Or put another way, there were more rebellions by Labour MPs in every single session of the 2001 Parliament than there were by Lib Dem MPs in the entire Parliament.

The full list of these rebellions is given in the appendix to this paper, and as it clear most of them were fairly small. They involved a mean average of just two Liberal Democrat MPs per rebellion (the median figure is just one). The largest revolt occurred during the Budget resolutions in April 2002 when 15 Liberal Democrat MPs voted against the aggregates levy. Those 15 MPs constituted 28

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\* University of Nottingham. This paper draws on research funded by the Economic and Social Research Council. Further details are available from [www.revolts.co.uk](http://www.revolts.co.uk).

† Paul Marsden, who joined the Lib Dems from Labour at the start of the Parliament, defected back to Labour during its dying days, thus reducing the party back to 54 MPs.

‡ For the 1997 Parliament, see P. Cowley *et al*, 'Mr Blair's Loyal Opposition? The Liberal Democrats in Parliament', *British Elections and Parties Review*, 10 (2000); or P. Cowley, *Revolts and Rebellions: Parliamentary Voting Under Blair* (Politico's, 2002), Ch. 11.

§ 'From Labour love-in to bona fide party of Opposition: analysing Lib Dem voting in the House of Commons' (September 2003) (later published in *Journal of Liberal History*, 43, Summer 2004), and 'An update on Lib Dem voting in the House of Commons' (January 2005).

per cent of the parliamentary party, as it then was. It was the largest parliamentary rebellion in the history of the Liberal Democrats – although this isn't saying very much.

Sixty per cent (or 33 out of 55) Liberal Democrat MPs defied the party line between 2001 and 2005. However, the Liberal Democrat Chief Whip – whoever he or she might be after the election – will not be losing too much sleep about this. Around half of these MPs (16), rebelled against the party line only once, while a further nine did so only twice. Five Liberal Democrats – Vincent Cable, Sue Doughty, Paul Marsden, Lembit Opik, and Bob Russell – rebelled on three occasions.\* Colin Breed is the third most rebellious Liberal Democrat MP, having dissenting on just five occasions. His colleague, John Burnett is in second place on eight rebellious votes. But by far and a way the most rebellious Liberal Democrat MP is Mike Hancock, the MP for Portsmouth South, who voted against his party line on no fewer than 22 occasions between 2001 and 2005. Hancock's behaviour accounts for one quarter of his party's dissenting votes in the whole Parliament (which total 84). Hancock prefers to vote either for or against the Government when the Liberal Democrat line is to abstain, behaviour which was responsible for eight of his rebellious votes. He is the nearest thing that the Lib Dems have to a persistent rebel - the first since Nick Harvey, who rebelled repeatedly during the 1992 Parliament, but Harvey's differences with his party were essentially single-issue (Europe), whereas Hancock's have ranged more widely. But even Hancock, rebellious as he is compared to the rest of his colleagues, wouldn't get anywhere near a list of the most rebellious Labour rebels. There are 44 Labour MPs who rebelled more often during the Parliament

### **Free votes**

Liberal Democrat cohesion on whipped votes is, however, in marked contrast to their behaviour on free votes. There were 174 occasions when Liberal Democrat MPs were granted free votes during the 2001 Parliament. Only 66 of these (38 per cent) saw complete cohesion amongst the party's MPs. These tended to be on private members' legislation on a Friday or private legislation or ten minute rule bills (accounting for 41 of the 66 or 62 per cent) when Liberal Democrat attendance (and that of all the parties) is usually very low.

The other occasions – especially those votes on the more contentious 'moral' issues – saw much more widespread division. The most common source of contention were the votes associated with the long-running saga to ban hunting with dogs. The various hunting bills introduced during the Parliament were the origins of no less than 31 Liberal Democrat free votes, all of which saw a split bar one.† At times, the splits could be astonishingly deep. On 16 November 2004, for example, during the vote on the possibility of allowing hunting to continue under a licensing system, the Lib Dems split right down the middle: 22 voted for the compromise amendment, 22 against.‡ (Most of those to vote for the compromise represent rural seats; most of those to vote for the all-out ban represent urban seats.). Compare that to the splits within the other two parties: 2% of Conservatives voted in one lobby, 98% in the other; Labour split 92%,

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\* The raw figures would put Cable higher than this, as he occasionally seems to wander into the wrong lobby by mistake (presumably whilst thinking deep thoughts about fiscal drag or something) – or else is the victim of higher-than-usual Hansard errors.

† In September 2004, all 28 Liberal Democrat MPs to vote, voted in favour of a Government motion delaying implementation of the ban for two years.

‡ The previous vote on the issue (Division 198, on 18 March 2002) had seen them split 17/26 against a licensing system.

8%. A vote on Clause 56 of the Children Bill - allowing reasonable chastisement of a child if it did not result in actual bodily harm - saw a similarly stark division, with 22 supporting its removal, 23 supporting its introduction. The Liberal Democrats also split on issues as diverse as sitting hours and gender recognition disclosure concerning members of the clergy.

This is hardly a new phenomenon. It has long been true that some 'moral' issues have the potential to split the Liberal Democrats (or even their precursor parties) in a way that they rarely do the other parties.\* It had certainly been true in the 1997 Parliament, when the party had split deeply on free votes, over, for example, gun control, hunting (again), euthanasia, and sitting hours (again).† Pointing it out did, however, lead the Lib Dem Chief Whip to write to the *Guardian*, calling the complaint that Lib Dems 'sometimes' vote in different directions on free votes 'most odd'. 'Isn't that just what's supposed to happen when it's a free vote?' he asked.‡ Indeed it is - although the difference is that whereas free votes tend to cause the other parties to splinter, they can often produce deep splits within the ranks of the Lib Dems.

### **Which direction to go?**

So, the Lib Dems are a cohesive bunch when it comes to whipped votes, but noticeably less so when it comes to free votes. But which direction do they vote in? Do they tend to back Labour or the Conservatives - the devil or the deep blue sea? And how, if at all, has this changed in recent years?

We have been publishing regular updates on the Lib Dems voting for several years now, and a remarkable change has come over the party. Having previously been more likely to vote with the Government than against it at the beginning of the Blair Premiership, the Lib Dems have now transformed into a *bona fide* party of Opposition.

For much of the 1997 Parliament one of the standard complaints about the Lib Dems - from the Conservatives, the media, and even some Liberal Democrats - was that the Party had become a mere adjunct of Labour, ever willing to do the Government's bidding. But the Lib Dems are now more likely to vote with the Conservatives than they ever were to vote with Labour during the 1997 Parliament. If the complaint used to be that the Lib Dems were Labour clones, then those days are over. They are now much closer to Conservatives in their voting than to Labour.

Table 1 (below) shows their voting on all the whipped votes during the 2001 Parliament. There were 20 occasions (just 2% of the votes) when the Lib Dems voted with Labour and the Conservatives in an all-party coalition.<sup>§</sup> There were then 137 (13%) when they struck out on a course independent of the two main parties, voting in an opposite lobby to both Labour and the Conservatives. But the majority of votes see them side with one or two of the other two parties; and it is usually the Conservatives. A total of 640 votes saw the Lib Dems vote with

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\* See, for example, P. Cowley and M. Stuart, 'Sodomy, Slaughter, Sunday Shopping and Seatbelts', *Party Politics*, 3 (1997).

† See Cowley *et al*, 'Mr Blair's Loyal Opposition?', pp. 109-113.

‡ Letter from Andrew Stunnell, Liberal Democrat Chief Whip, *Guardian*, 1 January 2005.

§ For example, over Northern Ireland (including sentencing and decommissioning policy), against nationalist amendments to constitutional bills, the adjournment debate on 9-11, and the Second Reading of the Horse Race Betting and Olympic Lottery Bill.

the Conservatives against Labour, compared to just 242 that saw them vote with Labour against the Conservatives.

### 1. Liberal Democrat Whipped Votes, 2001-2005

	<i>With Labour</i>		<i>Against Labour</i>		<i>Total</i>	
	N	%	N	%	N	%
<i>With Cons</i>	20	2	640	62	660	64
<i>Against Cons</i>	242	23	137	13	379	37
<i>Total</i>	262	25	777	75	1039	100

*Note:* There were 1246 votes during the Parliament; there were 174 free votes, and 33 occasions when the Lib Dem line was to abstain. This leaves 1039 votes for analysis.

In total, therefore, the Lib Dems voted with Labour on 262 occasions (25% of whipped votes), and against Labour on 777 occasions (75%). They thus voted against Labour almost three times as often as they voted with Labour. This is a clear change from the situation during the 1997 Parliament. The party then divided its favours evenly, splitting almost exactly 50/50 between backing and opposing Labour.\*

The Lib Dem's tendency to vote with the Conservatives has been growing steadily year-on-year: from 27 per cent in the first session of the 1997 Parliament, to 40 per cent in the second, 44 per cent in the third, 47 per cent in the fourth, to 54 per cent in the first session of the 2001 Parliament, to 66 per cent in the second session, reaching 67 per cent in the third, and 69 by the final session. By the end of the 2001 Parliament, Liberal Democrat MPs were more than twice as likely to vote with the Conservatives as they had been at the beginning of the 1997 Parliament. Crucially (as Figure 1, below, makes clear) this cooling in relations began *before* Charles Kennedy became the Party's leader. It did not result from his becoming leader. Rather his election as leader – and the changed electoral strategy that has resulted – was evidence of the Party's changed stance as much as its cause.

Track the Lib Dems' voting back into the 1992 Parliament – when John Major was in Government – and the change in behaviour becomes even more marked. Then (as the Figure below shows), the Party were practically indistinguishable from Labour. In some years in the early 1990s, they voted with the Conservatives in just one vote in every ten. Following the 1997 election, they became slightly less favourable towards Labour. And since 2001 they have been – for the first time in a decade – regularly more likely to side with the Conservatives than with Labour.

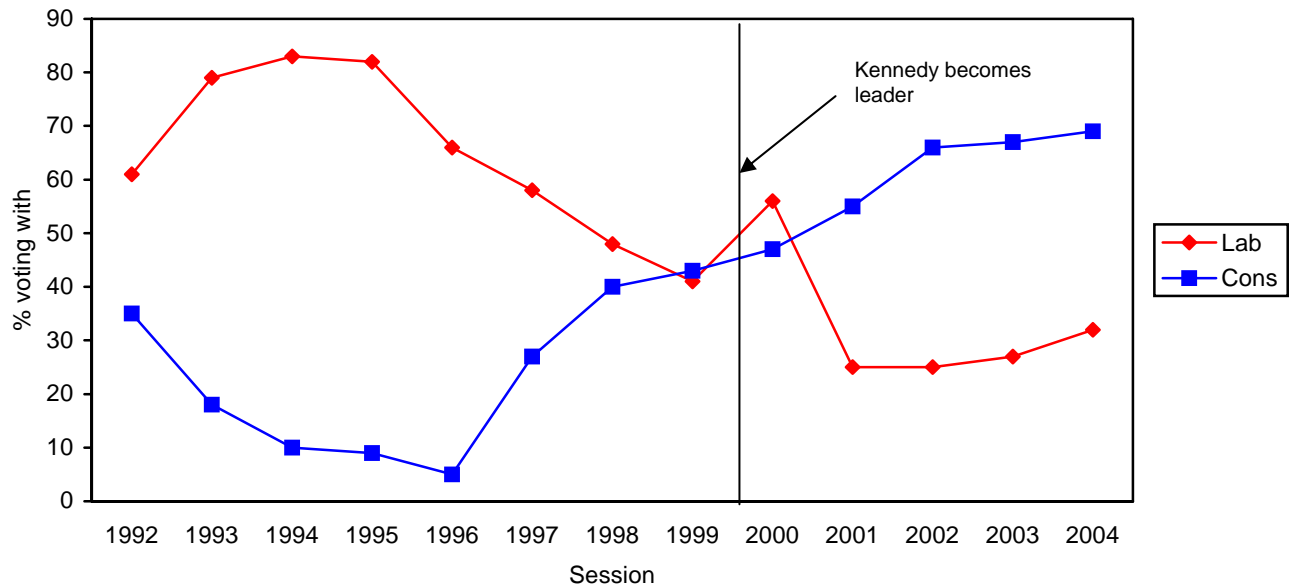
Lib Dems sometimes complain that this is an unfair way of looking at their behaviour. Because the practices and procedures of the Commons make it difficult for them to map out an independent policy position of their own, in most votes they are forced into making a binary choice between Labour and the Conservatives. And just because on one vote they might vote with the Conservatives against the Government that does not necessarily mean that they agree with the Conservatives. It might be just that on that individual vote they disagree with the Conservatives less than they do with Labour. But given that the Party does have to make that binary choice, over a mass of votes we can still

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\* See *Revolts and Rebellions*, p. 217. The split was remarkably even. Between 1997 and 2001, the Lib Dems voted with Labour on 557 occasions, but against Labour on 556 occasions.

draw meaning from their behaviour. We may prefer to travel by luxury jet, but life's a bitch, and so we're forced to use trains and buses. And if in one year we travelled by train 80 per cent of the time and by bus 20 per cent of the time; but in another year we travelled by bus 70 per cent of the time and by train just 30 per cent of the time, no one would doubt that there had been a change in our behaviour. And that's exactly the magnitude of the change to have come over the Lib Dems in recent years.

## 1. Liberal Democrat Voting in the House of Commons, 1992-2005



These overall figures mask some differences between the different types of votes. The Lib Dems are more supportive of the Government over the principle of its legislation than over its details – although even here, there has been a noticeable drop in their levels of support. A useful (if somewhat crude) measure of the stance a party takes on a bill is the way it votes at Second Reading (the vote on the principle of the bill) and/or Third Reading (the vote on the bill as finally constituted). Many bills (and more than most people realise) pass uncontested, without votes at either Second or Third Reading. Others are contested, but the party gives its MPs free votes on the measure. The remaining bills saw 116 Lib Dem whipped votes at either Second or Third Reading.\*

## 2. Liberal Democrat Whipped Votes, Second or Third Reading, 2001-2005

	<i>With Labour</i>		<i>Against Labour</i>		<i>Total</i>	
	N	%	N	%	N	%
<i>With Cons</i>	7	6	44	38	51	44
<i>Against Cons</i>	49	42	16	14	65	56
<i>Total</i>	56	48	60	52	116	100

\* We include reasoned amendments.

As Table 2 (above) shows, the Liberal Democrats voted against the principle of just over half the Government's programme, voting against it 60 times at either Second or Third Reading (52%). This is a sharp drop from their behaviour in the 1997 Parliament, when they had backed Labour in 68% of Second and Third Reading votes.

### 3. Liberal Democrat Whipped Votes, Detail, 2001-2005

	<i>With Labour</i>		<i>Against Labour</i>		<i>Total</i>	
	N	%	N	%	N	%
<i>With Cons</i>	6	1	323	66	329	67
<i>Against Cons</i>	86	18	74	15	160	33
<i>Total</i>	92	19	397	81	489	100

And where they really get stuck in is over the fine print – voting against Labour in more than four out of every five votes on the detail of Government legislation. Table 3 (above) shows the way the party voted on more detailed votes during the Parliament – those at report stage, committee stage (if taken on the floor of the House) or during consideration of Lords amendments. During the whole Parliament, they cast just 92 such votes with Labour, but 397 against. This too is a sharp change from the preceding Parliament; between 1997-2001 they voted with Labour in almost half of fine print votes (48%); the last four years have seen that figure fall by almost 30 points, to 19%.

### Conclusion

One Conservative candidate in the 2005 election, Mark Formosa, challenging the Lib Dems in North Cornwall, has issued a leaflet in which he cites work by one of us as the 'information source' for the claim that: 'The Liberal Democrats have voted with Labour and against Cornwall on two thirds of all Parliamentary legislation'. Leave aside the (slightly silly) 'against Cornwall' bit, and it is clear that what he is referring to is the observation that between 1997 and 2001, the Lib Dems voted with Labour on the principle of just over two-thirds of all legislation (backing Labour on 68% of 2nd and 3rd reading votes). But even then, the Lib Dems were much less likely to vote with the Government on other votes (such as at Report stage), and (as we have pointed out above), divided their favours almost exactly evenly between Labour and the Conservatives overall.

But even if you accept the argument as it applied to the 1997 Parliament, it is now at least four years out of date. Even if the Lib Dems ever were merely an adjunct of Labour, those days are now long gone.

## Appendix

### Lib Dem rebellions, 2001-2005

<i>No., 2001-</i>	<i>No., session</i>	<i>Title</i>	<i>Date</i>	<i>Size</i>	<i>Div. no.</i>
		<i>1st session</i>			
1	1	Business of the House	28-Jun-01	4	5
2	2	Health Professions Order	28-Nov-01	1	92
3	3	European Arrest Warrant	12-Dec-01	2	105
4	4	Education Bill	06-Feb-02	2	157
5	5	Education Bill	06-Feb-02	2	158
6	6	Budget Resolutions and Economic Situation, Aggregates Levy	23-Apr-02	15	218
7	7	Adoption and Children Bill	16-May-02	2	244
8	8	Adoption and Children Bill	16-May-02	4	246
9	9	Delegated Legislation - Draft NHS (Control of Patient Info) Regulations	20-May-02	1	247
10	10	House approves section 5 of the EC (Amendment) Act 1993 (Budget)	17-Jul-02	1	311
11	11	Iraq: Adjournment	24-Sep-02	3	319
12	12	Access to the Facilities of the House (Conservative Opposition Day)	28-Oct-02	2	330
		<i>2nd session</i>			
13	1	Debate on the Address	19-Nov-02	1	1
14	2	Health (Wales) Bill, Programme Motion	27-Nov-02	1	10
15	3	Convention on the Future of Europe (Deferred Division)	04-Dec-02	1	17
16	4	Extradition Bill, Second Reading	09-Dec-02	1	21
17	5	Extradition Bill (Programme)	09-Dec-02	3	22
18	6	Foundation Hospitals	08-Jan-03	1	43
19	7	Defence in the World (That this House do now adjourn)	22-Jan-03	3	59
20	8	Police (NI) Bill	26-Mar-03	1	141
21	9	Police (NI) Bill	26-Mar-03	1	142
22	10	Finance Bill (Cttee of W House)	14-May-03	1	197
23	11	Communications Bill (Lords amdts)	14-Jul-03	2	290
24	12	Water Bill (Programme)	08-Sep-03	1	298
25	13	Northern Ireland (Monitoring Commission etc) Bill (Allocation of Time)	17-Sep-03	1	316
26	14	European Parliamentary & Local Elections (Pilots) (Carry-Over Motion)	17-Sep-03	2	333
27	15	Dangerous Drugs	29-Oct-03	2	344

28	16	Sexual Offences Bill [Lords]	03-Nov-03	1	349
29	17	Continuation of Deferred Divisions	06-Nov-03	1	353
		<i>3rd session</i>			
30	1	Deferred Division Draft Extradition Act (Designation of Part 2) Order	17-Dec-03	1	15
31	2	Asylum and Immigration (Treatment of Claimants etc) Bill (2R)	17-Dec-03	1	17
32	3	London (Con Opposition Day Motion)	21-Apr-04	1	135
33	4	Armed Forces (Pensions and Compensation) Bill, Third Reading	06-May-04	1	163
34	5	Business Deregulation (Con Opposition Day Motion)	30-Jun-04	1	211
35	6	Energy Bill [Lords] (Report)	13-Jul-04	1	223
36	7	Closure Motion (Iraq)	20-Jul-04	2	234
37	8	Fire and Rescue Services Bill (Programme No. 2)	21-Jul-04	1	237
38	9	Mental Capacity Bill (Second Reading)	11-Oct-04	1	254
39	10	Civil Partnership Bill (Report)	09-Nov-04	2	314
40	11	Human Tissue Bill (Programme No.2)	10-Nov-04	1	316
		<i>4th session</i>			
41	1	Serious Organised Crime and Police Bill (Report) (Blasphemy Abolition)	07-Feb-05	1	70
42	2	Serious Organised Crime and Police Bill (Report) (Animal Rights)	07-Feb-05	1	72
43	3	European Union Bill (Con Opposition Reasoned Amdt)	09-Feb-05	2	77
44	4	European Union Bill (Second Reading)	09-Feb-05	3	78
45	5	EU Documents (Creation of Fundamental Rights Agency)	15-Feb-05	1	144