

# Sustaining Democracy

## Stronger Parliament, Stronger Citizens

By Ron Bailey (Campaigns Director, Unlock Democracy)

Our democracy has two fundamental pillars: citizens, in whom sovereignty ultimately rests; and Parliament, the body which they elect to govern on their behalf.

If either of these pillars is weak, then it follows that the state of the democracy itself is weak. Our current problem is that not only are citizens and Parliament weak – but they are also getting weaker.

If we care about the state of our democracy, then we must take urgent action to strengthen both citizens and Parliament.

### Strengthening Parliament

Over recent years, MPs have lost (or ceded) more and more powers. They can no longer move motions of their choice and call for votes on them or move ‘time’ motions to prioritise their choice of business.

Parliament’s role in matters of national and international importance is defined by the government. Take two matters which certainly fall into that category, and which concern many people - climate change and genetically modified crops. The current Government has never initiated a parliamentary debate, let alone a vote, on either of these issues. Even the eventual vote on the Iraq war was allowed almost by the grace and favour of the Prime Minister.

The constitutional role of Parliament is to hold the executive to account, yet MPs do not even have the power to recall Parliament in recess: that rests solely with the Prime Minister. We saw the dangers of this situation all too clearly this summer, over the crisis in Lebanon. If MPs disagree with governmental decisions taken during the holiday season, they are totally impotent. The most they can do is pile on the media pressure and hope that the Prime Minister relents. This is not a responsible way to conduct the business of parliamentary democracy.

It is the media, not Parliament, which is really holding government to account.

Not content with the historic powers of the monarch, recent governments have eaten away at parliamentary sovereignty, placing more and more control directly in the hands of Ministers. Much fuss was made about early versions of the Legislative and Regulatory Reform Bill, which gave Ministers the power to amend primary legislation without the usual parliamentary scrutiny. Little attention was given to the fact that the Local Government Act 2000 had already given that power to Ministers.

If we wish to re-empower Parliament and enable it to fulfil its constitutional role of holding the executive to account, then we must give MPs more powers.

But there is a further issue: what is the point of giving MPs more power if the way in which they use that power

is dominated by the government – through whips?

The concept of a three-line whip and of MPs being disciplined for breaking that whip implies that it is government holding the legislature to account, rather than the reverse. This is constitutionally perverse. As Douglas Carswell MP remarked at the Power conference on 6 May 2006, “MPs spend their time at Westminster building careers on doing what the whips tell them, rather than what their constituents tell them”.

One way to address the dominance of the party whips would be to introduce the right of ‘recall’ – whereby a specified percentage of citizens could petition for a recall vote on their MP or councillor. All the MP’s (or councillor’s) constituents would then be asked ‘Should Politician Smith be recalled – yes or no?’ This idea is highly controversial, and is not a policy of Unlock Democracy, but we would like to hear views on this issue.

There have been many admirable attempts to reform



The key to making communities sustainable is to put communities themselves in charge.

Parliament in recent years. Yet none of them have restored the power of MPs within Parliament. Select Committees are a case in point. They have undoubtedly improved parliamentary scrutiny yet they have been neutered. The government controls the selection of the Chairs and – on top of this – the Committees do not have any real power. The government must respond to their recommendations but too often this response is simply to note that they will be ignoring them! Compare this with the system in Scotland, where Committees can propose Public Bills.

If MPs cannot make their voices heard within the legislature, what chance do citizens have?

## Strengthening Citizens

It has long been the case that citizen involvement in politics is ‘an issue’. Membership of political parties is declining. Turnout at elections, especially local elections, is low. Distrust in the political system in general and in politicians themselves is high.

The recent Power Inquiry was ‘struck by the strength of contempt felt towards formal politics’ and found that people do not see the democratic process as being relevant to their problems. It is easy to dismiss the British public as apathetic but that is lazy thinking which ignores a great deal of evidence to the contrary.

The Hansard Society’s *Third Audit of Political Engagement* (2005) found that although 68% of respondents wanted to have a say in the way the country is run, only 23% felt that they do have a say. More worryingly, only 33% of respondents agreed that “when people like me get involved in politics, they really can change the way the country is run”. That lack of faith in their own efficacy – both as citizens and as potential politicians and activists – should alarm us all.

At the same time as public engagement with formal

structures of governance is falling, so popular demand for greater control over political outcomes rises. Citizens now have unprecedented access to information of every kind and on any subject. They are able to exercise considerable levels of choice over many aspects of their lives and to express their opinions to a far wider audience than was ever possible before. Therefore, it is hardly surprising that they resent the lack of opportunities to participate in political decisions.

The Government’s ‘choice agenda’ attempts to satisfy this new hunger by giving citizens consumer-style choices over the services they use. Yet this approach offers no opportunity for citizens to get engaged in the larger

questions of governance. It may be argued that the Government has recognised this problem and is trying to bring citizens into the decision making process by means of numerous consultations. The problem

is that ‘consultation’ (as a matter of law) leaves all the decisions, and therefore all the power, in the hands of government. Citizens know this and as a result are simply ‘consulted out’!

Freedom of Information legislation signified a step forward in the relationship between citizens and the state. In recognising that people have a right to know the details of decisions taken in their name, the Government acknowledged their status as mature citizens with a stake in the democratic process. Yet public appetite for involvement in affairs of state remains several paces ahead. Information is no longer enough. Influence should now follow.

If we really want to tackle the problem of disengagement then we must focus on its roots. Citizens are disengaging from politics because they do not see the democratic process as being relevant and because they do not feel that they can really influence the way they are governed.

Therefore our solution must be to empower citizens to change the things they care about.

## Finding Solutions

As we have seen, the past few years have brought many reforms aimed at deepening our democracy – in terms of both parliamentary procedure and citizen engagement. Many of these initiatives have been very valuable in themselves, yet our twin pillars - citizens and Parliament – have not been strengthened. If anything, they have grown weaker still.

If the old solutions are not working, then it is up to us to find new ones.

### Unlock Local Choice

There have now been several attempts to write Citizens' Initiatives into legislation.

The 2000 Local Government Act allowed for the introduction of directly elected Mayors, but only if the idea was supported by a local referendum. Citizens were also given the power to demand a referendum by obtaining the support of five percent of local electors. To date, nine mayoral referendums have been called due to citizens' petitions and four of these have resulted in the election of a Mayor.

The Parliamentary and Local Elections (Change of Electoral Systems) Bill was introduced by David Chaytor MP in November 2005, with the backing of Charter 88 and NPN. This Bill would give citizens the power to change the voting system either within a local authority area or for Westminster, but it would not oblige them to do so. Five percent of electors in a locality or within the nation as a whole would be able to demand either a



### **Douglas Carswell: Break the Monopoly of the establishment**

It is time to end the Westminster establishment's monopoly on making our laws. Each year the Queen gives her speech, reciting the legislative agenda of the political establishment. It is as much the agenda of the quango state and the Sir Humphreys running the big Whitehall departments as it is of any democratically elected representative. In fact, about the only way those you elect can bring about changes in the law is through the ineffective use of Private Members' Bills.

Breaking the monopoly of the establishment to make law with a right of initiative could be done by giving a second reading in Parliament each year to the so-called People's Bills which would be triggered by popular

referendum on the electoral system, or the establishment of a Citizens' Assembly, which would examine the options for reform and put its recommendations to the public in a referendum.

The Sustainable Communities Bill, tabled by Julia Goldsworthy MP, also embraces diversity between localities and places emphasis on engaging with citizens. The Bill focusses on an issue that affects citizens and the communities they live in very deeply: the decline of local services, shops, economic activity and jobs leading to what has been called 'Ghost Town Britain'. It is based on the philosophy that communities and councils are the experts on their own problems – and on the solutions to them. Thus, the Bill would require the government to assist councils and communities in reversing community

decline and promoting local sustainability – *but in ways driven by councils and communities themselves.* The Bill establishes a 'bottom-up' participative process to achieve this. Sustainability is not just about the physical and cultural

environment. Truly sustainable communities will be built on a deep sense of public commitment and involvement. They must be *democratically* sustainable as well.

### Unlock Parliament

The proposals outlined above all allow for citizens to take the initiative on certain, well defined, matters. A still more radical approach would be to give citizens the general right to initiate legislation. The recent Power Inquiry suggested that a petition of one percent of the electorate of an area should be able to force a debate and if their representatives failed to take the desired action a subsequent petition of a further one percent of the electorate would be able to force a referendum on the issue.

petition. Simply put, those with the most signatures would get a second reading in Parliament. It would be up to MPs to vote for or against the measure, but they would be forced to take sides on issues of great concern to voters, unlike today when politicians like to dodge the issue.

It would be a real right of initiative, unlike the Swiss model, which is in effect a popular veto. It would have the effect of giving the monarch a new role as the defender of direct democracy against a morally bankrupt political establishment. It might even make those disaffected with the political process interested in politics once again.

*Douglas Carswell MP is one of the co-authors of Direct "Democracy: an agenda for a new model party" (2005).*



### **Julia Goldworthy: give local people a say over the future of their communities**

What works in one area isn't always suitable for another part of the country. Part of the barrier to tackling the issue of affordable housing, for example, is that there is a lack of flexibility for local communities to identify their own particular problems and to find their own solutions. The Sustainable Communities Bill recognises this and gives communities the ability to pursue policies which are better tailored to their individual needs.

The Bill would allow everyone to have their say. While local authorities would ultimately be responsible for

delivering these policies, they would be required to engage local individuals and organisations in a participation process about what they would like to see. Furthermore, the Secretary of State would need to support our local authorities in meeting these goals. Instead of a centrally driven, one size fits all approach, local knowledge would be accorded the importance it deserves.

The Government constantly espouses its belief in localism, devolution and listening to the public. This Bill offers an opportunity to translate these warm words into action.

*Julia Goldworthy MP is the Liberal Democrat Shadow Chief Secretary to the Treasury.*

The aborted European Constitutional Treaty went some way towards this. It proposed that a million European Union citizens would be able to request the adoption of a European law. This would be an excellent way to make the seemingly remote and impenetrable European institutions directly accessible and accountable to citizens.

The defeat of the Constitutional Treaty was widely perceived to be an angry response to Europe's democratic deficit, rather than an objection to the contents of the Treaty in particular. The irony is that the Treaty contained the best chance yet of closing the gap between European institutions and the citizens they represent.

Douglas Carswell MP suggests that a similar system could be instituted in Westminster, whereby People's Bills would get a second reading in Parliament. This is an excellent idea that deserves greater attention. Forcing MPs to vote on Bills set before them by the people would be a major step forward in strengthening citizens, strengthening Parliament, and strengthening the relationship between them.



### **David Chaytor: let people decide on the electoral system**

In June, I presented the Electoral Choice Bill to Parliament as a means of reinvigorating the debate about electoral reform. The Bill is short and straightforward. It simply provides for referenda, triggered by citizens' petitions, to determine the electoral system to be used in municipal and parliamentary elections. Sadly, the progress of the Bill was obstructed. However the historic promise of Labour's 1997 election manifesto - to provide for a referendum on electoral reform - must not be allowed to wither away. This Bill must return, slightly revised, in the next session of Parliament.

*David Chaytor MP is a member of the Education and Skills Select Committee and the Environmental Audit Select Committee.*

### **Unlock the Constitution**

The Electoral Choice Bill uses the idea of a Citizens' Assembly. This process has already been used British Columbia to bring about a referendum on electoral reform. There, 160 randomly selected citizens studied the options for electoral reform in great depth, then devised a referendum question and put it directly to the electorate, with no filtering from government.

What better way to finally draw up a formal constitution for Britain? Unlock Democracy is campaigning for a Constitutional Convention, made up of citizens, to draft a written constitution for the UK. Not only would a Citizens' Constitution be supported by the people it would be truly *of* the people. If the Constitution itself wasn't wholly able to restore faith in the political system; at least the process of drafting it might.

### **Unlock Democracy!**

Unlock Democracy aims to make the political process more responsive to people's demands. We are promoting a bottom-up and participative society, which empowers its citizens. It would be totally incongruous if citizen involvement was seen as something to be 'handed down' rather than as being integral to the campaign to achieve those objectives.

Most political campaigns are restricted to lobbying exercises where the main activity is 'persuading Ministers'. This is where Unlock Democracy is different. It is essential that Unlock Democracy secures widespread public support and encourages public activity. The intention is to achieve our objectives by creating public pressure.

Our objectives cannot be won by lobbying in Whitehall alone. They depend upon a large scale and continued community campaign. We are not just campaigning for more rights for citizens. Our campaigns themselves will involve and empower citizens.

