

Brexit from the back benches: Have the whips become the straw men of British politics?



*Last year, 15 Tory backbenchers brought about the government's first Commons defeat when they supported an amendment to the EU withdrawal bill to give Parliament a legal guarantee of a vote on the final Brexit deal. In light of the controversy that ensued, **Peter Wiggins** (Learning Skills Foundation) asks whether parliamentary whips have become the straw men of British politics?*

The liberal philosopher A.C. Grayling is one of the foremost opponents of Brexit. No doubt he salutes the bravery of those [Tory MPs dubbed 'mutineers' by the Daily Telegraph](#) when they brought about Theresa May's first Commons defeat as they supported an amendment to her EU withdrawal bill to give Parliament a legal guarantee of a vote on the final Brexit deal. These Tory MPs defied the so-called 'party whip'. Whips are MPs appointed by parties in Parliament to do what they can to make sure party members vote the way the party wants. Grayling is not a fan of the whipping system in general: he regards whipping as 'undemocratic', and he connects it to increasing levels of mistrust in MPs and a weakened parliament.

"As the independence of members of the House of Commons has decreased under the system of party discipline—it is known as 'whipping' by analogy with the fox hunting practice of whipping pack of hounds into order for the pursuit—so both the quality and reputation of MPs has declined, rendering them even less likely to behave independently. The lack of independence of MPs adds to the low estimation in which politicians are held by the general public, as does their lack of genuine influence, as individual MPs, in dealing with problems faced by constituents."

Democracy and its Crisis, A.C. Grayling (Page 135)

Writing in [The Times](#), following the vote on Parliament's legal guarantee to vote on the terms of Brexit, Grayling observes what he regards as a new 'trend'.

"But! — last week, in the Amendment 7 vote defeating the government, that changed. We might be seeing a highly desirable development: MPs voting with their judgment and their conscience, not merely and passively voting a party line. If the trend continues it will be an excellent thing."

Grayling is not the only one to speak about a better time for parliament belonging to a different age. In 2006, the [Power Inquiry](#) was established to explore how political participation and involvement can be increased and deepened in Britain. The authors of the inquiry's report, like Grayling, are critical of the whipping system, and they hark back to a better time for parliamentary democracy.

"[T]he Executive in Britain is now more powerful in relation to Parliament than it has been probably since the time of Walpole ... The whips have enforced party discipline more forcefully and fully than they did in the past."

The Report on Power: An Independent Inquiry into Britain's Democracy (Page 128)

The idea of a different time, when the whips were weak and independent-minded MPs were strong, seems to have taken hold in the public consciousness. However, on closer inspection, this better time appears not to have existed, at least not in a long time. All the evidence suggests that MPs have never been as rebellious as they are today, and certainly this pre-dates the vote on Amendment 7. Grayling has not spotted a new trend at all.

It can be hard to compare whips' powers from one time to another, whipping being carried out mostly behind the scenes. But from what we can tell from available evidence, whips seem to have got less and less good at enforcing party discipline, and MPs have become more and more independent-minded. The political scientist Philip Cowley [has tracked levels of backbench dissent since the 1950s](#).

"There were two sessions in the 1950s during which not a single government MP defied their whip. Today's whips would be green with envy at the thought of such behaviour. Similarly, between 1945 and 1970, there was not a single government defeat in the House of Commons as a result of backbench dissent. Party discipline within Parliament began to weaken in the late-1960s and 1970s. MPs have since become more of a problem to the executive than they were then."

Memorandum from Professor Philip Cowley, University of Nottingham, Select Committee on Modernisation of the House of Commons, 2007

Judging by the quotations from Grayling above, one might suppose that whip-defying independent-minded MPs would be his heroes. But they are not. In recent times, such MPs are precisely the kind whom Grayling opposes. On the Labour side, rebellious MPs have tended to be from Eurosceptic wings of the party, either from the Socialist Campaign Group wing (e.g. Jeremy Corbyn, John McDonnell) or from its conservative communitarian wing (e.g. Kate Hoey, Frank Field). On the Tory side, they are in the main John Major's "Maastricht rebels" (e.g. Bill Cash, Peter Bone) and their offspring.



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Many of these MPs come from the socially conservative Cornerstone group who protested the Tories' coalition with the Liberal Democrats in 2010: [four of these MPs camped outside parliament to propose an 'Alternative Queen's speech'](#): measures included the re-introduction of capital punishment, privatising the BBC, ending windfarm subsidies—and of course Britain's withdrawal from the European Union. Again and again, these Tory rebels made the life of prime minister David Cameron very difficult. There were a number of backbench rebellions, all of which damaged Cameron's authority. In October 2011, [79 Tory MPs voted for a Commons motion calling for a referendum on Britain's relationship with the EU](#), despite Cameron's having ordered his party to oppose it. These backbench rebels kept up the pressure, and they surely played a key part in ensuring that there was a referendum on Britain's membership of the EU.

Grayling is quite right to be angry that a relatively small band of MPs have taken such a firm hold on the future of the UK. But he might wish to note that, in order to do so, they had to defy the party whip again and again. Thus, Grayling needs to be careful what he wishes for. His book includes a proposal about reforming the whipping system.

"It can reasonably be argued that MPs can be whipped by their party managers to support legislation promised in an election manifesto on which they were elected. In all other matters, it is unacceptable that MPs should be required to vote in line with the executive's wishes whatever their own individual judgement ..."

Democracy and its Crisis, A.C. Grayling (Page 136)

Grayling, it seems, is willing to concede to the whips a power to protect legislation promised in a manifesto. But then he needs to appreciate that some of the issues on which the 2010–15 Tory rebels defied the whip were rooted in [2010 manifesto pledges](#), a document that included the words, “We will ensure that by law no future government can hand over areas of power to the EU or join the Euro without a referendum of the British people.” Should he not regret that the Tory whips of the 2010 Parliament were unable to wield greater control? It might well be that if the whips had always been headed, Cameron need not have promised a referendum.

This may be water under the bridge. Brexit is real, and the tides have turned. Although just [10 Labour MPs and 138 Tory MPs supported the Leave campaign](#); now, following the outcome of the referendum, a majority of MPs in both main parties favour Brexit. On 1 February 2017, the [Commons voted by 498 to 114 to give Theresa May the power to trigger Article 50](#), after both Tories and Labour alike had issued a three-line whip. Of course, the erstwhile ‘rebels’ were now happy to be whipped, and only the House of Commons’ most arch remainers were willing to rebel.

Is Grayling willing to acknowledge that the 2017 manifestos of both Labour and the Tories committed to Britain’s withdrawal from the European Union?

It is easy then to see why Grayling should now wish the power of modern whips to be diminished. But it is very difficult to see that he really has the point of principle on his side. Intellectual consistency demands that the practice of ‘whipping’ is condemned, irrespective of the issue at hand and how much one likes or dislikes the position of rebel MPs. Is Grayling willing to acknowledge that the 2017 manifestos of both Labour and the Tories committed to Britain’s withdrawal from the European Union?

This article was first published by [OXPOL](#), and gives the views of the author, and not the position of LSE Brexit, nor of the London School of Economics.

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