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# Common Sense

Tony Benn & Andrew Hood

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# Common Sense

A New Constitution for Britain

Tony Benn & Andrew Hood

Edited by Ruth Winstone

**HUTCHINSON**  
**London**

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Andrew Hood

## Foreword

The 'Mother of Parliaments' is, we have been told for far too long, the envy of the world.

Such self-delusion has almost blinded us to the fact that over the past forty years Britain has been increasingly seen as a comic and antiquated Ruritania attracting the curiosity of tourists but lacking self-respect or self-criticism.

But the long-term decline of Britain, its manufacturing industry and its economy, and the weakening of its social cohesion, have inevitably led to fundamental questions about the relationship between our present parlous state and the nature of the British constitution.

What is its nature? Britain, the text books say, is a constitutional monarchy. In practice it is a feudal state upholding and entwined with a series of public institutions. There is now a rapidly growing cynicism about these 'great' institutions - the Crown, Parliament and the civil service, the mass media and the financial establishment. The public confidence on which their authority has hitherto rested has been thoroughly shaken.

This cynicism is dangerous because it breeds arrogance on the part of those who govern without popular consent and defeatism and demoralisation in those whom the government and its agencies ignore.

Such an atmosphere of defeatism could easily prepare the way for a very unpleasant authoritarianism in which demagogues seek to fill the moral vacuum with appeals to sweep away the apparatus of this 'decadent democracy'.

The time has come to refound our public institutions upon the principles of the common weal, democracy and an

internationalism more in tune with the needs of the 21st century.

It is the core of this argument that Britain should become a republic, replacing the feudal structures inherited from the past with democratic institutions for the future.

The Commonwealth of Britain Bill, discussed in this book, addresses these problems.

The most important change in law and practice would be that every Briton would become a citizen of a democratic, federal and secular commonwealth dedicated to the welfare of all and with fundamental human rights enshrined in a charter dealing with political, legal, social and economic dimensions.

The Bill makes the case for a far greater devolution of power from London to Scotland, Wales and the English regions and for the reestablishment of local government answerable to the people it serves.

It provides for votes at sixteen and for the equal representation of the sexes in Parliament by ensuring that every constituency would elect one man and one woman to the Commons.

It would end the role of the Crown, replacing the monarch with an elected President as head of state and all oaths of allegiance to the Crown would disappear in favour of one common oath to uphold the constitution.

The Bill would replace the House of Lords with a House of the People and substitute an accountable Council of State for the Privy Council.

It would provide for a far-reaching reform of our legal system under which the magistrates would be elected, the High Court judges would have to be confirmed after nomination and police forces would be responsible to their local authorities.

It would include the framework for a Freedom of Information Act and the parliamentary supervision of the security services.

The separation of church and state would be entrenched in the Bill to allow the established Church of England full freedom to decide its structure and faith and choose its own leaders, and thereby ensure the equality before the law of those of all faiths and to end for ever the common law of blasphemy.

The associated Commonwealth of Europe Bill would bring the foreign relations of Britain, including our relations with the European Community, the United Nations and other treaty allies including those in NATO, under Parliamentary control.

This book identifies the source of the present discontent as a stagnant feudalism which seeks to subdue the country and make it an instrument of the demands of international capital.

In short it is an appeal for a great public debate about the future, and an invitation to the citizens of Britain to share the responsibility for the welfare of our country and its relations with the rest of the world.

Tony Benn  
April 1993

# I

## The Decay of Britain

*A long habit of not thinking a thing wrong gives it a superficial appearance of being right, and raises at first a formidable outcry in defence of custom. But the tumult soon subsides. Time makes more converts than reason.*

*Tom Paine, 1776*

ANY PROPOSAL FOR constitutional reform must address the central question. Who would gain and who would lose by it?

The losers would be those in whose name power in Britain is centralised, secretive and unaccountable; the winners, those who would benefit from a thorough extension of democracy within public and private institutions.

There is now a wide measure of agreement that Britain's social and economic decline has been happening for most of this century. It is the contention of this book that this decline is the responsibility of those at the top, who have held power and presided for so long over the institutions under which Britain is governed. The extraordinary feature of this system is that these governors have half-persuaded the governed that it is they who are responsible.

The industrial deterioration of Britain this century has undoubtedly been affected by the costs, human and otherwise, of two world wars - wars which diminished and destroyed an empire; at the same time world market forces have gradually eroded our manufacturing base, so that by 1990 an economic slump perhaps more serious than that experienced in the Thirties brought back mass

unemployment and a widening disparity between the richest and the poorest, undermining the social cohesion which was taken for granted by governments since 1945.

British government, operating within essentially feudal structures, was unable to respond to these factors. It did not invest to re-equip, arguing that it did not need to in good years, and could not afford to in bad years; so that de-industrialisation set in by a process of ratcheting down the productive potential of the nation, a process not fundamentally halted by the national planning attempts of the 1960s and 70s. Public ownership did save industries – the railways, mines and some engineering that would otherwise have been lost, achievements which we should never underestimate. But nationalisation of the kind practised by the post-war Labour governments was centralised and reflected the same feudal values of British capitalism. Boards were appointed by ministers, not elected, and their managerial style was imperious and secretive, modelled more upon public institutions like the army or the Church than on any more democratic structures. And when public investment had put the industries on their feet, they were put up for sale to a new set of private owners.

Thus historically industry and commerce as they have developed have drawn heavily upon the political structures which preceded capitalism, with power concentrated at the top in the modern day squires and landlords, and the labour done by the serfs and servants at the bottom.

Latterly, this industrial and commercial framework has been disciplined by powerful international financial institutions which use the low-wage third world as an instrument to reduce wages in Britain, a practice endorsed by the Conservative governments since the 1980s. Given the emphasis by such governments on the need for Britain to become industrially competitive, it is astonishing how little news coverage there was or is of industrial production, compared to every minor fluctuation in currencies or share

values from hour to hour; the British economy has come to resemble a hypochondriac having its temperature and pulse taken twenty times a day.

The culture of subservience inculcated by this peculiar feudal and hierarchical history, and the resulting social cohesion which successive governments have assumed existed (which may have been more imaginary than real) certainly led people to accept their situation in the belief that it could be changed peacefully, by parliamentary means.

Thus the democratic process in Britain has tended to focus on the House of Commons and on political parties and their leaders, and the electorate has become a spectator of the process, regaled by exchanges across the chamber and satisfied with the assurance that the power to change it would come on polling day.

That we live in a real democracy is indeed something of an illusion. A cursory comparison between the rights of an American and a Briton shows that in the United States everyone votes for the head of state, both Houses of Congress and the state legislatures; in Britain only the House of Commons is re-elected, the Lords being filled by patronage or inheritance of an earlier patronage, while the head of state is hereditary, unchallenged and unchallengeable.

The hierarchy which derives its legitimacy from this system induces this deference from which no-one is entirely free. It accustoms people to take orders from their social superiors who are, it is assumed, imbued with special qualities of leadership, character and intelligence. People have become used to placing trust in their leaders, experts, officials and pundits to take decisions for them. This culture is reflected faithfully by the media, and the general willingness to delegate political decisions to professionals

who endorse the status quo is typified by the media's political coverage, particularly the BBC's.

The BBC, nationalised by the Conservatives for much the same reason that the Church of England was nationalised, is overcentralised, hierarchical, and serves to promote a single authoritative voice and ethos. What is now needed is disestablishment of the BBC. Without a substantial decentralisation of editorial control the BBC hierarchy will remain immensely powerful and conservative. News and current affairs is presented on the BBC from an 'objective standpoint', ie that if coverage is criticised from the right and left its governors can therefore claim that they have found a balanced approach. Objectivity is virtually meaningless, but a truly 'balanced' approach would not be the presentation of a consensus view, reflecting the interests of the finance-obsessed Eighties and Nineties, but one which reflects all shades of opinion. Interestingly in religious broadcasting the BBC respects all denominations and faiths, but in political coverage neither pacifism, nor republicanism, nor socialism are treated as views worthy of fair representation.

The promotion of orthodoxy by the media is nowhere more evident than in coverage of the economy. The coverage of days lost through industrial disputes is published, but not days lost each year for all reasons. Each day that passes with four million unemployed, means the loss of four million days production. A billion days of production lost a year. The withdrawal of investment - the closing down of a factory - is never called a strike of capital. There is no parallel drawn between workers who, after a ballot, vote to close a factory for a day, and a multinational which without consultation and at a week's notice closes a factory for ever. The language of news coverage is the language of capitalist values. But there are alternative views of major issues, within a capitalist-led culture.

The cultural values of capitalism are engendered by a mass medium of powerful newspaper proprietors and anyone who challenges their conventional wisdom is quickly singled out.

A glance at a *Times* editorial during the 1984 miners' strike, a campaign to prevent pit closures, makes the point:

'There is a war on. It is an undeclared civil war instigated by Mr Scargill, his squads of pickets and his political associates against the rest of society. The challenge can be met in only one way if the value of democracy and liberty under the law are to prevail - by enforcing the surrender of Mr Scargill and the . . . mineworkers' union' etc.

Today all coverage of news and current affairs is refracted through the eyes of 'experts' who present their own interpretation and reflect particular interests, and whose message is *there is no alternative*.

Meanwhile, a monarchy presides over Britain, supposedly above political controversy, exempt from any pressures by special interest, while at the same time the ultimate guarantor of 'democratic rights'.

The established church, too, acts as a reassuring influence in that its archbishops and bishops seek to unite the nation, whatever economic and political factors they may recognise as dividing it, whilst the House of Lords is seen to be above party, full of wisdom, in which balanced and independent judgement serves to uphold the Queen's peace.

Those who have made assaults on the right of the House of Lords as an unelected body are quickly reminded that it is the pedestal on which the monarchy rests and that any attempt to undermine the authority of the Lords would bring the Crown tumbling to the gutter, leading to anarchy and chaos in which the mob would rule. For 200 years, any attempts to bring democratic changes to either House have been met with the bugbear of mob rule.

Against this hierarchical system and the accompanying undemocratic institutional power of the Lords and Crown that has existed for centuries is set one day in every five years on which everyone enjoys absolutely equal political power; power which in theory could be used to change the policies, the personalities and even the structures and economic framework within which individuals live.

Despite all its limitations, that electoral right to remove unpopular governments without bloodshed and therefore to force them to listen to popular opinion between elections, represents an enormous gain on more dictatorial monarchies or regimes which existed or exist in the world. But since the 1960s and the time when Labour and Conservative teams would take turns in governing, there has been a realisation that fundamental constitutional reform is required in this cosy consensus, not Royal Commissions composed of the same big-wigs who have already been in power, newspaper articles, and television and radio documentaries.

There are those who believe that proportional representation is the answer to reform. But proportional representation would in practise merely consolidate the unofficial coalition which now exists into a formal one, and place greater power in the hands of those party leaders responsible for drawing up lists of candidates. Others argue that the nation state is finished and Britain will only prosper in a federal Europe, with an independent bank to enforce disciplines on us and with Commissioners free from electoral pressures to run capitalism from Brussels, much as the Soviet Communist Party ran communism from Moscow.

The proposals in the Commonwealth of Britain Bill are based on the conviction that the decay stems from lack of democracy in political and economic life; and *that* must be examined before any but a marginal change can be made in Britain's future prospects. Once the undemocratic nature of the golden triangle of the City, Whitehall and Parliament is

laid bare, power can be wrested from it and diffused downwards and outwards.

### *The Growth of Cynicism*

One of the effects of the seeming inability to resolve practical social and economic problems has been a widespread growth of cynicism. This cynicism extends to the role of Parliament itself.

The House of Commons is now widely considered to have abandoned its prime responsibility as a legislature and to have degenerated into a body of party machines, Her Majesty's Government and Her Majesty's Loyal Opposition instructing their members as to how to behave and vote, using the carrots of promotion and honours, or expulsion in turn.

The maintenance of a government in power has always been regarded as the prime duty of the governing party and this has led to increasing centralisation of the political party machines. Even though in opposition, the current Parliamentary Labour Party is not very different. The party leadership is now in a position to impose its will through the National Executive and the party's annual conference, and in constituencies. Here, active members have become merely contributors of cash and are voting fodder in the selection and election of compliant candidates who can be relied upon to support that leadership on entering the House of Commons.

Altogether, there is a logjam in British society driving people to apathy, despair and occasional outbreaks of illegality or even violence. But the Peasants' Revolt of 1381, the English Revolution of 1649, the cooperative movement, the great 19th-century pioneers of municipal government, universal suffrage and the successful campaign for the abolition of the poll tax should remind us that impotence is an illusion.

Change is always resisted by those who wish to preserve their privileges, usually by persuading their critics that 'all is for the best in this the best of all possible worlds' - there is no alternative.

The methods available to the powerful for defusing discontent and pressure for a greater distribution of power and wealth are various. It has been traditional to coopt the leaders of popular movements by offering peerages which take them to the heart of the establishment - as has happened to many trade union and labour leaders.

This seduction is not exclusive to the House of Lords. Members of Parliament are equally vulnerable to the appeal of the Palace by the Thames, and for those who actually achieve ministerial office there is the inner secrecy of the Privy Council.

All political leaders, but especially those of the Labour Party, come to terms with the power centres that exist, and end up doing deals that allow marginal criticism but never extend to a fundamental critique of these power centres' existence.

It would be political suicide for a Prime Minister, however critical of scandal in the City of London, to oppose the right of the City and its international financial allies to use the power of financial speculation to determine the value of the currency. To do so would be to challenge the IMF and the world bankers.

And no Prime Minister, however bedevilled by the excesses of the security services, would dare to question their arrogant claim to determine which groups are acceptable and which subversive, and who then use their immense power to sustain the one and harass or destroy the other. The power of the security services is formidable indeed, committed as they are to a bond of lifelong confidentiality to the Crown which encourages members, behind this wall of impenetrable secrecy, to conduct

business in a way that takes them beyond the realms of legal conduct.

Similarly although it is permissible for ministers to express concern about the behaviour of certain members of the Royal Family the existence of the Crown itself has never been questioned. So strong is the commitment to the Crown that in certain circumstances, the person of the monarch may be deemed less important than the survival of the monarchy itself, as Edward VIII learned.

This critical restraint has now extended to the European Community. It is permissible for bureaucratic inefficiencies to be commented upon but the place of Britain within that Community is now undiscussable because the City of London and the industrial organisations are determined to uphold the power of a supranational structure over the rights of the ballot box in Britain to threaten their supremacy.

The effect of these restraints on the democratic process is that the political activity deriving from adult universal suffrage is confined to the simpler question of which political team is to occupy the ministerial offices, to flourish red boxes, and to rotate round the cabinet table.

The fossilised nature of the constitution and political system induces in those who resent this system a sense of utter powerlessness and there is a general paralysis of the public will. This analysis of the state of British democracy has been made more urgent by changes in the last decade which have emphasised the powerlessness of the electorate.

The most serious example is the use of the royal prerogative to sign and to attempt to ratify a treaty of European Union which decants the nation state of Britain into a province of a European federation wherein the power structure will be totally different. The assumption that we are a democratically run country (albeit severely limited)

will no longer be right, because appointed Commissioners, an independent central bank, common citizenship and foreign and defence policy will make a mockery of polling day as an expression of the rights of popular sovereignty.

Side by side with the attempted transfer of political control to the European Union has been a centralisation of residual powers in Britain in which the advance of technology has made administrative control easier to justify and to enforce.

Computerisation of record-keeping has enabled the interchange of information gathered for separate purposes, information which we are falsely told is still in the interest of the confidentiality of the citizen but which is accessible to the security services.

Tight secrecy and news management have served the executive well as a form of pre-censorship: D-notices to the media; statutory bans like that on Sinn Fein members and the silencing of Peter Wright have worked in parallel with a system of private briefings, news blackouts and propaganda.

Alongside these recent disturbing developments in Britain a new and pessimistic analysis of the changes by writers and commentators has emerged. The intellectual justification for the political position that there is no alternative neutralises any ideas of improvement or fundamental change. The distinguished American economist J. K. Galbraith has coined the phrase *the culture of contentment* to explain why politics have become so stale, and another American, Francis Fukuyama, has described the period through which we are passing as 'the end of history', thus acting as a jailer who has confined us to our dungeon and thrown away the key.

We are told that the differences of interest between capital and labour, or rich and poor, have become irrelevant and that an indolent, hopeless under-class which has