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**SECOND EDITION**

# POLITICS

UK GOVERNMENT AND POLITICS  
POLITICAL IDEAS

US GOVERNMENT AND POLITICS

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# 1

## Democracy and participation

King Charles III walks behind the coffin of his mother, Elizabeth II, on which are placed the crown, the orb and the sceptre – symbols of the sovereign's status as head of state. However, in a democracy such as the UK, the authority of the monarch is almost entirely symbolic

In 1947, in the House of Commons, Winston Churchill quoted the famous saying that 'democracy is the worst form of government except for all those other forms'. Although his support for democracy might seem somewhat qualified, Churchill understood that the way in which democracy roots power in the people makes it the best form of government available. This is because the people hold their government accountable for what it does on their behalf and so choose the politicians whom they want to be represented by. Democratic governments can claim legitimacy because they govern with the consent of the people. This places an obligation on the public to obey the law because it reflects the wishes of society.

In autocratic forms of government, power is permanently vested in one individual or group, giving them ultimate power over their people. These sorts of government rule by force rather than consent and so cannot claim democratic legitimacy.



The UK's progression towards full democracy can be traced as far back as Magna Carta (1215) and possibly even to the Anglo-Saxons, giving the UK a good claim to have the longest history of democratic development in the world.

In the USA, at the height of the American Civil War in 1863, President Abraham Lincoln (1861–65), in his Gettysburg Address, established the principle of democratic government as 'government of the people, by the people, for the people'.

## Current systems of democracy in the UK

Here we look at two forms of democracy in the UK — representative democracy and direct democracy.

### Representative democracy

The UK is a **representative democracy**, which means that the voters elect politicians to make decisions on their behalf. There are many complicated political decisions that need to be made in a modern democracy, and the public do not have the time and understanding to vote on all of them. It is the job of professional politicians to acquire this sort of political understanding so that they can make informed decisions in the interests of the whole nation.

In a representative democracy, elected politicians are made accountable to the electorate in regular elections. This means that the voters retain sovereignty because they decide whether or not to renew the mandate of their representatives.

Representative democracy is based on the principle that elected politicians should represent the interests of all their constituents. As a result, Members of Parliament (MPs) spend a significant amount of time in their constituencies listening to the concerns of the people in public meetings and surgeries. However, an elected

#### Key term

**Representative democracy** A form of democracy in which voters elect representatives to make political decisions on their behalf. These representatives are then held accountable to the public in regular elections.



Children celebrate Queen Elizabeth II's Platinum Jubilee at a street party in Kingston-upon-Thames



politician should not be a delegate simply carrying out the will of others. Instead, when making decisions, they should weigh up the feelings of the people they represent with their party's manifesto and their wider understanding of an issue. In other words, representatives should act according to their best judgement rather than only following the voters' wishes.

The Westminster Parliament contains 650 MPs, all of whom are accountable to their constituents in regular general elections. Scotland, Wales and Northern Ireland also have their own devolved governments that legislate on most of their domestic affairs, while elected mayors and local councils provide another layer of representation for the public.

### Advantages of representative democracy

The main advantage of representative democracy is that government is carried out by professional politicians who are required to be well informed about political issues. They are more likely to make politically educated decisions than most members of the public, who may be swayed by emotion and may not fully understand the complexities of a question. For example, before a parliamentary bill is enacted, it will have been drawn up by ministers and civil servants, been debated in both the House of Commons and the House of Lords, and been further analysed in committee stage when amendments may be added to it.

In a representative democracy, elected politicians balance conflicting interests when reaching decisions. This is important in protecting the rights of all citizens, especially minorities, and ensuring that the implications of a decision for all members of the community have been thoroughly examined. Over controversial issues, parliament balances the benefits to the majority with the more negative impact on the minority; this sort of balancing is one of the key elements of a representative democracy.

## In focus

### The representative function of an MP

In his speech to the electors of Bristol in 1774, Edmund Burke (1729–97) explained, 'Your representative owes you, not his industry only, but his judgement and he betrays instead of serving you if he sacrifices it to your opinion.' Given that Burke was a known opponent of slavery, and the wealth of Bristol's merchant class was founded on the slave trade, this was a courageous statement that, if elected, Burke would act according to his conscience rather than do what his electors would like him to do. His support of the American revolutionaries similarly put him at odds with most of his constituents. His justification of his right to choose his own position is often used to underpin the principles on which representative democracy is based.



A statue to Edmund Burke in Bristol. He served as MP for the city from 1774 to 1780

A representative democracy also comprises the principle of accountability, which means that in regular elections the voters can decide whether to renew the mandate of their representatives. In other words, if the public do not approve of the policies or performance of a government, they can elect another one.

### Disadvantages of representative democracy

Critics of representative democracy, as it operates in the UK, argue that MPs represent a metropolitan elite that does not represent the more traditional values of the population. This can mean that MPs can be disengaged from the public and so do not adequately represent their interests. For example, in the 2016 EU membership referendum 52% of the public voted to leave the European Union, whereas 74% of MPs had been in favour of remaining.

Powerful pressure groups, **lobbyists** and the London-based media also establish a self-perpetuating Westminster ‘bubble’, which disconnects representatives from the issues that are important to their constituents.

### In focus

According to the Russian anarchist thinker Mikhail Bakunin (1814–76), representative democracy is a sham since it seeks to falsely legitimise the rule of the ‘intellectual governing minority, who, while claiming to represent the people, unfailingly exploits them’. The anarchist political activist Emma Goldman (1869–1940) is also reputed to have said, ‘If voting changed anything they’d make it illegal.’ In 2014, the comedian and activist Russell Brand echoed these arguments at the Cambridge Union when he stated that UK parliamentary democracy is ‘designed to sustain the current power structure. . . be under no illusions. . . that is its primary objective’.

MPs can have outside interests, including second jobs (so long as they declare them), which can further contribute to a conflict of interests and possibly compromise their ability to fully represent their constituents. In 2021, Owen Paterson resigned as an MP after he was criticised by the Commissioner for Parliamentary Standards for lobbying on behalf of companies that employed him. The same year Sir Geoffrey Cox MP, the former Attorney General, was also criticised for earning £900,000 for legal work he undertook in addition to his MP’s salary. Although no conflict of interest was found, some suggested that this was an excessive amount to earn when his primary job was to represent his constituents.

Critics also claim that the Westminster Parliament is highly unrepresentative because it is elected through first-past-the-post (FPTP). As a result the Conservative and Labour parties dominate the House of Commons at the expense of smaller parties such as the Liberal Democrats, Greens and the UKIP/Brexit party, which have struggled to gain appropriate representation even when they have polled highly.

The House of Lords is unelected and so unaccountable to the public, further undermining Parliament’s representative function. The social make-up of Parliament is still primarily white, male and middle class.

### How unrepresentative is the Westminster Parliament?

A popular criticism of the Westminster Parliament is that it is socially exclusive and therefore unrepresentative of the interests of contemporary society. Although

### Key term

**Lobbyist** Represents the interests of a particular group or cause and seeks to influence politicians in its favour.

### Knowledge check

- 1 Define democracy.
- 2 What is representative democracy?
- 3 According to Edmund Burke, what is the role of an MP?
- 4 How many MPs are there in the Westminster Parliament?

**Table 1.1 The 2019 Parliament**

	2019 Westminster Parliament	National average (2019)
Female	34%	51%
Minority ethnic	10%	14%
LGBTQ+	7%	2.7% (estimated)
Privately educated	29%	7%

the 2019 general election did elect the most diverse House of Commons ever, as Table 1.1 illustrates, men and those educated in private schools are still substantially over-represented in Westminster.

### Knowledge check

- 5 What is the electoral system used to elect the Westminster Parliament?
- 6 List three advantages of UK representative democracy.
- 7 List three criticisms of UK representative democracy.

The social background of MPs is much more middle class than it was in the parliament elected in 1945. Eighty-five per cent of MPs also attended university and 19% graduated from either Oxford or Cambridge. Some argue that MPs do not need to share the same characteristics as a group to represent their interests. For example, legislation advancing LGBTQ+ rights has been passed by predominantly heterosexual parliaments.

A powerful criticism of UK representative democracy is that it is least likely to engage the poorest and most marginalised in society. In 2018, the Hansard Society estimated that 83% of higher (A/B) social groups were prepared to participate in politics, compared with 41% for less prosperous (D/E) social groups. Only 2% of homeless people were registered to vote in 2018.

## Direct democracy in the UK

**Direct democracy** is a form of democracy in which decisions are directly made by the public without their opinions being channelled through representatives. In a direct democracy there is no distinction between government and citizen. Instead, there is continuous engagement by the public in the democratic process. With over 40 million voters in the UK, it would be impossible for it to be completely governed according to the principles of direct democracy. However, elements of direct democracy have been introduced into the UK's system of representative democracy to engage the public more closely in issues that directly concern them.

### Key term

**Direct democracy** A form of democracy in which citizens themselves, rather than their representatives, make political decisions. The most significant modern example of direct democracy is a referendum.



As Table 1.2 illustrates, there are several different sorts of direct democracy used in the UK. Referendums are the most important because of the far-reaching consequences they can have.

**Table 1.2 Types of direct democracy**

Example	Why and when have they been used?	Advantages and disadvantages
Referendums	Referendums enable the public to directly express their views on single issues. In 2014, in the Scottish independence referendum, 55.3% voted in favour of Scotland remaining in the UK and 44.7% voted in favour of independence. In the EU referendum in 2016, 52% voted in favour of leaving the EU and 48% voted in favour of remaining	Providing the public with a direct choice can help to settle controversial issues. Since the public have voted directly, the result can claim greater legitimacy than a decision reached by their representatives. However, critics note that referendums require a detailed understanding of issues, which the public may lack. The ongoing debate over Scottish independence and the UK's relationship with the EU also suggests that referendums do not conclusively resolve contentious issues
Electronic petitions	If a petition on the government website reaches 100,000 signatures it will be considered for debate either in Westminster Hall or the chamber of the House of Commons. This does not mean that legislation will have to be forthcoming. However, it does mean that Parliament has to engage with issues the public feel strongly about. In 2021 several important issues were raised by e-petitions such as making it a legal requirement for night clubs to search guests on entry	In 2020, England footballer Marcus Rashford's #EndChildFoodPoverty gained over 1.1 million signatures, generating huge public enthusiasm and persuading the government to commit to free school meals for low-income families during school holidays  However, e-petitions can also raise false expectations and consume parliamentary time. There are issues on which Parliament cannot legislate (an e-petition to revoke Sir Tony Blair's knighthood gained more than 1 million signatures but was rejected because knighthoods are bestowed by the monarch) or will not legislate (a petition demanding Article 50 be revoked so that the UK would remain in the EU gained 6.1 million signatures in 2019). The publicity e-petitions generate is nonetheless important in informing and progressing public debate
Consultative exercises	These can be set up when governing bodies want to assess the likely reaction to their proposed policies. Communities that will be affected have been consulted over the expansion of Heathrow and the HS2 rail link	These provide an important way of engaging with the public on issues that directly affect them. However, since they are consultative exercises, the public's opinion is not binding. Critics further claim that the most socially disadvantaged groups are least likely to engage, making consultative exercises unrepresentative
Open primaries	In open primaries, the public directly decide who the candidate should be. David Cameron encouraged open primaries to open up politics. Thirteen Conservative candidates were selected in this way for the 2015 general election. However, for the 2019 general election the Conservatives selected only one of their candidates through an open primary	If the public have direct influence over who the candidates for political office will be, people less closely affiliated with political parties are more likely to enter politics. Whether or not this is a positive development divides opinion. Sarah Wollaston was the first Conservative parliamentary candidate to be selected in this way in 2009. As a Conservative MP she proved very independent-minded and eventually abandoned the party to join the Liberal Democrats

Table 1.2 continued

Example	Why and when have they been used?	Advantages and disadvantages
Election of the leadership of political parties	All the main political parties now allow their members to decide who the leader of their party will be. This is a significant power since it may determine who the prime minister will be. In 2022, Liz Truss defeated Rishi Sunak for the leadership of the Conservative Party by 57% to 43%. In 2020, Sir Keir Starmer was elected leader of the Labour Party with 56% of the vote of party members	Supporters argue that this makes the leadership accountable to the whole party. This is an especially powerful argument in the Labour Party, which sees itself both as a political party and as a popular movement. Critics claim it gives too much influence to party activists, who are generally more radical than the electorate. For example, Labour Party members re-elected Jeremy Corbyn as leader in 2016 by 61.8% even though Labour MPs had previously passed a vote of no confidence in him by a staggering 172/40 votes. Although Liz Truss' policies proved very popular with Conservative Party members they were hugely divisive among Conservative MPs, leading to political chaos and her resignation after only 45 days in office
Recall of MPs Act 2015	If an MP has been imprisoned, suspended from the House by the Committee on Standards or convicted of making false expenses claims then a recall petition signed by a minimum of 10% of their constituents can trigger a by-election. In 2019 the Peterborough MP Fiona Onasanya was sentenced to a three-month jail term for perverting the course of justice. 25% of registered voters demanded her recall and she did not contest the subsequent by-election. In 2019 Chris Davies was convicted of making fraudulent expenses claims. 19% of the registered electors of Brecon and Radnorshire signed a recall petition. Davies contested the subsequent by-election, which he lost	Power of recall makes MPs accountable to their constituents in matters of serious misconduct or illegal behaviour. However, the circumstances in which it can be activated are so extreme that critics argue its impact has been negligible

### Knowledge check

- 8 Define direct democracy.
- 9 List three types of direct democracy.
- 10 What are the reasons for which an MP can be recalled?

### Advantages of direct democracy

Supporters of direct democracy argue that it engages the public and makes politicians more responsive to what people really think. This creates a closer connection between the public and political decision making.

By providing the public with more opportunities to make decisions it creates greater engagement in the political process, encouraging a more politically educated and civically involved citizenry.

A greater use of direct democracy ensures that our representatives are kept better informed of developing public attitudes through referendums, consultative exercises and electronic petitions.

### Disadvantages of direct democracy

Critics of direct democracy respond that referendums dangerously simplify questions to a binary 'yes/no' when the issues are much more complex than that. For example, the UK's departure from the EU raised highly complicated issues such as the UK's relationship with the EU customs union and the EU single market, and the border status of Northern Ireland. None of these issues was addressed in the 2016 referendum, which posed only this question: 'Should the United Kingdom remain a member of the European Union or leave the European Union?'



A direct democracy can challenge the Burkean principle that representatives should act according to their conscience, not the wishes of their constituents. A high-profile example of this is Theresa May, who supported Remain in the 2016 referendum but went on to lead a government committed to withdrawing from the EU.

Direct democracy does not balance conflicting interests or protect the rights of minorities. This is why Clement Attlee referred to referendums as ‘a device of demagogues and dictators’.

Direct democracy can also encourage the public to vote on issues on which they are not sufficiently knowledgeable to make well-informed decisions.

## Is the UK suffering from a participation crisis?

It has been suggested that a general failure to engage in politics means that the public are so content with politics that they see no pressing need to engage. This is an extremely dangerous argument because it suggests that politicians should aspire to complete public disengagement from politics, which would be the end of participatory democracy.

### Public trust in MPs

When Neil Kinnock became an MP, his father told him, ‘Remember, Neil, MP stands not just for Member of Parliament but also for Man of Principle.’ Unfortunately, over the years a number of MPs have not lived up to these high standards. In 2009, MPs collectively were held up to contempt and ridicule over allegations that they were overclaiming on their expenses. A perennial criticism is that MPs can exploit their public position for private gain. In 2010, a former Labour minister, Stephen Byers, was secretly filmed telling a consultancy firm that he was like ‘a cab for hire’. In 2021, Conservative minister Owen Paterson resigned as an MP after the House of Commons Standards Committee suspended him for 30 days for ‘an egregious case of paid advocacy’. Media interest in such stories has done much to damage the credibility of Westminster and fuel voter disengagement. In 2021, according to a YouGov poll, 80% of those surveyed believed there was a fair or significant amount of corruption in UK politics, with just 1% saying there was no corruption.

Voting is one of the most obvious and important ways of engaging in politics. Between 1964 and 1997 the average turnout in general elections was 74.5%.

- Voter turnout dramatically decreased to just 59.4% in 2001 when the Blair government seemed almost certain of being re-elected given its strong record on governing competence and William Hague’s uninspiring leadership of the Conservative Party.
- In the next four general elections more pressing issues were at stake and so voting steadily increased, reaching a high point of 68.7% in 2017.
- However, the average turnout in general elections from 2005 to 2019 was 65.7%, which was 8.8% less than from 1964 to 1997. This suggests a concerning downward trend.

Significantly, political engagement is least likely from the most socially disadvantaged. For example, in the 2019 general election, 68% of A/B voters voted, but only 53% of D/E voters. Three of the five constituencies with the lowest turnout in that election were in Kingston upon Hull, where 45% of neighbourhoods are among the most deprived 10% in England. This suggests a crisis of engagement among the most marginalised social groupings.

**Table 1.3** The turnout in British general elections, 1964–2019

General election date	Turnout (%)
1964	77.1
1966	75.8
1970	72
February 1974	78.8
October 1974	72.8
1979	76
1983	72.7
1987	75.3
1992	77.7
1997	71.4
2001	59.4
2005	61.3
2010	65.2
2015	66.1
2017	68.7
2019	67.3

From Table 1.3 it is clear that the numbers voting in general elections are, on average, significantly lower than they have been.

Historically, the turnout in national elections in the UK has been considerably higher than that in US presidential elections. However, in the 2020 US presidential election the turnout was 67%, which was equivalent to the UK general election in 2019. Voter turnout in recent UK general elections has also been noticeably lower than in several other European democracies where voting is not compulsory and yet turnout is consistently high. This suggests that UK politicians should not be complacent about voter participation (Table 1.4).

Devolved governments, elected mayors and elected crime and police commissioners provide the public with greater opportunities to engage with the political process at a regional or local level. However, recent voter turnout at such elections indicates that the problem of voter engagement is not confined to Westminster. For example, turnout in elections for the devolved parliaments is no higher than for the Westminster Parliament and in the case of the Welsh Parliament (Senedd Cymru) is significantly lower (Table 1.5).

**Table 1.4** Turnout in selected national elections

Election	Turnout (%)
2022 French presidential election	First round 73.7 Second round 72
2021 Norwegian parliamentary election	77.1
2021 Dutch general election	78.7
2021 German federal election	76.6
2020 US presidential election	67

**Table 1.5** Turnout in Scottish and Welsh Parliament elections

Scottish Parliament	Welsh Parliament (Senedd Cymru)
1999: 59.1%	1999: 46%
2021: 63.5%	2021: 46.5%

Although there has been a slight increase in voter turnout for elected mayors, they have not succeeded in generating significant enthusiasm from the electorate (Table 1.6). Police and crime commissioners were elected in 2021 with, on average, a turnout of just 33.2%, although that was considerably higher than the 15.1% turnout in 2012 when they were introduced.

**Table 1.6** Turnout in mayoral elections

Election	Turnout (%)
2021 London	42.2
2021 Bristol	41.2
2021 West Midlands	31.2
2021 Greater Manchester	34.7

The membership of political parties (Table 1.7) is also significantly lower than it was in the 1950s. In 1953, for example, the membership of the Conservative Party was 2,806,000 and the Labour Party 1,005,000. This does not necessarily indicate a **participation crisis**, since voters are less likely to fully identify with one party because of partisan dealignment and therefore have less motivation to join one.

**Table 1.7** The membership of political parties in the UK, 2021

Party	Membership
Labour	430,000
Conservative	200,000
Liberal Democrat	98,000
Scottish National Party	119,000

However, other evidence suggests claims of a participation crisis are exaggerated. When issues are sufficiently important to the public they can still vote in very large numbers. The Scottish independence referendum in 2014 recorded an 84.6% turnout. There was also an increase of 7.6% in voting from the first to the second referendums on the UK's membership of the EEC/EU (Table 1.8).

The public may also be choosing to participate in politics in different ways. Parliamentary e-petitions can generate huge support, as evidenced by the 6.1 million people who signed the Revoke Article 50 and Remain in the EU petition in 2019. Given that voters are increasingly disengaged from traditional party politics, e-petitions provide a fresh way of public participation. For example, in 2021, Parliament debated a variety of e-petitions ranging from the protection of hedgehogs to revoking the television licence.

The hundreds of thousands who marched in London in 2019 to demand that the UK remain in the EU, and the 100,000 who joined protests in Glasgow during the COP26 climate change conference in November 2021, further demonstrate the strength of political activism. Black Lives Matter has stimulated a powerful debate about racism in the UK, highlighting how social movements can encourage intense political dialogue, especially among young people.

### Key term

#### Participation crisis

A point at which the public have become disengaged from politics and voting levels have fallen so low that the legitimacy of elected governments can be questioned.

**Table 1.8** Turnout in the 1975 and 2016 EEC/EU referendums

Referendum	Turnout (%)
1975 EEC referendum	64.6
2016 EU referendum	72.2

### Knowledge check

- 11 Define participation crisis.
- 12 What groups are least likely to vote in UK elections?
- 13 What was the turnout in the two most recent UK general elections?





A march by LGBTQ+ group Stonewall. Political activism and engagement are important, but should not be seen as a replacement for voting

Pressure groups such as Amnesty International, which campaigns on behalf of political prisoners, and the environmental pressure groups Friends of the Earth and Greenpeace continue to engage large numbers of the public. Online pressure groups such as 38 Degrees and Change.org further encourage participation by presenting an accessible mechanism to create and sign online petitions.

The public also has a significant online engagement with politics. The biggest Twitter account in the UK in 2021 was BBC Breaking News, with 10 million followers more than the singer/songwriter Harry Styles. In 2022, the UK prime minister Twitter account had 5.8 million followers, and politicians with radical agendas generate considerable enthusiasm. Former Labour leader Jeremy Corbyn had

2.4 million followers and former UKIP/Brexit Party leader Nigel Farage had 1.6 million followers on Twitter.

It should be acknowledged that in a democracy the legitimacy of government derives from the vote of the public. Others forms of political activism and engagement are important but should not be seen as a replacement for voting.

## In what ways is UK democracy in need of reform?

Critics of the UK's system of representative democracy argue that radical steps need to be taken to re-inspire enthusiasm for the democratic process. Trust in politicians and political party membership has declined and the turnout in general elections has substantially decreased (Table 1.3). New ways need to be found to make politics relevant to the public. This is vital because if voting trends remain low, the **legitimacy** that elected politicians can claim will be significantly reduced. For example, in 2021, no mayoral election gained more than a 50% turnout, while the Welsh Parliament (Senedd Cymru) was elected on just a 46.5% turnout.

## How convincing are proposals for the reform of UK democracy?

Critics suggest that there are several ways in which politicians could be made more responsive to the public. The USA has a tradition of initiatives whereby voters can exert influence over the direction of public policy, and a related model could enhance the participatory nature of UK democracy. Various proposals could encourage greater accountability and address claims of a **democratic deficit** and so lead to an increase in participation. All are controversial, however.

### People's referendums

Claims that politicians are insufficiently accountable to the public could be addressed by greater use of direct democracy so that the people themselves are able to make choices. These could include more referendums. Currently, referendums are called by the government when it decides that the people need to legitimise an important decision such as whether the UK should leave the EU (2016). Consequently, critics claim that the public are being asked to vote on issues only when the government wants them to. Other ways of determining when a referendum is called might engage the public more.

### Key terms

**Legitimacy** Legitimate authority means power that has been legally acquired and is exercised according to the rule of law. A dictator can claim power but not legitimate power.

**Democratic deficit** When there is so little democratic participation by the public and so little trust in political institutions that only a minority of citizens engage in politics. Consequently, elected governments can no longer claim legitimacy.

For example, according to the constitution of the Republic of Ireland (1937), any proposed constitutional change has to be endorsed by the public in a referendum. Therefore, the legalisation of same-sex marriage (2015) and abortion (2018) were both endorsed by the public in a referendum. However, this model can lead to democratic overload. From 2000 to 2022, Ireland has had 19 referendums. The average turnout has been only 48.4% (compared with the 67.3% turnout in the 2019 UK general election), which hardly suggests that referendums have energised democracy. Equally, some of the referendums, such as whether the age limit for presidential candidates should be reduced to 21 (2015), could be seen as insufficiently pressing for a public debate.

In Switzerland, if 100,000 citizens sign a petition demanding a new law then this must lead to a referendum. A referendum on whether to accept a law that the legislature has passed can also be held if 50,000 signatures are secured. Supporters claim that this gives Swiss voters unparalleled influence over their lives and in turn could provide a powerful way of reinvigorating UK democracy. However, critics warn that this model could create a conflict between the immediate priorities of the public and the long-term objectives of government. In 2021, Swiss voters rejected the government's proposals for new green taxes to help it meet its Paris Treaty carbon commitments, leaving its environmental policies in disarray. Referendums are also a majoritarian form of democracy with no safeguards for the rights of minorities. In 2009, the building of minarets in Switzerland was legally banned as a result of a referendum, and in 2021, a ban on face coverings in public was endorsed in another referendum, which then became law. We need to be cautious about extending the use of referendums since they have the potential to be used in a divisive and populist fashion that could undermine rather than enhance liberal democracy.

### Electronic petitions

The introduction of electronic petitions means that the Westminster Parliament now includes an element of direct democracy enabling the public to raise issues that they believe need resolving. The Scottish and Welsh parliaments also use electronic petitions as a way of keeping the public engaged with their representatives. As a result, parliamentary debate is now more focused on issues important to the public. This is firmly within the tradition that Parliament should provide all citizens with the opportunity for redress of grievance whereby wrongs done to the individual may be resolved.

Some critics suggest that electronic petitions could be more powerful if they automatically trigger a parliamentary vote. However, this would provide the government with much less time to fulfil the legislative programme on which it has a mandate to govern. It could also bog Parliament down further, debating and voting upon issues that our representatives have already decided upon. For example, in 2021 electronic petitions demanded, among other things, that work on HS2 be stopped immediately and that student tuition fees be reduced from £9,250 to £3,000. Although e-petitions can be important in encouraging redress of grievance, it is also important that they not be used to try to reopen issues on which our representatives have already legislated or decided.

### Power of recall

The Recall of MPs Act 2015 enables voters to trigger a by-election if 10% of them sign a petition. However, the circumstances when this can happen are quite extreme — an MP would need to have been sentenced to prison, suspended from the House of Commons for at least 10 days or convicted of making false parliamentary allowance claims by the parliamentary committee on standards. Broadening the criteria on

### Knowledge check

- 14** In addition to voting, list the other ways in which the public can engage in politics.
- 15** What was the turnout in the 2016 EU referendum?
- 16** Define legitimacy.

which power of recall could be demanded to include issues connected with policy making would weaken the influence of party whips and make representatives more responsive to their constituents. In the USA, for example, 19 states have policy-based recall provisions. In 2003 the governor of California, Gray Davis, was recalled over his failure to balance the budget. In 2021, Gavin Newsom, another Democrat governor of California, survived Republican attempts to recall him over claims he had mishandled the state's response to the Covid-19 pandemic.

Critics point out that 'policy recall' could be used for political advantage by opposition parties as some suggest has been the case in California. Providing voters with an opportunity to dismiss representatives whom they believe have not represented their interests would also undermine the Burkean principle that MPs should act according to their conscience. If MPs could be recalled because their decision conflicted with their constituents' wishes, then Parliament could be deprived of independent-thinking MPs and replaced by mere mouthpieces of their constituents. This could undermine the reputation and authority of Parliament.

### Further devolution

In order to encourage greater democratic participation, it has been suggested that more power should be devolved from Westminster, thereby giving people greater self-determination. The Scottish Parliament, the Welsh Parliament (Senedd Cymru) and elected mayors show how decision making can be brought closer to the public. However, turnout in these elections suggests that providing another layer of government is not that effective a way of energising political involvement. There is also little enthusiasm for an English Parliament and when, in 2004, voters in the North East were given the opportunity to elect their own regional assembly, only 22% voted in favour of it.

### House of Lords reform

The House of Lords is unelected and unaccountable. Its membership is appointed and there are claims that this can encourage political cronyism. For example, during his premiership (2019–22), Boris Johnson appointed 86 new life peers, the majority of whom were Conservatives, including the former Conservative Party treasurer Peter Cruddas, who is a major donor to the Conservative Party (Table 1.9). In one of his last appointments as prime minister he controversially appointed Harry Mount, author of *The Wit and Wisdom of Boris Johnson*, to the House of Lords Appointments Commission (HOLAC), which vets all nominations.

Making the Lords an elected chamber would make Westminster fully democratically accountable. The danger is that an elected Lords could become a rival to the Commons, potentially creating constitutional gridlock, which would be unlikely to make representative government more popular. Given public lack of trust in MPs and concerns about low electoral turnout for elections to the House of Commons, it is also difficult to see how providing another elected chamber at Westminster would encourage greater voter participation.

### Digital democracy

Supporters of digital democracy argue that facilitating voting and encouraging electronic political discussion will lead to greater political engagement and higher turnout. Digital democracy is, however, problematic.

**Table 1.9** Appointments to the House of Lords under Boris Johnson, 2019–21

Conservative	42 (51%)
Crossbench	17 (20%)
Labour	13 (16%)
Non-affiliated	11 (13%)



- Voting on your mobile phone at your convenience would likely encourage more voting, but it would also mean that voting was no longer carried out in secret and so the possibility of voter manipulation would increase.
- Allegations of cyber-interference in Western elections by Russia indicates that electronic voting is more open to fraud than traditional voting.
- The way in which politicians and activists use social media can encourage populist sloganeering rather than informed political discussion.
- The standard of debate on social media indicates that activists and politicians can use this as much to bully as to engage in considered debate.
- The banning of President Trump from Twitter in 2021 also raises the important question of whether media companies should be allowed to determine who is allowed on their social platforms.

### Reform of the Westminster electoral system

Critics of FPTP claim that it discourages voting because it limits voter choice by over-rewarding the Labour and Conservative parties, making it much more difficult for other parties to gain representation. The replacement of FPTP with a proportional form of election would create a fairer connection between the votes a party receives and its representation in Parliament. If 'wasted votes' and 'safe seats' were eliminated, votes would carry more weight and voters would have a greater incentive to vote.

- In the 2011 additional vote (AV) referendum, a large majority (67.9%) voted in favour of not replacing FPTP with AV.
- The parliaments in Wales and Scotland are elected by the additional member system (AMS), which is a type of proportional representation. However, their voter turnouts suggest that the introduction of proportional representation will not necessarily provide an effective remedy.

### Compulsory voting

In order to improve government's legitimacy, 16 nation states enforce compulsory voting, although one of these is North Korea where only one name appears on the ballot.

- The first country to introduce compulsory voting was Belgium, in 1893. It is an accepted part of Belgian life and in the 2019 federal election turnout was 90%.
- Australia has required citizens to vote in national elections since 1924. In its 2019 federal elections, 92% of those eligible voted.

Supporters of compulsory voting argue that when a high percentage of the electorate engage in the democratic process, a government's mandate is significantly enhanced. Compulsory voting would address the decreasing voter turnout in the UK. Voters would be forced to engage with their civic responsibilities, encouraging a more politically educated and participatory democracy.

However, compulsory voting is also highly controversial since critics claim that it gives the state too much power to coerce its citizens. According to some activists, the decision not to engage at any level with the voting process represents a powerful political statement of disapproval. Forcing people to vote also fails to address the reasons why people may choose not to vote. Although compulsory voting would increase voter turnout, critics respond that the extra votes might not necessarily be informed ones. This could degrade rather than enhance the outcome. Indeed, being compelled to vote might even reduce popular enthusiasm for the democratic process by making it seem oppressive.

### Knowledge check

- 17 Define democratic deficit.
- 18 Define digital democracy.
- 19 What are electronic petitions and how do they contribute to UK democracy?
- 20 What percentage of voters need to sign a petition to trigger a by-election?

### Knowledge check

- 21 What are the main arguments against a primarily appointed House of Lords?
- 22 What problems might an elected House of Lords create?
- 23 Give an example of a country that has compulsory voting.
- 24 What are the main criticisms of FPTP for Westminster elections?



## Debate

### Should voting be made compulsory?

**Evaluation:** The fact that on average 30% of the public now choose not to vote in UK general elections is concerning. However, if voting was made compulsory, would this involve a dangerous increase in the power of the state over the individual?

Yes	No
<ul style="list-style-type: none"> <li>Voting is a civic responsibility, like jury service. If citizens are not required to fulfil the duties of citizenship, then the civic engagement that democracy relies upon to function may be lost</li> </ul>	<ul style="list-style-type: none"> <li>The public have the right to choose whether or not to vote in an election. It is up to politicians to mobilise public enthusiasm by providing reasons to vote. Compulsory voting could, therefore, remove the incentive for politicians to engage with the public</li> </ul>
<ul style="list-style-type: none"> <li>Political apathy is a problem in many liberal democracies. In the 2019 UK general election, turnout was 67.3% (in 1992 it had been 77.7%). Limited numbers of people voting can undermine the legitimacy of the result, especially if turnout falls beneath 50%</li> </ul>	<ul style="list-style-type: none"> <li>The votes of politically disengaged citizens will carry less weight than the votes of those who take their civic responsibilities seriously. Random voting could undermine the legitimacy of the result</li> </ul>
<ul style="list-style-type: none"> <li>Those not voting are often from the poorest groups in society (D and E voters) and young people. This means that political decision making often favours older and wealthier voters. Compulsory voting would mean that politicians would have to be responsive to all shades of political opinion</li> </ul>	<ul style="list-style-type: none"> <li>Compulsory voting is based on coercion, which is alien to the British political system. Voting is a civic right, but it is not a duty such as the payment of taxes or jury service</li> </ul>
<ul style="list-style-type: none"> <li>Compulsory voting does not have to force people to make a choice. In Australia, for example, the voter can spoil their ballot if none of the candidates appeals to them. They must, though, attend a polling station</li> </ul>	<ul style="list-style-type: none"> <li>The extension of the power of the state over the individual ought to be resisted since it limits our right to act in the way we wish. The British state has traditionally intervened as little as possible in the liberties of its citizens. National Citizen Service, for example, is voluntary</li> </ul>
<ul style="list-style-type: none"> <li>The legal requirement to vote can have an important educative role. If people are required to vote, they will be more likely to inform themselves of the political choices open to them</li> </ul>	<ul style="list-style-type: none"> <li>Not voting can be a positive decision to register dissatisfaction with the candidates or the process. Only 33.2% of the electorate voted for police commissioners in 2021, which may indicate that voters regard the post as insignificant. Forcing the public to vote for a choice they disagree with is an infringement of civic rights</li> </ul>

Most attempts to increase voter participation focus on the electorate as a whole. A closer inspection of the evidence reveals that lack of participation is primarily found among younger voters and lower social groupings (D and E). In the 2019 general election, for example, Ipsos MORI suggested that just 47% of 18–24-year-olds voted compared with a 74% turnout by those aged over 65. Political disaffection is also most common among less prosperous and marginalised social groups in deprived areas. In the 2019 general election, for example, the 30 constituencies with the highest turnout in the UK had much higher house prices and more university graduates living there than the 30 constituencies with the lowest turnout (Table 1.10). Attempts to encourage political participation should focus on the reasons why younger people and poorer people feel less connected with the political process.

**Table 1.10 2019 general election: constituencies with the highest and lowest turnout**

East Dumbartonshire	80.3%
Richmond Park	78.7%
Rushcliffe	78.5%
Sheffield Hallam	78.2%
Central Devon	78.2%
Kingston upon Hull East	49.3%
Chorley	51.7%
Kingston upon Hull West and Hessle	52.1%
Kingston upon Hull North	52.2%
Blackley and Broughton	52.6%

## Knowledge check

- 25** List three arguments in favour of compulsory voting.
- 26** List three arguments against compulsory voting.
- 27** What was the constituency with the highest turnout in the most recent general election?
- 28** What was the constituency with the lowest turnout in the most recent general election?

## Contemporary debates on the further extension of the franchise

Although the UK elects the Westminster Parliament on the principle of universal suffrage, there are still some sections of society who are denied the vote. Some of these are uncontroversial, such as members of the House of Lords who, as members of the legislature, already have their interests represented. Those declared mentally incapacitated are also barred from voting.

### Votes at 16

Support for lowering the voting age to 16 has significantly increased in recent years. The Votes at 16 Coalition was established in 2003 to bring together groups such as the National Union of Students and the British Youth Council to campaign for a lowering of the voting age. In the 2014 Scottish independence referendum, 16- and 17-year-olds were allowed to vote. 16- and 17-year-olds can also vote in elections for the parliaments in Scotland and Wales. The Labour and Liberal Democrat parties endorse voting at 16, leaving the Conservatives as the only leading party opposed to this reform.



Votes at 16 arranges high-profile demonstrations such as the one above, placing them within the long history of those agitating for political reform



## Knowledge check

- 29 What are the main arguments in favour of voting at 16?
- 30 What are the main arguments against voting at 16?
- 31 What political parties support and oppose voting at 16?

The tactics of the Votes at 16 Coalition are twofold:

- 1 In order to generate mass enthusiasm for reducing the voting age to 16 it is important to win as much positive publicity as possible. Given young people's active engagement on social media, Votes at 16 has established a major presence online. It also encourages school and college debates and its memorable slogan, 'Engage, empower, inspire', provides the movement with a coherent and powerful message of change.
- 2 Votes at 16 also seeks the endorsement of MPs and members of the House of Lords and lists on its website the names of all MPs and Lords who back the campaign, to show there is high-profile support for change.

Although a significant number of MPs support lowering the age of voting, Jim McMahon's Private Member's Bill (2017–19) to lower the voting age failed because of lack of parliamentary time. The success of Votes at 16 is likely to depend on the election of a Labour government or a change of policy by the Conservative Party. The latter is unlikely because younger people are generally more left-leaning so there is no incentive for a Conservative government to support a change in the law.

## Debate

### Should the age of voting be reduced to 16?

**Evaluation:** Although supporters of voting at 16 claim that it will encourage important values of civic responsibility, are young people sufficiently socially and politically mature to vote at this age?

Yes	No
<ul style="list-style-type: none"> <li>At age 16, young people can exercise significant responsibility: they can engage in sexual relations, marry, pay tax and national insurance and join the armed services, so it is irrational that they are regarded as not mature enough to vote. 'That is the ridiculous situation we are in: we ask young people to pay tax to a government who spend it on the health service or going to war, but they do not have the ability to influence that government' (David Linden MP)</li> <li>The introduction of citizenship lessons into the school curriculum means that young people are now better informed about current affairs and so can make educated political decisions</li> <li>Allowing young people to vote earlier will encourage them to take their duties as citizens earlier, especially as these habits can be developed while they are still at school</li> <li>National Citizen Service is encouraging young people to have a stake in society, which would be further entrenched by voting at 16</li> <li>Most local education authorities (LEAs) hold elections for the UK Youth Parliament, which has been praised for its positive campaigning. Large numbers of 16- and 17-year-olds have also demonstrated considerable political activism through their commitment to issues such as Black Lives Matter and environmentalism</li> </ul>	<ul style="list-style-type: none"> <li>Some of the claims about what people can do at age 16 are misleading. Parental permission is needed to join the army at 16 or 17 and, apart from in Scotland, parental permission is required to marry before 18</li> <li>Young people are not regarded as responsible enough to be able to buy alcohol or cigarettes themselves until the age of 18, so it is disingenuous to claim that 16- and 17-year-olds are capable of exercising all adult responsibilities</li> <li>We should beware of imposing adult responsibilities on children. According to the UN Convention on the Rights of the Child, children have the right to be treated as such. UK soldiers below the age of 18 cannot serve in combat because if they did, the UK could be accused of using 'child soldiers'. Providing 16- and 17-year-olds with the right to vote would mean they should logically be able to engage in all adult activities, which conflicts with their rights as children</li> <li>Most 16- and 17-year-olds in the UK are still in full- or part-time education. They are therefore much less likely to pay tax and so do not have the same 'stake' in society as those who are older</li> <li>Voting turnout among 18–24-year-olds is lower than in other age groups, so allowing 16- and 17-year-olds to vote could actually compound the problem of youth apathy. The Isle of Man enfranchised 16- and 17-year-olds</li> </ul>

Yes	No
<ul style="list-style-type: none"> <li>• The 2014 Scottish independence referendum demonstrated huge engagement by 16- and 17-year-olds. 75% of this age group voted and, according to Ruth Davidson, former leader of the Scottish Conservatives, 'The democratic effect turned out to be entirely positive'</li> <li>• Since 16- and 17-year-olds can vote for the Scottish and Welsh parliaments it is illogical that they cannot vote for the Westminster Parliament. 'For our United Kingdom to be truly united ... we must have democratic equality' (Jim McMahon MP)</li> <li>• According to the Conservative MP John Lamont, how 16- and 17-year-olds choose to vote is irrelevant: 'If lowering the voting age is the right thing to do, party politics should not come into it'</li> </ul>	<p>in 2006. In every election since then voter turnout among this age group has decreased:</p> <ul style="list-style-type: none"> <li>– 2006: 55.3%</li> <li>– 2011: 54.1%</li> <li>– 2016: 46.2%</li> <li>– 2021: 46%</li> </ul> <ul style="list-style-type: none"> <li>• 16- and 17-year-olds have few adult life experiences on which to base their voting decisions. They are thus more likely to be manipulated into voting in a certain way by social media or peer pressure</li> <li>• Although Scotland and Wales have reduced the voting age to 16, this does not mean it is the right thing to do. Very few countries allow voting at 16, so the UK is within the political mainstream by granting the franchise at 18</li> <li>• The Labour Party has closely identified itself with the youth vote so its support for lowering the voting age to 16 represents an act of political partisanship rather than genuine idealism</li> </ul>

## Prisoner voting

In the UK, prisoners are not entitled to vote. This is because they are regarded as having renounced the rights of citizenship for the duration of the time that they are incarcerated.

- The question of whether prisoners are being denied a fundamental human right gained some publicity in two cases brought by John Hirst against the British government. Hirst's claim, that although he was in prison he should be allowed to vote, was dismissed by the courts in 2001. However, in 2004 the European Court of Human Rights declared that the blanket ban on prisoner voting was contrary to Article 3 of the First Protocol of the European Convention on Human Rights, which 'provides for the right to elections performed by secret ballot, that are also free and that occur at regular intervals'. The British government was, therefore, in defiance of the European Convention on Human Rights.
- Pressure groups such as Liberty and the Howard League for Penal Reform support prisoner voting. However, unlike voting at 16, there has been very little public pressure for a change in this law. When the issue was debated in the House of Commons in 2011 it also gained cross-party condemnation, with 234 MPs against prisoner voting and only 22 in favour.

The Hirst cases raised significant issues concerning the extent to which the British government can act in defiance of the European Court of Human Rights. Since 2004 this had been a constant source of friction with the court and so, in 2017, the government offered to allow the small numbers of prisoners on day release the right to vote to resolve the problem. Scotland allows prisoners serving sentence shorter than 12 months to vote for the Scottish Parliament and in local elections. These concessions have generated little public interest, which suggests that extending voting to prisoners serving longer sentences is unlikely to generate enough public enthusiasm for the law to be changed. The public and their representatives agree that



people who have been convicted of serious crimes have broken their contract with society and should be deprived of the rights of citizenship.

## Widening the franchise and debates over suffrage

### Historical perspective

The development of Britain as a democratic nation state can be traced far back into history. Some historians have claimed that the Anglo-Saxon witan, an assembly of aristocrats who advised their ruler, represented a rudimentary form of democracy. More commonly, the origins of democracy are associated with King John (1199–1216) being forced by his barons to sign Magna Carta (1215). Although the barons were mostly interested in protecting their own powers from the King, they also inserted a number of clauses to protect the rights of all freeborn Englishmen from the arbitrary rule of the monarch. The three most iconic clauses in Magna Carta state that:

*'In future no official shall place a man on trial upon his own unsupported statement, without producing credible witnesses to the truth of it.'*

(Paragraph 38)

*'No free man shall be seized or imprisoned, or stripped of his rights or possessions, or outlawed or exiled, or deprived of his standing in any other way, nor will we proceed with force against him, or send others to do so, except by the lawful judgement of his equals or by the law of the land.'*

(Paragraph 39)

*'To no one will we sell, to no one deny or delay right or justice.'*

(Paragraph 40)

Throughout the medieval period, Parliament acquired the right to grant money to the Crown since it represented the nation's property holders, and Henry VIII (1509–47) used Parliament to provide his takeover of the English Church with legal validity.

However, it was not until the early seventeenth century that Parliament began to assert the right to protect the liberties of the English people against the increasingly autocratic Stuart monarchy. Edward Coke, the chief justice of James I (1603–25), laid down in the Petition of Right (1628) the principle that the Crown is not above the law, and during the English Civil War, Parliament asserted its right to be the primary lawmaker against Charles I's belief in the 'divine right' of the King to rule alone. The violence and instability of the Civil War unleashed new democratic movements such as the Levellers, who stated that all men had the same right to elect their government, but such radical ideas were stamped out during the Protectorate of Oliver Cromwell (1653–58), who proved almost as unwilling as Charles I to accept the will of Parliament.

Although Charles II accepted the Crown at the Restoration in 1660, his brother James II was suspected of trying to rule as a tyrant. Consequently, in the Glorious



Revolution of 1688, James was overthrown and Parliament invited William of Orange to become King of England. William III's agreement that he would cooperate with Parliament on the Bill of Rights (1689) is a key moment in the development of Britain's constitutional monarchy.

However, Parliament remained the preserve of the rich and powerful, and it was only in the nineteenth century that a number of acts of parliamentary reform gradually opened up the **franchise**. The Great Reform Act of 1832 enfranchised some members of the middle classes, while the Reform Acts 1867 and 1884 increasingly opened the vote to working-class householders in the boroughs and then the counties.

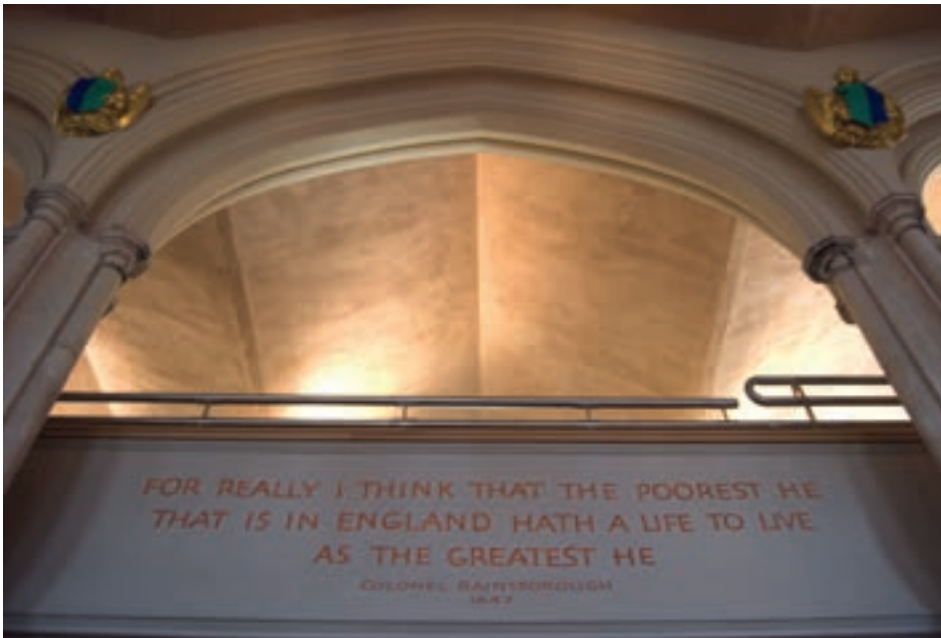
### Key term

#### Franchise/Suffrage

The right to vote. Throughout the nineteenth and twentieth centuries the franchise was gradually extended so that now the UK has universal adult suffrage. This means that all people aged 18 and over have the right to vote in public elections unless they are mentally incapacitated, in prison or a member of the House of Lords.

## In focus

### Early attempts at democracy



The inscription on a wall of St Mary's Church, the site of the Putney Debates. In 1647, during the Putney Debates, members of the New Model Army unsuccessfully put forward to Cromwell and the military command the case for manhood suffrage. Socialist politicians, in particular, regard these debates as a dramatic moment in the struggle for democracy

*'For really I think that the poorest he that is in England hath a life to live, as the greatest he; and therefore truly, Sir, I think it clear, that every Man that is to live under a Government ought first by his own Consent to put himself under that Government; and I do think that the poorest man in England is not at all bound in a strict sense to that Government that he hath not had a voice to put Himself under.'*

Colonel Thomas Rainsborough during the Putney Debates, 1647

### Stretch and challenge

In 1838, working-class movements across the country drew up a People's Charter demanding manhood suffrage. Some of these Chartists tried to provoke a national uprising in 1839 at Newport, in which 20 people were killed, and Chartism remained a worryingly popular movement for the government until 1848. By the 1860s it had been succeeded by new radical groups such as the Reform League. Fear of the dangerous consequences of inaction was a major cause of nineteenth-century parliamentary reform.

- 1 Research popular movements for political change in the UK from the nineteenth century to today.
- 2 How often have they achieved their objectives and to what extent do you think they have contributed towards the development of British democracy?

In 1872, the Ballot Act made voting in secret compulsory, so protecting citizens' right to vote in any way they wished.

The Reform Acts of the nineteenth century had all been based on the principle that the right to vote depended on the ownership of property. Property owners had a stake in society and had thus 'earned' the right to vote. The principle of 'one person, one vote' was alien to these reformers and by the beginning of the twentieth century 40% of adult males could still not vote, as well as, of course, all women.

## The suffragists, suffragettes, and the First World War

Political reform has often been driven by popular pressure. In 1897 the National Union of Women's Suffrage Societies (NUWSS), also known as the suffragists, was established by Millicent Fawcett to lobby Parliament to extend the franchise to women. The efforts of the suffragists were not sufficient for more militant women. In 1903 Emmeline Pankhurst established the Women's Social and Political Union (WSPU) under the slogan 'deeds not words'. The suffragettes, as they were known, engaged in much more disruptive and even violent action to draw attention to their cause. When imprisoned, some went on hunger strike and in 1913 one suffragette, Emily Davison, was killed when she tried to run in front of the King's horse in the Derby.



Although suffragette protests gained huge publicity, it was women's contribution to the First World War that was the immediate cause of some women gaining the franchise in 1918

At the outbreak of the First World War in 1914, the suffragettes suspended their activities. However, the sacrifices that both men and women made during the war changed the political atmosphere. Women performed vital war work in factories, and 80,000 served as non-combatants in the armed forces. In 1916 male conscription was introduced and almost 750,000 men were killed in combat. In 1918, in recognition of this, the Representation of the People Act allowed all men aged 21 and over, and women aged 30 and over who fulfilled a property qualification, to vote in general elections. As a result of age and other restrictions, only 40% of women got the vote in 1918, and they were almost entirely white and middle class. In 1928, a further Representation of the People Act extended the vote to men and women aged 21 and over, establishing universal suffrage.

## Stretch and challenge

### Violence and political change

The extent to which the suffragettes advanced the cause of universal suffrage is controversial. Violent and disruptive actions such as burning letterboxes and assaulting leading anti-suffrage politicians guaranteed them publicity. However, this publicity was often negative and associated the movement with violent extremism and even terrorism. This was something that prime minister Herbert Asquith could not be seen to give in to. Some historians have claimed that women's vital war work was significantly more important in proving it was illogical to deny them the vote. In August 1918, Asquith's successor, David Lloyd George, paid tribute to their efforts:

*'This war was begun in order that force and brutality might crush out freedom among men. Its authors cannot have foreseen that one of its main effects would be to give to women a commanding position and influence in the public affairs of the world.'*

- 1 What social groups/pressure groups today use methods similar to those of the suffragettes?
- 2 To what extent do you think that direct action/civil disobedience can ever be justified in advancing a legitimate political cause?

## Representation of the People Act 1969

In 1969 a third Representation of the People Act lowered the voting age from 21 to 18. This was in recognition of the new opportunities for and responsibilities of young people. The extension of university education, greater sexual freedom provided by easier access to contraception, and the increased earning potential of young people all made lowering the voting age to 18 relatively uncontroversial.

### Knowledge check

- 32 Define universal suffrage.
- 33 What is the franchise?
- 34 Which act lowered the voting age from 21 to 18?

## Pressure groups and other influences

The UK is a pluralist democracy, which means that political power and influence are widely distributed so that different groups can compete to sway the government in their favour. In addition to voting in elections, members of the public can participate in the political process by supporting pressure groups and wider social movements, engaging in direct action or joining online campaigns. Think-tanks, corporations, charities, lobbying firms, professional bodies and religious movements can also put pressure on the government to act in a certain way. Table 1.11 explains how pressure groups are categorised.

**Table 1.11** Pressure group categorisation

Sectional/interest	Cause/promotional
Sectional pressure groups represent the interests of a particular group within society. For example, the Muslim Council of Britain specifically represents the interests of British Muslims and the National Union of Students (NUS) represents the interests of students. They therefore lobby government on behalf of these clearly defined social groups	Cause pressure groups promote a particular issue. Pressure groups such as Friends of the Earth and Liberty, which campaigns on behalf of civil liberties in the UK, are cause pressure groups because their members are united by their shared interest in a specific cause. Members of these groups can be drawn from across society
Insider	Outsider
An insider pressure group has privileged access to government decision making. The British Medical Association represents doctors and so possesses specialist information that governments will wish to consult. The Howard League for Penal Reform is an impartial organisation that can supply the Home Office with important information concerning prison reform, policing and youth crime	Outsider pressure groups do not possess access to political decision making and may even be unprepared to work within existing political structures that they see as hopelessly compromised. A good example of this is Extinction Rebellion, which has carried out several disruptive high-profile protests to achieve public recognition



## What factors help pressure groups to achieve success?

### Insider status

Insider status can be vital in the success of a pressure group. If political decision makers consider that it is to their advantage to consult with a pressure group, then the group's influence will be guaranteed. As a result of their specialist knowledge, groups such as the British Medical Association (BMA), the Confederation of British Industry (CBI) and the National Farmers' Union (NFU) can all be called upon to supply governments with specialised information to help them reach informed decisions. Whether a pressure group can claim insider status can also be determined by political circumstances. In the 1970s, trade unions in Britain were so powerful that Jack Jones, the general secretary of the Transport and General Workers' Union (TGWU), was once called 'the most powerful man in Britain' for the influence he wielded with prime ministers. The interests of the Trades Union Congress (TUC) remain closely aligned with those of the Labour Party, so they are much more likely to exert influence under a Labour government. Conversely, pressure groups that represent big business, such as the Institute of Directors, or those that endorse tax cuts and small government, such as the TaxPayers' Alliance, are generally more influential under Conservative governments.

Given the growing significance of environmental issues, contemporary politicians have become more likely to consult environmental groups for specialist information. The House of Commons Environmental Audit Committee regularly consults with the Green Alliance, which provides advice on environmental protection. Similarly, the developing consensus in favour of LGBTQ+ rights has provided pressure groups such as the LGBT Foundation with increased influence within government, though trans people are still more marginalised. In 2021, for example, the Scottish government announced that it was consulting with LGBTQ+ groups over its plans to ban conversion therapy by 2023.

### Wealth

Wealthy pressure groups will have the financial resources to employ researchers, operate offices close to important points of government access and arrange meetings with members of parliament. The CBI represents 190,000 UK businesses employing nearly 7 million people. Its considerable wealth enables it to employ more than 100 policy researchers. The Institute of Directors, representing business leaders and entrepreneurs, is also very wealthy, enabling it to operate offices in 12 regions across the UK and the Isle of Man and Guernsey. Wealth does not guarantee success if a group's interests do not coincide with those of the government. However, it does provide a pressure group with a powerful voice among decision makers.

### In focus

#### Campaign on Child Poverty (CPAG)

The Campaign on Child Poverty is financially well resourced. It runs offices in London and Glasgow and employs a relatively large staff of researchers and lobbyists. Its influence on decision making is also strong because all the leading political parties at Westminster support its aims, and reduction of child poverty is a key policy objective of the governments in Wales and Scotland.

## Celebrity leadership

If a pressure group is connected to a famous name this will help it achieve popular recognition. One of the reasons why Live Aid (1985) and Live Eight (2005) were so successful was because they were very closely associated with the singer-songwriter Bob Geldof. In 2009, actress Joanna Lumley vocally supported the campaign for Gurkhas to be granted full rights of residency in the UK. Today actor and writer Stephen Fry provides a public face for the Mind mental health campaign for LGBTQ+ rights. Marcus Rashford has made use of his celebrity status as a professional footballer to campaign for all school children in households accessing universal credit to have free school meals.

## Social media

Social media provide new opportunities for pressure groups to engage with the public. Groups such as Amnesty International, Oxfam and Friends of the Earth appreciate the importance of having a considerable influence online since this is where people increasingly access and spread ideas. Platforms like Facebook and Twitter and hashtag campaigns provide a valuable way of keeping the public informed of a pressure group's activities while their websites usually provide opportunities to donate and sign online petitions, as well as giving up-to-date information on getting involved in national and regional campaigns.

This way of mobilising public support has been called a 'clickocracy', since the internet enables the public to engage with pressure groups purely online. 38 Degrees, for example, was established in 2009 and provides a forum for its members to quickly choose and launch their own online campaigns. Its slogan is 'People, Power, Change' and it can focus public attention on local issues such as protecting green spaces or on national campaigns such as encouraging the government to introduce a drinks-container recycling scheme.

## Direct action

Some pressure groups can choose to engage in civil disobedience to achieve their aims. This is a risky strategy, but it can create immediate publicity and even give rise to so much disruption that the government decides to back down or negotiate. In 1867, riots in Hyde Park demanding the extension of the franchise quickened the pace of parliamentary reform. In March 1990, the extraordinary violence of the poll tax riots in Trafalgar Square further undermined an already weakened Margaret Thatcher, contributing to her resignation in November and to her successor, John Major, swiftly abandoning the tax. However, the extent to which direct and disruptive action by movements like Extinction Rebellion and Black Lives Matter has furthered their aims is less certain.

Trade unions can deploy industrial action such as limits on overtime and strikes. The extent to which they are successful depends not only on the disruptions they cause but also the strength of a government to withstand them. For example, the fact that most of British energy derived from coal in the 1970s gave the National Union of Miners (NUM) such huge coercive power that to end an NUM strike in 1972 the Heath government awarded miners a 21% increase in pay settlement. Given the decline in trade union membership, the coercive power of trade unions is significantly less than it was. However, industrial action can still be successful. In 2021, refuse workers in Glasgow achieved maximum publicity and disruption for their cause by having their eight-day strike coincide with the COP26 conference. During the Christmas period in 2022, rail and postal strikes together with the biggest strike by nurses in the history of the NHS were responsible for widespread disruption, demonstrating the continued significance of industrial action.



The actress Emma Watson is closely associated with the HeForShe campaign, which encourages gender equality. Her speech at the United Nations in 2014 in support of gender equality has played a vital and ongoing role in creating a global debate on the issue

## Knowledge check

- 35** Define pluralist democracy.
- 36** Define direct action.
- 37** List two examples of direct action being used in recent UK politics.
- 38** Name two celebrities who are closely associated with a pressure group.

Examples of two pressure group successes



Motorway organisations the AA and the RAC organised successful campaigns against the rollout of smart motorways in the UK

Table 1.12 outlines the aims and strategies of two successful UK campaigns.

Table 1.12 Two successful UK pressure group campaigns

Motoring organisations and smart motorways	Marcus Rashford and free school meals
<p>The Automobile Association (AA) and the Royal Automobile Club (RAC) were both highly critical of the Johnson government’s plans to introduce smart motorways. These are motorways on which the hard shoulder is removed to increase capacity. It is replaced with refuge areas (no more than 1.6 miles apart), which drivers should head for. According to both organisations, smart motorways significantly increased the risk to drivers</p>	<p>When schools closed during the 2020 lockdown, children on free school meals were deprived of this provision. This naturally put an added financial burden on the poorest families. Manchester United footballer Marcus Rashford, whose mother had struggled to provide for him as a child, empathised with their plight</p>
<p><b>Campaign strategy and why it succeeded</b></p> <p>The tactics they deployed made the most of their professional expertise and insider status to directly influence policy making.</p> <p>In 2021, the RAC’s report on motoring survey showed that 54% of drivers believed that smart motorways made them less safe. According to the AA, smart motorways could leave stranded cars like ‘sitting ducks’. In 2021, the AA and the RAC, together with West Midlands police and Highways England, provided specialist evidence to the Transport Select Committee. On the recommendation of the committee, the government decided to delay building new smart highways for 5 years while their safety implications were assessed</p>	<p><b>Campaign strategy and why it succeeded</b></p> <p>Rashford determined to use his celebrity status to take action on behalf of these families. He worked closely with the charity FareShare to provide free meals and used his Twitter account to advertise businesses that were offering free meals. This generated considerable favourable publicity, which Rashford followed with an e-petition, ‘End child food poverty – no child should be going hungry’, signed by 1.1 million people. Pictures of Rashford with his mother sorting food parcels generated further positive coverage.</p> <p>As Rashford’s campaign gathered momentum, a growing number of Conservative MPs were also becoming highly critical of the prime minister. Consequently, in a series of climb-downs, the government announced that it would provide a £120 million ‘Covid summer food fund’ and a £170 million ‘Covid winter grant scheme’ for vulnerable families</p>



## Why are some pressure groups more successful than others?

A useful mnemonic to understand the factors that contribute to pressure group success is RIPE:

- Resources
- Ideological compatibility with the government
- Popularity
- Expertise

A pressure group does not have to fulfil all these criteria to be successful. However, it will have to demonstrate at least one of them if it is to achieve its objectives. For example, the expertise of the BMA gives it guaranteed insider status under any government, while the considerable financial resources of the Conservative and Labour Friends of Israel enable them to cultivate influence at Westminster. The popularity of the Gurkha Justice Campaign persuaded the Brown government to provide all Gurkhas with the automatic right of British residency. The TaxPayers' Alliance was particularly influential during the coalition government (2010–15) because its commitment to cutting public spending reflected the austerity measures of the chancellor of the exchequer, George Osborne.

However, if a pressure group does not fulfil any of these criteria, then it is unlikely to be successful. Plane Stupid has opposed a third runway at Heathrow and Stop HS2 opposes the new high-speed rail link between Birmingham and London, but both have failed because they have not been able to persuade the government that they have a powerful enough case or significant enough support. The pressure group Life, which advocates limiting abortion rights, lacks the popular support and insider status necessary to achieve success.

### Examples of two pressure group failures

Table 1.13 outlines the aims and strategies of two unsuccessful UK campaigns.

### Knowledge check

- 39** What is the difference between insider and outsider pressure groups?
- 40** What is the difference between cause (promotional) and sectional pressure groups?
- 41** List three successful pressure groups.
- 42** List three less successful pressure groups.

**Table 1.13** Two unsuccessful UK pressure group campaigns

Stop HS2	Stop the War Coalition
<ul style="list-style-type: none"> <li>• In response to the decision to build a high-speed rail link between London and Birmingham, Stop HS2 was established in 2010.</li> <li>• Stop HS2 has organised several high-profile demonstrations and has cultivated cross-party support from several MPs whose constituencies are impacted by the project.</li> <li>• However, Conservative, Labour and Liberal Democrats all support the construction of HS2. In 2013, MPs voted 399 to 42 in favour of building the first stage of the route. The vote in the House of Lords was 386 in favour and 26 against.</li> <li>• In 2020, an e-petition demanding a new parliamentary vote on repealing the HS2 legislation gained 155,253 signatures. However, strong parliamentary support for the London–Birmingham phase of HS2 has meant that the government could ignore calls for it to be scrapped.</li> </ul>	<ul style="list-style-type: none"> <li>• The Stop the War Coalition was founded in 2001 in response to the 'war on terror'. As the Blair government prepared to invade Iraq, it organised the biggest demonstration in British history, in which as many as 1 million people marched through London to protest the war.</li> <li>• However, although the march was peaceful and made a powerful impact on the public, Blair remained ideologically committed to the invasion. His large parliamentary majority and the support of most of the Conservative Party also meant that when the House of Commons voted on military intervention in Iraq, he had a 179-vote majority. Therefore, Blair was safely able to ignore the protests and preparations for war continued.</li> <li>• The Stop the War Coalition continues to campaign against British military interventions. However, Russia's invasion of Ukraine in 2022 has further reduced its influence, with Labour leader Sir Keir Starmer stridently condemning the Stop the War Coalition and demanding that Labour MPs completely disassociate themselves from it.</li> </ul>

## Case studies of a social movement and a pressure group

### Black Lives Matter



A statue of enslaver Edward Colston is thrown into the River Avon during a protest in Bristol

In 2020, in the United States the murder during police custody of George Floyd generated global outrage. In the UK, this led to several large Black Lives Matter protests during the summer of 2020, including the dramatic toppling in Bristol of a statue of Edward Colston, an investor in charitable works in Bristol whose considerable wealth derived from the slave trade. The act of 'taking the knee' is also closely associated with Black Lives Matter and during Euro 2020 (played in 2021), the England team 'took the knee' before each match to show their solidarity against racism.

The passion, energy and enthusiasm of Black Lives Matter protests and demonstrations generated a powerful debate in the UK about the need to re-examine Britain's colonial past, the

pervasiveness of racism and the extent to which it is still tolerated. As a result, the Johnson government established a new commission on racial inequality and several companies, schools and colleges released statements condemning racism. In Bristol the Colston Hall changed its name to the Bristol Beacon and Colston's Girls' School became Montpelier High School. The government of Wales also announced that from 2022, it would be mandatory for Welsh schools to teach the history of 'Black, Asian and minority ethnic people'.

However, some still opposed BLM. From March 2020 to March 2021, racially motivated crimes increased by 12%, to their highest-ever level, while the then home secretary, Priti Patel, condemned 'taking the knee' as gesture politics and accused protestors who toppled and defaced statues of vandalism. While Black Lives Matter builds on a history of organising against racism and has encouraged the UK to confront the uncomfortable reality of ongoing racism, whether it has achieved the consensus necessary for real progress is more contentious.

### Mind

The mental health charity Mind is committed to improving access to mental health treatment and helping those who suffer from mental health issues and those who care for them. Mind organises high-profile fundraising and awareness-raising events to put pressure on governments to support those with mental health issues. Its campaigns include #FundTheHubs to ensure anyone aged 11–25 can access mental health support when they require it. Mind also works closely with schools and colleges, helping those with mental health issues to appreciate that they are not alone and there is support they can access.

One of Mind's key campaign strategies is to use celebrity ambassadors to encourage outreach and a more open discussion of mental health. These include its president,

Stephen Fry, and a wide variety of ambassadors such as the political strategist and writer Alastair Campbell, the comedian Ruby Wax and the singer-songwriter George Ezra.

Mind works closely with MPs and peers, produces detailed responses to government legislation and is regularly consulted by the Health Select Committee. Mind shows how a pressure group can deploy a variety of effective strategies to achieve its objectives.

## Stretch and challenge

### Extinction Rebellion

Whereas environmental pressure groups like Friends of the Earth and Greenpeace combine public activism with lobbying, Extinction Rebellion is a grass-roots social movement which argues that powerful vested interests mean that traditional lobbying methods will always fail to address the crisis facing the environment. Instead, its members favour 'non-violent civil disobedience' designed to challenge public and political complacency on climate change. In the UK the group puts pressure on the Westminster government through direct action to declare a climate emergency, commit to net zero carbon emissions by 2025 and establish a citizens' assembly to ensure that the necessary environmental changes occur. Extinction Rebellion is firmly committed to the sort of sensational outsider methods that will achieve maximum publicity for its cause. Its website encourages 'rebels' to join protests and, by advocating for a citizens' assembly, aims to create organs of direct democracy that will propel change. Its protests have included disrupting commuter traffic and digging up the lawn at Trinity College, Cambridge, to draw attention to the college's proposals to sell land for a lorry park to be built on. In 2021, Extinction Rebellion blockaded Amazon distribution centres on 'Black Friday' to highlight its negative environmental impact. It also disrupted the Lord Mayor's Show in London and set up a giant pink table to halt traffic in Covent Garden to protest what it saw as the failure of COP26 in Glasgow to provide enough of a response to climate change.

Supporters of Extinction Rebellion claim that when it deploys disruptive tactics, like the suffragettes did, it is doing this to create the necessary sense of urgency to achieve transformational change. According to Stephen Fry, 'They are loud, they are disruptive, they sometimes throw paint and other such things, and they block, but what else is going to make politicians really recalibrate, realign, revolutionise politics so that it faces the horrors of climate change and all the damage that we are doing to our planet?' Others are more critical, claiming that Extinction Rebellion's tactics are more likely to generate hostility than support. Professor of Geography at Cambridge University Mike Hulme alleges that 'the forms of protests that Extinction Rebellion [employs] . . . risk alienating the large majority of the public upon which any sensible climate policies must rely'.

- 1 There is a growing consensus among all political parties that the UK should achieve net zero carbon emissions at the earliest opportunity. To what extent do you think Extinction Rebellion has been important in persuading politicians to take environmental issues more seriously?
- 2 In what other ways have environmentalists put pressure on government? Do you think they have been more or less successful?



## Lobbyists, think-tanks, business and professional bodies

### Key term

**Think-tank** A group established to generate ideas. Political parties work closely with like-minded think-tanks to develop policy.

Pressure groups are not the only organisations that exert influence on government. **Think-tanks** are made up of experts in a particular field who produce ideas that can form the basis for government policy making. Some of them are closely associated with a particular political ideology that helps them to achieve insider status. For example, the Fabian Society is a centre-left think-tank whose reports enjoy a wide readership within the Labour Party. Its influence has also increased under Sir Keir Starmer because he is more open to its 'soft left' ideology than was his predecessor, Jeremy Corbyn. On the right, free-market think-tanks, like the Institute of Economic Affairs and the Centre for Policy Studies, encourage a free-market/small state ideology, which is highly attractive within the Conservative Party.

Not all think-tanks take an ideological stance. Chatham House provides highly respected impartial analysis of global politics, which politicians consult, and Demos is a cross-party think-tank specialising in the development of social policy. Such groups contribute useful insights and ideas to the political debate and so play an important part in the political process.

### Debate

#### Wealthy groups are most likely to achieve influence with the government

**Evaluation:** Lobbyists, think-tanks and wealthy pressure groups have the financial resources to employ staff and run campaigns. However, can wealth always 'buy' influence or are other factors equally important for success?

Yes	No
<ul style="list-style-type: none"><li>• Lobbying groups and businesses with strong financial resources can provide easy access to decision makers</li><li>• The wealth of the Confederation of British Industry and Institute of Directors enables them to staff offices close to important centres of power</li><li>• Wealthy pressure groups like Friends of the Earth and Oxfam can commission reports that can be used to influence government policy</li><li>• Powerful businesses can employ high-profile figures to represent their interests. Since 2022, Sir Nick Clegg has been president of Facebook's global affairs</li></ul>	<ul style="list-style-type: none"><li>• If the government's views are incompatible, then wealth is unlikely to achieve influence. The TaxPayers' Alliance was unable to stop the high spending of the Johnson government</li><li>• Social movements such as Everyone's Invited and Black Lives Matter can encourage change without financial resources</li><li>• Celebrity endorsement can be more important than wealth (e.g. Marcus Rashford and free school meals)</li><li>• Pressure groups can achieve insider status (Mind/the Howard League for Penal Reform) without significant financial resources if the government shares similar objectives</li></ul>

The TaxPayers' Alliance was established in 2004 to encourage small government and lower taxes. Its research papers and advice were particularly valued by David Cameron and George Osborne and its ideas were used to underpin the austerity

programme of the coalition government (2010–15). Its Euroscepticism has also afforded it significant influence within the Conservative Party. However, think-tanks do not wield complete influence. Politicians decide whether they are going to accept their ideas and advice. The Johnson and Sunak governments' readiness to engage in large-scale government projects at the cost of higher taxes went against the advice of the TaxPayers' Alliance. This suggests the claims that think-tanks wield too much influence are exaggerated. They may have insider status, but whether their advice is taken will always depend on the ideological convictions of the party leadership.

More controversially, major corporations and lobbying firms seek to influence decision making by cultivating links with politicians. Powerful companies, such as Apple, Facebook, Coca-Cola and Google, as well as the major interests such as banking, digital and media, all try to be as closely involved as possible in the decision-making process to advance their interests.

In 2022, Meta, the owner of Facebook, appointed the former deputy prime minister, Nick Clegg, as president of global affairs. Clegg's insider understanding of politics made him a powerful force when representing Facebook in its dealings with governments. In the same way, the Church of England, academic bodies such as universities, and the Office of Fair Trading (which protects the rights of consumers) also seek to influence political debates in their favour.

Lobbying firms can also represent the interests of groups in society who are prepared to pay for their services. They have thus been criticised for enabling powerful interests to try to buy influence. In a notorious case in 2010, three former Labour ministers, Stephen Byers, Geoff Hoon and Patricia Hewitt, were suspended from the parliamentary Labour Party when investigative journalists offered them the opportunity to work for a fake consultancy firm for £5,000 a day and they accepted. In 2021, David Cameron was criticised by the Treasury Select Committee 'for a significant lack of judgement' after he utilised his government contacts when lobbying on behalf of financial services company Greensill Capital.

Lobbyists respond that they are being unfairly criticised for a small number of scandals. In most cases they simply open up lines of communication between Members of Parliament and groups that want to make their case. They are necessary to democracy because they broaden the debate so that all sides are heard. Two examples may illustrate this:

- The Raptor Alliance, which represents pigeon fanciers, is a tiny organisation whose members argue that the Royal Society for the Protection of Birds has been so successful in protecting birds of prey that they are now killing off racing pigeons. Unable to gain public recognition, lobbyists made their cause known in Parliament by encouraging the establishment of an All-Party Parliamentary Group for Pigeon Racing and in 2018 organised the first Lords versus Commons pigeon race since 1928. During Prime Minister's Questions, Theresa May even agreed to sponsor a bird.
- Lobbyists have also put forward the interests of gin drinkers. Since the Gin Act 1751, small-scale production had been forbidden to stop bootlegging. However, in 2008 lobbyists succeeded in having the Gin Act repealed and now boutique gin is becoming one of the UK's most enterprising new exports.

### Knowledge check

- 43** What is a think-tank?
- 44** List three think-tanks.
- 45** What is a social movement?
- 46** List three social movements.
- 47** What is lobbying and why is it controversial?

## Rights in context

### Human rights and civil liberties

Civil rights encompass the rights that individuals and the public are all entitled to. Individual rights are rights such as the right to privacy and freedom of expression, which all individuals can claim. Collective rights are those which society can claim such as the right to be protected from violence, the right to a clean environment or the right to roam the countryside.

Since the UK does not possess a codified constitution, the rights of British citizens have been determined and protected through constitutionally significant landmark events such as the signing of Magna Carta. In addition, judges have defined the nature of our civil rights in important common law cases, setting a judicial precedent to be followed in future disputes. Specific Acts of Parliament have further developed the rights that UK citizens enjoy.

Therefore, the rights of the British public have traditionally been negative or residual rights. This means everything that is not expressly forbidden belongs to our rights, which means that they are not set out in one single document. Instead, they derive from our rights as citizens and key constitutional decisions and important case law such as the following:

- **Magna Carta 1215** This provides the foundation for British civil liberties by stating that the law should be impartial and that no free man should be convicted of a crime unless he has been fairly tried.
- **Bill of Rights 1689** By accepting the Bill of Rights, William III agreed to govern with the consent of Parliament, thereby establishing the principle of a constitutional monarchy bound by the law.
- **Somerset v Stewart (1772)** Lord Mansfield stated that slavery within the UK was illegal since it had not been legislated for by an Act of Parliament and was unsupported by the common law. In his judgment he stated, 'It is so odious, that nothing can be suffered to support it, but positive law.' This far-reaching decision set the precedent for the elimination of slavery within Britain.
- **Entick v Carrington (1765)** In a case involving trespass, Lord Camden lay down the principle that government officials 'cannot exercise public power unless such exercise of it is authorised by some specific rule of law'. In short, the government can only act according to the law protecting the rights of citizens from despotic rule.
- **Representation of the People Act 1928** This established the principle of universal suffrage in the United Kingdom.

#### Knowledge check

- 48 Define civil liberties.
- 49 What are negative rights?
- 50 What is the date of the Bill of Rights?
- 51 Which act established universal suffrage in the UK?

### The development of a rights-based culture since 1997

Since Tony Blair became prime minister in 1997, the approach towards British civil liberties has changed. Instead of primarily relying on common law decisions and constitutional conventions, there has been a greater emphasis on the codification of what the positive rights of British citizens are.

## Human Rights Act 1998

Although the UK was fully involved in the drafting of the European Convention on Human Rights in 1950, it did not accept that the convention would be binding on British courts. However, in 1998 the Human Rights Act was passed, which incorporates the European Convention fully into British law. The Act entered into force in 2000. As a result, British citizens now possess a clear statement of their civil liberties, which is enforceable in British courts. Before the Human Rights Act came into force, UK civil liberties were grounded in specific statute and case law. This meant that the rights that British citizens could claim were not widely known or understood. The Human Rights Act is significant because it clearly establishes the positive rights that we are all equally eligible for, such as the right to life and the right to a fair hearing.

## Freedom of Information Act 2000

This established a 'right of access' to information held by public bodies so long as it does not compromise national security. The Act, which came into force in 2005, provides the public with the opportunity to know more about the way in which public bodies such as the National Health Service operate, as well as being able to access information held about them. The MPs' expenses scandal in 2009 was exposed because journalists were able to demand access to this information through the Freedom of Information Act.

## Equality Act 2010

Although several Acts of Parliament have legislated in favour of equality, such as various Race Relations Acts and the Equal Pay Act 1970, it was not until the Equality Act 2010 that an Act of Parliament established equality before the law for all citizens. This Act consolidates existing legislation and states that in public life, discrimination is illegal in nine recognised areas:

- age
- disability
- gender reassignment
- race
- religion or belief
- sex
- sexual orientation
- marriage and civil partnership
- pregnancy and maternity.

## Civic responsibility and the restriction of civil liberties

As well as having rights, citizens have responsibilities that can be enforced by law, such as paying taxes and serving on a jury. Other responsibilities are not legally enforceable, such as voting, but they are expected of citizens.

The public does not have the right to act in whatever way it wants and freedoms can be restricted if the government decides that these are likely to endanger the collective good of society. This is most likely to happen when there is a threat to



## Knowledge check

- 52** Define civic responsibility.
- 53** Define the collective good.
- 54** List three Acts of Parliament that have protected civil liberties.
- 55** List three Acts of Parliament that have restricted civil liberties.

national security. Following the terrorist attacks on New York and Washington, DC in 2001 and on London in 2005, several Acts of Parliament were passed to protect the public from further attack:

- The Anti-Terrorism Crime and Security Act 2001 gave the government the legal power to imprison foreign terrorist suspects indefinitely without trial.
- In 2005, the Serious Organised Crime and Police Act limited the right of protest outside Parliament and created a new offence of inciting religious hatred.
- The Terrorism Act 2006 extended the time for which terrorist suspects can be held without charge to 28 days and made 'glorifying terrorism' a crime.
- In 2016, Parliament passed the Investigatory Powers Act, which authorises the retention of personal electronic data and its access for law enforcement.
- In 2020, Ed Bridges and the pressure group Liberty brought a case against South Wales Police over whether it could use automatic facial recognition technology. In its judgment, the Court of Appeal ruled that more care should be taken in how the technology is used. However, the benefits to society are 'potentially great' and the threat to the individual's privacy 'minor'.
- The Johnson government's Police, Crime, Sentencing and Courts Act 2022 is designed to limit the impact of public protests and has thus generated significant opposition from civil liberties groups.
- In the Queen's Speech (2022) the Johnson government controversially committed to introducing a British bill of rights, replacing certain elements of the Human Rights Act, so that 'there is a proper balance between the rights of individuals, our vital national security and effective government, strengthening freedom of speech'.
- In 2022, the Johnson government controversially introduced a policy to fly asylum seekers to Rwanda rather than allow them to claim asylum in the UK. Designed to stem the flow of cross-Channel refugees and deter people-trafficking, the policy was condemned by the Archbishop of Canterbury, Justin Welby, as 'subcontracting our responsibilities'.

Terrorist attacks, such as the 2005 London bombings, which killed 52 people, have been used to justify the restrictions of civil liberties in order to protect the collective rights of society



## The balance between collective and individual rights

There is naturally going to be tension between our rights as individuals and the need to protect the collective rights of society, and so governments need to balance the needs of both. Especially since the terrorist attacks on New York, the Iraq War and the rise of extremist terrorist groups, several civil liberties groups, such as Liberty, have argued that the balance has shifted too far away from the individual to the government and that this has led to the erosion of individual civil liberties.

### Stretch and challenge

#### *Lee v Ashers Baking Company (2018)*

This case provides a striking example of the tension between collective and individual rights. Gareth Lee ordered a custom-made cake from Ashers Bakery with a picture of Bert and Ernie from the television programme *Sesame Street* and the headline 'Support gay marriage'. The bakery refused to bake the cake as the message on it conflicted with their views as Christians. Eventually, the case reached the Supreme Court, where the bakery's right to refuse to bake the cake was upheld. This was on the grounds that their refusal to ice 'Support gay marriage' was not discriminatory since they were being asked to produce a political slogan with which they profoundly disagreed as Christians.

- 1 Explain the extent to which you agree or disagree with the Supreme Court judgment.
- 2 To what extent do you think that collective rights should always take precedence over individual rights?

Supporters of the Human Rights Act therefore argue that it is vital because it defines and protects the positive rights to which all individuals are entitled:

- In 2004, senior judges declared that the way in which international terrorist suspects were being held by the government was 'discriminatory' according to the European Convention on Human Rights. In the face of this legal challenge, the government released the detainees from Belmarsh Prison.
- Attempts by the government to deport Abu Qatada, an Islamist preacher who had entered the UK illegally, to face trial in Jordan were stopped for 8 years on the grounds that the evidence used against him might have been acquired through torture. This would have breached Articles 3 (freedom from torture) and 6 (right to a fair trial) of the Human Rights Act and Abu Qatada was not deported until 2014 when Jordan pledged that no such evidence would be used against him.
- In 2010, the Supreme Court declared that same-sex relationships could provide grounds for claiming asylum in the UK if the claimants were from countries where same-sex relationships were persecuted. Dismissing the argument that they could hide their sexuality, Lord Hope stated, 'To compel a homosexual person to pretend that his sexuality does not exist or suppress the behaviour by which to manifest itself is to deny his fundamental right to be who he is.'

## How effectively are civil liberties protected in the UK?

Although the Human Rights Act has provided judges with significantly more power in protecting civil liberties, it is no different from any other Act of Parliament in that it can be suspended or repealed. It does not, therefore, represent a higher law,

## Knowledge check

- 56** Define collective and individual rights.
- 57** What is the supreme law-making body in the UK?
- 58** What are the limitations on UK judges' ability to protect civil liberties?

as would be the case if the UK had a codified constitution. As a result, Parliament remains the supreme law-making body and so can still enact legislation even if it conflicts with the European Convention on Human Rights on the principle that no parliament can bind its successor. For example, even though the Blair government accepted the release of the Belmarsh detainees following the High Court ruling, it quickly introduced legislation to keep them under close surveillance through control orders.

This means that judges have less power to protect the civil liberties of UK citizens than do judges in liberal democracies that have a codified constitution and where judges can strike down legislation if it conflicts with the law of the constitution.

Therefore, civil liberties pressure groups are especially important in alerting the public to any erosion of their civil liberties, as well as raising awareness of the ways in which minorities may still be discriminated against.

## Case study

### The aims and strategies of two civil rights pressure groups in the UK

#### Amnesty International

Amnesty International, established in 1961, campaigns to ensure that all human beings enjoy the rights set out in the United Nations Universal Declaration of Human Rights and associated declarations on human rights. Its methods combine public activism with targeted lobbying of representatives to increase awareness of human rights abuses. For example, Amnesty International organises 'Challenge' events to raise funds and awareness. It also uses modern technology to increase pressure on governments. Its Pocket Protest is an SMS action network, which enables members to instantly support a petition on behalf of a political prisoner. Its website provides information about ways in which human rights are being abused throughout the world together with ways in which supporters can express their solidarity with threatened and persecuted groups and individuals.

However, Amnesty International also seeks to achieve as close a relationship as possible with political decision makers. Members are encouraged to lobby their MPs, as many did in support of Nazanin Zaghari-Ratcliffe, an Iranian-British woman imprisoned in Iran for allegedly seeking to topple its government. When her husband, Richard Ratcliffe, undertook a 21-day hunger strike outside the Foreign Office from 24 October to 13 November 2021, Amnesty widely publicised the event, urging MPs and peers to attend a Westminster Hall and House of Lords debate advocating action on Zaghari-Ratcliffe's behalf. On 16 March 2022, she was released and returned to

the UK. Although high-level negotiations played a role in her release, powerful lobbying on her behalf kept pressure on the government to act.

Amnesty International's research papers are also widely circulated among MPs and ministers in the UK. For example, it produces research briefings on pressing issues such as the rights of migrants, refugees and asylum seekers, as well as exposing human rights abuses in China and Myanmar and showing how the rights of minority groups in the UK need to be respected.

#### Liberty

Liberty is committed to fighting unjust attempts to undermine civil liberties in the UK through a combination of insider and outsider tactics. Its policy experts and lawyers lobby MPs and peers to vote against legislation that would negatively impact on civil liberties. Its professional research papers are also widely consulted at Westminster, and the group regularly provides evidence for parliamentary select committees. In addition, Liberty organises campaigns that publicise ways in which civil liberties are being threatened. These have included demonstrations and online petitions against limits to public protest and increased police powers of stop and search.

Liberty also uses the courts to protect civil liberties. In 2020, it supported Ed Bridges' case against the South Wales Police that it had breached Article 8 of the Human Rights Act when it stored biometric data about him secured by automatic facial recognition surveillance. When the Court of Appeal ruled that South Wales Police's use of automatic facial recognition required greater care in its implementation, Megan Goulding from Liberty welcomed the judgment, stating, 'Facial recognition is a threat to our freedom – it has no place on our streets.'

However, the argument that governments are undermining civil liberties is rejected by many politicians, who argue that some restrictions are necessary to protect the collective good of the nation. Also, the fact that only a few Acts, such as the proposed introduction of identity cards, have generated much public outcry suggests the public may well accept that their collective good does require limitations to be put on their individual liberties.

It is also important to appreciate that, as the representative of the public interest, Parliament itself can protect civil liberties.

- In 2005, the Blair government's attempt to increase the time that a terrorist suspect could be imprisoned to 90 days was defeated in the House of Commons by 323 votes to 290, with 49 Labour MPs voting against their government.
- In 2008, the Brown government's attempts to increase the number of days' detention to 42 from 28 was defeated in the House of Lords and the proposed legislation was subsequently shelved.

- The coalition in 2010 committed itself to the repeal of identity cards as an infringement of civil liberties.

## A British bill of rights?

Several Conservative politicians have signalled that they favour replacing the Human Rights Act with a British bill of rights. A popular criticism is that Article 8 (the right to a family life) has made it very difficult to deport 'foreign criminals', leading to Philip Hollobone MP's claim that the Human Rights Act prioritises 'the rights of bad people over the rights of good people'. Supporters of a British bill of rights also argue that it would provide a clearer statement of the responsibilities that the individual owes to society as well as explicitly recognising parliamentary sovereignty over what constitutes a right. In 2021, Dominic Raab, Boris Johnson's justice secretary, announced plans for a British bill of rights to sit alongside the Human Rights Act, which, he argued, would stop 'spurious elastic interpretations of human rights' by restoring ministerial jurisdiction in contested cases.

## Knowledge check

- 59 What are the goals of Amnesty International?
- 60 What methods does Liberty use to highlight civil rights abuses?
- 61 What are the main arguments in favour of a British bill of rights?
- 62 What are the main arguments against a British bill of rights?

## Summary

By the end of this chapter you should be able to answer the following questions:

- What is representative democracy and what are its advantages and disadvantages?
- What is direct democracy and what are its advantages and disadvantages?
- What evidence is there to suggest the UK is suffering from a participation crisis?
- What are the key milestones in the development of British democracy?
- In what ways could UK democracy be further improved?
- In what ways might the franchise be further extended and why is this controversial?
- How convincing is the case for compulsory voting?
- How do pressure groups and other collective organisations access influence?
- Why are some pressure groups/collective organisations more successful than others?
- How does lobbying work and why can it be controversial?
- What is the significance of the distinction between individual and collective rights?
- How effectively are human rights protected in the UK?



## Practice questions

### Source-based question

The Human Rights Act ('the HRA'), passed in 1998 by the first Blair government, is central to the current system of rights protection...

In addition to the HRA, the common law and other statutes passed by Parliament [such as the Freedom of Information Act 2000 and the Equality Act 2010] play an important role in protecting individual rights by imposing important legal constraints upon public authorities. For example, the Equality Act 2010 prevents public authorities discriminating on the basis of race, sex, disability and other grounds of equal treatment [and requires all public authorities to give due regard in the performance of their functions to the need to eliminate discrimination and promote equality of opportunity]. However, these extra sources of legal rights protection play supporting roles when compared to the HRA... .

The ongoing development of the 'common law rights' jurisprudence by the superior courts has also contributed an additional layer of legal protection... .

...

Successive UK governments have also introduced legislation that has diluted protections for civil liberties and fundamental rights in the spheres of national security/counter-terrorism, immigration and socio-economic entitlements: it is likely that this pattern will continue.

...

The place of both the HRA and European Convention on Human Rights within the UK's legal system thus remains open to debate...

Outside of the legal context, human rights values attract substantial support – in particular from civil society groups.

...

Despite this, critics of the HRA continue to argue that radical reform is needed. Important elements of the Conservative Party in particular support repeal of the HRA and its replacement by a 'British bill of rights', which would reduce the influence of Strasbourg on UK law and limit the existing scope of judicial protection of rights in areas such as national security and immigration control.

O'Cinneide, C. (2018) 'Chapter 7.1: Human rights and civil liberties' in Dunleavy, P. (eds) *The UK's Changing Democracy: The 2018 Democratic Audit*, LSE Press  
<https://press.lse.ac.uk/site/books/e/10.31389/book1>

Using the source, evaluate the view that UK civil rights are increasingly under threat.

*In your response you must:*

- *compare and contrast the different opinions in the source*
- *examine and debate these views in a balanced way*
- *analyse and evaluate only the information presented in the source.*

(30)

## Evaluative questions

- 1 Evaluate the view that representative democracy in the UK is failing to represent the interests of the British public. *You must consider this view and the alternative to this view in a balanced way.* (30)
- 2 Evaluate the view that the introduction of more opportunities for direct democracy would strengthen UK representative democracy. *You must consider this view and the alternative to this view in a balanced way.* (30)
- 3 Evaluate the view that lobbyists, pressure groups and social movements use the same tactics to achieve success. *You must consider this view and the alternative to this view in a balanced way.* (30)

## Further reading

Crick, B. (2002) *Democracy: A Very Short Introduction*, Oxford University Press.

Gallop, N. (2020) 'How representative is the House of Commons?', *Politics Review*, Vol. 30, No. 2.

Hebden, Z. and Ryall, L. (2020) 'Should the UK have a Bill of Rights?', *Politics Review*, Vol. 30, No. 2.

McNaughton, N. and Cooper, T. (2021) *UK Government and Politics* (6th edn), Hodder Education.

Sheldon, J. (2020) *Democracy: A User's Guide*, Rebel Books.

Tomes, A. (2019) 'UK Pressure Groups and Democracy', *Politics Review*, Vol. 28, No. 4.