REFORMING WESTMINSTER AFTER THE EXPENSES CRISIS

Alexandra Kelso[*]

From duck moats to garlic presses and bell towers, last summer's revelations lifted the lid on the exorbitant expenses culture at Westminster. Promised reforms have been slow but the scandal could turn out to be an important first step in finally making Parliament into a 'good institution', Alexandra Kelso reports.

In the spring of 2009, Parliament had a hysterical, and necessarily public, nervous breakdown. The MPs' expenses scandal, with its bizarre accounts of duck houses, moat cleaning and house flipping, saturated British news cycles for weeks and even the global recession had to take a back seat in the public consciousness. The story, which at times seemed straight out of the writer's room at The Thick Of It, was utterly compelling, and unlike anything seen in recent British political history. As Parliament's breakdown proceeded, we could do little more than simultaneously cringe at and rage at the awful spectacle that unfolded before us. But no matter how much we wrung our hands and declared the whole thing to be unutterably disgusting and the MPs at the heart of it to be a shameful disgrace, the truth is, if we're really being honest, that we loved every minute of it.

The Meaning of the Crisis

It is easy to see why the media loved it. The MPs' expenses scandal was, after all, manufactured in part by Fleet Street. Crises sell newspapers, and the drip-feed approach adopted by the Daily Telegraph, which published the expenses claims at the heart of the affair, was nothing short of genius. The dichotomy underpinning the crisis was clear: the House of Commons had the opportunity to publish the expenses details, and chose not to do so, and it was therefore the responsibility of the media to do it instead. The public, as we heard repeatedly last spring, had a right to know. And the media went all out in ensuring that right was honoured.

And it is also relatively easy to see why we, collectively, loved it too. The expenses scandal confirmed all our worst suspicions about politics and those who perform its dark arts. It is satisfying to have your hunches backed up by some hard evidence: here was that evidence, and reams of it to boot, demonstrating what the public had always long assumed – that politicians are not trustworthy, that they load the dice in their own favour whenever they get the opportunity, and that the political system has something fundamentally rotten at its core. An opinion poll carried out in spring 2009

[*] ALEXANDRA KELSO is a Lecturer in Politics at the University of Southampton and the author of Parliamentary Reform at Westminster

showed that levels of trust in Parliament were halved as a result of the expenses scandal, falling from around 30 per cent (a figure roughly in line with average levels of trust in national parliaments across the European Union) to just 17 per cent, according to survey data from Eurobarometer. Not only did the scandal confirm our beliefs, it also served to reinforce them.

After the expenses story broke, we were initially consumed with the details of how the parliamentary expenses regime had been constructed, the specifics of what had been claimed for and how it helped 'compensate' for constrained salary increases. But that focus soon changed. The party leaders, and David Cameron in particular, quickly sensed the enraged public mood, and promised change. The speaker of the House of Commons was forced from his job, and around 100 MPs caught up in one way or another with the expenses scandal soon declared they would not contest the next general election. The focus quickly turned to how public trust in Parliament could be restored, how it needed to change in order to rebuild its reputation and, interestingly, how the crisis could be used to secure a range of institutional and procedural changes to the way that Parliament functions.

The Opportunity for Reform

Consequently, the post-expenses climate was not just oriented towards sorting out the parliamentary expenses regime and beefing up the standards infrastructure that is in place to regulate MPs. Those objectives, though, did naturally take centre stage in the weeks following the scandal, resulting in the Kelly and Legg Inquiries and the creation of the Independent Parliamentary Standards Authority. The desire to look more broadly at the political system and find ways to improve it amplified pre-existing disquiet about the nature of the British political system, which could be found among politicians and public alike. From this perspective, the scandal was simply symptomatic of far more serious malignancies within the British body politic. Newspaper columns and the airwaves were soon filled with talk about instituting 'a new politics', 'cleaning up' politics and making the political system 'fit for purpose'. It seemed as if a brave new dawn had unexpectedly broken for those who believed that British politics required some serious reform, and there emerged a real sense that a few of the old favourites of those reformers – an elected second chamber and electoral reform, in particular – might well be within reach, given the magnitude of upheaval at Westminster.

Of course, House of Lords reform and Westminster electoral reform, in and of themselves, have almost nothing to do with the MPs' expenses. Nonetheless, that these issues were being discussed at all is testament to the remarkable agenda expansion caused by the scale of the scandal, the prolonged media focus on it and the depth of public anger it engendered. The major political parties

sought to seize the new agenda for themselves. The Liberal Democrats launched their '100 Days to Save British Politics' campaign. The Conservative Party not only adopted stringent internal party oversight of MPs' expenses, but also advocated a range of broader reforms designed to have popular appeal, including a proposal that specific issues and legislative proposals would be automatically considered by Parliament if supported by a minimum number of signatures (1 million). The crisis in some ways acted as a shop window for the opposition parties: while magnanimous in accepting their share of culpability for the fiasco, they were nonetheless able to use the opportunity to explain how they would fix it if they held the reins of power.

Indeed, with respect to the parties' response to the reform issues raised by the expenses scandal, the episode highlighted the very different institutional positions of the main Westminster parties, and the varied resources they could deploy in addressing it. In contrast to the Conservatives and the Liberal Democrats, the Labour party found itself primarily on the back foot. There are a number of reasons for this. Most obviously, opposition parties are able to declare their chosen policy responses to particular problems, safe in the knowledge that they cannot be held to task on implementing them until they have actually achieved office (if ever). Governing parties, however, must not only state their responses, but also work towards putting them in place. Labour was always going to be far more hesitant about mapping out wholesale reform, particularly with a year (at most) in office remaining.

But there was also a more sensitive issue at play for Labour. The 'new politics' agenda was, after all, not new: it was, ironically, at the heart of the New Labour programme in the 1990s, a response to the cash-for-questions scandal and the general epidemic of 'Tory sleaze' that hamstrung the Major years. Labour came to power in 1997 promising to make politics more transparent and to bring it 'closer' to the people. Consequently, the government found itself in difficult waters in the summer of 2009, when the prime minister pledged to reform the Commons, continue with Lords reform and look again at Westminster electoral reform, things that had already been promised well over a decade earlier while in opposition. If the Labour government had been so keen on generating a new kind of politics in Britain, then why had it not already taken care of these things? If Labour had promised to 'clean up' politics way back in the 1990s, why on earth had Westminster found itself, all these years later, engulfed in a political scandal as comprehensive as the expenses crisis obviously was? Why, in short, had more not been done by the Labour government when it actually had the chance?

Challenge of Change

Those who study politics are occupied with the task of thinking, on the one hand, about what the 'ideal' political system might look like and what we mean by a 'good institution', and, on the other, why we are still so far away from securing anything like them. Political analysts have generated two fundamental insights in this regard. First, there is no generally accepted view of what the 'ideal' political system should look like in practice, which means that there will be many different views on which changes are best placed to produce an 'improved' political system. Similarly, our understanding of what constitutes a 'good institution' necessarily involves sets of potentially differing values and divergent priorities: if my values are different from yours about what a 'good institution' should look like, then we are going to come up with different versions of what the complexion of that institution should be. Second, even when political actors agree on how institutions and processes should be changed for the better, actually securing such change is incredibly challenging. It is frequently difficult, even impossible, for actors simply to chart a straight course between identifying a problem and then implementing a solution that corrects it. If things were otherwise, then most political researchers and analysts, and indeed many politicians themselves, would be out of a job.

These twin insights tell us a lot about why parliamentary reform more broadly is such a difficult issue. It is almost impossible to think of a specific parliamentary reform where the proposed change is not contested, and harder still to find an example of a reform that has been pursued and implemented entirely successfully. So, even if we can find agreement that an elected House of Lords should be a goal (and it is by no means clear that we can), the process of actually putting such an elected house in place is far from straightforward. What would happen to the appointed life peers already in there? What system of election would be used? How might the relationship between the two Houses of Parliament change as a result? Many of the same questions can be directed at Westminster electoral reform, too.

Crisis Outcomes in Context

Yet, this picture is perhaps unfairly pessimistic. A key outcome of the expenses scandal was the appointment of a committee on reform of the House of Commons. The Labour government had established a modernisation committee in 1997, which secured some interesting changes to the way that the Commons works, but this hardly heralded a new era for parliamentary reform. Indeed, if its goal had been to tilt the terms of trade away from the government and towards the House of Commons (and it is arguable whether that really was the aim), then much remained to be done. A central concern for those who advocate parliamentary reform is that government too easily

dominates the House of Commons, and that Parliament is, as a result, an insufficient check on the strong executive at the heart of the British political system. A host of solutions to this problem have been proposed, and an elected House of Lords and electoral reform are part of this picture. So too are proposals encompassing alterations to the legislative process, more time for backbench MPs in the chamber, and strengthened scrutiny committees, all of which are designed to increase the ability of the Commons collectively to scrutinise the government and hold it to account.

The new reform of the House of Commons committee, chaired by Labour's Tony Wright (a long-standing proponent of reform), made a number of crucial recommendations within just months of being convened. None of those recommendations were particularly new, and most had been debated among reformers and academics for years, dating back to at least the 1950s. One key proposal was that chairs and members of select committees should be elected, rather than nominated by party whips. Another was that the Commons should create a business committee to decide how House time is used and allocated, thus delimiting the power of government in this process and ensuring it is one that is owned more clearly by MPs collectively.

So, the agenda expansion that happened post-expenses enabled reform leaders inside Parliament to seize an opportunity to press for changes that have been forwarded by academics and MPs for decades. It looks increasingly likely that the suggestions about reforming select committee membership will be adopted in the future, marking a significant institutional change for Parliament, and one that has been sought since the select committees were introduced in the late 1970s. Institutional change is difficult, but it can happen.

This brings us back to the central issue: what exactly does the membership of Commons select committees have to do with restoring trust in Parliament and politics? The reform committee also proposed a third set of changes, addressing the way that Parliament engages with the public, particularly in terms of how public petitions are used. These three areas of change combined were viewed as a package designed to redefine the role of Parliament in British politics and recast its relationship with both government and governed.

We need to be careful with this slippery issue of public trust in politicians. It may be fashionable to lament a decline in political trust in the wake of the expenses scandal, but the truth is that the public have never really trusted politicians, and no institutional reform is going to change that, certainly not in the short term. Ultimately, the most interesting aspect of the crisis was that it prompted such a remarkable public debate about 'what is', with respect to our political system and its constituent institutions, and 'what could be'. This itself is a crucial step towards increasing the public's trust in those who represent them.

Between 22 February and 4 March 2010, many of the changes proposed by the Commons reform committee, including that for electing members to select committees, were approved by the House of Commons.

The most significant outcome of the expenses crisis was not that it ushered in wholesale political reform, but that it facilitated popular discussion about what such reform could achieve in the long run, and enabled meaningful steps to be taken towards making Parliament into the 'good institution' reformers have dreamed about for so long.