

Tony Benn Memorial Lecture 2019

Brexit & Parliament

12th March 2019

State Rooms, Speaker's House



Rt Hon Harriet Harman QC MP

Member of Parliament for Camberwell and Peckham

Mother of the House of Commons



House of Commons
London SW1A 0AA
@HarrietHarman
www.harrietharman.org.uk

Check against delivery

I'm so honored to be invited to give the 2019 Tony Benn Memorial Lecture and thank you to Mr Speaker for his characteristic generosity in allowing the use of these wonderful apartments. I'm delighted to see you all here this evening when Brexit has once again thrown government in disarray and brought parliament to the fore, in particular the members of Tony Benn's family.

One way and another I've known the Benn clan for over 30 years.

THE BENN FAMILY

I knew Melissa from the early 1980s when she came to work with us at NCCL (now Liberty). That while I've forgotten half the people I worked with so long ago Melissa was completely memorable and brilliant. Properly feminist - an instinctive sister in the growing Women's Movement.

I knew Caroline because of her pioneering work on education. She was a rare phenomenon in her generation in that despite being married to one of the most high profile politicians of her generation, she was never overshadowed by him - excelling in her own political space.

I knew Hilary from when he was in his 20s and as an Ealing Councillor, a leading light in the new generation of municipal socialists. And what a remarkable MP he has become. A minister in the happy days of the last Labour government - in the cabinet as Secretary of State for International Development but before that in 2003 taking through the Sexual Offences Bill, our first Bill to begin to transform the way the criminal justice system deals with Sexual violence. And now playing a leading role as chair of the Brexit Select committee - more of that later.

Stephen, I met at the centre of the dynamic politics around the GLC - as a member of the late lamented Inner London Education Authority.

And now I know the next generation - Stephen and Nita's daughter Emily - who Tony told me he was so proud of - who's fighting for the causes of feminism and against antisemitism and so courageously standing up against harassment and bullying - more of that later too.

TONY BENN

I knew Tony Benn from when I was working at NCCL (now Liberty) in 1981 and was selected as the Labour candidate for Camberwell and Peckham.

While many on the left in the Labour Party were antagonistic to the feminism which was my pathway into politics - regarding it as a diversion from the class struggle, Tony was always - and remained - open to new ideas and new progressive movements, whether it was the environment, gay rights or feminism.

And he was always kind to new MPs. Imparting his wisdom to the next generation in an enabling and gentle way. That's something I try and bear in mind when going about my Mother of the House duties!

I remember one such encounter in the early 1980s when I was sitting in a miserable heap in the Members cafe at about 11am waiting for a vote with a streaming cold, exhausted from sleepless nights with young children and he came over and asked why I was there. I said because the whips had said we had to be. He explained that his view was that each MP had to take responsibility for how and when they voted. That we were elected by our own constituents. That our commitment to our party meant that while we should always have the courtesy to tell the whips what we were going to vote it was, nonetheless, our responsibility alone how we cast our vote and that could never be delegated to the whips. You should never blame the whips for how you've voted because it was always your decision, not theirs. That was incredibly empowering and I've lived by that ever since and promulgated it to new MPs. Whips are necessary but they only have the power over you that you let them have.

Tony coined the 5 questions for the powerful:

- what power have you got
- where did you get it
- in whose interests do you exercise it
- to whom are you accountable and
- how can we get rid of you?

And though he left parliament in 2001 in order, he said, to spend more time in politics, those 5 questions underlie Tony's passionate commitment to parliament.

So that's what I want to talk about this evening.

Specifically Parliament in the context of the constitutional crisis which has been precipitated by the Brexit referendum which has:

- divided the country,
- divided both the Conservative party and the Labour Party
- been the catalyst for The Independent Group of former Tory and Labour MPs
- set government against parliament
- and unleashed abuse and threats against MPs

Nearly everything in politics has been changed by Brexit - and parliament is no exception.

The referendum, by its very nature poses a challenge to parliament - giving a decision to the electorate, then necessitating parliament to implement it.

It has divided the country along national and regional lines - Scotland and Northern Ireland voted Remain while a majority in England and in Wales voted Leave. Its exposed divisions between our big cities - who voted Remain and small towns and rural areas who voted Leave. It's exposed divisions between the generations with younger people voting overwhelmingly to Remain and older people voting to leave.

TENSIONS IN TORY PARTY

Long-standing tensions about Europe in the Tory party have stormed into the public domain and with that a giddy turnover of ministers that cannot but be undermining the business of government. It takes, I would suggest, at least a year to come to grips with a Department and build alliances with the outside stakeholders. But many ministers are gone within a matter of months.

CHALLENGE TO THE PARLIAMENTARY HIERARCHY

Cabinet ministers used to be able to count on respect from newly elected backbenches just by virtue of their office. But no longer. And that is a good thing. A culture of deference squashes down backbenchers and puts front benchers on a pedestal. And that's wrong because each and every MP represents a constituency and no constituency is more important than any other and so all MPs are equal.

LABOUR PARTY DIVISIONS

On the Labour side too, there are divisions on Brexit. But though less heated than the Tories', they have a problematic regional dimension. Some Labour MPs are in strong Leave seats and some, like mine, are unequivocally Remain. Labour allies find themselves torn apart by how their constituents voted in the referendum. It's not just what you think about Europe but what your constituents have told you.

Referenda complicate the electoral mandate of MPs. That is a bad thing and inflames the mistrust of politicians which is always simmering just below the surface.

THREATS TO MPs

One of the most sinister effects of Brexit is harassment, abuse and criminal threats to MPs.

There is an undeniable increase in threats. And Brexit, though not the sole reason, is clearly a driver of it. A narrative which includes MPs of double crossing or betraying the voters and which splashes their pictures across the front pages as mug shots of mutineers, traitors, whips up violent hostility. These are not just empty threats.

Jo Cox was murdered less than 3 years ago doing her job as an MP seeing her constituents in an open advice surgery. Since then, there have been a steady stream of people being convicted for offences of threats and violence against MPs. We notice them in a brief press report or on Twitter. But what we see is just the tip of the iceberg. We've got to start facing up to the rising tide of harassment and violence against MPs. And stop it. What is at stake here is our democracy. Some might think that MPs are only too willing to whinge about what's happening to us. The opposite is the case. There is massive underreporting of threats to MPs. We are hard-wired to be champions of our constituents and rescue them from their problems. The last thing any MP wants is to be seen as a victim. Some don't report threats worrying it will only increase the obsession of the "fixated individual" who's stalking them. Some feel at the same time both fearful of their assailant and sorry for them - especially if they've got mental health problems. We see our task as helping the vulnerable not calling down the police on their heads. And some don't report because they think that it will be a waste of their time and nothing will be done about it.

And in response to the rising tide of threat, there's a steady and worrying trend of MPs changing the way they work. MPs are less likely to see us going about our work as we are now less likely to tweet in advance of a meeting we're going to, or identifying an estate where we're off for a walkabout. Many MPs have changed the way we do our advice surgeries. Instead of open surgeries where any constituent can turn up, only seeing them if they've got an appointment. No longer doing surgeries in remote community halls on estates and instead holding them in the Town Hall.

MPs are less likely now to travel on public transport on their own. And that's a shame as it's when you get the chance to hear from random strangers.

MPs who are driven off Twitter by abuse are being denied the important right to use social media to communicate.

And even when they are out and about with their families, MPs report that they get harassed. While many MPs are resigned to enduring abuse it's not fair for it to be inflicted on our family members.

Many MPs worry about the safety of their staff. In Brighton Peter Kyle's constituency office was attacked. In Scotland Stuart McDonalds constituency office was attacked.

Those MPs who do ask for help report a big variation in the response. While some find the police helpful, others report the police showing more sympathy with the assailant than the MP victim. The police who stood by while Anna Soubry was being harassed as she tried to make her way back to Parliament no doubt thought that they were defending the rights of protestors.

No MP should face a barrage of abuse for doing their work as a holder of public office. It's in no-one's interest if, to stay safe, MPs retreat from and become more remote from our constituents. MPs should not, as they do in many countries, have to live behind bars.

There are competing rights here. The rights of MPs to be able to speak their mind without fear or favour, as they are elected to do, and the rights of the public to protest. The Joint Committee on Human Rights - which

I chair - is holding an inquiry into the scale of the threat to MPs and how we draw a line to ensure that MPs remain safe to get on with our work while respecting the right to protest.

We're going to interview a wide range of MPs to get a complete analysis of the origin, object and scale of these threats; the impact of social media, the regional "heat spots", the correlation with racism, misogyny and anti-Semitism.

We'll be scrutinising the role of the House authorities, the police, and CPS and the social media companies.

We'll be making recommendations which respect the rights of protesters and protect the safety of MPs. We are not an effective democracy if MPs have to look over their shoulder before they speak or vote.

DISRUPTION TO THE BUSINESS

Brexit has thrown up into the air the normal set patterns of the parliamentary year. The February recess cancelled. Just about every week Business is changed at the last minute. No-one, even government seems to know what's happening until the day before. It's impossible to plan constituency meetings with any confidence. Set against the enormity of what Brexit means for this country, the disappointment of constituents who'd been hoping to meet you might seem like a small thing. But it's indicative of the pervasiveness of the disruption that Brexit has brought.

People hate instability, division and Brexit has brought that in bucketful's. But some of the changes precipitated by the chaos are, nonetheless, valuable.

WEAKENING POWER OF THE WHIPS

With the striking divisions within the parties, has come a dramatic weakening of the power of the whips. Government whips who manage to lose a vote by 230 don't seem invincible any more. And on the Labour side some of the Whips themselves voted against the whip and yet remain in their post. The default position of Members voting with their whip can no longer be taken for granted. MPs can't just be told how to vote, a case has to be made out. Loyalty to the party which chose you and enabled you to get elected is valuable but it's a good thing that blind loyalty is less prevalent.

SELECT COMMITTEES

Select Committees have grown in authority. Where they used to be worthy but unremarkable, now they are powerful, authoritative, well-led, accountable and greatly valued by the House.

As Leader of the House in 2007 I brought forward the change to make them elected by Members rather than appointed - taking their accountability away from the party hierarchies and giving it to Parliament.

The divisions within the parties have propelled onto the backbenches and then into the chairs of select committees, wisdom and parliamentary quality which would in normal times be reserved to the front benches. So we now have Hillary chairing the Brexit committee, Yvette Cooper chairing the Home Affairs Committee, Rachel Reeves chairing the Business Committee and Nicky Morgan chairing the Treasury committee is the government's loss but parliament's gain.

Brexit has been complex and beset by detail. And with backbenchers more than usually sceptical of what the Government says, the information gleaned in select committee inquiries and analysis set out in their reports has been invaluable. That ascendancy of the select committees is a vital rebalancing between the Government and parliament - in parliament's favour.

When a select committee chair rises to speak the House listens. I believe that the respect and authority of select committees will endure after the Brexit crisis is over.

And amongst the members of the select committee - engaged as they are in newly important work - strong cross party bonds are formed

CROSS PARTY WORKING

With the weakening of the power of government and of party power hierarchies and the strengthening of Select Committees has come a new phenomenon of cross-party working. Working with others from different parties used to be only for grandees who'd given up on party politics or for single issue campaigns like abortion reform. But it's become entrenched now in a completely new way. As a newly elected Member, it was years before I even spoke to a Tory MP but just as the profoundly important issue of Brexit has opened up fissures within the parties, so it has created new alliances across the parties. The new members - from both sides - who arrived in 2017 are as likely to seek support for their campaigns from the other side as they are from their own. I marvel as I see them chatting to each other across party lines between votes. That's a good thing too.

PROXY VOTING

With the government having no majority, every vote is a cliff-hanger which no MP wants to miss. Votes in parliament have assumed a new importance. But what about women MPs who are having babies. It didn't used to be an issue when there were hardly any women MPs - and those that there were either didn't have children or had children who'd grown up.

But now there are many younger women, on all sides of the House. Dealing with their childbirths was assimilated into the pairing system - allowing them to be excused the vote by agreement between their whips and the whips on the other side. But women don't want to ask permission. They want to have rights which they can rely on. And they don't want to be excused the vote and abstain. They want to vote. They fought to be selected and to be elected and their constituents expect them to record that vote for their constituency.

So our demand was for women MPs giving birth to be allowed to appoint a proxy to cast their vote for them. With the same for men who were becoming new fathers. But the campaign for proxy voting for baby leave had stalled. No-one owned up to disagreeing with it - certainly to me, anyway - but it just wasn't happening. Come Tulip Siddiq's determination to cast her own vote on a Brexit division and people seeing on their TVs appearing in the Division lobby in a wheelchair 9 months pregnant precipitated its introduction overnight.

PARLIAMENT FINDING ITS TEETH

As the government struggles, there's a new sense of just how much Parliament matters Parliament has discovered it can put its foot down when the government is treating it with disrespect. This Government took to boycotting Opposition Days and ignoring parliament's expressed view. That's been brought to an end with the House ruling that the Government was in contempt of parliament and ordering that the Attorney General's Brexit advice be made public. This is good not just for the House but for government too. I well remember when we were in government how we'd gnash our teeth about Opposition days. We didn't want The House to decide on a Wednesday evening to tell us that we were doing the wrong thing on the Gurkhas pensions. Or that we were wrong on 90 days detention. But the House was right and government wrong and it was good all round that we had to listen.

One of the many things for which Tony Benn was so notable was that he was not only speaker, he was also a writer. And he was a hoarder - of all his papers! His diaries are not only compelling reading they are compulsory reading for the light they shed on the past and the lessons we can learn for the future. He took his diaries out on the road speaking to thousands of people all around the country, people who cared about our democracy but would never go to a political meeting. He took his politics to them.

For different reasons I too hoarded all my papers - right from when I was first a candidate in 1981. Every month I did a written report to my local party, every speech I made, every paper I published. I wrote everything down and kept it all. For 3 reasons. Firstly because I'm a lawyer and lawyers are hard-wired not to throw anything away. 2nd because I was a young woman in a parliament of older men and a mother of

young children at a time when most young mothers didn't work before their children went to school so I felt I had to defend myself against my detractors and prove that I actually was doing my job by reporting on all the tenants associations I attended, the campaigns I backed, the speeches I made. And thirdly because the party in the early 80s was riven with factions and malice and I felt it was only if I wrote down and circulated my views and actions that I could protect myself from being misrepresented. The result was a ready-made archive which I was able to turn into my memoirs. Mine are in the cloud.

I would encourage all my parliamentary colleagues to do the same. Much of our work is invisible to the wider public and its important modern history. I particularly commend my colleague Rachel Reeves who's become an accomplished writer about the unknown history of our remarkable women MPs. And I hope more MPs will follow in those footsteps

In conclusion, it's hard to know if the positive changes that have emerged out of the Brexit chaos will endure when Brexit is no longer an issue (if ever that day comes). But the constitutional crisis it has precipitated has reminded parliament that we, not the government, are democracy. And that's invaluable and worth fighting to retain.

ENDS