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Democracy

David Taylor
On PFI

Select
Committees

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Hitler's Tories

Regular Features

What Do We Vote For?

Democracy is said to be in crisis because so few people bother to vote. Two ways of getting more people voting are suggested. One way is to make it so easy to vote that it becomes almost unavoidable. The check-out at supermarkets can be made into polling stations where you can cast your vote on the spur of the moment at the suggestion of the cashier. The other is that voting should be made compulsory on penalty of a substantial fine, so that if you fail to contribute to the welfare of the body politic you must contribute to the Exchequer.

There is a third way, which has not been considered. That is to give people something to vote for.

The view that voting is a kind of ritual activity, a kind of fetishism, whose political effect is negligible, is widespread and soundly based.

Voting makes a difference to those who are voted for. If it also made a difference to those who vote—beyond the imaginary difference arising from fanciful sympathy with one lot or detestation of the other—then voting could be taken for granted. Understanding in terms of cause and effect is part of the structure of the human mind, and if voting as a cause had some definite and discernible effect on conditions of life, that fact would be registered, and there would be no more need for the public authorities to urge people to vote than there is for them to urge them to eat.

The acuteness of the problem of voter apathy—if it is a problem—arises from New Labour strategy in the 1997 election. New Labour deliberately made itself indistinguishable from Thatcher Toryism in policy matters. When it said it was “time for a change” all that was meant was a change of faces in Whitehall.

But this was only an extreme case of what has been almost the norm since the British state became a democracy in its internal arrangements about eighty years ago. In that time there have only been two

elections in which something substantially more than a change of faces was the issue—1945 and 1979. Old Labour socialism stood for something substantially different in 1945 as did Thatcherism in 1975. Between 1950 and 1974 Toryism functioned within the parameters set by Old Labour during its 1945/50 administration. And since the mid-eighties Labour has been functioning within the parameters set by Thatcherism. And so, unless politics happen to be one's fetish, electoral indifference is a perfectly reasonable position.

Another factor which makes democracy problematical in Britain is the difficulty in knowing what one would be voting for. The Election Manifestoes of parties are great bundles of things, obscurely wrapped up, so that the victorious party can claim a democratic mandate for pretty well anything it chooses to do. There was a time when these manifestoes were widely circulated and candidates could be questioned about them at meetings held in small halls around the Constituency during the weeks of the election campaign. But nowadays the manifestoes are hardly ever seen and there are very few meetings. Electioneering consists chiefly of propaganda bombardment by the Party centres on television programmes in which (to the relief of the propagandists) there is never enough time to get to grips with anything.

But the fundamental difficulty about democracy in Britain is that the British state is a centralised oligarchy with universal franchise added on. The political routines of the state were well developed before the universal franchise was introduced. And the universal franchise came as part of the deluge of jingoistic patriotism of the First World War. It was the political price the ruling class had to pay for the military conscription it had to resort to in order to win that war.

If democracy, in the form of universal suffrage, had come about through internal conflict in British society, there is no knowing what its consequences might have been. But it was introduced without internal political conflict, under the conditions of bizarre ideological frenzy generated by the entirely unnecessary war on Germany in which the British state barely averted defeat. The democracy therefore slotted itself into the pre-existing routines of the state.

The first democratic election in Britain (1918) had no consequences of the kind usually thought of as democratic. It came after a three-year suspension of electoral politics—the previous election having been held in 1910. It was held in an atmosphere of vindictive jingoism. The popular slogan of the Coalition of parties that won it by a landslide was "Hang the Kaiser!". The first decision of basic Constitutional importance taken by the new democratic Parliament was first to ignore, and then to over-rule, the election result in Ireland where, for the first time, a party committed to Irish independence won an election—and won by a landslide. And when the Irish electorate refused to let itself be over-ruled by the British, the Black-and-Tans were put in.

The most important decisions of international consequence taken by this first democratically elected British Parliament were to "make Germany pay" for the war, even though it was Britain that had made war on Germany; and to cheat the Arab world of the independence it had been promised when it was enlisted as an ally in the war against Turkey. The roots of the Second World War are to be found in the first of these decisions. The Middle East is still living with the consequences of the second.

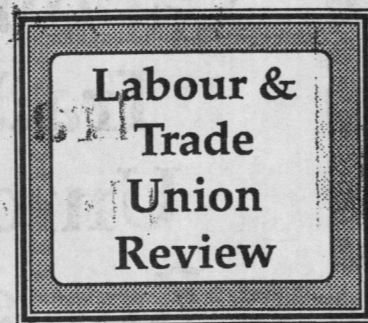
It is not easy to think of another British government which acted in such bad faith as this first democratically elected government.

If democracy is held to be the source of all good things in politics, how is this to be explained? In bygone days, before New Labour obliterated all traces of thought in the socialist movement, it used to be said that Britain was not really a democracy in 1918, and perhaps that it is still not really a democracy.

While there is much to be said in support of the conclusion that Britain is not really a democracy, the kind of reasoning which usually led to that conclusion was not very realistic, because it involved an idea of democracy as a kind of transcendental or mystical entity which was not realised in anything as prosaic as the universal franchise. But there is no need to go transcendental in order to see Britain as being on the margin of what can be considered democratic government.

Lincoln, in his famous warmongering speech on the battlefield of Gettysburg gave the classic definition of democracy as "government of the

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people, for the people, by the people".

Edmund Burke was perhaps the most influential political philosopher in the development of the British state. He was the philosopher of party politics, and he held that "livery" could be maintained only through representative government by elected parties. But he was most decisively not a democrat. He saw it as the business of the aristocracy to govern, and of the populace to be governed while they went about their ordinary business. The art of politics then consisted of eliciting the consent of the governed to be governed.

Liberty, or constitutional government, was government by parties of the aristocracy which presented themselves periodically, with clearly defined policies, to a very limited electorate. The electorate in that system functioned as a kind of focus group.

That was the Whig system of politics

Concluded on back page

Gwydion M. Williams

Notes on the News

The Demolition Of Britain

Thatcherism demolished the economic structure of post-war Britain, supposing that the social structure would then 'recover' and go back to being what it was.

The very opposite happened. New Labour accepted the demolition and is quite happy that the whole lot should go.

Tories have not accepted it. Portillo damaged his chances by making it clear he did accept it. He might have made them electable, but only by ditching everything specifically Tory in favour of a Modernist morass. Much like New Labour, but 'New Tory' is improbable.

Many MPs favoured Iain Duncan Smith, including the entire Labour Party plus the Liberal Democrats, who are almost assured of becoming the main opposition if the Tories make yet another blunder. Yet what are the alternatives?

Kenneth Clarke kept a loyal low profile all through the Hague years. It was always possible he'd get elected after the predictable Tory defeat, and it still is. There is also some basis, if he loses, for a mass defection to the Liberal Democrats. Possibly an overall realignment as Centre Party, even with Clarke as leader. He'd be a credible Prime Minister, which no Liberal in living memory has been.

As for Iain Duncan Smith, he bears a strong resemblance to the sort of arrogant fool who used to run the country and made an appalling mess of it. He has the air of Macmillan and Douglas Hume, without the suggestion of benevolence.

Punk Capitalism

British culture in the 1970s opted for an odd approach, represented by things as diverse as Punk Rock, Microsoft and Thatcherism. You might call it

Post-Moralism, or maybe Higher Punkishness. Certainly, it accepted that the old morality did not apply, but then refused to build anything new.

Punk Rock broke down barriers but created nothing. Young people were successfully diverted from the idealism of the 1960s and into selfish individual competition. It was a 'cultural counter-revolution' anticipating what Thatcher and Reagan were later to do to the economy.

'Globalisation' is definitely the wrong word for it. The post-war Keynesian system was authentically globalist and could well have resulted in a functional World State on the model publicised by H. G. Wells.

The modern pseudo-globalism is freedom and globalism only for this Plutocratic/Corporatist culture. It can increasingly go through national barriers, which are otherwise to be maintained. The North American Free Trade Association and its successors keep unwanted labour behind national barriers. The rich have unlimited freedom to mess up the lives of the poor, but welfare obligations stop at sovereign national frontiers.

This is in marked contrast to the European Union, which was built on the model of the older sort of Globalism. Anyone in a member state can go to live and work anywhere else. There were temporary barriers when Spain and Portugal first joined and the same will apply to Poland etc., but with a view to equalisation in the foreseeable future.

That's one model. America's alternative is a Global Plutocracy. They use the same formula they've applied to their own people and to Latin America: subvert government and allow money to rule. This plus a legal system that is

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intentionally kept hazy, slow and expensive.

Fantasy-crook Was Real Crook...Shock Horror

Back when Jeffrey Archer was riding high, I did read a couple of his books. What struck me was the overall air of smug dishonesty, cheating treated as a fact of life. That he won a libel victory over a newspaper that made a minor technical error over his mysterious payment to a prostitute shows what rubbish the English law can be. His final fall was long overdue.

Beijing 2008

Human rights include such minor matters as eating, education, getting medical treatment and having a job. Only those who feel secure about such things care a lot about free journalism and multi-party democracies.

The West successfully impoverished the former Soviet Union and its allies by dumping on them a political system that the west only acquired after it had reconstructed itself. Most of the world knows it. But Britain's media does not know it.

The BBC News at 10 reported the award in disapproving tones and without giving the voting figures - a landslide for Beijing. And it managed to give a sinister slant to what was obviously a happy crowd expressing public celebration.

The Independent mentioned the boycott of the Moscow Games without remembering the cause, the invasion of Afghanistan which confirmed that Moscow was not going to rest content with what it gained in the 1940s but

would conquer whatever it could. Whereas China claims no more than what was commonly seen as Chinese in 1911. Slightly less, in fact, since the independence of the Mongolian Republic is not disputed. And all the mentions of Tibet evade the fact that it never was constituted as an independent nation in the modern sense.

The Beijing Olympics will hopefully do for them what the Tokyo Olympics did for Japan (and the Seoul Olympics didn't really do for Korea). It was long overdue, as well. Only after the Beijing games will the event have been hosted by more than half the world's population, counting nations rather than cities, which is the reality.

One hopes that India will be a future

host, though they are poorer and slower-growing than China, the economic cost of political and cultural pluralism. As for Indonesia, no chance. They listened to Western 'reforming' advice, as Africa did, and thus sink ever deeper into poverty, violence and dependence.

Community Wars

Over here, we have had community conflicts, but not so far any race wars. None of the riots in the northern cities have been anti-white as such. The targets have been the police, as well as particular people seen as racist, and I've not heard they were far wrong.

Weaving The Web

You can find the Bevin Society at <http://members.aol.com/BevinSoc/is.htm>

A Parliamentary Voice Against PFI

David Taylor M.P.

David Taylor was a public sector accountant before he was elected Labour MP for North-West Leicestershire in 1997. He was not known for rebelling against the party leadership in the first term. But, in a House of Commons debate which he initiated on 17 July, he mounted a devastating attack on the Private Finance Initiative, the central plank of the Government's plans for private sector involvement in the delivery of public services. Here is what he said:

David Taylor (North-West Leicestershire): The full title of the debate, which I am delighted to have secured, is the rather prosaic "Implications of the Private Finance Initiative". If I were to provide a subtitle, it would be "Myths, Sorcery and Other Accounting Devices". As a public sector accountant—I declare an interest to that extent—I must confess dismay and astonishment at the readiness of my

Government to prod and coerce public agencies down the PFI and public-private partnership route using a rationale that is frequently dubious, shot through with subjectivity and based on figures of doubtful authenticity to demonstrate the desirability of projects that, in the medium-term, are costly, inflexible and will depress the quality of public services, accelerate privatisation and divert taxpayers' hard-earned cash into the pockets of multinational companies that view the ethos of public service and the existence of the public sector only as a barrier to trade and an obstacle to profit.

I referred at the outset to myths. One of the most persistent myths is that PFI somehow squares the circle of bringing in new money while reducing the need for scarce public finance that otherwise could not be afforded. That is financial illiteracy raised to an art form. Every penny raised for PFI schools, hospitals and the prisons to which tomorrow's electorates will no doubt commit today's responsible Ministers is paid for by the public purse, plus interest, plus profits. Stretching over half a century, in some cases, PFI does not lever in private finance; it merely allows

private shareholders to dip their large ladles into an increasing stream of tax revenue.

Independent research shows quite unambiguously that the Government could have paid for the whole programme of PFI projects without breaching the sustainable and golden fiscal rules articulated by the Chancellor. The Major Government lost control of public borrowing. In a frenzy of creative accounting, they conceived public-private partnerships and involuntarily bequeathed that poisoned chalice to Labour on 1 May 1997.

It is a sadness that the Government have been so seduced by the flawed and feeble justification for this abandonment of prudence that they have conveyed the firm impression that PFI is the only show in town. Local government and health authorities have trudged down this rocky path with increasingly heavy hearts and increasingly lighter purses.

Let me deal more thoroughly with value for money. PFI projects cost much more than conventionally funded projects, not least because the private

sector borrows at higher rates than the public sector, which is underpinned by the lowest-risk borrower of all, the Government. The extra costs are boosted by lengthy negotiations with expensive City lawyers, consultants and fine wines employed by both sides. The escalation of costs is accelerated, notwithstanding the low risks, by the large returns demanded and the ballooning of scale.

The Birmingham schools PFI is a good example. It started in 1996 at £20 million for eight schools and presently stands at £80 million for 13 schools. The higher levels of finance unsurprisingly lead to an affordability problem for the client authority, which often responds by reducing service and capacity, drives down labour rates and drains subsidies from other budget heads to bridge the PFI gap. PFI hospitals are another example. They have worse staffing levels and, typically, 30% fewer beds.

At the heart of the judgment as to whether PFI provides better value for money than its public sector comparator is the allocation of risks between the public client and the private deliverer. At this point we enter the seedy world of accountancy massage parlours, where figures are pummelled and distorted into unrealistic shapes.

Research for Unison by Professor Allyson Pollock into the transferred risks that allegedly made schools and hospital projects value for money showed that calculations of risk are arbitrary and unreliable. What a surprise. A specific example is that the average cost overrun for national health service capital projects in the 1990s of 7% can be almost doubled in typical transferred risk calculations to upwards of 12.5%. No wonder that the first PFI hospital at Dartford failed to make projected savings.

Despite frequent assertions by Front Benchers of both main parties, there is little or no evidence that private sector management, with its hallowed status as a third way icon, is more efficient at delivering quality services than workers in the public sector. As PFI projects come on-stream, the anticipated quality standards and adherence to cost and time scale are not delivered as frequently as their advocates suggest.

There is insufficient time to examine

the litany of failures. Three will suffice: the fiasco at the Passport Agency, when Siemens paid only £2 million of the £13 million bill; Andersen Consulting's national insurance recording system, which needed to provide £35 million compensation to pensioners; and PFI's own big daddy—the channel tunnel rail link, bailed out by a Government bond guarantee that, at a stroke, took back the project's risks.

The belief in the natural superiority of the more creative, innovative and risk-taking private firm over the poor old public authority is seriously flawed. In practice, the private sector relies on the expertise of public sector professionals to run their newly acquired services. It shies away from too-intensive competition, through takeovers and mergers that have led to a handful of mega-multinationals dominating the sector. Such touching faith in private management flies at the speed of sound into the face of the evidence experienced on a daily basis by those who must endure some contracted-out services in the public sector. Most notoriously, Britain's filthiest hospitals are cleaned, if that is the right word, by private contractors.

My party and my leader seem to take it as read that innovation and the efficiencies of the private sector can be straightforwardly harnessed to deliver public health priorities and goals. However, the fragmentation caused by the PFI approach will divert resources and miss more goals than a Chris Waddle penalty. A key component shoring up the whole PFI edifice is the lowered pay and conditions of staff engaged. High quality public services need high quality employment and although transferred staff receive some protection, new ones tend to have poorer pay, weaker conditions and little in the way of occupational pensions. Women, the crucial and under-valued resource in the public services, take the biggest hit. As PFI contracts last for decades, the original tier of staff is steadily replaced by an entire class of women working under weakened conditions and terms. PFI depends on the exploitation of staff. There is a strong link between poor employment practices and poor quality services.

The Government state that value for

money is the sole issue when PFI projects are assessed against the cost of traditional procurement. That appraisal is heavily shaped by the discounting of future cash flows at 6%. Payments from taxpayers for the capital elements of PFI schemes are typically made later than is the case under conventional procurement. The higher the discount rate used, the better value the PFI project will look in comparison with the public sector option. Such discounting to a net present cost is flawed in two key ways. First, it does not acknowledge that public sector purchasing now tends to spread costs over time through borrowing, and the formulaic approach tends to assume a clumping of expenditure in the early years of public sector projects.

Secondly, the real costs of public borrowing have reduced and the arbitrary 6% discount rate used by the Treasury can no longer be justified. Reducing the rate to 5% would make a typical PFI project in this cost area 5% more expensive over its lifetime than its public sector comparator. That difference is enough to level the spreadsheet in favour of public purchasing for a raft of projects that have been forced down the PFI route. This is not some arcane discussion between sad accountants who should get out more; it really does matter.

The recent Sharman report reviewing accountability for public expenditure showed the difficulty of accounting for public funds when the private sector is the provider of public services. In the brave new PFI world, it is not clear that the Government have sufficiently strong and flexible mechanisms to guarantee the probity of public expenditure. Politically, PFI and the wider use of PPP restrict the operational terrain for politicians and inhibit our ability to make a difference. Services are supplied increasingly by private bodies that are not accountable in any way that people can recognise. That may lead to a lack of responsiveness by service providers to users, a blame culture between different public bodies and widespread electoral disenchantment. ... At the very least, in an improved world, taxpayers, citizens and consumers have a right to expect that grievance procedures and effective sanctions will give them the prospect of redress when service failures occur.

In responding to today's debate and to the stream of criticism about PPP that will no doubt characterise this Parliament, the Minister and the Government may be tempted to pray in aid the recent publication from the Institute for Public Policy Research entitled "Building Better Partnerships". The commission that produced the report was critical of how some PFI and PPP projects operated in the past, but endorsed the Government's view that expansion of private sector involvement into the heart of public sector provision should be pursued energetically.

Even that stacked commission felt moved to say that the link between private provision of public services and cost-cutting would have to end, and that partnership should not be seen as privatisation by stealth. It, too, asked that PFI proposals be subjected to a sensitivity analysis to examine whether different assumptions on risk allocation would lead to different value for money conclusions. Even that commission comprehensively demolished the fatuous theory, so frequently articulated in this place by people who should know better, that PFI allows Governments to undertake more projects than would otherwise be the case. It does not, cannot and never will.

The IPPR is to be congratulated on initiating what appeared to be a rational and measured debate on this most provocative of topics, the interface between the private and public sectors and the possible takeover of the latter by the former. However, we must set that report in context. The commission carried out its inquiry in private, with an unprecedented coalition of big business and Government movers and shakers. Sponsors of the commission can in no way be described as politically neutral; they have a direct interest in the expansion of the PFI market and in tapping into public funds for education and health. They have been quick to recognise the possibility of positioning themselves to benefit from the dismantling of the barriers that previously protected the public sector from the warm embrace of private firms.

As the Catalyst Trust said, the IPPR makes the case for extending PFI by setting aside or downplaying the fact that almost all analysis of the potential

of PPP acknowledges the inability to improve efficiency, concentrating instead on the benefits of alleged risk transfer. I referred earlier to the lack of objectivity in risk calculation, but the position is worse than that. The methodology used does not take into account the additional risk presented by outsourcing services when the most vulnerable people in our society are the ones who will suffer most if essential services falter or fail and, to quote the intellectual mother of PFI, "there is no alternative". Even when risk has been transferred, it has frequently proved impossible to enforce that contract in a practical way. PFI apologists will say that these are just teething problems. My view is that the private sector seems to talk up the risks in contract negotiations but talk them down when raising capital finance from the market.

"Does it matter whether public services are delivered by the private sector?" say the commission, the official Opposition and some of those at the heart of Government. Of course it matters. The public sector's motivation is social responsibility, while commercial firms have a responsibility to their owners and shareholders with obligations to clients and customers some way behind. In countries such as Australia and the United States of America in which health privatisation—by PFI and other means—is further advanced, evidence strongly points towards poorer services with a lower quality of care, more bureaucracy and more inappropriate and less effective treatment. In short, services are down to a price, not up to a standard.

Our party should be the last to stand aside when the necessary modernisation of public services on which millions of our people depend is accompanied by the unnecessary collateral damage inflicted by the PFI: the inflexibility and rigidity of service provision, reduced access, decreased diversity and, ultimately, the failure to meet public need. We should resist the PFI-inspired erosion of the foundations of our public services that usher in the expansion of user charges and show the door to the principle of the public funding of services that are free at the point of delivery.

My comments have drawn on research from a range of organisations and the early evidence of the effect of

PFI contracts on a number of public services, not least the NHS, which has experienced significant changes whenever PFI has been utilised. The express concerns of health professionals encapsulate the serious flaws inherent in PFI and render it incapable of being a long-term strategy for increasing capital investment.

The British Medical Association is concerned that the planning of PFI hospitals presumes increased output because of reduced bed numbers, with attendant implications for clinical services in the hospital as well as for primary care and social services in the community that do not have provision in the contracts. The BMA also points out that an implicit assumption of long-term contracts is that there will be a continued demand for the services of a particular hospital. That pre-empts revenue decisions to be made by local health authorities and primary care trusts for the foreseeable future.

Naturally, the BMA points out that PFI funding is effectively hypothecated and forces resource constraints to focus on staffing. That may lead to unplanned changes in work force configuration. The non-NHS owners of PFI hospitals will employ former NHS staff, but there has not been guidance to back up the welcome assurance from the top of our party that clinical staff will remain in the NHS. I am unconvinced that that is possible in a PFI context.

... In the recent election campaign we were told by the electorate to invest or lose. In yesterday's speech, the Prime Minister told us to reform or bust. Today, we should robustly say that public provision, not privatisation, is the way ahead.

It may be clear that I am opposed to the PFI on accounting, economic, social and political grounds. I remain convinced that public finance and provision remain the most effective, efficient and equitable way in which to modernise our hospitals, schools and other public services. The route that we are pursuing will take us more steeply into a private sector swamp that is populated by those who set the

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Kevin Brady

Parliamentary Diary

The Battle Begins

If the public service unions have not yet adopted full battle dress for their threatened war with Labour over PPP and PFI, they have certainly started to rattle their sabres. So far, union opposition to the Government's plans has focussed on the ideological differences between the two. It now needs to move on to the ground of practical opposition, where the unions provide real-life examples of where private sector involvement in service delivery is failing; and this should go further than dirty hospitals.

What the unions must not do is oppose the Government's plans because they believe they will have an adverse effect on their members' jobs. It is understandable that they should do so, but it would be a gross error on their part if they did. The 1970s image of self-interested trade unions must not re-surface. If it does, any public empathy with their opposition will quickly disappear. Unfortunately, a letter from Mark Serwotka, General Secretary-elect of the PCSU, to the *Independent* on 27th July, gave just this impression.

In it he says, "We will not compromise on our opposition to privatisation where it threatens jobs or services". Equating the protection of jobs with the delivery of services is a neat tactic, but it will not fool the public. The PCSU, and other unions, have to show that PPP and PFI are a real threat to service delivery, first and foremost. Of course, delivery of services requires highly skilled and trained staff and many of these already work within the public services; and, to be fair, Mark Serwotka did make that point in his letter. But he needs to show the public that opposition to the Government is not primarily jobs-related.

The GMB have hit Labour where it hurts and withdrawn financial support of £1 million over the next four years, while UNISON are undertaking a review of its affiliation to Labour. Writing in the *Guardian* on 19th July, the UNISON General Secretary, Dave Prentis said that its campaign "will expose how public private partnerships hurt us and the public. It will expose the scale of the failures of the private finance initiative and it will include giving unflinching support to our members who take action to protect their terms and conditions and our public services".

These are fine words, but I wonder just how much support UNISON will give to a branch that takes industrial action in protest at a PPP or PFI scheme being introduced in the health service on the grounds that it could damage their interest as employees. It had better be careful not to go too far down this road as such action could be deemed to be 'political', and therefore unlawful under current legislation. One feels that in the use of the term 'unflinching', Mr Prentis was indulging in a bit of sabre-rattling.

Dave Prentis' article was a response to the Prime Minister's speech on public service reform at the Royal Free Hospital on 16th July. In it he said, "My commitment is that I will not flinch from the decisions and changes to deliver better public services, no matter how much opposition", and that "Vested interests are not the public service ethos. A commitment to better public services is and no vested interest can have a veto on reform". It couldn't be clearer. For 'vested interest', read trade union.

With Blair so determined to press ahead with private sector involvement in the public services, is there any point

to trade union opposition? Well, yes and no. It is clear that the unions are not going to wring many changes from the Government, but they have a useful role to play in raising the public debate about the future of the public services. For years the trade unions were seen to be the enemy of progress and the public good. That, thank goodness, has changed and they now have an opportunity to win public support for their views. Without that support they will fail.

On the other hand, opposition is a waste of time and money if, once the war is over and the Government have made no real concessions, the unions continue to support a Blair-led Labour Government and Party. It would be gross masochism on their part if they were to do so. This diary and magazine is a strong believer in the link between the Party and the trade unions. But none of us should be under the illusion that Blair is a Labour man, let alone a socialist. It is time for the unions to face Blair and say, no more, Mr Nice Guy.

The unions had the opportunity to confront 'Mr Nice Guy' over the treatment of the G8 protestors by the Italian police. Blair's reaction was to imply that all the protesters were violent and anarchists, but the brutal police attack on sleeping protestors showed the hollowness of his position. Blair was quick to condemn the anarchists' violence, but he has yet to comment on the fascist tactics of the Italian police. And the unions have been equally silent. Global free trade controlled by the WTO is a real threat to public services, a point made by the majority of peaceful protestors in Genoa and Seattle. By not publishing a statement condemning the violence of the anarchists and the police the unions missed an opportunity to comment on Blair's support for an organisation that is as great a threat to public services as Blair himself.

World Wide Web

Further information about various magazines, pamphlets and books can be obtained on the Internet. Look up ATHOL INFORMATION at

www.users.dircon.co.uk/~athol-st/

Tam Dalyell on Select Committees

According to the *Independent* (25th July), Robin Cook, the newly-appointed Leader of the House has promised to allow Parliament to choose the personnel of Select Committees. This follows the uproar on the Labour back benches when the Whips sacked Donald Anderson (Chair, Foreign Affairs) and Gwynneth Dunwoody (Chair, Transport). Could his decision change the role of Select Committees, as, ultimately, the creatures of Government, and allow them to evolve into something more like their American counterpart? Did he force Blair's hand on the issue—perhaps by way of revenge for being sacked as Foreign Secretary over his opposition, as rumour has it, to Star Wars?

There is an interesting glimpse into the origins of modern 'specialist' Select Committees in Tam Dalyell's masterly book, *Dick Crossman: a Portrait* (London 1989). I hope Mr Dalyell will forgive the L&TUR if we quote a bit of his account and the analysis that goes with it. Tam Dalyell was for many years Crossman's PPS and the book therefore comes from close personal knowledge of Crossman and his politics.

These 'specialist committees' should be distinguished from the older select committees, the oldest of which is the Public Accounts Committee set up by Gladstone in 1861. They were initiated by Dick Crossman in 1966.

"Now we take select committees for granted as part of the Westminster scene. However, the birth of Select Committees was 'a close run thing'.

"The key date was Thursday, 17 November, 1966, which happened to be my wife's twenty-ninth birthday. Crossman gave us a nightcap, and talked to us late into the night about all that had happened to him that morning. I sensed that it was a day of decision and took even more voluminous notes than usual.

In retrospect, the 17 November 1966 Cabinet was a Battle of Salamis for the House of Commons. Had Crossman lost—and he won by the closest of margins—which would, *de facto*, have meant in that parliament, because given the troubles to come in 1967 and 1968, the Cabinet would not have countenanced any reform which would add to their burdens. By 1969, it was the fag-end of the parliament, and there was no steam left for embarking on reform.

"The Heath Government was rather inflexible, whatever Ted Heath's 1980s image, and would not have turned its attention to Select Committee innovation. Nor, in my opinion, would the 1974-79 Labour Governments, with their wafer-thin majorities and day-to-day precarious existence. Besides the composition of the Parliamentary Labour party was by then far less radical and reform-conscious than a decade earlier. Nor would the establishment of potentially critical Select Committees have been one of Margaret Thatcher's interests.

"The only opportunity was to be found in a time-window in 1966, and only Crossman could have done—and Wilfred-of-Ivanhoe-like, he would have failed, had it not been for the Black Knight riding to his rescue in the shape of Harold Wilson."

Tam Dalyell explains how the Select Committee initiative was part of a wider package of proposed reform of parliamentary procedure which included morning sittings and changes in emergency debate procedures to make it easier to have topical emergency debates. He put the case for these in the Cabinet meeting of 17 November 1966. Without going into detail (see pp. 156-157 of the book) the reforms were opposed by people like James Callaghan, Michael Stewart, George Brown and Manny Shinwell. The point was that this was a Cabinet which prior to being elected

had favoured more parliamentary control over the Executive, but promptly lost interest when a plan to provide it was put before them. These were ministers "who seemed to Crossman and me to have lost contact with the parliamentary rank-and-file". Crossman was, however, supported by Barbara Castle and Harold Wilson, and he observed to Dalyell that both these, in contrast to the others, knew what it was like to be on the backbenches for a very long period of time.

Dalyell then goes on to describe the difference between Commons Select Committees (as they have existed prior to the Cook era), and the American system of Congressional Committees.

"As to Commons Select Committees, they can never aspire to the power or status of the US Congressional Committee. Crucially, they don't have the power of veto over cash. An American committee can actually stop government money from being used. British committees can only talk, examine and write reports, which the executive may not deign even to have discussed on the floor in Parliament, let alone acted upon.

"The basis of this geological fault—Bagehot saw it more clearly than Crossman—is that the Congress and the White House executive are divided by the Montesquieu-inspired separation of powers in the Constitution; and, critically, a senator or a congressman in Washington sees preferment as dependent upon the esteem of his fellow senators and congressmen. The ladder for a legislator in Congress depends on his or her peers, not on the President of the United States and his acolytes.

"The House of Commons is geologically different. An MP is dependent on his Party, his Whips, and above all the Leader of his Party, who may be the Prime Minister too. Any youngish MP on a Select Committee who is too awkward towards Minister or his party's policy is not going to help him/herself become a junior Minister or a Shadow Minister. The pressure on a young MP to keep one's political nose clean is obvious and potent. Few MPs are going to make the Select Committee, for its own sake, go wheresoever the investigation may lead; they are not inhibited physically (Select Committees

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David Trimble: Peacemaker?

As violence continues to fill the political vacuum in Northern Ireland
Brendan Clifford considers what David Trimble has contributed to the peace process

The *New Statesman* of July 2nd carried an account by its one-time Editor, John Lloyd, of an interview with the Ulster Unionist Party leader, David Trimble. The article was published the day after Trimble had thrown the Good Friday Agreement into what could be a terminal crisis. The interview, conducted a couple of days earlier, shows that Trimble's intention was that it should be a terminal crisis, and that it should lead to a return to the *status quo ante*: "It is clear... that he... sees the future shape of the politics of the province as being up to him: to produce a stronger bond between the mainland and that part of the UK that remains Irish [!]. It is not a direction that Sinn Fein can be expected to endorse; it carries, itself, the risk of renewed terror. But it is the route Trimble now maps, and on which he now seems likely to begin to march".

"One of Trimble's closest advisers", says Lloyd, "told me that he feared civil war". (Could that be Professor Paul Bew, who, like Lloyd, is an ex-Marxist of the strict Althusserian variety, which strained Marxism to breaking point and somehow deposited them both in the camp of Ulster Unionism?)

Trimble envisages civil war as the outcome of his resignation because if, "as is constitutionally laid down", failure to find an alternative First Minister leads to elections to the Assembly, the Paisleyite and Sinn Fein votes will increase: "In this bleak landscape, however, Trimble walks with the conviction of a politician who sees himself as a large player in British as well as Northern Irish politics", and he has his eyes on a seat in the Tory shadow cabinet. Thus "he seems almost serene" even though he imagines that he is precipitating Armageddon.

A few weeks later, on July 20th, Trimble appeared on Radio Four's Any

Questions. He dismissed the idea that the breakdown of devolved government might lead to a return to war. The IRA only embarked on the peace process because it was on the verge of being defeated by the British Army, and it was therefore in no condition to resume the war.

By combining these two positions one gets at the core of fundamentalist Ulster Unionist aspiration: a return to warfare in such a way that the British will take off the gloves, smash Republicanism, and bring the croppies to heel. Trimble actually used the phrase "bring them to heel" only a few months ago. It is only through this bringing to heel that Ulster spiritual satisfaction can be achieved. And Ulster Unionism is a spiritual rather than a political entity. It can be manoeuvred by superior authority into a semblance of realistic political activity as the lesser evil. But it cannot be manoeuvred into engaging with a will in the implementation of agreements which it felt compelled to sign—and which it signed with Jesuitical reservations.

One can take a horse to dirty water, but one can't make him drink it. The horse is a fastidious creature. And the water of the Belfast Agreement is indisputably dirty to Ulster Unionist eyes. This might not be political analysis in the approved mode. It is the impression of Ulster Unionism which I gained through considerable acquaintance with it after I gained its attention with some things that I published thirty years ago. I think it has stood the test of time better than any of the many analyses in the approved mode that have been produced by authoritative institutions over those three decades.

Anyhow, Trimble has "serenely" turned away from the Agreement which he only signed under duress. He cannot

state formally that he never agreed with the Agreement. After all, he got £100,000 for putting his name to it. But: "In this new freedom born of the heady prospect of a new course [civil war?], Trimble feels he can criticise those on whom he has, perforce, relied over the past three years. I asked just how disappointed he was in Tony Blair. He voices no personal criticism, but says: *The great mistake of the first period was the release of the prisoners for no gain. Their release should have been linked to decommissioning... Releasing prisoners who had committed serious crimes... was a judicial abomination: but if you are going to do it for reasons of political gain, then at least make sure you get the gain!*"

But there would have been no Agreement if surrender of Republican arms had been made a precondition of the release of prisoners. The possibility of getting an Agreement with that as a precondition was tested by John Major after the first Republican Ceasefire and it led to Canary Wharf. So Trimble's position amounts to a statement that the Agreement was wrong and that he should never have been forced to sign it.

Lloyd apparently did not ask him if the surrender of Republican arms should also have been a pre-condition of Sinn Fein taking seats in the devolved administration. That was a sore point which it was tactful to avoid. Trimble delayed the setting up of the devolved government for more than a year and a half after the signing and ratifying of the Agreement by making it a precondition, but then he gave way when some pressure was brought to bear on him—whose nature one can only speculate about—which he did not feel able to resist. But when finally agreeing, after almost two years, to take part in the devolved government, he lodged a letter of resignation with the Unionist Council,

post-dated by two months (which included the long Christmas recess) to be activated by the Council.

Another point on which Trimble disagrees with the Agreement he signed is "all that Patten crap". But "all that Patten crap" goes well beyond Sinn Fein. Without it, the SDLP would not have been party to any Agreement.

The SDLP position has always been that it will not encourage Catholics to join the police unless there is a drastic reform of the RUC. But Trimble treats it as a shift in the SDLP position under pressure from Sinn Fein: "they attempted to out-Sinn Fein Sinn Fein. They would not, for example, accept their responsibility to persuade Catholics to join the police force. And yet, even here, they are losing the people who should be their supporters. I am told that 35% of the applications to join the RUC come from Catholics. The Catholics are leaving their parties in Northern Ireland."

Well, that is not something to be argued about. If the Catholics are leaving their parties because their parties do not support the unreconstructed RUC, then the problem of governing Northern Ireland will dissolve.

I spent twenty years finding out about the Ulster Protestants and making out the best case I could for them. I was routinely condemned in Nationalist circles as a Unionist, which was only to be expected. But I never suggested that Unionism provided a possible ground of settlement, or that within the Northern Ireland constitutional framework there could be any substantial form of political activity other than a process of attrition between the two communities. And I always took the Catholic Loyalist—that notional figure dear to to Unionist hearts—to be a mirage.

Trimble denounces Sinn Fein as "a party of fraud and coercion" and he "has called on his party to emulate its organisational and PR skills". He claims that, of the three seats it gained in the General election, "two were won by fraud", but he refers in detail only to one of them! In Garrison, in the Fermanagh/South Tyrone constituency, "Sinn Fein forced the returning officer to reopen the polling station to allow about a hundred Sinn Fein supporters to vote—and the

Sinn Fein candidate won by 53 votes". And he calls for a prosecution—though covering himself against failure with the thought that "the witnesses will be afraid to testify".

Sinn Fein, with its marvellous organisation, failed to get its supporters to the polls in time!

My information is that the voting process was slow because the General and Local elections were held together (the latter being on the P.R. system) and that at Garrison people who had been queuing up to vote an hour and a half before closing time objected to having the door shut on them, protested, and were allowed to vote after the official end of voting. Where does the weight of democratic argument rest in that case?

At many other polling stations electors who turned up to vote well before closing time had the doors closed on them, and because they did not protest as vigorously as the electors at Garrison they were disfranchised.

Ruth Dudley Edwards, who was a radical Irish nationalist a generation ago but became an admirer of Orange Unionism after being included into the British Establishment—she is the official historian of *The Economist*—described the insistence of the Garrison electors on voting as fascism. Meanwhile, democracy was said to be in danger in other parts of the UK because electors simply couldn't be bothered to vote.

John Lloyd used to be a supporter of Irish nationalism, like Ruth Dudley Edwards, and like her he has flipped over into Ulster Unionism, and become an uncritical retailer of tall Unionist tales. I am partly responsible for his flipping. It was through a political position which I thought up in the early 1970s, and which was given practical political force by David Morrison and Eamon O'Kane over the next fifteen years, that Lloyd made the transition to Unionism. That position was not Unionist, but it became Unionism in Lloyd's hands when he became editor of the *New Statesman*. And Trimble, knowing where Lloyd had come from, humoured him:

"Would it not be a good thing if a bright lad from the Falls Road could rise to the British cabinet, as one from

Scotland and Wales could?", John Lloyd reports him as asking. "The Labour party should organise itself in Northern Ireland. Indeed, it can be seen as a breach of human rights that it does not".

Ah, the nostalgia, for times which have passed away—and fortunately can never be restored, so that it is safe to be nostalgic about them!

The movement to establish British party politics in Northern Ireland as a pre-condition of a settlement within the United Kingdom built up a considerable head of steam in 1986/7. What brought it to nothing was the unalterable opposition of the entire spectrum of Unionism, and the particularly venomous opposition of the Ulster Unionist Party. And the element of it which concentrated on the Labour Party was brought to nothing by Kate Hoey, abetted by John Lloyd, who reduced it to fundamentalist Unionism. It is now a mere debating point. Its time has come and gone. A pathetic remnant of it sometimes appears on the fringe of Labour Party Conferences, but the Catholic support which gave it substance during the 1980s has been thoroughly alienated from it and its energy is expended in other directions.

Professor Bew, the ex-Marxist who is now Trimble's close adviser, always opposed the Campaign for Labour Representation and the Campaign for Equal Citizenship in the days when party organisation was a live issue, but last year he urged (in *The Guardian*) that the Labour Party should open itself to Northern Ireland members as a Unionist gesture.

The issue is now safely dead and can be raised as a Unionist debating point in the certainty that it can lead to nothing. It is so dead that it can even be made use of as a stick to beat the Agreement with by the Party that killed it:

"He continues: *The way in which the Agreement was constructed kept Northern Ireland politics in its sectarian state. Nationalists had never had to share in government because they were always a minority: so this was a complicated way of getting them in. But it meant that the politics remains fixed on the basic constitutional question of*

the nature of the state: it remains fixed on the border. What I would like is a way of getting out of that; of involving the province much more in British political life; in also allowing the people there to shape their own society politically, as in Scotland and Wales. In pursuit of that, he says, he would wish that British parties organised in Northern Ireland".

So he rejects the aspect of the Agreement which did not make Republican surrender a precondition of prisoner releases or participation in Government. He rejects "the Patten crap" that was essential for SDLP participation. And he rejects it because it freezes the "sectarian" structure of politics, which was the structure chosen by his own party at the moment when there actually was a choice.

But, with these reservations, he is the leader of pro-Agreement Unionism!

His criticism of the SDLP is an outrage, and it is a disgrace to journalism that it should be retailed uncritically by Lloyd.

It has been my opinion for close on thirty years that "constitutional nationalism" is essentially futile, if only because there is nothing constitutional for it to do. But Seamus Mallon must be given credit for being constitutional by conviction and for being willing to engage in a basic confrontation with Sinn Fein in alliance with the Unionist Party—a thing which Lord Fitt could never bring himself to do when he led the party.

In November 1998, seven months after the signing of the Agreement and about six months after the ratifying referendums and elections, when Trimble had stalled the setting up of the devolved government by making Republican disarmament a precondition of it, Mallon made him an offer which a Unionist leader who supported the Agreement, but had tactical difficulty with the decommissioning issue, would have seized upon.

The offer was that if Trimble agreed to the setting up of the devolved institutions immediately, with Sinn Fein taking its place in them, Mallon would undertake to exclude Sinn Fein from the

administration if the IRA did not decommission within a specified time. That was possible at that time within the rules set by the Agreement because the SDLP was still electorally dominant in the Catholic community and could have delivered the consensus element needed to exclude Sinn Fein from government on the ground that it was in breach of the Agreement.

The outcome would have been what was in effect a Unionist/Constitutional Nationalist coalition directed against Sinn Fein. The isolation of Sinn Fein—the declared object of the Dublin and London Governments and of Unionist leaders over the decades—would have been accomplished.

Trimble's response to the offer was to ignore it. The only rational object of Unionist Party policy within its chosen Northern Ireland constitutional framework was the effecting of a substantial breach between the SDLP and Sinn Fein and, on that basis, a coalition with the SDLP. So why did Trimble not take up Mallon's offer and put it to the test? Because in order to do so he would have had to agree to implement the Agreement in its other aspects.

Sinn Fein maintained that Trimble was making use of the decommissioning issue in a way not warranted by the Agreement in order to ward off the Agreement. His rejection of Mallon's offer to join him on the decommissioning issue, even to the point of excluding Sinn Fein from the government, was conclusive proof of the Sinn Fein argument to those whom it most concerned, and they have responded appropriately.

In the summer of 1998 the SDLP could look towards a bright future as the major Catholic party as the agreement was implemented. It has now been undermined by the conduct of the Unionist party.

Whether Trimble's conduct was calculated, or was as spontaneous as his triumphalist dancing of the Orange jig with Paisley at Drumcree five years ago, is not worth speculating about, since any calculations he made were those of an Orange jigger. He made use of decommissioning as a blocking device

against the Agreement. That might be described as calculating. But he was enabled to do it so tenaciously because it was in decommissioning that spiritual satisfaction lay—and spiritual satisfaction is fundamentally important to a community which is very much more spiritual than political.

"Decommissioning" is the word he uses with John Lloyd. But "handing over arms" is his more usual way of putting it. Decommissioning is something that could be accomplished in ways that give no spiritual satisfaction. Handing over arms is surrender. And surrender would be sweet. It would be a politico-transcendental event in the line of succession from 1641 through 1649, 1690, 1798, 1912, etc.

That is what is being sought. That is what the heart dwells upon, while the head pretends to engage in political activity on other grounds, but balks at every opportunity.

Decommissioning, leaving aside these aspects, is a non-issue. The IRA is on an indefinite Ceasefire in order that Sinn Fein can enlarge the political space which it occupies. If it ever decided to return to warfare it would be able to do so whether or not it had decommissioned. It was virtually unarmed at the start of the Irish War of Independence in 1919, and yet it gained a points victory in that war. And when the Provos created themselves and broke free of "Official" Republicanism in the winter of 1968/9 they too began in a virtually unarmed condition, and went on to gain a points victory. And if in the future it was decided to revert to military activity arms would not be a problem even if there had been decommissioning.

Germany was disarmed in 1919 but twenty-one years later it defeated the French and British Armies, which had declared war on it. The usual explanation given after 1945 was that the mistake was made in 1919 of disarming and dismantling the Army instead of breaking up its General Staff. But the General Staff was a kind of mental existence, and I could not understand how it could be got rid of except by killing all the officers, or taking them out of Germany by some other means. (After the Williamite conquest Ireland was rendered militarily helpless for a century—or for two

centuries and a quarter if you discount the disordered and provoked rebellion of 1798—by the complete removal of the military stratum by one means and another.) The German officers were still reduced to playing with cardboard imitations of tanks only a few years before they had to face the combined military power of Britain and France.

And so the part of the IRA that counts will contrive to exist regardless of “decommissioning”.

There is a demand that the Republicans should issue an unconditional statement that “the war is over”. But if they made such a statement, how could they be believed in a world in which everything is conditional? It is the conditional nature of Republican statements that gives them credibility.

An unconditional statement that the war is over would amount to a confession of guilt for ever having started it. If it would be wrong to re-start it regardless of conditions, then the conditions in which it was started thirty-one years ago did not justify it.

An unconditional statement of the kind that is demanded relates to some other sphere than the political—the individual sphere of remorse, repentance and salvation. And it would of course be completely un-British. Britain itself has never expressed remorse for any of the things it has done in the world, and it has always taken advantage of such moral weakness in others. The Provos have in this regard played by British rules. If they had responded to British moral exhortation and desisted from their criminal actions in fit of remorse they would have been treated like dirt.

Mary Kenny, a radical Irish nationalist a generation ago who has become an English Tory, published an account of an interview with Trimble in a Dublin newspaper last year, in which I was cited as an influence on him. I met him twice. The first time was around 1971 when he was a student. He was venturesome enough to go to the fringe of West Belfast for a talk with a Fenian who had made out a historical case for the Ulster Protestants. We discussed things for half an hour or so. The following year he emerged as one of the activists in William Craig’s fascist

movement, Vanguard, formed in response to the abolition of the old Stormont regime, and naturally he had nothing more to do with me.

‘Ulster a Nation’ was the Vanguard slogan. It was taken up by Tom Nairn of the *New Left Review*. In 1974 I brought out a large pamphlet with the title, ‘Against Ulster Nationalism’, which circulated extensively. It took issue with Nairn’s arguments but was not directed to the New Left (which I never saw as being susceptible to the influence of reason in practical politics). The object was to open up a way of thinking for Protestants which might conceivably lead out of the cul-de-sac they had got into. I know that it had some degree of influence, though certainly not on Trimble.

The second time I met him was about twenty years later. I was being sued for libel by Mary McAleese, who is currently President of the Irish Republic. I had published an article critical of her appointment as head of the Institute of Professional Legal Studies in Belfast. The job specification required the appointment of a barrister or solicitor in successful practice, whereas she was merely a law lecturer in Trinity College, Dublin, i.e. in another jurisdiction. (Practical law is specific to jurisdictions.) No lawyer in successful practice applied for the job (which was misconceived). The job specification was changed without public announcement of the fact. It was not re-advertised as being now open to law lecturers. Applications were solicited from McAleese, and from Trimble, who was a law lecturer in Queens University. These were three clear breaches of the Fair Employment law—even though the Judiciary was represented on the appointing body.

Mary McAleese was appointed, even though her experience was as a lecturer in another jurisdiction, while Trimble had lectured at the Institute and had been acting head of the Institute.

A number of Unionist MPs expressed concern about the appointment in Parliament, but John Taylor and Roy Beggs both refused to appear at the libel trial and give evidence regarding the grounds for concern. Trimble, on the other hand, was willing to give evidence about the manner in which applications

were solicited and about the Institute.

The MPs had nothing to lose by giving evidence, and I put their refusal down to Unionist inability to act in civil society. Trimble, on the other hand, had something to lose. He had already been discriminated against academically on political grounds, and he certainly would not improve his chances by giving evidence against a body which included both the academic authorities and the Judiciary.

I thought he should have initiated legal action against the appointing body under the Fair Employment law. He tacitly acknowledged that he could have—but at the expense of blighting his career.

Before the action came to trial Trimble became an MP. McAleese had long given signs of wanting to call off the action. When Trimble was elected I agreed to a settlement in which she did not get a penny of either costs or damages. If he had not been elected I would have continued to refuse a settlement, leaving her to choose between backing down or risking a trial in which there was a high probability that she would be damaged.

Trimble in his civil occupation had been discriminated against. His political opinions did not justify that discrimination because they were, by and large, the opinions of a majority of the people in the jurisdiction. But when Trimble’s profession became that of a political leader his political tendency became all-important. (Around that time the Queens Young Unionists, who had been guided by Trimble, wrote to me asking if they could serialise in their magazine something I had written on the history of Unionism. Before agreeing I got a copy of the magazine. It included an attack on the African National Congress alongside blatherings about Ulster Democracy.)

John Lloyd’s article is entitled ‘Will David Trimble join the Tories’. It seems that Lord Cranborne is making space for him on the Tory front bench, no doubt with the possibility of a close outcome at the next election in mind. In times past, when there were only twelve Northern Ireland seats, the Unionist party could

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Hitler's Tories

Gwydion M. Williams

mainstream and the leading figures in Britain’s ‘National Government’ were regarded as foolish but well-intentioned.

Pius XII is sometimes labelled ‘Hitler’s pope’, because he negotiated a Concordat with Germany in 1933. (In 1933 Hitler was merely Chancellor, under the authority of President Hindenberg, and it was moot whether his government would last very long or do very much.) And he did this as Eugenio Pacelli, still under the authority of Pius XI.

Short of personally assassinating Hitler, it’s hard to see what either Pius XI or Pius XII could have done to change history for the better. According to the *Encyclopaedia Britannica*, “the Vatican had disliked the Munich Agreement (1938), by which Czechoslovakia was sacrificed to expanding German power by Britain and France. Pius [XI] especially strove to keep Italy neutral and was deeply saddened when he failed.”

Present at Munich was Sir Alec Douglas Home, parliamentary private secretary to Neville Chamberlain, later Foreign Secretary and briefly Prime Minister. He and other Tories who were part of appeasement maintained their grand careers provided they switched when the British imperial mainstream switched.

It also did not hurt the career of Ambassador Joe Kennedy that he was willing to write off Britain in 1940 and accept a Nazi victory as an accomplished fact. His son’s presidency was to be the high point of US Liberalism. Likewise, Robert Kennedy was forgiven his part in the anti-left hysteria of the 1950s, which was conveniently blamed on Senator McCarthy after almost everyone accepted that it had gone too far. And people still think of his pursuit of the

trade union boss Jimmy Hoffa as admirable—never mind that almost every American politician has done at least as much as Hoffa did.

And what of the Nuremberg Trials? Justice might have been better served had a crowd of enraged survivors of the death-camps broken open the prisons and lynched anyone with a notorious Nazi connection. The duly constituted tribunal applied much the same rule, only it was done under the pretence that International Law had somehow been established.

International Law was not established at Nuremberg, because it applied exclusively to the defeated. It does not exist today. A proposal to establish it is being blocked by the USA, which will not risk its own people being prosecuted by foreigners for breaking laws and civilised norms that the USA may find inconvenient.

The current trial of Slobodan Milosevic is no different. They will be hard put to convict him of anything that couldn’t also apply to some past US Secretaries of State or even ex-Presidents, not to mention British Home Secretaries or Northern Ireland ministers who may well have known more than they should about state-sponsored murders.

This can’t happen because it is a Tribunal “established by the Security Council in 1993, and has jurisdiction over individuals responsible for genocide, war crimes and crimes against humanity in the former Yugoslavia since 1990” (BBC Online). Crimes outside of Yugoslavia are exempt, unless the world’s great powers on the Security Council chose to make provision for them. So are crimes committed before 1990, which avoids the embarrassing issue of pro-Nazi Croat genocide of Serbs

in World War Two.

In any case, the Security Council seems to have broken the rules by ignoring the UN General Assembly, which is much less subject to great-power control. Milosevic has said: "I consider this tribunal false tribunal and indictments false indictments. It is illegal, being not appointed by UN General Assembly, so I have no need to appoint counsel to illegal organ." (*sic*)

The USA has openly advertised that it will ignore the 1972 treaty banning missile defences. Bush Senior decided to fight the Gulf War with or without UN approval. Law is used to further US policies where possible, and otherwise ignored. Nor is Europe any better, *vide* its 'humanitarian imperialism' in Africa. The great powers have re-established their right to intervene anywhere as and when they please—the very thing the UN was supposed to replace.

But isn't this at least a way of establishing some humanitarian principles, after the UN failed? Not really. The UN was not allowed to succeed, and the USA intentionally sabotaged the first big attempt at peacekeeping in the Congo, where a democratically elected leader—Patrice Lumumba—was unwise enough to invite in the UN as if it were a genuine 'international policeman'. He was deposed by the UN and then murdered by his enemies with UN connivance. But the UN is not always so malleable, so the USA has mostly preferred to bypass it.

Britain before the war preferred to let the League Of Nations get discredited, and allowed Nazi Germany to aid General Franco to overthrow a democratically elected left-wing government in Spain. Similarly, in 1936 Britain, despite pleas by the French to keep faith, allowed the Locarno system to collapse by not calling Germany's bluff over the reoccupation of the Rhineland. Britain did far more to pave the way for Hitler than is commonly acknowledged.

Concentration camps were an invention of the British ruling class, used by them to win the Boer War. Elements of the technology had previously been used by the Spanish in their attempts to hang onto Cuba. But what the Spanish

did was create what we would now call 'strategic hamlets', meaning something like house arrest for entire populations that probably supported the enemy. What the late-Imperial British ruling class did was effectively imprisonment for entire populations. These were shipped off to unpleasant camps which had a very high death rate.

The system differed from the later Nazi system only in as much as there was no deliberate killing of the unwanted population. That and the choice of targets was the only distinction. And regarding Stalin's system of Labour Camps, I can't see how it differs significantly from what the British did in South Africa.

Also note that the Bolshevik system as pioneered by Lenin and continued by Stalin established the ideas of sexual equality, racial equality, the ending of colonial empires and the breaking down of class barriers: all things that the British ruling class in the 1920s and 1930s were keen to preserve.

Why do people speak of 'Hitler's Pope', but not of 'Hitler's Tories'? Large parts of the Tory Party and the later National Government regarded Hitler as someone they could 'do business with'. Virulent anti-Semitism and an obvious desire to wage war in the east were not seen as a problem, so long as it seemed as if British interests would be respected. The decision to fight came only after Hitler broke the Munich Agreement and showed (as should have been obvious) that he was just as much interested in revenge against Britain and France as he was in a war with Soviet Russia

The Germans concluded from the way they'd been treated in World War One that they'd be called criminals whatever they did. They had been punished severely after having fought a fairly ordinary war. They had thought they surrendered on the basis of President Wilson's ideas for equal rights of nations—or at least white nations. (Wilson was a racist who admired the original Ku Klux Klan and had no intention of allowing non-white nations to claim the same rights as Europeans.) But in the event, even this imperfect rule was not applied, with Germany, Austria and Hungary being stripped of territories that they should have kept had national self-determination been honestly

applied.

The rise of Hitler was aided by the widespread knowledge that Germany had been treated unfairly. And the fact that Germans after World War One had been branded as criminal for doing what everyone else had done meant that there was little incentive to stay within the norms in World War Two. You might as well be hung for a sheep as a lamb, as the saying goes, and the Nuremberg tribunal did in fact hang people who had done nothing different from what plenty of Britons and Americans had also done.

After World War Two, the Germans were again found guilty, this time with more justice. But then the brief alliance between Britain, the USA and the USSR broke down. Britain needed the USA, and the USA decided it needed the Germans. So punishment of Germany was suspended and everyone had supposed it had ended, apart from some oddities like Spandau Prison that the USSR insisted on maintaining. But when the Cold War ended and Germans no longer had anywhere else to go, a lot more German guilt was suddenly 'discovered'. Even some Polish guilt emerged, since they are the most independent-minded of the serious candidates for the European Union. But I've yet to hear of any Hungarian guilt, though their own histories freely admit that they willingly joined Hitler. Nor about the equally willing Croats, who also and unlike the Hungarians were keen participants in Nazi genocide.

Regarding Milosevic, he did do a lot to push Yugoslavia into conflict, but the various wars also happened because the USA and European Community strongly signalled that a break-up of Yugoslavia was desired. Nations like Hungary respect existing borders because that is the price for future admission to the European Union.

In the case of Yugoslavia, 'get Milosevic' was the only rule, because he managed for a time to carry on with Tito-style socialism rather than capitulating to the West. The West made no pretence of impartiality between the three nationalities. Multi-ethnic Yugoslavia 'had to be' divided, but multi-ethnic Bosnia had to be kept as a unit rather than split ethnically by some impartial tribunal. Ethnically Serb areas in Croatia

had to be ruled directly by Croats, but ethnically Albanian Kosovo could not be ruled by Serbs. Likewise, an ethnic division of Kosovo was forbidden, which meant that its residual Serbian population have been driven out and the war moved on to Macedonia.

No impartial tribunal would convict Milosevic for his handling of a disaster that other, much stronger, powers did far more to create. But then much the same could be said of most of the Nuremberg defendants.

A recent dramatised reconstruction was good enough to show how the prosecution deliberately muddled the issues. The men who ran the death camps—obviously guilty of breaching established norms—were put together with people like Goering who had merely gone on serving Germany after 'Hitler's Tories' unexpectedly switched sides.

Goering should not have been convicted unless a whole bevy of British politicians had been convicted, including Lord Home, the future Prime Minister Sir Alec Douglas Home, along with Quintin Hogg /Lord Hailsham, who started his public career as the successful pro-appeasement candidate in the famous Oxford by-election of 1938

It is hard to see how Goering could have made much positive difference whatever he did. As for Pope Pius, 'Hitler's pope', to have made a public protest at genocide he would have had to sacrifice the Jews of Rome, whom he could see, for the sake of others who

Dalyell: concluded from p.8

great store is set by the unanimous, all-party support. But, when, as in the Westlands affair, there is a really crunch issue, British MPs flinch from embarrassing their Party. Americans go the whole hog. Nor do ex-Ministers show greater independence than their young colleagues. They tend to want something—that knighthood, for instance, which important to the Constituency Conservative Association. Chairmen of Select Committees are *papabile* for elevation to the House of Lords—provided that they behave within the accepted parameters. Crossman did not fully comprehend the power of patronage, about which he himself had

might not be helped.

It would be nice to stage an historic re-enactment of Goering's trial, this time without the confusing presence of other senior Nazi or pro-Nazi figures whose historic role was quite different. And if I could chose a jury, I'd chose a selection of officers in the Israeli air force, who would surely be sympathetic to the view that military officers can not be held responsible for what the security forces of their own state might be up to.

In the case of 'Hitler's Tories', almost anything they did would have made the mass killings less likely. Had they drawn clear lines much earlier and warned Hitler not to go beyond them, he might have stopped, or been overthrown by the German General Staff. And yet up until 1939, when Britain and France declared war, the Nazis had actually killed no great number of their enemies, probably, than Pinochet did in Chile. The mass deportation of Jews happened only after the war began, and would almost certainly not have happened without the war that was later justified by the mass killing in the Death Camps.

There is wanton confusion of three very different stages of Nazi policy. Up until 1941, Jews had been reduced to the status of second class citizens. Their position was similar to blacks in USA except the Nazi laws did not pretend equality, whereas segregation in the USA was held to be the provision of 'separate but equal' rights, held to be valid up until the 1950s despite the very obvious lack of equality. And it was only after racism

written on so many occasions. He did not identify Party and patronage as the stumbling block on which his Plato-like dream of powerful, fearless, investigative scrutiny committees of the Commons would founder. Only, in my opinion, towards the very end of his Cabinet career did Crossman find the sensitivity to realize that few politicians had the outside interest that he had in Prescote [Crossman's country home] (or Tam Dalyell had in his National Trust home at The Binns), if things went disastrously wrong politically. In personal terms neither of us was in a moral position to chide our Parliamentary colleagues for overdependency on the Party. Nor, truth to tell, was Crossman himself consistent when it came to personal involvement in really wanting Select Committees." •

in general had been discredited by its Nazi associations that US racism began to be eroded.

When the war began, the Nazis organised a mass deportation of Jews—something that also happened to Jewish refugees in Britain, classed by the British government as 'enemy aliens', in defiance of logic. This was the second stage, and was well known to everyone.

The third stage—mass killings, at first ad-hoc and then systematised—was much more ambiguous, secretive and uncertain. It is very moot how many people outside of the Death Camps actually knew about it. Guilt was created by deciding that anyone involved in any of the three stages of Nazi anti-Jewish policies was guilty of the whole lot.

But only if they were German or German allies, because the laws had been framed that way. And even blatantly guilty characters like Klaus Barbie could escape if the allies found them useful. Talk of International Law began as shysterism and remains shysterism.

The UN was supposed to change that. Up until 1991, there was some doubt as to whether it was just Russia that had undermined it, or Russia and the USA both. From 1991 onwards, there has been no doubt at all. The USA will not tolerate International Law unless they themselves are definitely above that law and immune from its effects. And Britain has been just as bad, with 'ethics' cited as no more than an excuse to ignore such legal norms as did exist.

Announcement

Open meetings of the Bevin Society/Labour & Trade Union Review are held on the first Wednesday of every month. The next meeting is on September 5th.

Theme: to be finalised. See Time Out or our Website.

7.30 Printer's Room, Red Rose Club, Seven Sisters Road, London N.7

**Nearest Tube: Finsbury Park
Buses: 4, 29, 153, 259, 279**

All Welcome

Leader concluded from p. 2

under which Britain was governed for a century and a half after the Glorious Revolution and was made into an Empire with ramifications all around the world.

When, a generation after Burke, middle class pressure for admission to electoral franchise built up, the concern of Burke's Whig successors was whether the merchants and industrialists could be broken into the routines set by the aristocracy, or would ruin everything that had been built up by taking off after some wild fancy of their own. It was judged that they could. And they were.

Whiggery became Liberalism, with Macaulay as the ideologist of the transition. And the Empire was not only preserved by the middle class in the era of the Great Reform but was extended—eventually (1914-18) being over-extended and therefore going into decline.

The Macaulayite middle class then took the emerging labour movement in hand, as they themselves had been taken in hand by aristocrats like Lord John Russell. The Fabian Society was as colonialist, Imperialist and warmongering as ever Macaulay had been.

Social tensions caused by internal class conflict in Britain itself in the later 19th century and the early 20th were resolved in the sphere of the Empire and colonies, and in the excitement of more

Trimble: concluded from p. 12

deliver ten or eleven of them to the Tories. There are now eighteen seats, but Trimble has only six to deliver, three of which are held by colleagues who are ambivalent towards Trimble's line.

Will the taking of the Tory whip by the UUP remnant really tend to "produce a stronger bond between the mainland and that part of the UK that remains Irish"? The "part of the UK that remains Irish"—does that mean the part that is intent on leaving the UK? The phrase is a curious variation on "the part of Ireland that remains British". In the working of the process of communal attrition, which is the mode of politics chosen by Ulster Unionism, the part of the UK that remains Irish has thus far been eroding the part of Ireland that remains British. And I can think of no politician who has contributed more to the cohesive Irishness of that part of the UK that remains Irish than David Trimble. •

or less endless warfare.

Energy was directed outwards. Government of the island was strangely centralised because it was at the same time government of a large part of the world. In the pioneering imperialistic enterprises of "Greater Britain" abroad extensive autonomy was permitted. While the government of India, for example, existed at the behest of parliament, it functioned to a considerable extent as an independent sovereignty. But within Britain proper there were no independent sovereignties. Everything centred on Whitehall and Westminster.

It might be put this way: there was no self-government of the people, for the people, by the people—because Whitehall was the centre through which Britons had the opportunity of governing large parts of the world. (In fact it was implicitly committed to extending the range of its government indefinitely, excluding only the United States, with regard to which it developed a race ideology of partnership in Greater Britain.

In America, by contrast, self-government was a prosaic reality. The state rested on the activity of government of the people, for the people, by the people. Authority flowed upwards to Washington from a multitude of sovereignties underneath. The state Governments do as they please, except

P.F.I. concluded from p. 6

price of everything but who rate the value of public services as low.

A former Prime Minister criticised a later Administration for selling off the family silver. We run the risk of a house clearance of that on which our national family depends. When my children ask me in 2020—if I am still alive—what I did in Parliament to prevent the disaster of the PFI that will, no doubt, beset them at that time, I shall point to the text of this debate and, I hope, future debates. The PFI is prohibitive in cost, flawed in concept and intolerable in consequences for the taxpayers, citizens and workers who put us in this place and look to us to defend their interests.

The Labour & Trade Union Review is entirely dependent on subscriptions and sales for its continued existence. It is on sale in London in Dillon's, The Economist's Bookshop, and Housman's at King's Cross. It is also obtainable at Books Upstairs, Dublin and in Eason's, Botanic Avenue, Belfast.

on matters when authority has been transferred to the Federal Government. And within the states there are counties—over 2,000 of them—which have their own sovereign sphere of self-government.

Closer to home the Swiss govern themselves. And the Swiss system, like the American, rests on the sovereignty of a large number of small units.

There is no problem about democracy in Switzerland and the United States because democratic self-government is tangible reality in both. But neither is "progressive", in terms of British attitudes deriving from the Whig elite.

Burke understood over two centuries ago that there was no inherent connection between progress and democracy. Democracy tended to be conservative. He was committed to progress and was therefore against democracy.

In later times the Whig elite forged a connection between democracy, which could no longer be warded off, and their own liberal ideals.

In recent years Britain has taken effective command of the European Union and committed it to a line of elitist liberal globalism which was no part of the outlook of its Christian Democratic founders. This has brought it into confrontation with the United States, with the prospect of liberalism and democracy being forced into conflict.

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