

The End of the ‘Good Chap’ Government?

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Politically, at least, we’re experiencing some very strange and challenging times. Brexit continues to throw up events that fascinate and horrify in equal measure. Every week there’s a sense that we’ve reached a ‘ground zero’ and that what’s occurred surely cannot get any more ludicrous or unprecedented.

And each new week brings news that, in ‘normal times’, would result in the fall of the government in power and, at least, produce the resignation of the Prime Minister (PM).

The binary divide between those advocates and detractors of Brexit becomes more pronounced by the passionate desire of the former to contemplate means that, previously, would have seemed beyond what would be accepted to be the rules. Equally, the latter are strident in their stance that such means should be resisted by whatever means are available.

Last week’s decision by the eleven judges sitting in the Supreme Court created a genuine marker of how the world of politics is mediated by the belief that government should be conducted in a way that works according to what may be regarded as a ‘code’. Many, mostly ardent Brexiters, argue that a line has been crossed in that politicians are being thwarted in delivering, by all means possible, the will of the people who voted by a majority that the UK should leave the EU.

Others argue that there is what we’re experiencing amounts to a constitutional crisis and that when the Brexit is completed, hard as that may seem to believe will eventually occur, there needs to be consideration of how politics is conducted. Recent events certainly suggest good grounds for examining whether the current system is no longer working in the way that it once did.

Seminal historian and constitutional expert, Peter Hennessy, asserts that, by and large, the British political system operated on the 'good chap' theory of government. As Hennessy explains, the system has, despite that absence of a written convention based on rules, worked because of the willingness of all concerned to assume that whoever is in government will behave decently and, largely, respect for the other side.

'Good chap' theory requires, according to Hennessy, "a sense of restraint all round" in recognising the limitations of the somewhat arcane principles and protocols and not seeking to undermine or cross them. The fact that the public is now aware of what is regarded as 'the Bible of parliamentary procedure', Erskine May's *Treatise on the Law, Privileges, Proceedings and Usage of Parliament*, originally published in 1844 but now in its 25th edition, tells us how long the rules governing parliament have been around.

Significantly, the 'good chap' theory of government has, with occasional exceptions, worked until now has been a combination of trust that the government wouldn't push the boundaries or actively seek to break the rules. After all, as has been the tradition in the UK which has relied on a two-party system, the government of today will eventually become the opposition of tomorrow. And the assumption has been that playing fair works both ways.

Brexit has, it seems, significantly, if not fatally, undermined the 'good chap' theory of government. Since the referendum there has been much anguish about how to solve the dilemma requiring adherence to the promise to abide by the outcome of the June 2016 referendum that the UK should leave the EU but in a way that causes as little economic upheaval as possible.

As has been pointed out over three years since the EU referendum, the actual nature how the UK might leave the EU was not explicitly defined. As such the 'sands shifted' in terms of what leavers were prepared to accept as being a 'proper' or 'true' Brexit. The consequence was that support for a no-deal significantly increased among Conservatives within the 'Spartans' found among the Eurosceptic ERG (European Research Group); the MPs who effectively stymied Theresa May, David Cameron's successor as PM.

May's inability to achieve parliamentary support for the withdrawal deal she negotiated with the EU was due in part to the fact that she could not rely on support from the ERG or beyond who felt it did not create a sufficiently 'clean' break. Equally, May could not rely on support from Labour who felt that her deal was not regarded as adequate in protecting market arrangements, jobs and employees' rights.

Theresa May, who despite having initially proclaimed her unwillingness to go beyond her 'red lines', stated that "no deal is better than a poor deal". Though she was condemned for not having been more willing to extract concessions from the EU, she was increasingly criticised by MPs within her own party, particularly those belonging to the ERG, for not being willing to countenance no-deal.

May's unwillingness to threaten to walk away from the EU, a stance supported by many within her cabinet, notably ex-chancellor Philip Hammond, effectively forced her resignation after she'd unsuccessfully attempted to gain parliamentary approval on three occasions. Moreover, that rather than leaving with no-deal on 29th March, the original two-year deadline set as part of triggering the article 50 process, added to the sense of deep mistrust and antagonism felt towards her by Eurosceptics.

Brexit had claimed its second Conservative leader, and in July, Boris Johnson was voted in by Conservative party members as replacement to May. Johnson's campaign to become Conservative Party leader and, as a result, PM, had been explicitly based on his willingness to contemplate what Theresa May could not; walking away from the EU without any withdrawal deal to deal with transition arrangements during which further detailed negotiation on trade could be achieved.

Johnson, an Etonian who, whilst at Oxford, was a member of the Bullingdon Club, was perceived by members as the one standout candidate who could negotiate eyeball-to-eyeball with the EU and genuinely threaten to achieve Brexit on 31st October, whatever it took in terms of economic consequences. To Brexiteers within the Tory Party, Johnson is undoubtedly seen as a good chap; he talked their language.

As Johnson's subsequently pronounced with zero equivalence, he's prepared to ensure the UK leaves the EU by this deadline "do or die" and stated categorically that he'd rather be "dead in a ditch" than ask for another extension. That, should there be no possibility of a deal, he's required by the Benn Act to do exactly this has caused some degree of anger by him and the government as well as much hand-wringing.

That a PM is actively considering ways to by-pass or avoid a law that, it should be stressed, was to ensure that the UK does not bring an economic catastrophe of cataclysmic proportions makes his stance all the more breath-taking. Talk of Johnson being found in contempt of Parliament many be fanciful but tells us that any return to the 'good chap' approach is not going to occur anytime soon.

What's been abundantly clear even before he was elected PM is that Johnson sees little value in seeking consensus and complying with the norms of the 'good chap' theory of government; quite the contrary. Appointing the guru behind the campaign to leave the EU, Dominic Cummings, seems deliberately intended to anger those within his own party let alone the opposition.

According to a report in Tuesday's *Independent*, a serving minister believes that Cummings "behaves like an inquisitive child in Cabinet" by constantly asking why things need to be done in the way they always have been. Former Attorney General, Dominic Grieve, who has lost the Conservative Whip because of his belief that Brexit will not be positive and no-deal must be avoided, is also quoted as stating that Cummings, who's believed not to be a member of the Conservative Party, is a "Maoist right-winger" and engaged in "a culture war on our constitutional traditions".

Moreover, in a report in Monday's *Sun*, its Political Editor, Tom Newton Dunn, claimed he doesn't even listen to members of his own cabinet. According to Newton Dunn, as well ignoring advice given by senior ministers appointed a couple of months ago, Johnson has had "bitter rows with his two oldest political friends, Sir Lynton Crosby and Will Walden and listens only to Cummings and partner Carrie Symonds.

It's significant that Crosby and Walden are both reported by Newton Dunn to have warned him not to create the clash with Parliament by using prorogation. Indeed, as the report goes on, a "former close ally" is quoted as saying that, "Dominic's approach is proving a car crash. We're getting really worried".

This suggests that within the Conservative party there are many coming to the conclusion that whatever the arguments for Brexit, strategy of deliberately creating tension and engaging in provocative language is increasingly counter-productive. This was especially so last Wednesday evening when, in Parliament, he replied with the word "humbug" to Labour MP Paula Sherriff's criticism of him for using "inflammatory language" as well as citing the murder of Labour MP Jo Cox during the 2016 EU referendum.

Sherriff had angrily described receiving threats that cited words Johnson had used such as 'traitor', 'surrender' and 'betrayal'. This made Johnson's dismissal appear arrogant and blind to the climate of hate that has been generated in the wider community.

Two books have just been published with previous crises besetting a political leader Johnson sees himself following in terms of stridency and willingness to generate opposition and controversy; Margaret Thatcher. These are; Dominic Sandbrook's *Who Dares Wins, Britain, 1979-1982* and Charles Moore's *Margaret Thatcher: The Authorized Biography, Volume Three: Herself Alone*.

What Johnson should recall, is what happens to Conservative Leaders who, regardless of how popular they might once have been, are seen as being a liability. There are many who believe that his approach to Brexit risks destroying his own party and, potentially, bringing about calamitous ruin if it results in no-deal.

As many commentators are asking, if things are becoming so toxic, how will the UK ever recover after Brexit is concluded; either by remaining or departing the EU with or without a deal? The return to any sense of normality and the age-old courtesy that characterised 'good chap' government seems a distant hope that may, sadly, be in serious danger of being consigned to history.