

## THE YEAR AT WESTMINSTER

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The Government's popularity sank low in Scotland this year: at one stage fewer than one voter in six would admit support for the Conservatives when questioned by opinion pollsters. Such opposition to the governing party was believed to be unprecedented and polls showed rising support for Labour in Scotland - passing 60% - in marked contrast to the performance of the party in most other parts of Britain. Yet it was also a year in which Ministers can be said to have fulfilled the last of their important legislative promises from the 1979 election manifesto. As opposition to Government economic policy grew, the Party fell back on this achievement as the means of trying to hold on to its apparently dwindling support.

Their two key words were rates and schools. The Parliamentary year was dominated by two Bills, the Education(Scotland) Bill and the Local Government (Miscellaneous Provisions)(Scotland) Bill which sounded innocuous enough but which were genuinely radical measures, reversing trends and assumptions accepted in Scotland for many years. Both were vigorously opposed, by Labour and minor parties, but each provided the Opposition with some tactical difficulties which helped Ministers to get them on the statute book by the summer, although at the beginning of the year they had been sceptical about their chances.

The Education Bill, though it implemented several reforms (like those recommended in the Warnock Report) which had general backing from all sides, included the blueprint for an assisted places scheme, under which pupils would receive private education subsidised by the State. In Scotland, with its traditionally lukewarm support for private education, the provision was inevitably controversial and was constantly referred to by the Opposition as an "Edinburgh Plan", allegedly designed for a small part of the population.

The Local Government Bill, similarly, contained some reforms which were generally accepted to be long overdue, but at its heart was the mechanism for penalising local authorities who broke government spending guidelines and which was variously described as unfair, unworkable and dictatorial. The Bill intensified the Government's running battle with Lothian Regional Council and it provided Tory MPs with an opportunity to campaign in what they felt was a genuinely popular crusade against high-spending authorities. It was the theme which, throughout the year, they felt gave them their only edge over the Labour party (apart from the openings offered by the Benn-Healey wrangle, the growth of the Social Democrats and the consequent fumbles of Michael Foot, the Labour Leader).

On Education, Scots Tory MPs found themselves on a much stickier wicket. When the Bill arrived in the Scottish Standing Committee it swiftly became clear that the hearts of many Tory MPs were not in it. They were happy to argue for "parental choice" - another clever slogan, like "Tenants' rights", which the Government used to "sell" proposals which might otherwise have been much more unpopular - but some of them found it difficult to argue at length in favour of propping up a system of private education which, apart from anything else, many of them had avoided in their own school-days. Privately some of them would admit that the assisted places scheme was seen by most parents as irrelevant and that it was an election promise which was doubtless a vote winner in England, with its greater attachment to public schools, but which did not stir the blood north of the border. Indeed, one went so far as to say that he would not defend it publicly in his constituency and another claimed (though the evidence could not be found) that he had opposed it in his regular column in a local constituency newspaper. Of course, this opposition was not expressed in the committee.

As it happened the Government side could remain in virtual silence throughout the debates, since what worried Ministers was the timetable and they required of their troops little more than regular attendance at the committee sittings on that most contentious part of the Bill - carefully placed at the beginning for tactical reasons - while the Labour side developed their arguments and tried to hold back the Bill. Their opposition was certainly passionate. Harry Ewing, the former Labour Minister, was unavoidably absent

because of illness through some of the debates. But his colleagues tried to keep the show on the road. At times their tactics seemed a little odd. They would rail against the assisted places and deliver lengthy speeches about the perpetuation of the class system, or the starving of the state system, or the evils of a selective system. But on one or two occasions when some of them were ready to sit through the night in a dramatic show of opposition some of the others mysteriously melted away, leaving a dedicated rump looking somewhat lost as the government whip kept all his troops in line.

The handling of the Bill was the first ordeal for Martin O'Neill, the first of the 1979 intake of Scots Labour MPs to find his way on to the front bench. In the reshuffle after Michael Foot's election George Robertson, an unapologetic supporter of Denis Healey, was moved sideways to a Defence post and away from Labour's vanguard in Scotland. O'Neill was an interesting figure. He was a Tribuneite, but was one of the three members of that group who allied themselves to the Solidarity campaign. Solidarity under Denis Healey and Peter Shore, was engaged, in effect, in a battle against the rise of Tony Benn in the Party and the adoption of left-wing ideas which, it claimed, would transform Labour into a Democratic-Centralist Party. O'Neill later left the Solidarity Steering Committee, but not before he faced some difficulties with his constituency party over his support for what left-wingers saw as a Healey machine. He was accused by some of his left-wing colleagues of a lack of judgement in his original decision to join.

O'Neill seems to have been chosen by Foot for the front-bench team partly as one of the brighter sparks among younger MPs, and also because of his left-wing background. In that sense he balanced a team which had been strengthened by the promotion of Donald Dewar to speak on local government, home affairs and legal affairs, and who was on the right of the party. Life would have been easier for him had he not had to contend with the Education Bill within a month or two of reaching the front bench. As it was, O'Neill sharpened up under the pressure of the committee stage - but it seemed from the outside as if he did not have the support (nor the experience) on the benches behind him which could have made the attack more ferocious. The real Labour onslaught came during the report

stage on the floor of the House, when, at last, they managed to keep the Government up all night in a spectacular filibuster, but they could probably have mobilised more public feeling against the Bill had they acted in unison much earlier.

The Government were proud of their Bill which, they declared when it was presented, was "the biggest initiative in Scottish education since the Education Scotland Act 1945". It provided a statutory framework within which parents could choose a school for their children, and this was the element which Tory MPs were backing most strongly. It was difficult for Labour MPs to argue against "parental choice" as it was expressed in the Bill but they fought long and hard to introduce controls to protect some schools which they said would suffer because of the provisions, and to prevent the publication of exam "league tables" which they claimed would mislead parents and inflict unfair damage on some schools. John Maxton, Labour MP for Cathcart and a former teacher and training college lecturer, spoke at great length, and to some effect, on the consequences of this provision: but, as in other parts of the Bill, Labour MPs were open to the charge that they were against giving information to parents. They had to argue that yes, of course they were in favour of parental choice, but not this kind of parental choice. It was an uncomfortable posture, which allowed the Government to polarise the argument: they were responding to parental demands for more say in their children's education, and the opposition were trying to block it, or so the argument went. Given the opposition's detailed amendments which would have preserved some elements of choice, but would have given what they saw as necessary protection to schools and teachers, it was perhaps an unfair charge. But in the public debate which surrounded the Bill it had its effect.

During the passage of the crucial parts of the Bill no significant amendments were accepted by the Committee. Gordon Wilson, the only SNP member on the Committee voted with the opposition against the assisted places scheme, but tended to give the Government support on the proposals for parental choice. On the government side the Bill was handled by Alex Fletcher, carrying the Education portfolio as well as the responsibility for Industry. It was a burden which at times seemed too great. The Government were apt to defend Fletcher's double role with talk of the link between

further education and industrial training - a defence which sounded reasonably idealistic but which hardly dealt with the central problem. Fletcher was faced with the task of steering a contentious (and often complicated) Bill through the Commons, dealing with the emotive subject of College of Education closures and simultaneously dealing with the industrial crisis gripping Scotland.

It seemed reasonable for MPs to ask what would happen if the Minister was faced with two crises at once. What if he were engaged in detailed negotiations over some factory closures (and there were plenty of those during the year) and at the same time had to handle talks with enraged teachers of college lecturers? Even allowing for the supervisory role of George Younger, the Secretary of State, as the year wore on it began to look as if the merging of the two jobs had been unwise. Leaving aside questions of policy, the administrative burden alone led to some incidents where Fletcher appeared less well-prepared than he should have been.

His handling of the Bill was not inspired, but he protected it against major amendment and so must get credit for getting his legislation on to the statute book. His main support on the Conservative side of the Committee came from John Mackay, MP for Argyll, another former teacher, who displayed a hard-line attitude against Labour arguments on the rights of schools and the danger of unrestricted "parental choice". Mackay argued consistently for the application of what he called common-sense solutions, and his contributions were of a populist nature. He constantly accused Labour of deserting their working-class constituents in opposing the assisted place scheme, and generally irritated the Opposition more than any of his colleagues.

Running alongside the passage of the Education Bill was the seemingly interminable controversy over the closure of three Colleges of Education: Hamilton, Callendar Park and Craiglockhart. The decision of the Government to make the cuts sparked off an emotional campaign in the Colleges, and in the Commons, not least because in 1977 Mr Fletcher, as an Opposition spokesman, had successfully led a campaign against the Labour Government's plan to do much the same thing. He was unapologetic - even managing to argue on one occasion that he had been right in 1977 and he was right in 1980. But as the campaign developed, and delegations lobbied MPs, the issue was a

damaging one for his authority as Education Minister. He was even faced with critical speeches from some of his own backbenchers, and though his plan remained more or less intact it was an unhappy episode which provided some fresh ammunition for Labour MPs in their attacks on him.

Two brief incidents during the passage of the Education Bill are perhaps worth special mention. One is the affair of the Gaelic Bill. Donald Stewart, SNP MP for the Western Isles, used his high place on the ballot for Private Members' Bills to introduce a measure which would oblige authorities in certain areas to provide education in Gaelic. It was talked out late one Friday afternoon in what was generally accepted as a faintly unsavoury Parliamentary manoeuvre. One of those involved was Bill Walker, the Perth and East Perthshire Tory MP, who was getting a reputation during the year for a particularly unpredictable brand of right-wing fervour. Stung by criticism of his role, Walker introduced a Bill of his own, without any chance of getting it on the statute book - a move which caused Stewart to stalk out of the commons holding his nose and to accuse Walker of hypocrisy. The issue was raised in the Education Bill Committee when Labour MPs tried to introduce a modest amendment allowing Education authorities to provide instruction in Gaelic, but their effort fizzled out when it became apparent that authorities already had the power to do so and the Government were allowed to stay happily with the status quo.

The other sidelight on the debate was a spirited effort by Dennis Canavan, Labour MP for West Stirlingshire, to ban the belt in Scots schools. It led to a predictable debate in which Conservatives defended corporal punishment and most Labour MPs opposed it as a barbaric hangover from the past. Mackay argued that the threat of punishment was necessary and Fletcher said that the result of Canavan's proposal to allow parents to opt out of punishment for their children would lead to anarchy in the classroom. Again the Government's majority ensured the maintenance of the status quo.

Labour MPs found the Education Bill hard to swallow. Bruce Millan, the Shadow Scottish Secretary, pledged the next Labour Government to repeal the assisted places scheme and throughout the year Fletcher found himself criticised as much for his handling of the Education portfolio as for the Industrial difficulties facing

Scotland as a result of Government policy. The Opposition accused him of being complacent, ignorant and inefficient (among other things), but Fletcher himself had the last laugh. The Government's claim was accurate, after all: their Bill will bring about a profound change in Education in Scotland and although some of it may not be around for many years (it is difficult to see the assisted places scheme surviving) the Education (Scotland) Bill 1980 is a milestone.

Similarly, with the Local Government (Miscellaneous Provisions) (Scotland) Bill the Government could claim to have introduced sweeping changes, despite ferocious opposition. This measure was perhaps the key to the political battle in Scotland throughout the year. With its penal clauses for local authorities judged to be over-spenders, it brought into the legislative process the whole argument about public spending cuts and the Government's attitude to public service. It became known around Westminster in its early days as the "Lothian Regional Council (Abolition) Bill" because of the inevitable confrontation it signalled between the Government and their bete noire among the councils in Scotland.

The proceedings on the Bill were long and tortuous, and centred, not surprisingly, on the clause which would allow the Secretary of State to reduce the amount of grant payable to a local authority if he was satisfied they had budgeted for "excessive and unreasonable" expenditure. The discretionary power, which in the Government's own words would be used "depending on the way in which local authorities observed Government expenditure policy", touched a raw nerve on the Labour side. The argument developed into a debate on the relationship between central government and local authorities and Labour MPs argued that councils would, in effect, be castrated by the Government. Tory MPs enjoyed claiming that previous Labour Governments had taken a big stick to local authorities when it suited them and so the whole business tended to become a competition in selective quoting and sifting of history.

The Opposition, led by Millan and Dewar, objected to an arbitrary power to penalise councils, and Conservatives argued that there was popular demand for the Government's policy of controlling public spending - a policy which could only work if "spendthrift" councils were brought to heel. Arguments that "innocent" councils

would suffer unnecessarily and that many public services would be irreparably damaged fell on deaf ears in the Government. Even when it was claimed that some councils would fail to fulfill their statutory duties if Government cutbacks were accepted, there was no weakening of the Conservative position. Most Tory MPs were more outspoken on the Local Government Bill than on the Education Bill: they perceived it as a much more popular measure in their constituencies, and the subject matter provided some opportunities for useful political attacks.

Michael Ancram, Tory MP for Edinburgh South and the party chairman in Scotland, maintained a strong campaign of criticism of Lothian Regional Council for months on end, detailed what he regarded as wasteful expenditure and strongly supported new government controls. On the other side, Millan argued that the policy would lead to a new crisis in Local Government finance and denounced Ministers as dictatorial. As usual, Malcolm Rifkind, the Home Affairs and Environment Minister, managed to make it all sound reasonable. His handling of the Committee was skillful, although he claimed he had an easier ride than he expected. This was probably disingenuous on his part. By their nature the Labour arguments, which seemed to be defending some unpopular authorities, would probably take some time to be tested. To the public, an attack on wastefulness is inevitably attractive: and Labour's dire warnings of drastic cuts in essential services would only seem convincing to uncommitted voters if and when the promised disaster occurred. The voters were on the Government side, and there were no backsliders on the Local Government Bill.

Other legislation though worthwhile was relatively minor. For example the Matrimonial Homes (Family Protection) (Scotland) Act, which provides a right of occupancy in the matrimonial home and is designed to establish new rights to help victims of marital breakdown, had a fairly easy passage through the Commons and was accepted on all sides as a welcome, and overdue, reform.

During the year the Select Committee on Scottish Affairs showed signs of fulfilling some of its early promise, although it still seemed as if partisan feelings among its members hampered its work, particularly in the selection of the areas of inquiry. Its most important achievement was a report on the long-awaited dispersal of civil servants from the Ministry of Defence in London to Glasgow, a plan which was scaled down by the Conservatives after the 1979 Gen-

eral Election but which remained an important, and politically sensitive issue. The Committee, after a fairly lengthy investigation, persuaded the Government to change their plan to use a site at St. Enoch's and to opt instead for a site at Anderston which would ensure that the dispersal was cheaper and - more important - that it would start earlier. It was hardly the most vital issue of the year, but nonetheless a significant psychological boost for the Committee, which had already begun sharpening its teeth with a long investigation into the means of promoting inward investment into Scotland.

When Donald Dewar was promoted to the Labour front bench, Robert Hughes, Labour MP for North Aberdeen, took over as chairman and it was his misfortune to begin work with a long and detailed inquiry into youth unemployment, which often seemed to become bogged down in detail. If there is a lesson to be learned from the first couple of years of the Committee's operations it is surely that a quick and well-defined investigation can be most productive: if they choose the right subject (like dispersal) the MPs on the Committee may change the Government's mind in a way which would probably not be possible by traditional methods on the floor of the Commons. The Scottish Select Committee, compared with some of its counterparts in the Commons, has not yet been a raging success but there are signs, at last, that it is settling down to work.

In the meantime the Government's intentions for Scotland have essentially been fulfilled: they have pushed through the Criminal Justice Act, the Tenants' Rights Act, the Education Act and the Local Government Act. Taken together these constitute a series of genuinely radical reforms - many of which have been earmarked for instant repeal by a future Labour Government. Experience suggests that some of the contentious changes will survive: Governments rarely succeed in undoing all the works of their predecessors. As the 1980-81 parliamentary session ended Ministers were well-pleased with themselves for fulfilling pledges made to the electorate in 1979.

On the Labour side, some of their worst fears were realised. Their task was now to get themselves organised into some semblance of unity in order to analyse and explain the effects of the legislation against which they had argued so strongly and convince the electorate that, first, the promised disasters were imminent and, second, that the Labour Party could deal with them. In Summer 1981 they hardly

seemed in a condition to begin.

In the Scottish context they will have a new forum. MPs decided, after a long deliberation, that the Scottish Grand Committee should be allowed to meet in Edinburgh. This was the only significant outcome of the Government's all-party talks on the future of Scottish business at Westminster and although it was received with little enthusiasm by most MPs - who tend to regard the Grant Committee as a toothless and unwieldy body - it should provide an opportunity for the Opposition to pin the Government down in a way which can build up public support for their alternative policies. At least, that is what they must hope.

It will allow everyone to escape, from time to time, from the Westminster hothouse and to argue in a forum which will, for the next year or so anyway, be the focus of considerable attention in newspapers and on radio and television in a way which the Westminster Committee system is not. The Government may be tested more strongly there than they have been at Westminster. The past two years have seen them bring into law the major reforms they promised at the last election at about the half-way point of this Parliament: in the next two years they must defend the consequences of their policies.