

Power to the people: the case for Direct Democracy

by *Brian Beedham*

If you look at last year's British election, it seems clear that the people of Britain are getting tired of the way their political system is organised; they want a new and better sort of democracy. Only about 61 per cent of those who could have voted in May actually did vote, slightly

more than in the 2001 election but far less than the robust 70 per cents and 80 per cents of the previous six decades. This new reluctance to vote is underlined by the growing number of people who tell the opinion pollsters that they mistrust politicians. The mistrust voiced this year was of course partly a result



The "System" that Works so Well... or The Boroughmongers GRINDING Machine.

George Cruikshank depicted the failings of representative democracy in the nineteenth century.

of the rather confused criticism of Tony Blair's decision to go to war in Iraq. But on the evidence of the opinion polls, the suspicion of politicians extends well beyond the prime minister, and indeed well beyond the governing Labour party.

Even worse, perhaps, was the opinion poll which recently asked Britons whether they had any interest in politics. Bleakly large numbers said they did not, and the No figure was highest in the youngest category of voters. Of course, in one sense this is nonsense. Most of these people would say they were interested in having an efficient National Health Service, a better pensions system, lower crime rates, and so on, and they know that these things cannot be achieved without the machinery of politics being involved in one way or another. They were just expressing their dissatisfaction – especially the youngsters, as usual the huffiest of the lot – with the particular machinery of politics they are currently expected to use. Still, the

fact that so many people grumpily claim to be uninterested in politics is a warning that politicians would be foolish to ignore.

Grumpiness about politicians is not confined to Britain. Far from it.

The countries of the European Union were asked last year whether they liked the EU's proposed new constitution, and of those whose people were asked to vote directly on the matter both the Netherlands and France replied that they did not.

The voters seem to have had an assortment of reasons for rejecting their leaders' recommendation to vote Yes, but in both countries there was clearly a powerful groundswell of general mistrust towards politicians. This groundswell is now likely to be even stronger in Germany, whose parliament waved through the new constitution at the German government's request, but more than 90 per cent of whose people, according to one opinion poll, do not want the constitution.

And the suspicion reaches well beyond Europe. A poll conducted last year by Gallup International among 50,000 people in 60 countries found that 63 per cent of them thought their political leaders dishonest, 60 per cent reckoned that they had too much power, 52 per cent that they behaved unethically, and 39 per cent that they were not competent to do their jobs. The sting was even sharper because in every respect those polled thought that businessmen were less bad than politicians. The greatest cynicism was in Latin America, Africa and the Indian subcontinent, in the first two of which, at any rate, the politicians to some extent doubtless deserve it. But even in western Europe, the most tolerant area, 46 per cent thought their politicians dishonest (and it was 76 per cent in Germany). Only in France were voters more willing, by a margin of about 10 percentage points, to tip their caps to the people at the top.

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The other way

This adds up to a considerable problem. 'Representative' democracy – the way democracy has so far been managed almost everywhere in the world – is running into trouble. Supporters of this indirect form of democracy argue that the trouble is just a temporary phenomenon, a result of the re-thinking of political ideas made necessary by the collapse of Marxism after 1989. Well, maybe. But it seems far likelier that the pains of 'representative' democracy are here to stay, because their real cause is a wider change in economic and social conditions in much of the world in the past half-century. Nor is the problem going to be solved by minor reforms to the voting system – proportional representation, transferable votes and so on. Such twiddling has not cured the mistrust of politicians in most of the countries that have tried it. If anything, it probably makes things worse.

The solution may have to be something much more radical. The radical cure is direct democracy. In direct democracy, the voters do not merely vote every few years to elect a parliament and a president, and then leave it to these people to 'represent' them until the next election comes along. Under the direct-democracy system there is still a head of state and there is still a parliament, both going about their usual business. But at any moment it is possible for a group of voters, provided they can drum up the requisite amount of support, to insist that a law proposed by the representatives must be submitted to the judgment of the whole people in a referendum. Better still, they can insist on putting to the people an idea that does not appeal to either president or parliament. If a majority of the voters say Yes, here is a new law. This is called an initiative. By referendum and initiative, the voters stay in command of politics between elections, not just on that once-every-x-years election day.

Please note that referendums and initiatives, in the proper sense of those words, are very different from the kind of 'popular vote' that authoritarian rulers sometimes conjure up to serve their own purposes. Not many dictators are quite as brazen as President Pinochet of Chile, who in 1978 urged his

people to say that, 'in the face of international aggression... I support President Pinochet in his defence of the dignity of Chile'. But Napoleon liked to invite people to agree with what he believed, as described in suitably roseate language. So did General de Gaulle. It is tempting for any government which is having difficulties to resort to this sort of thing. But these are not true referendums. The true referendum or initiative is one which is put to the voters whether the government wants it or not, in words written by people outside the government. This is how the people control the government, not the other way round.



How it can be done

Switzerland is so far the only country that has whole-heartedly embraced direct democracy. It uses it at the national level, and in its 26 cantons, and in the 3,000 communities (ranging from big cities to tiny hamlets) which make up the cantons. But direct democracy also happens, if in a rather less whole-hearted way, in quite a lot of other places.

In the United States, about half of the country's 50 states use referendums and/or initiatives so that people can do something if the governors and legislatures they elected do not act as they wish. A few years ago an attempt began to move the idea up to the federal level, though so far this has had little success. Much the same applies to Germany. The Germans' post-Hitler constitution makes it possible for the country's component states, if they wish, to turn to direct democracy, but curiously does not permit it in Germany as a whole.

Post-Mussolini Italy has been rather bolder: it sometimes used the whole people's vote in national politics, and in the early 1990s its referendums helped to break up the murky old parties' corrupt grip on politics. Australia is at least as good: in its century of independence, it has held not only a fair number of nationwide direct votes, but also quite a lot in its six component parts (a healthy proportion of the latter about bar-closing times). There have

been serious referendums in Denmark, New Zealand and several other countries. There are also the current referendums in various European countries about a new constitution for the European Union, though it has to be noted that most of these are taking place only by permission of the country's government, and some of them can be over-ridden by parliament if the government does not like the result.

Another instrument of direct democracy is the 'recall', a process by which the voters can dismiss an elected politician before his term of office has expired if they do not think he is doing the job well enough. It is used in California, where it recently led to the removal of a rather plodding governor and so enabled Arnold Schwarzenegger to take his place. Some Latin American countries employ the power of recall, and a few of Switzerland's cantons also possess it. Yet the recall procedure is a rather diluted form of direct democracy. It cancels the election of a representative, but it then leads to the election of a new representative in his place. It does not directly step into the business of law-making, as real referendums and initiatives do.

So direct democracy is not exactly a secret. Yet it is astonishing how few voters, in the countries that still plod along with representative democracy, know what the other sort is and how it works. For every 100 people currently expressing their mistrust of politicians, and saying they probably won't bother to vote in the next election, one's guess is that only about a tenth have any idea of the alternative available to them. Since the Swiss employ the best example of that alternative, here is a brief summary of what direct democracy provides for the Swiss.

The Swiss model

In Switzerland, 50,000 signatures on a petition – roughly 1% of the total number of qualified voters – are enough to insist that parliament must submit a proposed new countrywide law to a vote of the whole people. Twice that number of signatures will put a brand-new idea for a law, an initiative, to the people's decision, even if the government is against it. A few technical issues cannot be voted on in this way, but fewer than used to be the case.

Switzerland's 26 cantons give their people the same sort of power in cantonal matters, with self-selected variations in the way it is done. Some of the cantons have more radical ideas than others. In the canton of Zurich, one solitary signature on a petition can, provided it gets a modest amount of support in the cantonal legislature, put a proposed change in the law to the whole people. In the canton of Bern, the voters are not confined to saying Yes or No to a proposed new law; they can offer amendments to it, and then choose which amendment they prefer. The smallest units of Swiss politics, those 3,000-odd communities also do their local business in direct-democracy fashion. In some of the smaller cantons and communities, you do not walk to the polling-station or send in a postal vote to do the job. You all assemble for a meeting (well, all of you who feel like it), and vote face-to-face.

Most of the decisions the Swiss take (and all the nationwide ones) have to do with the legislative side of government, not the executive side. They are law-making, or law-blocking, votes, not votes on the day-to-day matters that are usually decided by ministers and civil servants. The reason is obvious. It can take months to collect the signatures needed to bring a referendum or an initiative to the people's vote – a necessary process, to demonstrate that the idea is not just a personal whim – and day-to-day decisions cannot wait for months. Anyway, most of those day-



Stimmlokal (Swiss voting station)

to-day decisions can reasonably be left to the people whose job it is to spend their working day following the subject in detail. That is why the Swiss version of democracy goes hand-in-hand with an executive arm of government as vigorous as that of most other countries. But it is an executive that, as elsewhere, has to obey the country's laws; and in Switzerland it is the people, not the legislature, who are all the time in command of the law-making process.

Ah, but the Swiss are a special lot, say the sceptics, who can do things other people cannot hope to imitate. No, they are not. It is true that in some of their Alpine valleys they made early experiments with local direct democracy several centuries ago. But it was not until the 1860s that the country's present system of politics got itself organised (and the Swiss were then a mainly rural, not very rich, not very well-educated bunch of people who spoke, as they still do, four different languages). And, although it is true that voting turn-out has lately fallen in Switzerland, as it has in other countries, the probable explanation in Switzerland is not disillusionment with the system but sheer voting-weariness.

As the population grows, it gets steadily easier to collect the very modest number of signatures needed to summon a referendum or an initiative. So the poor Swiss have an increasingly long list of national, cantonal and communal decisions to take, sometimes up to 30 or 40 in a single year. Not being a special lot, they sometimes feel rather exhausted. Slightly stiffer signature-requirements, and therefore fewer things to vote about, can probably solve the problem.

The world has changed

If the Swiss can do democracy the direct way, and if Americans, Australians, Italians and others have begun to imitate them, the days of purely 'representative' democracy may be drawing to a close. That adjective alone is enough to make you sit up and think.

The basic assumption of democracy is that all adult men and women should have an equal share in

deciding how their country is governed. Some of them are wealthier than others; some have sharper minds; some prefer Mozart to Bono, or vice versa. No matter. Provided they are reasonably sane, they are all equally part of the demos. That concept sits oddly alongside the fact that, in most of the democratic world, all but a few hundred men and women have no democratic function except to cast a vote every now and again for one or another of a variety of parties that offer them a complicated list of proposals, some of which they like, but others they do not like; and between those occasional votes the few hundred exceptions, plus the civil servants under their command, take all the actual law-making decisions (and sometimes bend to the corrupting temptations of the authority their exceptional position gives them). This is not really 'representation'. It is, in the long periods between elections, just a transfer of power to the few.

To be sure, there was a time when this was probably the necessary way of doing things. Back in the 19th century, when democracy began to take root in significant parts of world, there was a huge difference between most of the population and the minority who took upon themselves the task of government. The great majority were still very poor, whether they worked on the land or in the harsh factories of the new industrial age. They knew little about things beyond their own daily life. Education was only just starting to be provided to anybody outside the upper class. Newspapers had a very modest circulation, and there were no other regular means of distributing information – of telling people what was happening outside the limited range of their immediate knowledge.

Perhaps it made sense in those days to confine the majority to the limited task of saying every now and then which group of more skilled people they wanted to do the governing, compared with the other groups putting themselves on offer, and then to let the winning group get on with it. But those days are over, and so is the case for the sort of politics they created.

There are four main reasons why the argument for indirect democracy looks increasingly threadbare. The first reason is the fact that the economic and

social changes of the past century have abolished, or at least greatly diminished, the old gap between the Few and the Many.

Richer, sharper...

Today, the average Briton is in real terms nearly five times richer than he was a century ago. The average American is more than six times richer. The average Italian (here you really begin to be startled) is 13 or 14 times better-off. Then consider what happened to the Japanese economy in the 20th century, and will happen to the Chinese one in the 21st.

This spectacular growth in average income enables the average citizen of the rich world, among other things, to save much more money than he could save even 75 years ago. Savings per head in the United States are seven times bigger in real terms than they were in 1930; the average Briton has done even better. So more people can buy shares, have a house and car of their own, and so on. People with property feel more independent, and independent-minded people are better at making their own political judgments.

Even more important, this great increase in total wealth in much of Europe, America and Asia is spread far more evenly (except, so far, in China) than the smaller totals of the past used to be. To be sure, there is nowhere a truly equal distribution of the material comforts of life. But the differences are much smaller than they once were. The working of the modern economy no longer requires a very large number of people doing simple, repetitive jobs, whether on the farm or in the primitive factories of the early industrial era. Nor does the modern economy sustain a small number of people whose superior position depends on the ownership of land, which can be passed on from generation to generation even if the inheritors are neither intelligent nor hard-working. As the old upper class and the old lower class have shrunk, more and more people have moved into the vague but comfortable area between them.

If you find the statistics boring, compare a photograph of people in the street taken in the 1920s with one taken yesterday. In the 1920s picture, the

differences between the various parts of society are visually obvious. The working-class majority is not only much worse dressed than the toffs still wearing top hats or the relatively small middle class in its suits and ties. It is also, for the most part, shorter, thinner and greyer in the face. In today's picture, the differences of dress are obviously more a matter of individual choice than of economic necessity, and the physical differences have largely disappeared. A classless society, no; but a much less sharply divided one.

The political consequences of the economic revolution are reinforced by what has happened in the world of education. In the 19th century, even in the better-off countries, most people had only a brief and very basic schooling (and a lot did not have even that); and universities were a virtual monopoly of the upper class. Now pretty well everybody in these countries goes to school up to the age of 15 or 16, and most of them until they are 18 or 19; and the door to higher education is opening wider and wider. In France, for example, 60 times as many children now go to secondary schools as was the case a century ago, and 50 times as many subsequently move on from secondary school to college or university. In Japan, the growth in numbers is almost double that. Even in the United States, which was doing better than most countries in 1900, 33 times more children now go to secondary schools, and 60 times more to higher education.

Numbers are not everything. It is said that the quality of education has fallen, and the complaint has some justification. At school, teachers nowadays often find their work made more difficult by one of the less desirable consequences of the economic revolution – the loosening of old-fashioned family ties, which produces a growing number of unruly children – as well as by the limits now imposed by law and convention on their own means of disciplining the unruly ones. At university, the soaring number of students has to be measured against the rising proportion who choose to study the easier sort of subject. If there were an educational equivalent of Gross Domestic Product, a means of measuring the universities' total annual output of sharpened

intelligence and necessary knowledge, it would almost certainly turn out that the rise in Gross Educational Product was less than the increase in the number of young men and women entering the universities.

All in all, though, the changes in education have given an extra push to what economic change has done. It is no longer possible for a handful of rich, educated people to claim that they are better equipped than the unlettered masses to understand complicated problems and devise suitable solutions for them: to be, in short, those indispensable ‘representatives’ who take the actual decisions. Most of the voters are these days as capable of coping with such things as most of the people they are intermittently allowed to send to parliament.

...and what IT can do

Their capability to do this is strengthened by the second, more recent reason for arguing that indirect democracy’s days are drawing to a close. This is the stunning development in the past couple of decades of information technology, the means by which people can learn almost instantly what is happening in the world around them.

Once upon a time, the only way of circulating such information, except by word of mouth, was the newspaper. But there were not many newspapers, and none of them sold many copies, and anyway the newspapers’ methods of getting hold of the information in the first place were limited, slow and often unreliable. Then came a series of inventions which broadened and enriched the flow of information – the telephone, radio, television, the fax machine. But all of these together achieved nowhere near as much as the computer and the past few years’ astonishing succession of improvements in what the computer can do and how it can be used. The result is not only a method of transmitting more information, more swiftly, to an almost unlimited number of recipients, but also something close to making that transmission unstoppable. It is harder to prevent people learning things from a computer than it was to stop them reading faxes, and far harder than it was to control the use of radio and television or to censor

newspapers. The wall against the diffusion of knowledge is very nearly demolished.

It is therefore now possible for anybody who wants to say what he thinks the law should be on any given subject to know as much about that subject as his representative in parliament knows. Not everybody will be interested in knowing it. There are always quite a lot of people genuinely turned off by politics (just as there are quite a lot of legislators who, rather than delving into the matter at hand, just wait for their party leaders to tell them how to vote). That is not the point. The point is that, in the new world of reasonably educated, independent-minded voters, those who do want their voice to be heard can learn what they need to know to make an informed judgment: so they do not need a representative to use his voice instead of theirs.

The post-Marx factor

Reason number three for believing that change is coming is something even more recent. This third reason is the blurring that took place in politics when communism disappeared from the political map after the end of the cold war in 1989. This is not the chief explanation of the change in the mood of today’s politics, as the defenders of indirect democracy like to claim; but it has certainly contributed to that change.

In most democracies before 1989, at least one of the major parties had a distinctly Marxist flavour to its ideas, but the other parties did not. This was a clear-cut dividing line. Elections in those days were always to some extent a principled confrontation between the policies of socialism and individualism, between the command economy and the free market. The United States was an exception, because its politics were never much tainted by Marxism. But almost everywhere else the gap of principle shaped the political war.

No longer. Since the collapse of communism, elections have become relatively minor disagreements over how much the state should spend, and on what, the details of economic management, the best way to pay for sickness and old age, and so on. There is

turn is likely to encourage the parties to be more ambiguous in what they offer to the electorate, in the hope of picking up other parties' votes and thereby being able to join the ruling new coalition. Politics will get even vaguer. And vagueness is not what the voters of the 21st century seem to want.

Responsibility matures you

A further reason for looking forward to a different kind of democracy is that, in an important way, the new sort makes voters more efficient. Direct democracy concentrates the voter's mind. Instead of occasionally expressing a vague preference for one lot of politicians rather than another lot, he is regularly invited to answer clear-cut questions, knowing that his answers will help to decide what the law will henceforth be on those questions. By giving ordinary people more responsibility, direct democracy helps them to behave more responsibly. By giving them more power, it teaches them how to exercise power. It makes them better voters; and so, you might add, better citizens.

Come off it, retort the sceptics; that is just wishful thinking. It is an automatic assumption among supporters of the conventional form of democracy that the ordinary man and woman can be trusted to express a general preference for one or another of a collection of different parties, each of which offers a long and complicated list of things that it proposes to do, but that he or she cannot be trusted to make a decision on a specific issue. Give voters that sort of choice, runs the argument, and they will come up with silly answers shaped by self-interest, prejudice or plain ignorance. The ordinary voter is just not up to serious, detailed politics.

Sorry, sceptic: that is not what the evidence shows. By far the largest collection of evidence about the workings of direct democracy comes from Switzerland, which has been using it for national, cantonal and local purposes for 140 years. One of the first Swiss national referendums, in 1866, had to decide whether Jews should be given equal rights of residence; the Jews got equality, a remarkable result at a time of widespread racial prejudice. In the 1970s

the Swiss, hit by an early wave of anxiety about immigration and 'asylum-seekers', nevertheless refused to make any sharp cut in the number of foreigners allowed to work in their country. In 1989, when the Soviet threat was at last vanishing, the neutral Swiss asked themselves whether they still needed an army for any purpose at all, and thoughtfully decided Yes by a nearly two-to-one margin. The list runs on.

Let it be repeated: there is nothing unique about the Swiss. They have not been given a special licence for direct democracy. If they can do it sensibly, so can other comfortable, reasonably well-educated parts of the world.

How to get it?

So what are the chances of bringing direct democracy to those other parts of the world, not least to a Britain clearly dissatisfied with the sort of politics it has now? On the face of it, the prospect is not good. The problem is that to get direct democracy you need to introduce a law which permits it. That is, you need the permission of the people who are the beneficiaries of indirect democracy, those 'representatives', and they are understandably reluctant to give their consent because this would diminish the power and glamour they enjoy under the present system. They will therefore go on arguing – despite the evidence to the contrary – that the mass of the population is not capable of taking specific decisions, and so the job must be left to them. It is never easy to persuade anybody to hand over a privilege, and the fingers are especially reluctant to let go of this particular privilege.

In fact, it may not be quite that bad. In many of the places where direct democracy has taken root since its first Swiss flowering, it did so for one or the other of two historical reasons, neither of which is likely to be precisely repeated elsewhere, but both of which have a certain resemblance to the angry disgruntlement now evident in much of the indirect-democracy world – and may therefore foretell where that disgruntlement will lead.

In Australia, New Zealand and the mainly western parts of the United States which use referendums and initiatives, the political systems which make this possible took shape in the late 19th century and the beginning of the 20th century. Most of the people then living in those places were the descendants of a fairly recent wave of immigrants who had gone there to make a better life for themselves, had succeeded, and had thereby created a self-confident society reluctant to let other people tell them what to do. They took care, among other things, to keep a grip on their politicians. The people of post-1945 Germany and Italy had an even more compelling reason to do the same, in their memories of what Hitler and Mussolini had been like; so they too allowed the creation of politician-controlling referendums (though in Germany, oddly, not at the federal level). The same explanation no doubt applies to post-communist Lithuania, Latvia, Slovenia and Slovakia, all of which make real referendums available to their voters.

The growing emergence elsewhere of more independent-minded, better-educated, politician-mistrusting electorates may now start to produce similar results in other countries, and this time without the need for a wave of colonists or, please heaven, another Hitler or Stalin. It will not, of course, be easily or quickly done. In the United States, the necessary change to the constitution requires the backing of two-thirds of the members of both houses of Congress and three-quarters of the 50 states. In France, it needs the unlikely blessing of the president himself and then the support of three-fifths of parliament. And it could be even tougher in Britain.

The toughest job

The British parliament, ‘the mother of parliaments’, is an especially stubborn old body. It claims ‘legislative supremacy’, and accepts subordination to the people only in the people’s periodic right to choose a new parliament. In other countries, there is at least a prescribed way of changing this sort of thing, by altering the constitution.

In Britain, which has no written constitution, would-be reformers are left groping in the dark.

None of the main British parties has made any serious move towards direct democracy. The Labour government agreed not long ago to let local communities decide by direct vote whether they wished to elect their mayors directly; but that is as far as the Labour party has gone. The Conservatives also show little sign of curtailing politicians’ power. They have lately been agonising over whether the rank and file of the party should be allowed to have a voice even in the selection of a new leader, or whether only members of parliament should have that right. Some reform-minded Conservatives, after their party’s defeat in the May 2005 election, produced a list of interesting new ideas which they called ‘Direct Democracy’. But this was mainly about decentralising government; when they came to the question of law-making, the most the reformers could suggest was to allow people to petition parliament in favour of a possible new law – but it would be parliament that decided whether it should actually become a law. The Liberal Democrats, in theory the most open-minded of the major parties, expressed some muffled sympathy for referendums back in 2001, but then fell silent in last year’s election. In the United States, a stumbling attempt was recently made at least to collect signatures asking for a move towards direct democracy at the national level. In Britain, not even that much has been done.



The Palace of Westminster

Nevertheless, the rumblings under the ground can be felt. If the opinion polls are anything to go by – and their consistency suggests they are – a substantial number of Britons no longer feel that their country’s political system is what they mean by the word democratic. The number is likely to go on growing so long as the system remains unchanged. The politicians profess to be surprised by this, but they should not be. They should know as well as anybody else that the representative system was designed, no doubt suitably, for the 19th-century world in which it first came into widespread use, but that the 21st century is creating a very different sort of world. The representatives themselves are (probably) no less competent than they were in the old days. But the voters have become a great deal more competent. The old *de haut en bas* relationship between them will therefore not endure. A new, more equal relationship is needed which gives the voters greater power while leaving the parliamentarians with the reduced but necessary job they can still usefully perform – the subject-to-your-approval kind of lawmaking the Swiss parliament does.

As the disgruntlement grows louder, a predictable series of events will take place. The reasons why the working of democracy needs to be modernised will come to be more widely understood. A number of parliamentarians will begin to say they agree, either because they are genuinely converted or because they see they will get more votes if they pretend to be. One of the small parties, or the clearer-minded section of a bigger party, will for the same reason join the converts. In the next election, or the one after that, conversion will bring its electoral reward. The penny will drop. And eventually a new act of parliament legalising referendums and initiatives (or a new clause in the constitution, if Britain has a written constitution by then) will come into force.

The legislators will have sensibly accepted their diminished role is a better way of running democracy, just as Switzerland’s legislators so fruitfully did in the mid-19th century. It will take time, but it seems increasingly likely that time will do the job.

What the word means

After all, there is a curious illogicality at the heart of representative democracy. Democracy rests on the principle that all sane people should have an equal share in shaping their country’s laws. The ones who get elected at election-time – the new president, the new members of parliament – accept this principle when it applies to their election. They may think that those who voted for them were wise, and those who voted against them were daft, but provided the votes were lawfully cast they do not challenge the result, even though they know the voters had to make a horribly complicated choice as they pored over the long, multi-issue programmes of the rival parties. Yet, from the day after the election, the elected representatives claim that only they are capable of making the decisions which convert the voters’ broad choice into the law of the land. The representatives’ claim is not just a rejection of direct democracy. It challenges the whole principle of democracy.

This is why many people now think that democracy is in a state of arrested development. The compromise of ‘representative’ democracy is bad both for the representatives themselves, who between elections can too often conceal what they are doing with their power, and so be corrupted by it, and for the rest of the people, who grow increasingly cynical about the whole process. It is time for democracy to complete its development – to move on to what its name says it is.

If you want to find out more about direct democracy, some of the publications you might like to read are:

1. *Referendums Around the World*, edited by David Butler and Austin Ranney (Macmillan).
2. *Guidebook to Direct Democracy 2005* (Initiative and Referendum Institute Europe – an excellent source of information).
3. *Direct Democracy in Switzerland*, by Gregory Fossedal (Translation Publishers).
4. *Swiss Democracy*, by Wolf Linder (St Martin’s Press).
5. *The New Challenge of Direct Democracy*, by Ian Budge (Polity Press).
6. ‘Full Democracy’, in *The Economist*, December 21, 1996.

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No laughing matter

Professor David Conway discusses the furore surrounding the cartoons published by Danish newspaper Jyllands-Posten



Professor David Conway

‘There should always be charity and goodwill between different beliefs; toleration must be the norm; but even toleration has its limits. Locke would not have believed in insulting publications.’

So William Rees-Mogg opined in a February op-ed for *The Times* entitled ‘Tolerating the Intolerable: Even Locke, our greatest prophet of liberty, would never have defended those offensive cartoons.’ However, it is far from clear that the great British seventeenth century philosopher would have condemned the publication of the notorious set of cartoons that caused such a firestorm of frenzied protest throughout the Muslim world.

There are several reasons to suppose that, had Locke been alive today, or the cartoons published in his lifetime, with him knowing all we do now about how easily the teachings of Mohammed can be used to justify military jihad, Locke would not have called for their censorship – whether enforced by law or opted for voluntarily.

First, as Rees-Mogg was forced to admit in his piece, Locke himself was not averse to making the odd remark that he must have known would be deeply offensive to British Roman Catholics and the atheists of his day. Specifically, Locke denied members of both groups to be fit for full inclusion within the British political commonwealth. He did so because he thought the ultimate allegiance of the former lay with a hostile foreign sovereign, namely the Pope. As for the latter, their disbelief precluded them from being able to swear the relevant oaths by means of which alone, so Locke believed, the necessary commitments could be guaranteed.

Second, and more importantly, Locke asserts towards the end of his *Letter Concerning Toleration* something that appears to contradict Rees-Mogg:

‘Uncharitableness... and many other things are sins, by the consent of all men, which no man ever said were to be punished by the magistrate. The reason is, because they are not prejudicial to other men’s rights, nor do they break the public peace of societies.’

This remark implies that, even if the cartoons were uncharitable towards Muslims because offensive to them, their publication could not be considered intolerable, because no one’s rights were violated, and they did not breach the peace.

Of course, some Muslims have claimed that publication of the cartoons did violate their rights and those of their co-religionists. But given the content of the cartoons, and the purpose in printing them, it is exceedingly difficult to claim they were designed to incite hatred, rather than draw critical attention to the extent to which Islam seems to attract adherents who will take up arms on the slightest provocation.

Moreover, not only is there little to indicate that Locke thought anyone had a right not to be offended, but even if he had been of that opinion he would have been clear that the rights in question could be legitimately abrogated whenever political circumstances demanded. That is – given what he says about Catholics and atheists – when the security and integrity of the realm were in jeopardy.

Which brings us to a third and final reason why Locke would have been unlikely to condemn the cartoons or supported their suppression.

In contrast with his attitude to Roman Catholics and atheists, Locke was prepared to assert that

‘neither Pagan, nor Muhametan, nor Jew ought to be excluded from the civil commonwealth, because of their religion’. However, their eligibility for inclusion within the commonwealth remained conditional upon their willingness to abide by the rule of law and to accept and observe the other principles constitutive of a sovereign liberal nation. Were they to prove unwilling, Locke would not have tolerated them. Although made with interdenominational rivalries in mind, a remark at the end of Locke’s *Letter* is particularly germane to the current unrest among Muslims in Britain and abroad:

‘It is not the diversity of opinions (which cannot be avoided) but the refusal of toleration to those that are of different opinions that has produced all the bustles and wars that have been in the... world upon account of religion. [Religious] heads and leaders, moved by... insatiable desire of dominion, making use of... the credulous superstition of the giddy multitude, have incensed and animated them against those who dissent from themselves... [T]his... will continue... so long as... preachers... excite men to arms and sound the trumpet of war. But that magistrates should suffer these incendiaries, and disturbers of the public peace might justly be wondered at; if it did not appear that they have been invited by them unto a participation of the spoil.’

Substitute for ‘participation of the spoil’ either ‘the prospect of Muslim votes’, say, or ‘a covenant of trust to avoid domestic terror while allowing it to be plotted here for abroad’, and one begins to see how apposite that observation of Locke’s is, as well as just how decisive a rebuttal it provides of the view Rees-Mogg imputes to him.

Two things that have recently come to light warrant further attention, since they add ballast to the case for publishing the images.

One is that, the day after Rees-Mogg’s article appeared, *The Times* published the findings of a Populus poll of 500 British Muslims in which it was revealed that as many as 37 per cent of them believed the Jewish community in Britain a legitimate target,

and no fewer than 7 per cent of them thought suicide bombings in Britain justifiable.

The other is that it turns out an Egyptian newspaper carried the entire set of cartoons last October without so much as a murmur of protest at the time. So much for our pandering to Islamic sensitivities: so much for the cause of the protests being the inherent offensiveness of the cartoons to Muslims. The reasons for the riots had a lot to do with internal political tensions extant in each of the Middle Eastern countries where they occurred.

From philosophy to art: since we are looking back into the turbulent seventeenth century for instruction about how best to interpret and respond to religious tensions in our own century, no better example of the matter in practice can be found than the debate surrounding a play called *The Lancashire Witches* by the former poet laureate, Thomas Shadwell.

The play was first performed in 1681 at the height of the Exclusion Crisis when parliamentarians sought in vain to block the accession of Charles II’s openly Catholic younger brother James. The play was virulently anti-Catholic in having suggested, and not without some reason, there was at work in the country a conspiracy to re-Catholicise it. Among its other salacious delights was the depiction of a witches’ black Sabbath and a seditious Irish Roman Catholic priest with the apt name of Tegue O’Dively.

When first performed, Roman Catholics disguised their true reason for being opposed to the play. This was the doubt it raised about their loyalties. Instead, they focussed their objections on its portrayal of an obsequious young Anglican named Smerk, house-chaplain to an upstanding member of the English gentry, Sir Edward Hartford, that is, stout of heart or stout-hearted.

When first published in 1682, Shadwell offered a prefatory note to the reader in which he recounted its initial reception. Shadwell began his note by alluding to the intense religious divisions that marked his day, especially in London:

‘Fops and knaves are the fittest characters for comedy, and this town was wont to abound with variety of vanities and knaveries till this unhappy

division. But all run now into politics, and you must needs, if you touch upon any humour of this time, offend one of the parties.’

He goes on to remark that he’d been unable to see how anything in his play could have caused offence to anyone save Catholics – about offending whom he seems to have been as little exercised as Locke – until he learned of the objections raised by closet Catholics on the pretext of the insult given to the Anglican Church.

Although initially licensed for performance virtually in its entirety, the play was subsequently censored as a result of the protests staged to accompany its first showings. These protests, claims Shadwell, were artificially engineered by disingenuous Catholics who hired others to go along and sabotage the play.

These planned disruptions did not succeed in their objective because, as Shadwell writes of the hired protesters, ‘[these] mercenary fellows were such fools that they did not know when to hiss and this was evident to all the audience’. In exploring reasons for the rent-a-mob’s failure, he believed it important that there were ‘men of great quality and gentlemen’ willing to stand up and be counted:

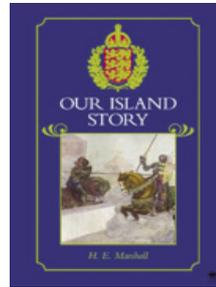
‘To my great satisfaction they came off as meanly as I could wish. I had so numerous an assembly of the best sort of men, who stood so generously in my defence, for the first three days, that they quash’d all right the vain attempts of my enemies, the inconsiderable party of hissers yielded, and the play lived in spite of them.’

This episode should reinforce the resolve of those who realise what is at stake over the cartoons. We should not be misled by faulty Lockean exegesis. Nor should we give in to the hectoring hordes that threaten our freedom of expression.

This article first appeared in an extended form as a blog on the Civitas website, www.civitas.org.uk

News in brief

Our Island Stories



Henrietta Elizabeth Marshall first published her classic children’s history book *Our Island Story* in 1905. After that, narrative history fell out of favour, and as a result, perhaps, the book went out of print for half a century. In 2005, to mark

the centenary of its first publication, Civitas reissued Ms Marshall’s book in partnership with Galore Park.

Since the book’s first publication, Britain has undergone many momentous changes. Not least, the country has become home to many thousands of immigrants and asylum-seekers from all parts of the world, who have arrived on its shores to make new lives for themselves and their families.

To encourage today’s generation of schoolchildren to read and write narrative history, and to bring our island’s story up to the present day, Civitas is sponsoring an essay competition to take place in the school year 2006/7, open to all schoolchildren in Years Six and Seven during that school year.

Prizes will be awarded for the best essays in each year group that describe some significant way in which Britain has undergone change in the last century or else has otherwise been caught up in momentous events.

For further information, see: <http://www.civitas.org.uk/essaycomp/background.php>

The Retreat of Reason

Sales of Anthony Browne’s most recent Civitas book, *The Retreat of Reason: Political correctness and the corruption of public debate in modern Britain*, have been strong since the launch in January and, like our other bestseller, *Conspicuous Compassion*, it receives ongoing attention in the media.

AC Grayling, writing in the *New Statesman*, welcomed the attack on political correctness: ‘although the case is familiar,’ he wrote, ‘constant

iteration of it is necessary, and Browne's is a particularly good statement.' Martin Wolf in the *Financial Times*, Melanie Phillips in the *Daily Mail* and Rod Liddle in the *Spectator* were among a wide audience who agreed.

But if the reviews were good, and the Civitas postbag was full to bursting with expressions of gratitude and praise, the book also stirred up a hornet's nest. The controversy was perhaps epitomised by Browne's encounter with Yasmin Alibhai-Brown on the Today programme.

In the Postscript to the second edition, the author writes entertainingly and trenchantly about this radio spat, and others. The new edition also contains a commentary by Professor David Conway. You can obtain a copy directly from the Civitas office, or by going to our website: http://www.civitas.org.uk/shop/acatalog/Civil_Society.html.

EU conference



Photograph: Noah da Costa

The EU Education programme's national sixth-form conference, 'Where now for the European Union?', took place in The Emmanuel Centre, Westminster, on March 8th.

Approximately 700 delegates attended, from schools as far away as Newcastle and South Wales. An excellent selection of speakers from both sides of the European debate provided six talks, which covered the institutional framework of the EU, the Euro and European economics and the future of the EU after the constitutional 'no' votes.

The most pleasing aspect of the day was the range and the quality of questions that were put forward by the assembled students, who seemed both engaged and open-minded in challenging what was being presented to them. School feedback from the event has been very positive, and a lot of interest appears to have been generated in the EU-education programme as a whole. There is definite enthusiasm from teachers for a similar event next year, and we are looking into organising it within the next few months to allow us maximum time to secure delegate bookings.



The churches and welfare

American historian Frank Prochaska led a fascinating seminar for Civitas at the Reform Club in March on the subject of his new book: *Christianity and Social Service in Modern Britain: The Disinherited Spirit*. The book shows how caring professions such as teaching, nursing and social work all grew out of the Christian spirit of service to one's neighbour, and how the church threw away the moral capital accrued over centuries when it gave away most of these services to the state in the post-Second World War settlement of the welfare state.

Frank Prochaska's talk received three thoughtful and thought-provoking commentaries from Andreas Whittam-Smith, Ferdinand Mount and Frank Field MP. The conference came at an apposite time as the Church of England had recently announced the sale of its Octavia Hill estates in South London, set up to provide affordable housing for working-class tenants over a hundred years ago, to a commercial landlord. Well-informed delegates asked a series of probing questions.

The book, published by Oxford University Press, is available at a reduced price to Civitas supporters from the OUP website: www.oup.co.uk/sale/WEBPROCH

A very nice man

Nick Seddon talks to Rick Williams, CEO of the New Model School (NMS)

He's a very nice man, he really is a very, very nice man, and he has a knack for fixing things, schools in particular. Which makes Rick education's answer to the man from the AA. Whilst we're here, I'd like to make a point of reclaiming the word 'nice', because it's a better word than people give it credit for, and it implies a very English nebula of virtues. In Rick's case, think decent, courteous, attentive chap, then add in a wicked sense of humour, and you're beginning to get the picture. If Mr Williams ever gave his pupils a drubbing, he certainly left the stern side of him behind in the classroom.

So we've established that he's been a teacher, but I'm interested in how he's come to be running the NMS project, so we sit down over a coffee and Rick joins some of the dots. After training as a mathematician, he spent twenty years teaching in the state sector, becoming deputy head in two large comprehensives, before a chance meeting – he was playing the double bass in a jazz band where the drummer was a headmaster – led him to be deputy head at Queen Margaret's, a private school in York. Five years after that he was made headmaster at a girls' public school in Suffolk. St Felix was in trouble when he arrived; while he was there it reached twenty-third in the Daily Mail league table.

Following that, something more exotic. After a year as headmaster at a British international school in Togo, his final job before moving to Civitas was as founding principal of Capital Science Academy, a private school in Abuja, the capital of Nigeria. 'As you've gathered,' he says with a wink, 'I haven't gone for an easy life.' You don't say. And how do you go about making such a gamble pay off? 'The key,' he tells me, 'was

the teachers.' I ask a question with my eyebrows. 'If in Britain the problem is too many skills and not enough knowledge, in Nigeria the opposite is true. We had to teach the teachers.' So he shipped seven of them back to Blighty on a sort of teacher training tour.

After a couple of years, the Academy was ranked among the best in the country, and it continues growing: it opened in 2003 with 56 pupils, by the second year they had 300, and there are now 500. By the sounds of things it was an intense, exhausting, rewarding experience, with some extreme highs and lows. Almost as an afterthought, he mentions that he was asked to give a speech at the birthday dinner for the Nigerian Education Minister. 'Because I was white,' he says, almost apologetically, though I suspect it had rather more to do with his gifts as a leader and teacher.

What, I wonder out loud, are the real strengths of all these private start-up schools – in Abuja, in London? In reply, his emphasis is on broadening choice, the opportunity to do – and offer – something different. Traditional methods, discipline, basic skills and knowledge: the NMS is about using old templates for fresh innovations. 'Forwards,' he observes with typical gnomonic wisdom, 'sometimes is back'. The aim is to set up a bursary scheme for the very poor. Likewise, the Supplementary Saturday schools in Kings Cross and Whitechapel, which it's hoped will act as feeders to the NMS, are heavily subsidised by Civitas subscribers and other donors. 'The generosity', he comments, 'has been staggering.'

Rick didn't set the school up, but under his charge it's going from strength to strength. The plan is to have ten opened or planned in

the next five years. In the current first year there are 14 children; in 2006-07 there will be 34; another 45 have been registered for 2007-08; and four – who've only just been born – are registered for 2010.

The most urgent thing facing Rick right now is property – on two fronts. The first is the search for a new home for the school (something bigger is needed). The second is the search for a new home for him and his wife (he commutes weekly from York to London). Both searches have been going on for some time now. 'Not much to do with being a teacher, is it,' he laughs. 'I can't wait till it's all sorted. The smile will come back then.' In all honesty, I hadn't noticed that the smile had gone away, but, still, I say, it must be pretty hard. 'It is,' he confirms, 'but then an easy challenge would be an oxymoron.'

He played rugby till he was in his mid-thirties, is a mean golfer, has stood up to threatening locals in Togo, and even seems to be surviving the demands of parents in London. You get the feeling that he lives for challenges: he might be nice, but if you thought nice meant soft, better think again.

Further information about the New Model Schools project is available on our website www.newmodelschool.co.uk



'An easy challenge would be an oxymoron.'

CIVITAS is an independent research institute. CIVITAS is independent of political parties and accepts no government funding. It relies entirely on private donations to fund its work.

The aim of CIVITAS is to deepen public understanding of the legal, institutional and moral framework that makes a free and democratic society possible. Our object is to revive civil society, that network of voluntary social institutions, charities, mutual aid organisations and

other collective bodies that lie between the individual and the state. We believe that in social affairs the alternatives to government are not exhausted by commercial services alone.

We have established a reputation for work on social issues that transcends party boundaries. Our authors examine, analyse and report on views about the best way forward on particular issues. The object is to raise the quality of informed debate. For further information

about CIVITAS and how you could become a member, please email us at info@civitas.org.uk or call +44 (0)20 7799 6677.

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