



The case for primaries to select Labour candidates

By Will Straw

This is a chapter from a forthcoming Progress pamphlet outlining proposals for democratic renewal

In his final appearance at Prime Minister's Questions, Tony Blair said of Parliament: 'Some may belittle politics but we know, who are in engaged in it, that it is where people stand tall. Although I know it has its many harsh contentions, it is still the arena that sets the heart beating a little faster; and if it is on occasions the place of low skulduggery, it is more often the place for the pursuit of noble causes.'

The expenses scandal has shattered this notion. Politics in general and Westminster in particular have haemorrhaged trust and respect. Any return to Blair's sense of nobility will require a series of radical reforms. Proportional representation must replace first-past-the-post when it is likely that fewer than two-thirds of those who vote will cast a ballot for either the Labour or Conservative party. It continues to be absurd that the second chamber is constituted entirely of patronage and heredity. Meanwhile the power of the government to determine virtually all parliamentary business cannot be justified when it received just 9.6 million votes from an electorate of 44.2 million.

But reforms to Parliament (the 'supply side') say little about voters' demand for democratic engagement. While cause and effect are hard to entangle, turnout in elections

and party membership have both fallen dramatically at a time when there has been growth in single-issue movements and the politics of protest. In addition to other reforms, a new approach must be taken to revive interest and enthusiasm for our democratic institutions.

While it is not a silver bullet, a move towards primaries should be seen as one means with which to revive the social contract between local communities and the politicians who represent them.

What are primary elections?

A primary election takes place when members of the public, rather than party members, are invited to vote in an election to select an individual political party's candidate for a general election. They are therefore one means by which a political party nominates its candidates.

Primaries were conceived in the early part of the twentieth century by the progressive movement in the US. It is grounded in two principles: an optimism about the power of activist-based politics to change society for the better, and a belief that citizens should be able to hold their politicians to account.¹ They are now used in at least 36 states, and have since been adopted in some Latin American countries and, of course, by the Conservative party.

In the US, a range of different systems are used by different states. A 'closed' primary restricts potential electors to those that have registered as supporters of that particular political party. Citizens do this when they complete their electoral registration form and this does not make them formal members of that party. An 'open' primary takes place when the election to select a political party's candidate is open to all registered voters. In every US state bar one (Wisconsin), voters must choose whether to vote in the Democratic or Republican parties' primary election.

The case for primaries in the United Kingdom

In every post-war election until 1992 turnout was above 72%. In 1997 it fell to 71.3%, in 2001 to 59.4%, and was 61.4% in 2005. Meanwhile, mass membership of all political parties has declined over time. In the 1950s Labour had over 1 million members above and beyond union affiliates. Despite a small up tick during the early years of Tony Blair's leadership, there has been an almost continual downward decline in the number of

¹ See for example SM Milkis and JM Mileur, *Progressivism: A Century-Long Tradition* (University of Massachusetts Press, 1999).

Labour party members since that high point. The chart below shows how Labour party membership has declined over this period. Labour party membership at the end of 2007 stood at 176,891. This represents an average of just 280 members per constituency Labour party although there is a considerable range. A similar story is true for the Conservative party.

Labour party membership, 1945-2007



Source: David Butler and Gareth Butler, Twentieth-century British Political Facts, 1900-2000, (Palgrave, 2000); The Labour Party.

Meanwhile, although the Labour party’s parliamentarians are more representative of the UK than other political parties there are still too few women, people from minority ethnic backgrounds, or manual workers as the table below shows.

Parliamentary representation, 2005 intake

	Percentage of party		
	Women	Non-white	Manual workers
Labour	28%	4%	10%
Conservative	9%	1%	1%
Liberal Democrat	16%	0%	2%

Source: Richard Cracknell, "Social background of MPs," Standard Note 1528 (House of Commons Library, 2005)

Primaries are attractive for three reasons. First, they widen the pool of people who are able to seek elected office. The process for selecting prospective parliamentary candidates is labyrinth and necessitates a deep understanding of Labour party rules and processes. This acts as a disincentive on exceptional local individuals who have a background in broader public service and share Labour's values but are not themselves active members of the party. Primaries would simplify the nominating process and allow people from a wider range of backgrounds to seek a career in politics.

Second, primaries encourage participation and civic engagement by opening up the selection process to a wider group of people. Primaries 'encourage exceptional individuals who have a background in broader public service and share Labour's values to step forward and seek office.'² They may therefore result in candidates who are more representative of the local community. In the absence of meaningful electoral reform, they would give voters in safe seats a say in the selection of their local MP. The process of engaging a local electorate not once but twice during an electoral cycle is also good for democracy.

Third, primaries would increase the accountability of MPs to the local community. In the US, members of Congress have to face primary elections even if they are incumbents. The necessity of winning these elections in the run up to a general election increases the importance of local representation. This both empowers the local community and reduces the power of the whips in Parliament to bully through unpopular legislation.

In a recent survey of over 600 Labour party members, 40.1% of members outlined that they supported open primaries to select Labour party candidates while only 30.4% opposed the idea.³

² Nick Anstead and Will Straw (eds.), "The change we need: What Britain can learn from Obama's victory," (Fabian Society, 2009).

³ Cllr. Richard Bingley et al, *Labour Members call for Party to get on the front foot by taking firmer line on expenses scandal* (2009).

Responding to critiques of primaries

Opponents of primaries generally fall into one of three categories. First, some are concerned by the influence that money could play in a primary system. Neal Lawson has written that, ‘Primaries would just be an open door to people who can write big cheques, gets lots of media and appeal to the lowest common denominator.’⁴ In the US, the Supreme Court has ruled that expenditure limits are unconstitutional and in breach of the First Amendment since they place ‘substantial restraints on the quantity of political speech.’⁵ Congressional candidates must therefore spend hours each week raising hundreds of thousands of dollars merely to compete in a primary election.

But since no such constitutional constraints exist in the UK, it would be possible to restrict expenditure limits for the course of the primary elections as well as for the general election. Political parties are currently restricted from spending more than £20 million during a general election campaign while individual candidates may spend no more than £11,000 to £12,000 depending on the size of the constituency. Indeed, expenditure limits for primary elections would deal with an anomaly since there is currently no limit on the amount that can be spent seeking a party’s candidacy for a general election.

Second, some worry that primaries are undemocratic. Stuart White has written that, ‘If the open primary system works, then all party candidates will end up looking pretty much like the median voter.’⁶ In fact, primaries generally encourage candidates to seek the median voter *who shares that party’s values*. With the single exception of Wisconsin noted above, voters in the US may only vote in the primary election for one party or another. In certain circumstances where the outcome of only one party’s primary contest actually counts (because the other is a foregone conclusion), campaigns have been

⁴ Neal Lawson, “Primaries but not colour,” (Comment is Free, 7 August 2009). Available at <http://www.guardian.co.uk/commentisfree/2009/aug/07/primaries-labour-miliband-tribune>

⁵ Craig Smith, "Buckley v. Valeo". in Richard A. Parker (ed.). *Free Speech on Trial: Communication Perspectives on Landmark Supreme Court Decisions*, (University of Alabama Press, 1999). pp. 203–217.

⁶ Stuart White, “Why open primaries are a really bad idea,” (Next Left, 26 May 2009). Available at <http://www.nextleft.org/2009/05/why-open-primaries-are-really-bad-idea.html>

mounted to sabotage the opposing party's election. Hillary Clinton's victory in the Texas primary, and Fred Tuttle's nomination as the Republican Party's Senatorial candidate in 1998 are two such examples. But these are rare and a well-designed system can avoid these problems.

Third, there are those who see candidate selection as a privilege of Labour party membership. Luke Akehurst has written that, 'we are part of a European democratic socialist tradition of membership based parties where - flawed though the model is in Labour's case - membership carries both rights to chose [sic] the ideological direction of the party, its policies and candidates and responsibilities to fund the party and campaign.'⁷ While this is an important argument, it fails to account for the erosion over half a century of party membership. For example, Labour party members currently make up just 0.5% of the electorate. While local CLP selection contests may have been appropriate for a mid-twentieth century era of mass membership, primaries are now appropriate in a new century where forms of citizen engagement have changed. As documented by David Miliband, the Greek socialist party, *Pasok*, has understood this lesson with excellent results.⁸

Primary elections for candidate selection: a proposal

The Labour party's process for nominating its prospective parliamentary candidates is not broken beyond repair. Respected and representative candidates have been selected by local parties up and down the country to fight the next general election. But while membership continues to decline there is a large risk that candidates will lose legitimacy. The party should, therefore, consider piloting open primaries.

Getting the design of the system right is critical. Candidates would be expected to share Labour's values by becoming members although it would not be necessary for them to

⁷ Luke Akehurst, "Not all American lessons cross the pond well," (luke's blog, 17 March 2009). Available at <http://lukeakehurst.blogspot.com/2009/03/not-all-american-lessons-cross-pond.html>

⁸ David Miliband, "How the next decade can belong to Labour," (Tribune, 7 August 2009). Available at <http://www.tribunemagazine.co.uk/2009/08/07/how-the-next-decade-can-belong-to-labour/>

have previously been a Labour party member. Local members could retain some role in endorsing candidates or vetoing the nomination of those with a history of advocating values at odds with the party. This could even run to choosing a shortlist as the Conservative party did in the recent Totnes primary.

To be eligible to vote in the election, citizens would need to prove that they were on the electoral register. To avoid the problems of sabotage, a small barrier could be set asking all potential voters to sign up to a statement setting out Labour's values (Clause IV is an obvious choice). This would make it a 'semi-open' primary. Alternatively, if other parties chose to conduct primaries, the elections could be held on the same day so that voters could only vote in one contest. This would make it a genuinely 'open' primary. To keep down costs and utilise available technology, the primary could be conducted online with computer terminals made available for those without access to a computer at home or work.

Primaries could be piloted in two specific cases. First, the system could be used for the selection of Labour's 2012 London mayoral candidate. Since a precedent has not yet been established, this would not cut across any existing right of party members to choose the candidate. It would also be politically astute for Labour to do this since it would encourage each of the candidates to make contact with voters around the capital a year or so before the election. This information could then be pooled for the use of the party in its London election operations.

Since the Conservative party have already conducted successful open primary elections, legislation could bind all major parties to conducting open primaries and holding them on the same day. This legislation could include changes to electoral rules in London requiring voters to express a preference for which primary they would like to vote in. This would avoid the prospect of opportunists 'gaming' the system.

A second scenario where primaries may be appropriate is when local membership falls to an unacceptable level (perhaps below 200 members or 1% of the Labour vote at the last

general election). In these circumstances the CLP should no longer retain the right to select their own PPC. In areas where Labour support is small, open primaries could be ripe for sabotage particularly in the absence of primaries for other parties. But in areas where - in the continued absence of proportional representation - Labour holds a safe seat, primaries could help revive local democracy and hold elected representatives more accountable to local concerns.

Primaries have the potential to increase participation and democratic accountability, especially in areas where the legitimacy of existing selection methods has been lost. But getting the design and implementation right is critical to avoid some of the worst pitfalls of the American system. By creating a British system to fit British norms and institutions, primaries can play an important part in the future of our democracy.

Will Straw is co-editor with Nick Anstead of 'The Change We Need: What Britain Can Learn from Obama's Victory' (Fabian Society, 2009).