

Britain: Conservative MP forces by-election to challenge Labour's anti-terror legislation

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Britain's political establishment was thrown into turmoil by the unexpected resignation of the Conservatives' Shadow Home Secretary David Davis on Thursday.

In an impromptu press conference before Parliament, Davis said his action was intended to force a by-election in his constituency in protest at the government's latest anti-terror legislation enabling people to be detained for 42 days without charge. The previous evening, the government had managed to push through the extension by a majority of just nine votes—those of the Democratic Unionist Party who some have claimed were offered a financial package for Northern Ireland in return for their backing.

In his statement to the press, Davis attacked Parliament for overturning the right to liberty contained in the Magna Carta and habeas corpus by allowing “the state to lock up potentially innocent citizens for up to six weeks without charge.”

Forecasting that the government would use the Parliament Act to force the legislation through against opposition in the House of Lords, he warned that the same arguments used to justify 42 days' detention without charge would lead to demands for “56 days, 70 days, then 90 days.”

The extension was “the most salient example of the insidious, surreptitious and relentless erosion of fundamental British freedom,” he continued, citing Labour's plans to introduce identity cards and a national DNA database.

Davis said that he intended to stand in the by-election in order to challenge Labour's claim, repeated across the media, that the 42 days' detention and other increased powers for the state had overwhelming public support.

His claims were derided by a shocked Westminster and the media. Although Conservative leader David Cameron described Davis as “courageous,” the Tory leadership's displeasure at the turn of events was made clear when it was immediately announced he would be replaced as shadow home secretary by Dominic Grieve. Davis's decision to resign was a “personal” decision, Cameron said, and there was no guarantee that he would return to his former post should he win the by-election.

Labour politicians and the media were less subtle. Throughout the day, Davis was universally condemned as “bonkers,” a “lunatic” and as suffering a “mid-life crisis” by sacrificing a promising career and potential leadership role in a future Tory government for his own “vanity” and “egotism.”

Before making his announcement, Davis had secured the agreement of Liberal Democrat leader Nick Clegg that his party would not contest the by-election. The Liberal Democrats had come within 5,000 votes of unseating Davis in the general election, where Labour had

trailed a poor third. Media commentators said that this proved Davis was indulging in pointless gesture politics—forcing a by-election in which he had already sewn up the vast majority of votes in advance.

This argument was quickly employed to legitimise Labour's intention of not contesting the election. Former Labour Home Secretary David Blunkett attacked Davis's resignation as a “childish and immature” publicity stunt.

“It is my view that neither the Labour Party nor the Liberal Democrats should give him the egotistical satisfaction of a contest in which he costs the public purse, as well as political parties, substantial sums of money to make exactly the same point that he's already been putting very strongly as shadow home secretary,” he said.

In a further twist, on Thursday evening, it was announced that Rupert Murdoch's *Sun* newspaper intended to challenge Davis if Labour failed to put up its own candidate. Ex-*Sun* editor Kelvin MacKenzie said he had discussed his candidacy with Murdoch at a party for the newspaper's current editor Rebekah Wade's 40th birthday that evening.

MacKenzie said he was “90 percent” certain to stand if Labour failed to do so, giving as the reason, “the *Sun* is very, very hostile to David Davis because of his 28-day stand, and the *Sun* has always been up for 42 days, or perhaps even 420 days, frankly.”

That Britain's most prominent right-wing newspaper should be so hostile to Davis is all the more astonishing given that the Tory MP would be considered in most regards as its political soul mate. Associated with the Thatcherite wing of the party, Davis was tipped as party leader until his defeat by rising star Cameron in the 2005 contest.

His resignation reflects internal disagreements, not only within the Conservative Party but more broadly within circles that constitute the traditional right wing of Britain's establishment—a designation that has become ever-more problematic given the lurch to the right by the Labour Party and its formerly liberal periphery in the media.

Davis's “libertarian” stance on terror legislation and state surveillance is of a piece with his enthusiastic endorsement of the free market, with little or no room for welfare provisions. He has consistently argued for the Tories to position themselves as the representative of the “small state” in every regard, and he was credited with ensuring that the party took a near-unanimous line in voting against the 42 days' extension under conditions where many of its MPs were reluctant to be seen as challenging the so-called “war on terror.”

He has said that his resignation was prompted by the fact that, as it came closer to a general election, Cameron would be under increasing pressure to acquiesce to the government using its powers to force

through the extension. Denying that his actions were intended as a political challenge to Cameron in the long term, he said the by-election—where he anticipated winning widespread support—would help stiffen Tory sinews.

The knee-jerk response of the *Sun* to Davis's resignation gives an indication of the "pressures" to which he is referring. The *Sun* has been the most enthusiastic proponent of attacks on civil liberties. Its utter contempt for democratic rights was made clear by MacKenzie—one of the few men who could make Davis appear a truly compassionate, liberal fellow by comparison.

The public schoolboy turned self-styled "man of the people" has boasted of his indifference to increased state powers. Those with only "good thoughts in their hearts" had nothing to fear, MacKenzie told the BBC. As a statement it is nonsensical, but it confirms that, for the *Sun*, the 42 days' extension has less to do with national security than it does with ideological and political surveillance, censorship and suppression.

More fundamentally, the plan by the *Sun* to contest the election in Labour's absence underscores the extent to which the government and its policies have become indistinguishable from the demands and interests of Murdoch as one of the leading representatives of big business in Britain.

Murdoch no doubt played a major role in the government's decision to risk forcing the 42-days extension to a parliamentary vote, under conditions in which a defeat would almost inevitably have finished Brown's leadership. A notorious loudmouth, MacKenzie also revealed that Gordon Brown and Tony Blair had been present at the birthday party where his potential challenge was discussed—leading to suggestions that Murdoch and the Labour leadership had hatched their anti-Davis strategy together.

By the weekend, it was obvious that the efforts to disparage and undermine Davis had backfired. Far from him proving to be an isolated maverick doomed to ridicule and defeat, it was the government and the media that were shown to be alienated from and out of step with public opinion.

Political commentators were forced to admit that e-mails and comments posted on news web sites were overwhelmingly in favour of Davis. Many of them were from supporters of the Labour Party and Liberal Democrats who expressed their disgust with the fact that representatives of their own parties had failed to take such a stance, and had left it to a Tory to make the case for civil liberties.

By Monday morning, as opinion polls recorded an even greater increase in Conservative support, Labour had still not said if it would contest the by-election. There was also silence from the *Sun* newspaper.

Whatever Davis's initial intentions, his resignation has created a political crisis across all the official parties. Already deeply unpopular, Labour is incapable of publicly defending its police-state measures, and is all too aware of this fact. Its refusal to contest the election will be taken as further proof of its own marginalisation. Should it relinquish the defence of its policy to the *Sun*, however, it will only confirm that the government is little more than Murdoch's political proxy.

The *Sun* faces a crisis seemingly of its own making, particularly after MacKenzie's public claim that Murdoch had agreed to finance his campaign. As Murdoch is a US citizen, his monies would be illegal under British electoral law. And if Davis should beat MacKenzie, who already stood unsuccessfully in local elections in Surrey, its claim to be the true voice of the "man-in-the-street" would

take a hammering.

Despite the apparent popularity of Davis's move, the Tories are far from welcoming a fight on civil liberties. Happy to score points against Labour, the last thing they want is to see the entire body of anti-terror legislation called into question—particularly if it is put to some form of popular vote outside the rarified environs of Westminster. Some of the most condemnatory statements against Davis have come from his fellow Tory MPs, and many in the party leadership will be just as reluctant as Labour to risk a conflict with Murdoch.

As for the Liberal Democrats, they have effectively ceded their declared position as the most consistent defenders of civil liberties to a right-wing figure that most of their own supporters regard as an ideological enemy.

The sense of political flux was intensified by a number of statements in support of Davis from across the political spectrum. After several days, two Labour MPs who had voted against the 42 days' extension—Bob Marshall-Andrews and Ian Gibson—announced they would campaign for Davis. It is forbidden under Labour rules to campaign for another party, and so Brown will now have to decide whether to discipline the pair and risk making them martyrs.

Retired Colonel Tim Collins—whose address to the 1st Battalion of the Royal Irish Regiment as they prepared for invasion of Iraq was praised throughout the media as proof of Britain's "democratising" mission—has also said he will campaign with Davis.

Such backing has led to speculation that Davis's campaign has kicked off a new political movement, what one *Observer* columnist described as an "Obama-like" moment.

Whatever the immediate outcome of Davis's campaign, one gets the sense that his resignation and the response to it have crystallised the recognition amongst a section of the ruling class that the public is far more hostile to the existing political set-up than is officially admitted.

Faced with an economic recession, rising unemployment and even greater financial insecurity for millions of workers and their families, they are concerned that the old political parties are completely incapable of responding to, and controlling, this inchoate but rebellious sentiment amongst broad swathes of working people. They will be watching Davis and his political backers to see if they have what it takes to divert this discontent and prevent it from taking an independent, socialist direction.



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