

Not in Our Name: Democracy and foreign policy in the UK

Briefing

Executive Summary

Not in Our Name analyses democratic control and oversight of foreign policy-making in the UK. It concludes that neither Parliament nor the public have more than a marginal influence upon Britain's external policies and reveals the incomplete and ad-hoc nature of parliamentary oversight and an in-built deference to the executive and established processes. *Not in Our Name* proposes specific recommendations on how to redress this imbalance:

1. Reform of the Royal Prerogative, by introducing a War Powers Act, parliamentary ratification procedures for international treaties and parliamentary oversight over ambassadorial appointments
2. Mainstreaming of oversight of foreign affairs through involvement of departmental select committees to keep track of international negotiations
3. Developing of soft mandates, leading to a continuous dialogue between Parliament and Ministers representing Britain in international negotiations
4. Strengthening Parliament's resources for oversight, by creating a Legal Counsel's Office for Parliament and a External Audit Office, increasing the number of MPs involved in oversight and boosting traditional resources
5. Creating a new parliamentary culture which focuses on Parliament's oversight role
6. Strengthening Parliament's independent voice, giving it the power to monitor compliance with the Ministerial Code and the right to recall itself
7. Improving Parliament's access to government information

About the project

This project was undertaken jointly by Democratic Audit, the Federal Trust and One World Trust. The research was funded by the Joseph Rowntree Charitable Trust and is based on interviews with a wide range of people from the staff of international organisations to politicians, journalists and civil servants.

Introduction

The decision to invade Iraq without the approval of the United Nations – and the manner in which it was taken – threw into dramatic relief the weaknesses of the traditional means by which Parliament holds the executive to account. The undue power of the British executive over Parliament is particularly pronounced in the case of ‘foreign policy’, one of several areas where the executive has, by tradition and through the use of the Royal Prerogative, the ability to wage war, make treaties and engage in external negotiations outside parliamentary control. Judicial deference to the executive, especially on international and national security affairs, ensures for the most part that ministers’ prerogative decisions on ‘foreign policy’ are in practice immune from judicial review.

The executive’s supremacy is not a cause for concern solely in the case of military action; it matters across the whole range of Britain’s ‘foreign policy’. In addition to the prerogative, there are other areas of democratic shortfall. The government can deny elected representatives the ability to make it accountable and to scrutinise policy, through restrictions on the release of official information, control over parliamentary business and rigid parliamentary discipline. Parliamentary control of the government’s external policy-making is further restricted by the fact that, in stark contrast to domestic policy-making, the government only rarely bring bills or statutory orders before Parliament on matters of foreign policy.

General Principles

It is against this background that the One World Trust, the Federal Trust and Democratic Audit undertook a study to assess Parliament’s performance in holding the government to account on issues of foreign policy, suggesting recommendations on how to strengthen Parliament’s response to government’s external policy-making. Our analysis is based on interviews with a broad range of Parliamentarians from both Houses and external observers,

academic and other. These discussions gave us an insight into the actual processes and procedures of Parliamentary oversight on foreign policy and into Parliamentary thinking on possible improvement of these processes.

We identified for our study three specific strands of external policy – the UK’s bilateral relations, oversight of EU legislation and the government’s EU policy-making, as well as British membership in international organisations. The examination of British bilateral foreign policy highlights that one of the fundamental elements of British foreign policy, namely the Special Relationship with the United States, has never been subject to an assessment by Parliament. Moreover, the manner in which the decision to go to war against Iraq was taken and the subsequent public inquiries showed government’s disregard of Parliament on such an important issue. Yet Parliament has since not undertaken an inquiry into the policies that took the UK to war in Iraq. A further case study demonstrates the failure of the British Parliament in holding the executive to account on its policy on arms exports.

Our conclusion is that British membership of the European Union requires specific Parliamentary procedures to respond to the need for pre-legislative scrutiny of European Acts. However, the procedures currently in place reveal that EU matters, despite their potentially significant impact on British legislation, are a marginalised issue in Parliament demonstrated by low attendance at Standing Committee meetings debating important EU documents. Moreover, Parliament does not systematically oversee the conduct of ministers in negotiations at the European level.

Our analysis of British membership in international organisations demonstrates Parliament’s difficulties in holding government to account over its dealings in multilateral organisations, largely because of a lack of information and co-operation from ministers. However, at the same time several case studies highlight the sketchy nature of

Parliamentary oversight in this area of external policy, with no systematic procedures to keep track of government’s conduct in multilateral negotiations.

Our study uses a broad definition of the concepts of ‘foreign policy’ and ‘Parliamentary oversight’. ‘Foreign policy’ in modern times is a wide-ranging complex set of processes, far removed from the exercise of autonomous bilateral diplomacy to which the prerogative traditionally applied. The ‘foreign policy’ the government pursues is an amalgam of multilateral and bilateral negotiations and agreements, reflecting for example the policies of the European Union, of NATO and the UN Security Council, rather than the independent policy of the UK. We therefore need to re-configure the very idea of ‘foreign policy’ and talk instead of Britain’s *external policies* – aid, trade, treaty-making, bilateral and multilateral activities, relations with the European Union and the United States, the conduct of the UK in international bodies. This adjustment will in turn assist more systematic, meaningful parliamentary oversight of the policies in question.

Parliamentary ‘oversight’, as we use the term, is a synthesis of the powers and processes that bring about accountable government. It is important that government should be both effective and accountable; and accountable between elections as well as at them. So while the primary means of securing accountability is through elections, there is a need to ensure that between elections the government, ministers and officials are required to ‘render an account’ to citizens and their representatives in Parliament. The electorate is then in a position to form a comprehensive judgement on how government has performed. Thus Parliament itself is or should be the main instrument of political accountability on behalf of citizens. Accountability ought not to be merely retrospective, though in general practice it is in the UK Parliament. However, in a mature democracy, it is important that MPs and peers should play a public role in examining and shaping government

policies as they evolve; that MPs are able to represent their constituents' views on these policies to government; and that Parliament provides a public forum in which the policies are debated and decided.

Recommendations

There are a number of cultural, administrative and procedural factors which contribute to the unsatisfactory way in which Parliament oversees British foreign policy. We of course recognise that the sheer volume and diversity of external policy-making is almost bound to overwhelm the MPs and largely part-time peers who have a multiplicity of functions to perform. However, we have come to the conclusion that select committees, Parliament's major instruments for oversight of the government's foreign, trade and aid policies, provide unsystematic scrutiny of these policies at best, and often neglect significant areas of activity. The committees' weaknesses are in large part attributable to their chronic lack of resources – including MPs' own time and commitment – and the weak powers that they possess in practice to obtain official documents and to interrogate ministers and officials. The retrospective nature of parliamentary oversight severely limits the capacity of select committees to influence events. The single most important conclusion from our project is therefore that we need a self-confident Parliament, willing to demand the powers and resources that its committees and members require to hold the executive to account, and able to make use of them.

I. Taming the Royal Prerogative

We begin our recommendations with reform of the Royal Prerogative and the untrammelled powers it confers upon the executive in the field of foreign policy by contrast which are denied it in purely domestic affairs. We recommend that the Royal Prerogative in the field of foreign policy should be abolished, or at the very least substantially reformed to deprive the

British government of the unchecked powers which it currently enjoys.

War Powers Act

In the long run, we agree with the Public Administration Select Committee that the prerogative should be put on a statutory footing in all its manifestations, but that the executive's powers over military force and treaty-making should be dealt with as a priority. Crucial to this development would be the introduction of an effective War Powers Act which not merely allowed Parliament to endorse or block the formal declaration of war between the United Kingdom and another nation, but also permitted Parliament to approve or reject any substantial military activity which can reasonably be held as the equivalent of war, as well as the deployment of troops in potentially hostile circumstances – such as for example the intensified bombing in the southern Iraq no-fly zone in the run-up to the invasion.

A War Powers Act would entail, wherever possible, the government bringing a resolution to the House of Commons in advance of a hostile or potentially hostile military action, setting out its objectives, compatibility with international law, estimated costs, and a timetable for completion. The government would be required to return to the legislature at regular intervals when seeking to renew or alter its mandate for action. Where circumstances do not allow consultation with Parliament in advance of an operation, MPs should be given the opportunity to approve, disavow or halt the action as soon as reasonably possible.

Treaty-ratification

But it is not only in times of crisis that Parliament's role needs to be enhanced. The role of Parliament in the negotiation and ratification of international treaties is marginal at best. Parliament could already do more than it does to participate in and scrutinise the negotiation of treaties (see below). It is, however, in the ratification of

international treaties that Parliament's present formal competences need to be enhanced. When negotiating an international treaty, the British government should have firmly in mind that the treaty's final provisions will be subject to serious scrutiny and in the ultimate case rejection by elected representatives. The task of sifting the 50 or so treaties a year to which the UK becomes party should, we recommend, be taken on by a Joint Committee of both Houses. The joint committee, perhaps in consultation with relevant select committees, could refer those it considered of the greatest importance to the plenary for a debate and a vote. This debate and vote would be no mere formality, but a genuine opportunity for Parliament to review and if necessary reject the outcome of negotiations which Parliament itself will have been following and shaping.

Ambassadorial appointments

It is often diplomats and officials rather than ministers who conduct negotiations on international treaties. The contribution that MPs could make to foreign affairs would be significantly improved if Parliament were enabled to scrutinise more effectively than it can now the allocation of important diplomatic posts, especially when these posts are filled by political appointees. This scrutiny should not be confined to British ambassadors formally sent to foreign capitals. It should also extend to informal envoys sent on behalf of the Prime Minister or other ministers to carry out diplomatic tasks in a particular country or region. The proposed Civil Service Act could well provide a tool to enforce Parliament's oversight of these appointments as part of the proposal in the current draft that ministers should report annually to Parliament on their special advisers. However we also recommend that Parliament should seek to put this measure on the statute book for wider reasons – to reinforce the party-political neutrality of civil servants and to restrain the informality at the centre of government identified in Lord Butler's report *Review of Intelligence on Weapons of Mass Destruction*.

2. Mainstreaming oversight of foreign affairs

Our second major reform proposal is that Parliament should 'mainstream' its oversight of external policies. The first priority would be to remove the artificial barrier which currently exists between the parliamentary specialists in the general field of 'external policy' and their colleagues who specialise in the areas of domestic policy on which external policy increasingly impinges. In a world where, for instance, much of Britain's environmental policy is decisively influenced by European legislation and international treaties, those MPs whose speciality is the environment are best qualified to maintain oversight of what the government is doing in European and international environmental negotiations and to conduct pre-legislative scrutiny of EU legislation. It is rare under our current system for them to be able to do so.

We recommend therefore that departmental select committees in the House of Commons should in future take over oversight of all external policy-making that bears upon their domestic responsibilities. This 'mainstreaming' process would rescue a wide range of significant executive policies and actions overseas from the neglect that they currently suffer. It also makes sense to make the best possible use of the expertise that members of the specialist select committees have amassed; and to bring the government's negotiations with its EU and other international partners more clearly onto the political agenda.

The need for this proposal is clearly illustrated in the case of the European Union, but the principles can also be applied to negotiations at international organisations. For example, central to the role of national parliaments is the pre-legislative scrutiny which they carry out of proposed European legislation coming from the European Commission. These proposals are generally highly specific in character, covering a wide range of policy areas for which the EU has shared or exclusive responsibility. If proposals from the European Union on agriculture,

transport, development aid, for example, are to receive the most effective parliamentary scrutiny, we believe it essential that they should primarily be considered by the appropriate specialist committees, not by the present European Standing Committees, which are a highly unsatisfactory substitute for the specialist select committees.

Keeping track of negotiations

Once the first step had been taken of making the oversight of European legislation and international agreements a genuinely core task of specialist Parliamentary committees, they would be obliged to reform their working methods in line with their new responsibilities. They would need to adopt a system whereby all important new proposals (particularly proposed European legislation) were reviewed and further work done on those which appeared inadequate or disadvantageous to the United Kingdom. The committees would need to keep under constant review the meetings and agendas of the European or international ministerial meetings relevant for their policy areas. They would need regularly to interview the responsible ministers and, where appropriate, heads of UK delegations, timing these interviews to precede and immediately follow important stages in developing negotiations. In short, they would need to ensure that they had access to all the information and analysis necessary to form and present to the government professionally solid judgements on the gamut of international texts which at any stage are in negotiation.

3. Developing 'soft mandates' in Parliament

One particularly important decision for the committees to take under the new arrangements would be to review the nature of their relationship with the ministers and officials from the government department which they are holding to account. As we have already indicated, the traditional system of ministerial responsibility to Parliament

allows for post-hoc scrutiny of government policies and actions only. In our view, this system leaves open a damaging accountability gap – for by the time Parliament reviews a policy or action, it is already an accomplished fact.

A number of MPs we interviewed expressed interest in the mandating system which some national parliaments, such as the Danish and Finnish, impose upon their ministers in European negotiations. Under this system, ministers meet regularly with the appropriate committees in advance of EU meetings and are effectively given negotiating instructions by the committee. No deviation from this mandate is allowed without the permission of the committee or its chairman. We recommend that select committees charged with the pre-legislative scrutiny of European legislation should develop a mandating process for the United Kingdom in advance of negotiations (rather than being informed afterwards what policies had been adopted).

We have in mind a form of 'soft mandating', which would allow ministers room for manoeuvre within parliamentary guidelines for the subsequent negotiations. It would be unlikely that a British version of mandating could be as confining of ministers as that practised in Denmark, where governments with small majorities are particularly wary of upsetting a delicate parliamentary balance by controversy with influential parliamentary committees. We believe that mandating in the British Parliament should aim to create a continuous dialogue between ministers and committees rather than to try and impose formal instructions from committees to ministers.

Our recommendations on mainstreaming and mandating arising from the example of EU legislation apply equally to British policy in other international organisations, such as the World Bank, the United Nations with its subsidiary bodies and NATO. The concept of a form of 'mandating' from select committees to ministers representing the UK at these bodies would represent a major advance in

parliamentary oversight. The greater involvement of Parliament in the treaty-making process which we advocate would also reinforce the presence of the legislature in this area.

4. Giving Parliament better resources

New institutions

We recommend specifically that two institutions, a *Legal Counsel's Office* for Parliament and a *Parliamentary External Audit Office* should be established to put Parliament on a more equal footing with the executive. These two new institutions would have a similar function, namely to provide authoritative information and advice on which Parliament could base its considered judgement when reviewing the actions of the executive. The present unbalanced relationship between the British Parliament and the executive in the conduct of international affairs derives at least partly from the imbalance of information available to both parties. The two new institutions suggested would help to remedy that imbalance.

European and international law is increasingly a central element in controversial government decisions on the international stage; and it is highly undesirable that the executive should be able to draw upon usually confidential legal advice from the Attorney General while Parliament is deprived its own sources of legal advice. It cannot be possible for Parliament to carry out effective scrutiny on such matters without access to authoritative and impartial legal advice, which a *Legal Counsel's Office* would provide, primarily to parliamentary committees. (Such an office may also be valuable, for example, in considering the impact of domestic legislation on human rights in the UK.)

Our conception of the External Audit Office is that it would give select committees impartial factual advice about the likely impact in the United Kingdom and elsewhere of proposed new European legislation or other

international obligations. The EAO could perhaps be attached to the recently-established Scrutiny Unit, which services select committees and joint committees carrying out pre-legislative scrutiny. It would in some senses be an external version of the National Audit Office, but with a forward-looking remit that is broader and more policy-focused than that of the NAO. It would be for the select committees to form political judgements based on its analysis and advice, but the new External Audit Office would give their members a sound factual basis for those judgements.

Larger committees

When we discussed proposals for mainstreaming, mandating and other changes it was often stressed to us that the select committees did not have the resources to take on the extra responsibilities we were suggesting. These resources were not merely material. We repeatedly heard that too few MPs are involved in committee work; and that those who are involved are too busy to devote adequate time to their committee responsibilities.

We regard this as a critical issue. We agree with the Hansard Society Commission on Parliamentary Scrutiny that select committees should be enlarged so that they can perform their duties more effectively and that the majority of MPs should be expected to serve on a select committee. In this sense, the House of Commons would be 'mainstreaming' committee service and raising the profile and status of scrutiny among MPs and the media.

There are various other advantages to this proposal. Larger committees could form sub-committees and break into sub-groups to examine specific issues, as takes place, for instance, in Germany and the US. An added advantage of such an approach would be that the total number of MPs sitting on committees would grow, thereby reducing the relative power of the whips when disbursing committee membership as patronage.

It is our view that the resources available to select committees are

inadequate to meet their current responsibilities, let alone the large increase in duties that we advocate here. Parliament should have at its disposal highly-qualified and knowledgeable experts rather than (as is mostly the case) able young persons at the beginning of their careers. We therefore firmly recommend that extra resources should be allocated to committees and individual parliamentarians to help them become more effective scrutineers of the government's external actions.

Traditional resources

More generally, more traditional resources should be made available to committees and individuals to carry out their increased workloads. Library and research facilities should be enhanced. The number of qualified staff allocated to specialist committees should rise. Money should be made available for international research travel, with the emphasis being placed exclusively on the usefulness of the travel, rather than how much travel to what destinations an individual MP involved had already made that year.

The modest increase in expenditure that these proposals involve might well provoke initial public criticism. Parliamentarians would be well placed to rebut such criticism by pointing out that the only beneficiaries of inadequate funding for their work would be the governments that already escape effective oversight. Moreover, insofar as a more informed and active Parliament was able to make proper use of these additional resources, it is possible that the extra costs would be saved by improved decision-making and the avoidance of the 'policy disasters', such as the recent invasion of Iraq, cost the British taxpayer. Currently we get parliamentary democracy 'on the cheap' – and it shows.

5. Changing Parliament's culture

Among the reasons why we advocate the abolition of the Royal Prerogative is its likely psychological effect in reinforcing the role of Parliament as an

autonomous political body, in no way inferior to or subordinate to the government, today's beneficiary of the Royal Prerogative. Even if the prerogative is abolished, however, there will still need to be a further shift of psychology and culture among MPs. For the great majority of MPs, three genuine and understandable pressures are dominant in their personal political ambition, namely loyalty to the party to which they belong, the desire to make a successful ministerial career for themselves and the need they feel to protect their political base by time-consuming constituency work.

All three of these pressures, in their different ways, are inimical to the ability of Parliament effectively to scrutinise the actions of government and hold it to account. The British executive is traditionally adept at exploiting the preoccupations of backbenchers to ensure that the scrutiny to which it is subjected is as toothless as possible. The problem is particularly acute in the case of scrutiny of external affairs. The prospects for effective scrutiny would improve considerably if fewer MPs regarded their work in the House of Commons as primarily an antechamber to ministerial office, and more was done to give real influence to select committees.

We believe that many shortcomings in effective Parliamentary oversight are closely related to the electoral system and could more easily be addressed under a system of proportional representation. However, we accept that even after the outcry occasioned by the results of the 2005 election this is an aspect of our existing political system which cannot or will not be changed in the foreseeable future. We therefore confine ourselves to a number of procedural and administrative changes to the workings of Parliament that are intended to strengthen the self-identity of Parliament as an equal partner in its dealings with the government.

Our goal is a modern 'committee' Parliament in which the oversight duties of select committees takes precedence over the set-piece occasions customary

in the popular chamber. We expect that our proposals for enlarging committees so that most MPs contribute to their work, mainstreaming external and particularly European affairs and introducing 'soft mandating' of ministers will lead to a potential virtuous circle, whereby more determined and expert committees will refuse to accept the restrictions on their roles implicit in such conventions as the Osmotherly rules, which limit the access of parliamentary committees to civil servants. The theoretical right of parliamentary committees to send for 'persons and papers' must be made a reality if these committees are to carry out their work of scrutiny properly. There should be a shift in emphasis from old-fashioned post-hoc scrutiny to scrutiny and involvement in advance of negotiations, policy and decision making should over time secure this essential reform. It is extraordinary that, as Lord Butler no doubt rightly said to PASC, the government is reluctant to give information to select committees because their opposition members may take advantage of it. Select committees could and should do more to assert their rights against the executive. It should not be for the scrutinised executive to decide what weapons of scrutiny Parliament will be allowed to deploy.

6. Strengthen Parliament's independent voice

It will be clear that we believe that a strong and confident committee structure in the Houses of Parliament is vital to transforming 'executive democracy' (as Jack Straw styles it) into modern parliamentary democracy. The key to such a change is to hammer away at proposals that strengthen Parliament's political hand in dealing with the British executive.

The Liaison Committee, comprising the chairs of select committees, has already begun to act as their collective voice and has made a series of recommendations designed to strengthen them in their dealings with the executive. We recommend that the powers of the Liaison Committee in the

House of Commons be strengthened and that it set up a smaller executive group, as recommended by the Hansard Commission on Parliamentary Scrutiny. The House of Lords, though weakened by its ambiguous status, has a strong reputation for the quality and objectivity of its scrutiny work and more use could be made of its members. We recommend that more joint committees between the House of Lords and the House of Commons be established; and that the House of Lords should consider establishing ad-hoc committees to consider major issues of external policy. Both practically and psychologically, greater co-ordination between parliamentary committees between different Houses and covering different policy areas, would greatly help to right the traditional imbalance in the United Kingdom between government and Parliament, an imbalance particularly observable in foreign affairs.

Ministerial Code

There is a crucial weakness in arrangements for ensuring that ministers act properly in their dealings with Parliament and the civil service. The *Ministerial Code*, the rule-book for ministers, deals in part with their duties towards Parliament. But it is the property of the Prime Minister of the day and has the force only of convention. The Prime Minister has the sole responsibility for enforcing the code and the clash of interest in his or her judgements is self-evident. That the Prime Minister has the sole responsibility of enforcing this code seems to us politically and constitutionally unsustainable. Moreover in significant cases the degree of political support that a minister has on the government back benches is ultimately the determining factor. There have been a number of proposals for reform of this unsatisfactory position. The constitutional committee in the Swedish Parliament may be a model for reform. One of its remits is to consider the conduct of ministers. We suggest that a parliamentary committee, perhaps a joint committee, could be set up to monitor compliance with the *Code* and keep it under review.

Parliament's right to recall itself

We also urge that Parliament should assume the right to recall itself independently of the executive. This would be an important component of a new independent parliamentary identity and would be particularly relevant in the context of foreign policy. We suggest a system whereby a certain number of Members of Parliament (perhaps a third), from two or more political parties represented in the House of Commons, could ask the Speaker to recall Parliament. The Speaker would normally accede to that request. In the case of a refusal, he or she would be expected publicly to defend the decision (which would of course be open to subsequent parliamentary debate). We envisage that a set of constitutional conventions would soon emerge for a Speaker's guidance. A number of variations upon this system could obviously be envisaged, but it is a peculiarly flagrant example of executive dominance that Parliament can currently only be recalled at the executive's initiative.

Media attention

In general, we believe that the establishment of a self-confident Parliament depends on a radical upgrading of the importance attached to the work of select committees. Their inquiries and reports constitute the core of Parliament's contribution to political discourse in this country. But it is the traditional set-piece debates, stage-managed as they so often are, and the negotiations which precede controversial votes, that still seize media attention. The fact that the select committees are largely powerless deprives them of their cutting edge in media attention. But despite recent attempts to improve the presentation of their reports, select committees still limp along in their capacity to publicise their inquiries and reports effectively. The Clerks Department should employ sufficient professional media staff to address this continuing weakness.

7. Towards an open democracy

Parliament does not exist in a vacuum. It has an important role as a forum for political debate, but this role is nevertheless a part only of the extended political discourse which characterises mature democracies. Parliament benefits from and helps the work of other leading contributors to this discourse, contributors such as the mass media, non-governmental organisations, academics and the judiciary. Access to official information is fundamental to the quality of this interplay of debate in Parliament and society at large. Parliament has an especial interest in promoting the widest possible access to information from which it and those organisations and individuals who share in this political discourse may expect to benefit. We believe that parliamentary scrutiny in external affairs depends crucially upon the free and open flow of relevant information from all government departments. The British official culture of withholding information for the convenience of the executive is one from which Parliament especially suffers.

From this general principle, a number of consequences naturally follow. To improve its work of scrutiny in foreign affairs, Parliament has every interest in pressing for reform of the Freedom of Information Act's more restrictive exemptions, which bear most heavily upon foreign, defence and trade policies. The power of ministers over the decisions of the Information Commissioner is an executive safeguard too far. Successive Commons committees have recommended that the Intelligence and Security Committee, formally appointed by and reporting to the Prime Minister, should be reconvened as a committee of the House, thereby establishing its independence from the executive and enabling parliamentary scrutiny of the security and intelligence agencies. So far, the government has refused to yield. The use made by the government before the Iraq war of intelligence material to bolster its political case for the war has fatally undermined any argument that intelligence and security

matters have no place in the open political arena. Parliament has traditionally been willing to concede a wide measure of executive latitude on security and intelligence matters. All the events surrounding the build-up to the Iraq war of 2003 have made the concession of such latitude a matter for urgent review and reform.

Conclusion

We should wish to think that a more assertive Parliament could at least achieve some reform and develop a more effective parliamentary arm to our democracy. Our recommendations are designed to assist this process. We believe that they would, if they were adopted, help Parliament to hold the British government more effectively to account for its actions outside the frontiers of the United Kingdom. This would be a clear net gain not merely for the transparency of the British political process, but also for those many citizens, British and others, who are affected by the external decisions of the British government.

The starting-point of our investigation was the ever more obvious blurring, in a globalised society and economy, of traditional lines between external and internal policy. It is not entirely surprising that our conclusions about the way the British Parliament reviews governmental foreign policy have touched also on the general underlying relationship between the executive and Parliament, whether that is manifested in domestic, European or international affairs. It may well be that the recommendations we are making about external policy have wider implications for this underlying relationship at the heart of our unwritten constitution as well.



Not In Our Name

DEMOCRACY AND FOREIGN POLICY IN THE UK

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Democracy and Foreign Policy in the UK

Simon Burall, Brendan Donnelly and Stuart Weir

A revealing account of how the making of foreign policy in Britain bypasses the democratic process

- **Prompted by recent British foreign policy, the impact of which is felt more and more in the everyday life of the public – affecting everything from food prices to terrorism.**

- **Offers recommendations as to how the public can have a say in foreign policy. That people increasingly want to play a part**

in such decisions was shown by the protests over the Iraq war and the enthusiasm for Live8.

Reflecting the placards carried by protestors against the Iraq war, the title *Not in our Name* refers to how Tony Blair's decision to join the US-led invasion of Iraq has revealed fundamental flaws in our democracy. The authors analyse the situation whereby MPs in Parliament and the public have almost no say in foreign policy as a whole – be it going to war, making treaties, giving aid, promoting development, selling arms, negotiating with the European Union, Nato, the World Trade Organisation, the World Bank, etc.

Not in Our Name looks at the checks and balances between parliament and the cabinet, the importance of parliamentary committees, Britain's relations with Europe, Britain's global dealings and our general interests abroad. The book concludes with a series of recommendations designed to make policies more accountable and transparent.

Not in Our Name is the collective work of three leading British think-tanks – Democratic Audit, the Federal Trust and One World Trust. The three main authors are Simon Burall, Brendan Donnelly and Stuart Weir.

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About the Organisations

The One World Trust was formed in 1951 by the All Party Group for World Government. The Trust has built up a considerable knowledge base about the workings and accountability issues of many of the major intergovernmental organisations. The director of the Trust is Simon Burall.

Democratic Audit was set up by the Joseph Rowntree Charitable Trust in 1991 to measure democracy in the UK. Attached to the Human Rights Centre at the University of Essex, Democratic Audit draws on a wide range of collaborators, including academics, journalists and lawyers. It has published three major reports on democracy in the UK as well as a number of reports. Its director is Professor Stuart Weir.

The Federal Trust is a think tank founded to promote studies in the principles of international relations, international justice and supranational government. Set up in 1945 on the initiative of Sir William Beveridge, it has always had a particular interest in the European Union and Britain's place within it. The Federal Trust has no allegiance to any political party. Its director is Brendan Donnelly.