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## THE CONSERVATIVE NATION *REDIVIVUS?*

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This paper addresses two dimensions of Andrew Gamble's work which have previously been treated as discrete. One is his study of the Conservative Nation and the other is his more recent analysis of the pressures in the UK's constitutional framework, undertaken from a social democratic perspective. My thesis is that the former – the nature of the Conservative Party, mobilizing support successfully – may serve to prevent the realization of the latter, the Conservative view of the constitution prevailing over pressures for a new constitutional settlement for the United Kingdom. Whereas the analysis of the Conservative nation is grounded in, and can only be understood by reference to, an appreciation of political realities, the approach to constitutional change embraced by Gamble is largely apolitical, concerned primarily with ends to the neglect of means.

### *The Conservative Nation*

In his seminal work, *The Conservative Nation*, Andrew Gamble argues that Conservative leaders utilize the politics of support in order to exercise the politics of power. They exercise this in order to uphold particular values. The state, he notes, is not just a set of institutions, but a set of priorities.<sup>1</sup> For the purposes of my argument, it is important to stress Conservative adherence to the set of institutions. The way they have developed and relate to one another has largely been fortuitous and not the product of conscious constitution-

creation. For the Conservative this is beneficial both in terms of development, justified in terms of being evolutionary, building on what has gone before, and outcome: a system of government that has proved adaptable, stable and accountable. Government delivers a balance between accountability and autonomy, a balance achieved through the Westminster system of government.<sup>2</sup> Parties offer alternatives and fight for exclusive electoral victory. Government is chosen by the people from the alternatives on offer and is able usually to deliver a coherent programme of public policy, a programme for which it is accountable to electors at the next general election. Parties in government have generally had a good record of delivering manifesto promises and electors can choose to punish or reward the party in government. Election day, in Karl Popper's term, is 'judgement day'. For the Conservative, the constitution is bolstered not by formal mechanisms, but by being rooted in a culture of constitutionalism; that is the protective shield, seen as far more powerful than an imposed, and possibly difficult to amend, codified document.

The other dimension of the Conservative Nation identified by Gamble is the very nature of British Conservatism. There is no one immutable Conservative ideology, no bible of beliefs. 'The party', he contends, 'sometimes appears a huge coalition, a giant museum of the political movements of the past'. However, it is not so much a museum as a living organism that adapts to its environment. Conservatism embodies what Oakeshott referred to as dispositions, not least a scepticism as to man's reason, as well as different tendencies or strands. These may come into tension with one another, or one may be more to the fore at times than others, but the essential point is the adaptability to the environment. Conservatives have an instinctive set of beliefs, but set within a clear recognition that to protect those beliefs one has to be in power.

The very nature of Conservatism reinforces its instinct for holding office. Its success in electoral politics reinforces that instinct. As Gamble records, ‘The Conservatives have developed such a strong identity as the party of government because they have generally been the party in government’. The instinct has been such as to imbue the party with a reputation for ruthlessness, not least in removing a failing leader from office. Although visits from ‘the men in grey suits’ prior to the introduction of the power to vote out a leader is apocryphal, the parliamentary party has been prepared to flex its muscles in recent years to vote out a failing leader (Heath, Thatcher, Duncan-Smith). Theresa May agreed to go following a meeting with the executive of the 1922 Committee. Other leaders have promptly resigned in the wake of losing an election (Major, Hague, Howard) or a referendum (Cameron). The quest for power trumps sentimentality.

### *Explaining Conservative success*

The party has an instinct for power and its adaptability provide the basis for success, but these are not sufficient to explain why it has been *the* party of government. I have identified four reasons for Conservative success.<sup>3</sup> These variables complement, and develop, some identified by Gamble. They are reinforced by a fifth, external to the party: it has been fortunate in its opponents. As Gamble notes, its leading opponents have split at opportune moments, but it has benefited also from the Labour Party embracing parliamentary socialism. Since MacDonald’s leadership, the party has been constitutionally conservative, opposing any change to the electoral system that would frustrate it in achieving a majority of seats in the House of Commons.

The four variables are being a party of governance, unity, leadership, and public service. The first is the principal explanation for Conservative success. It has been able to convey that it is a safe pair of hands in handling the affairs of the nation, especially its public finances. It has prided itself on its competence as a party of government and on its statecraft. It is concerned with ensuring the ship of state is kept afloat and steered competently, if necessary undertaking adjustments to keep it steady. Unity, or being able to give the impression of being united (or at least less disunited than its opponents), has also been a key weapon in the party's electoral armoury. Although it has suffered major splits during its history – over the Corn Laws, tariff reform, and European integration – it has generally come together after the event; in Richard Rose's terminology, it is a party of tendencies rather than factions. Attachment to party has largely won out over doubts or disagreements on specific issues.

Leadership has also been lauded as central to Conservative success. Leaders are looked to in order to deliver electoral victory, mobilising the politics of support to deliver the politics of power. If they deliver, loyalty follows. If they fail, then – in Churchill's words – they must be pole-axed. Key to understanding electoral success under Margaret Thatcher was not Thatcherism, but Thatcher. She conveyed a clear sense of direction and that she would deliver. The components of her eponymous philosophy generally failed to sway electors' minds, but her determined leadership swayed their votes. Neither the electorate, nor her parliamentary party, were Thatcherite.<sup>4</sup> As Gamble noted, 'most of her Cabinets were populated by Conservatives who did not share her Manichaeian view of the world, or her enthusiasm for permanent revolution'.<sup>5</sup> Her leadership was the embodiment of exploiting the politics of support (Thatcher) in order to exercise the politics of power (Thatcherism), the latter well developed in Gamble's *The Free Economy and the Strong State*.

The party has also benefited from the appearance of seeking to act in the interests of the nation, almost to be above politics. The portrayal of Tory leaders as paternalists has been used against them by critics, but may also serve to bolster the party's claim to be the party of the nation, of being driven by the public interest rather than self-interest. Disraeli served to establish the party as the party of the nation rather than one representing sectional interests. Mobilising a majority in elections has only been possible through the existence of the 'angels in marble' – working class voters – who have given their votes to the party. Leaders have associated with or appealed to the instincts of the common man or woman. Baldwin, an industrialist, was often portrayed as leaning on a farm gate and in his language conjured up images of a rural idyll.

### *Conservative nation under challenge*

When all or most of these variables have come together, the party has won general elections and won at times with massive majorities. The 1983 general election was a particular example. Margaret Thatcher was able to indulge in the politics of power. When they have not been present, the party has floundered. The challenge was especially severe at the end of the 20<sup>th</sup> Century. The key appeal of the Conservative Party as the party of governance was lost on 'Black Wednesday' in September 1992.<sup>6</sup> That destroyed its claim to be a safe pair of hands in handling the public finances. It was then compounded by disputes over the party leadership – the leader, John Major, facing a leadership election in 1995 – and the issue of European integration, not least the Maastricht Treaty and the issue of a single currency. It was also hit by a series of scandals affecting members of the parliamentary party, encompassing sexual liaisons, but also using public office for personal financial gain, be it through hiring out services as political consultants or offering to take parliamentary action in

return for payment (the 'cash for questions' scandal, 1994). Not only did the party jettison the bases of its success, it also faced a united Opposition under Tony Blair. If anything, the conditions for Conservative hegemony passed to New Labour.

The problem facing the party was compounded by another fundamental challenge. Its view of the constitution was contested in a way that previously it had not been. For most of the 20<sup>th</sup> century, though there were differing priorities in terms of the use of power (including within the Conservative Party), there was a consensus among political parties as to the form and operation of the political system. Politics took place within an accepted constitutional framework. The constitution was not the subject of debate. There had been tensions at the start of the century, but, according to Vernon Bogdanor, debate on constitutional reform ended in the 1920s.<sup>7</sup>

Debate resumed towards the end of the century, as economic and political tensions raised questions as to the capacity of existing structures to deliver what was expected of them. The previous consensus gave way to different approaches to constitutional change.<sup>8</sup> Although John Major articulated a defence of the existing constitution, it was to be the other approaches, especially the liberal, that made the running in debate. Major was also the last Conservative leader to think seriously about the constitution as a constitution.<sup>9</sup> Although William Hague delivered a major speech on the constitution in 1998, it has not figured in the deliberations and writings of subsequent leaders.

The outcome of the 1997 general election was thus a major challenge to the Conservative Party for two reasons. One was the sheer scale of defeat. The other was the extent to which

this meant it was no longer in a position to uphold existing state structures that were now being challenged.

The outcome of the 1997 election represented the biggest loss of Conservative seats since the election of 1906. Unable to exercise power, it floundered. It is difficult in Opposition to re-establish one's credentials as a competent party of government. Voters punished it by continuing to vote retrospectively rather than prospectively. What Gamble wrote of the party after its electoral losses in 1974 was even more apposite 23 years later: 'Out of office, the Tory party would again be a bystander, while the Tory record in government could only become increasingly black in the memory of more and more voters'. There was little party leader William Hague could have done to deliver Conservative success in the 2001 general election. The party had lost it effectively nine years earlier. The party under Michael Howard made some gains in the subsequent election, but they were not sufficient to re-establish the *bona fides* of the party as one that could be trusted as a safe pair of hands.

This failure meant that the party was not in a position to uphold the Conservative view of the nation. Power was held under a Prime Minister committed to constitutional reform – a commitment largely inherited from his successor (John Smith) – but without any clear grounding in or understanding of the nature of the state.<sup>10</sup> For Tony Blair, a parliamentary majority was a means to an end and for the first term of office the end appeared to be winning a second term. Various major constitutional reforms were implemented (devolution, Human Rights Act 1998, reform of the House of Lords), but they were not set within any intellectually coherent approach to constitutional change. The Labour party had entered office with a manifesto commitment to hold a referendum on electoral reform and set up the Jenkins Commission to identify an alternative to the existing system (which it did in the form

of the Alternative Vote+). In the event, the party's distrust of adopting a system that may prevent it forming a single-party government proved too powerful and no action was taken on the Jenkins report. The commitment to a referendum was dropped. Although achieving the removal of most hereditary peers from the House of Lords, the attachment to the primacy of the House of Commons led to a notable reluctance to move beyond that and introduce elections for the second chamber. There was thus a notable disavowal between the discourse taking place between competing views of the constitution and the reality of reforms being implemented by government.

Andrew Gamble has been among those advocating a more coherent approach to constitutional change. He has argued the case for constitutional reform derived from his perception of democratic deficits in achieving 'a full social democracy in Britain'.<sup>11</sup> For him, the Conservative nation has been a barrier and in the modern era 'defended parliamentary sovereignty against popular sovereignty'. Its embrace of the sovereignty of the Crown-in-Parliament has generated other deficits, preventing both a dispersal of power through federalism and a codified constitution to determine when referendums may be held. It also militates against gaining public support and understanding for global and regional organisations.

British democracy, he argues, is at a crossroads. Those believing in a new social democratic settlement favour one route, the Conservative favours another. The means for achieving social democracy is, according to Gamble, implementing constitutional reforms embraced by the liberal approach, not least reform of the voting system. Retention of the existing system, he argues, is a symptom of a wider problem, that is, the inheritance from a pre-democratic era. He assails existing institutions, the lack of independence of the legislature from the



executive, the lack of legitimacy of the House of Lords, and the undemocratic nature of a hereditary monarchy, sustaining a system 'hostile to a democratic political culture'. Though recognising reforms made in the House of Commons in strengthening it in scrutinising the executive, and that the House of Lords may be the repository of a great deal of expertise, allowing it to offer 'effective and often expert scrutiny of government legislation', these features fail to overcome the basic flaws of the system.

As we have indicated, there are other approaches, though debate has tended to focus on the two, the liberal and traditional, that have the distinction of being at different ends of the spectrum in terms of their views of constitutionalism. For the liberal, the constitution should serve as a constraining mechanism on state power, whereas for the Conservative (or Westminster approach), it is a means of balancing power, not so much, as Gamble argues, pitting parliamentary sovereignty against popular sovereignty, but rather – in line with Dicey's analysis – ensuring the outcome of what the people want through Parliament. As Dicey observed in *An Introduction to the Law of the Constitution*, 'the will of the electors shall by regular and constitutional means always in the end assert itself as the predominant influence in the country. But this is a political, not a legal fact'. Parliament is the means for giving effect to the will. The House of Commons thus stands at the heart of the political system. It is the body through which support is mobilised to deliver power.

Though various politicians and commentators wanted to follow the road favoured by Gamble, the political realities militated against it; there were only sporadic steps in the opposite direction to that of the Westminster system, but without Blair embracing any one of the destinations signalled at the crossroads.

## *Fluctuating fortunes*

The electoral fortunes of the Conservative Party improved in the 2010 general election, but although the party was in office from 2010 onwards, it was not, for most of the period up to 2019, necessarily in a position to exercise the politics of power. It could stymie the delivery of a social democratic constitution, but could not prevent some constitutional change. David Cameron was unable to deliver the support necessary to enable the party to engage exclusively in the politics of power. He was constrained both by a coalition partner and by his own backbenchers. He engaged in what amounted to a juggling act, but dropped some of the balls.

Labour lost the 2010 general election, but the Conservatives did not win it, at least not in terms of gaining an overall majority. Post-election negotiations produced a minimal winning coalition, but almost floundered on the issue of electoral reform. In the event, the two – coming, as we have seen, from opposite ends of the spectrum – comprised or conceded on issues, the Liberal Democrats largely seen as getting the better of the negotiations over constitutional issues. In the event, the result was the Fixed-term Parliaments Act and two major initiatives that, from the liberal perspective, failed: a referendum on introducing the Alternative Vote (rejected in a referendum by two-thirds of voters) and a Bill to introduce a largely elected second chamber (killed by the opposition of Conservative MPs). That there were no more substantial changes to the constitutional structure of the United Kingdom appeared the product of political circumstance rather than design.

Cameron achieved an overall majority in the 2015 general election. During the Parliament, he switched from opposing an in/out referendum on membership of the European Union to

supporting one, doing so after a substantial proportion of the parliamentary party ignored the whips to vote for one. As Gamble recognised in *The Conservative Nation*, the party leader is sometimes the prisoner of the party as well as the electorate. In the event, it was a major miscalculation, Cameron expecting a vote to remain in the EU, but with electors voting to leave. Cameron's successor, Theresa May, followed him in a major miscalculation, calling for and achieving a general election in 2017, but with the result robbing her of an overall parliamentary majority. Equally important, the election returned a House of Commons where a transient majority was prepared to challenge government for control of the parliamentary timetable and of policy over negotiations to withdraw from the European Union. The combination generated an unprecedented challenge to the Westminster system of government.<sup>12</sup> That Parliament was as much a threat to the Conservative view of the state as the era of Labour Government under Tony Blair.

For May, the challenge, as Andrew Gamble has noted, was to 'reconcile the irreconcilable'.<sup>13</sup> There was the danger, as he notes, of the party splitting. In the event, the crisis passed with the resignation of Theresa May and her successor, Boris Johnson, achieving a general election in December 2019. The result demonstrated the party's capacity, and particularly Johnson's, to mobilise electoral support for the purpose of regaining power. The party achieved a parliamentary majority not achieved since the 1980s. It was in a position it had not been in for thirty years to restore the Conservative nation.

### *Following the signpost?*

On the face of it, the criteria for Conservative success has been restored. Despite tensions in negotiations to exit the European Union and in the handling of the Coronavirus pandemic in

2019 (including the hospitalisation of the Prime Minister), the management of vaccinating citizens in 2021 appeared to restore the party's electoral appeal, not least against the Opposition. The handling of the situation by the Chancellor of the Exchequer, Rishi Sunak, appeared to demonstrate Tory competence in handling an economic crisis. Despite tensions within the party over ending lockdown to come out of the pandemic, they were overcome by the leadership and appeared transient; once the nation returned to some degree of normality, the basis for conflict would cease. Johnson, despite reports of vacillation, fronted the Government's response to the crisis and appeared more regularly at televised press conferences than any of his predecessors. The fourth component of success – public service – was undermined by various scandals affecting MPs, including the Prime Minister's personal life, encompassing affairs as well as the funding of a refurbishment of the Prime Minister's Downing Street flat.

The party also continued to benefit from the nature of its opponents, Labour having lost in 2015 its previously solid heartland in Scotland and unable, as Andrew Gamble, has noted, to craft an enduring winning coalition.<sup>14</sup>

The conditions thus appear in place to uphold the Conservative view of the nation through its grasp of its power through the state. It can thus withstand demands for a new constitutional settlement, not least that of a social democratic constitution. Andrew Gamble in *The Conservative Nation* was analysing the Conservative Party with the politics left in – indeed, the analysis would be meaningless with the politics left out – whereas his work on a social democratic constitution constitutes advocacy with the politics omitted. I have argued elsewhere that for political reform to succeed, four conditions have to be met: there has to be a window of opportunity, a reform agenda, leadership, and political will. Gamble, as with

other constitutional reformers, has met one of the conditions (the reform agenda), but largely neglected the others. As John Stuart Mill observed, constitutions do not emerge one morning fully formed. They are the product of political forces. As Gamble notes, Britain is distinctive for lacking a historical moment in recent centuries when it can begin anew and craft a new constitution. However, in so arguing he rather neglects the scale of changes that have been achieved and is somewhat selective in comparative analysis. He believes the deficits he identifies can be solved by a codified constitution, yet fails to address the fact that various of the ills he identifies exists in nations with codified constitutions.

The contrast between what may be termed the hardnose political realities of the Conservative nation and the almost apolitical approach of Gamble and other constitutional reformers is notable. The former have the advantage of dealing with *what is*, and recognising the means for maintaining or adapting existing structures, whereas the latter are more concerned with what they think *should be*, and rely more on the self-assuredness of their arguments than on mobilising political forces to achieve it.

This is not to say significant constitutional change may not occur, but it is more likely to derive from how party leaders utilise power to respond to pressures that have built up within the nation. This may stem from neglect of those pressures or from a misreading of them. The challenge is arguably pronounced under leaders who are more concerned with maintaining power than utilising it to achieve future goals.

Margaret Thatcher was prepared to mobilise support so that she had the power to achieve particular goals; if that entailed institutional reform, so be it. She was, in terms of my typology of Prime Ministers,<sup>15</sup> an innovator (leader-set goals, with the party following in the

leader's wake). Boris Johnson, in contrast, falls in the category of an egoist (concerned with the here and now of politics and holding power for the sake of holding power). Institutions and processes may be sacrificed to the goal of maintaining power, with maintaining the Union posing a particular challenge, both in terms of pressures from within Scotland as well as within England, but the changes are likely to be particular and not derived from an intellectually coherent approach to constitutional change. The result of the 2019 general election and completion of the UK's withdrawal from the European Union may have enabled the Conservative Party to re-establish itself as the party of government, but the results of the 2019 election and the withdrawal agreement pose a challenge in enabling it to maintain the integrity of the nation. The 2019 saw nationalist parties enhance their positions in both Scotland and Northern Ireland. The withdrawal agreement has led to notable tensions in Northern Ireland in terms of its trade border with the EU, riots in Belfast in 2021 being attributed to those tensions.

Boris Johnson is well known for having written articles making the case for the UK remaining within the EU and for leaving, before opting to go with that for leaving. Although it is claimed that he penned both to show the weakness of the remain case, the action reinforced his reputation for opportunism. He has not been proactive in addressing the challenges posed to the Conservative view of the nation. No leader since John Major has. Although resisting calls for a second independence referendum in Scotland, Johnson has not articulated a means of maintaining the integrity of the Union. His opportunistic approach may provide a means of coming up with a novel response, but one that may not be grounded in the Conservative view of the nation, but rather one geared to maintaining support.

The Conservative Party in its beliefs is a Unionist party; in its base of support, it is an English party. The outcome of a combination of tensions within the Union and a leader whom critics claim is more committed to maintaining power for the sake of it may result in constitutional changes that alter fundamentally the nature of the United Kingdom. However, the opportunism may also facilitate the continuation of untidy, and potentially unstable, compromises that keep the Union together. As Henderson and Wyn Jones conclude: ‘It is over four decades since Tom Nairn published a collection of essays under the title *The Break-Up of Britain*. Despite devolution, despite the near-death experience of 2014, that clearly has not happened. Even so, to the extent that it ever existed, it may well be that a unified understanding of Britain and Britishness has disintegrated.’<sup>16</sup> Whether the Union is maintained may rest on the actions of Boris Johnson. As with his two newspaper draft articles, his views of how to proceed are uncertain.

### *Conclusion*

Andrew Gamble’s analysis of the Conservative nation, shorn of its Marxist rhetoric, constitutes a valuable and enduring study of British Conservatism, identifying its distinctive features – distinguishing it from Conservative movements in other nations – and enabling one to understand why the Conservative Party has managed not only to survive, but to be the most enduring successful political party in Europe. His analysis of what he sees as the constitutional ills of the United Kingdom, derived from democratic deficits intrinsic to a system wedded to the supremacy of the Crown rather than the people, leads him to embrace a particular approach to constitutional change. As with many reformers, the emphasis on being right obscures attention to addressing how to translate what they deem desirable into something that is achievable. What he recognises as explaining Conservative success in

upholding the Westminster system of government is not then utilised for the purpose of mapping the political route to achieving change.

His thesis essentially leaves the politics out. The future of the United Kingdom may be determined not the outcome of a discourse between different approaches to constitutional change, but the political realities of how the Conservative Party in government handles the affairs of the nation. For understanding that, one needs *The Conservative Nation* to hand.

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<sup>1</sup> A. Gamble, *The Conservative Nation*, London, Routledge & Kegan Paul, 1974, p. 4.

<sup>2</sup> P. Norton, 'Speaking for the people: a conservative narrative of democracy', *Policy Studies*, Vol.33 (2), 2012, pp. 121-32.

<sup>3</sup> P. Norton, 'The Conservative Party: "In Office but Not in Power"', in A. King (ed), *New Labour Triumphs: Labour at the Polls*, Chatham NJ, Chatham House Publishers, 1998, pp. 75-112.

<sup>4</sup> I. Crewe and D. Searing, 'Ideological Change in the British Conservative Party', *American Political Science Review*, Vol. 82, 1988.

<sup>5</sup> A. Gamble, 'The Thatcher Myth', *British Politics*, Vol. 10, 2015, p. 3. See also P. Norton, "'The Lady's Not for Turning": But What about the Rest? Margaret Thatcher and the Conservative Party 1979-89', *Parliamentary Affairs*, Vol. 43(1), 1990, pp. 41-58.

<sup>6</sup> I. Crewe, 'Electoral Behaviour', in D. Kavanagh and A. Seldon (eds), *The Major Effect*, London, Macmillan, 1994, p. 109.

<sup>7</sup> V. Bogdanor, 'Constitutional Reform: Death, Rebirth, and Renewal', in A. Gamble and T. Wright (eds), *Rethinking Democracy*, Chichester, Wiley, p. 51.

<sup>8</sup> P. Norton, *The Constitution in Flux*, Oxford, Martin Robertson, 1982, pp. 261-91; *Governing Britain*, Manchester, Manchester University Press, 2020, pp. 11-12.

<sup>9</sup> P. Norton, 'The Constitution', in K. Hickson and B. Williams (eds), *John Major: An Unsuccessful Prime Minister?* London, Biteback, 2017, pp. 73-89.

<sup>10</sup> P. Norton, 'Tony Blair and the Constitution', *British Politics*, Vol. 2 (2), 2007, pp. 269-81.

<sup>11</sup> A. Gamble, 'A Hundred Years of British Democracy', in A. Gamble and T. Wright (eds), *Rethinking Democracy*, Chichester, Wiley, p. 163.



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<sup>12</sup> P. Norton, P. (2019), 'Is the House of Commons Too Powerful? The 2019 Bingham Lecture in Constitutional Studies, University of Oxford', *Parliamentary Affairs*, Vol. 72(4), 2019, pp. 996-1013.

<sup>13</sup> A. Gamble, 'The Realignment of British Politics in the Wake of Brexit', *Political Quarterly*, Vol. 90(2), 2019, pp. 177-86.

<sup>14</sup> A. Gamble, 'The Progressive Dilemma Revisited', *Political Quarterly*, Vol. 88(1), 2017, pp. 136-43.

<sup>15</sup> P. Norton, 'The core executive: The Prime Minister and Cabinet', in B. Jones, P. Norton and O. Daddow (eds), *Politics UK*, 9<sup>th</sup> edn., London, Routledge, 2018, p. 449.

<sup>16</sup> A. Henderson and R. Wyn Jones, *Englishness*, Oxford, Oxford University Press, 2021, p. 214.