

HIDDEN IN PLAIN SIGHT: THE IMPACT OF PARTY ORGANISATION IN LEGISLATURES

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Abstract: Legislators operate in different spaces within a legislative estate. The public and scholarly focus is on behaviour in formal space—the chamber and committee rooms, where formal decisions are taken—but the utilisation of informal and party (and now virtual) space can and does have consequences for legislative outcomes as well as the future of political leaders. This article addresses behaviour in party space and its consequences. Drawing on anthropological and archival research, it utilises a case study, identifying the consequences of the Conservative 1922 Committee in the British House of Commons. The body, constituting Conservative private members, has a distinctive history, but its consequences, or functions, inherent or developed over time, provide a framework for comparative analysis and emphasise the importance of exploring how legislators use space beyond that of the formal arena of the chamber and committee rooms.

Keywords: *British Parliament, formal space, informal space, legislatures, MPs, 1922 Committee, parliamentary parties, party groups, party space*

I. Introduction

Legislatures matter because law matters. Law shapes citizens' lives, determining what they are permitted formally to do or not do. Measures of law are typically drawn up by a government, but they only become binding once approved by the legislature. The legislature is the core assent-giving body of the state, giving approval on behalf of citizens.¹

Legislatures are thus legitimate subjects of scholarly analysis. The focus of most studies is what goes in the chamber and committee rooms, encompassing

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1 Philip Norton, "General Introduction" in Philip Norton (ed), *Legislatures* (Oxford: Oxford University Press, 1990), 1.

the proceedings by which the executive's requests for legislation and money are debated and approved. That focus is understandable, given the role of the legislative chamber and its subordinate bodies. It is also made possible by the fact that the activities are formally recorded and often broadcast. Scholars can analyse through both quantitative and qualitative techniques what takes place in debates, question times, and committee deliberations and, where roll-call votes are used and published, voting behaviour. There is a substantial body of legislative studies, focusing on what is said and how members vote in legislatures, not least the US Congress, with various theories being advanced to explain behaviour.² Such studies may take the form of books or articles in the leading journals in the field, such as *Legislative Studies Quarterly* and *The Journal of Legislative Studies*. A volume drawing together the key articles published in the latter to mark the journal's 25th anniversary bears out the emphasis.³

Yet such studies are partial in terms of being able to explain what happens in legislatures. They concentrate on behaviour in what constitutes *formal space*, the chamber and committee rooms. What they essentially fail to explore is how members of the legislature utilise two other forms of space within the legislative building, the use of which typically precedes and has an impact on how they behave in the formal proceedings of the House and committees. These are *informal space* and *party space*. A fourth form is also emerging—*virtual space*.

Informal space is where members congregate to converse away from the glare of public proceedings. This space will normally comprise dining and tea rooms, lounges and libraries, where members can gather and talk among themselves, though the extent of such space will vary. As physical entities, legislatures vary in their size and internal configurations.⁴ Legislative buildings are not neutral in their design (or location) and are the product of political decisions.⁵ Some legislatures make more space available for members individually (with their own offices) or space for members to mix collectively than do others. In informal space, there are no public proceedings, no presiding officers and no record kept. Members may also chat informally in the chamber or committee rooms, or in corridors, between debates and votes. Where votes are held physically in division lobbies, they may talk to one another as they vote. In the British House of Commons, this can prove invaluable for backbench members of parliament who can use the occasion to talk to ministers, who otherwise may not be seen much in the House, but who have to attend when votes take place.

The use of informal space can prove invaluable to members in terms of being socialised into the legislature, learning its norms, as well as for exchanging information and lobbying other members to support (or oppose) a particular cause. Members may use it to curry support for their political advancement, such as election to a committee or House

2 See, eg, Philip Norton (ed), *Legislatures and Legislators* (Aldershot: Dartmouth Publish Co, 1998); Shane Martin, Thomas Saalfeld and Kaare W Strøm (eds), *The Oxford Handbook of Legislative Studies* (Oxford: Oxford University Press, 2014).

3 Philip Norton (ed), *The Impact of Legislatures* (London: Routledge, 2021).

4 See Sophia Psarra, Uga Staiger and Caludia Sternberg (eds), *Parliament Buildings* (London: UCL Press, 2023).

5 See Innocent Batsani-Ncuba, "Purpose-built Parliament Buildings and the Institutionalisation of Parliament in Lesotho and Malawi" (2023) 76 *Parliamentary Affairs* 947.

body, or to maintain their place as ministers, regularly dining with and talking to supporters.⁶ During a political crisis, members may huddle in corridors and lounges to discuss what is happening and what they should do.

Party space is where members of the legislature gather as party members, with an agenda, presiding officers, and often with a record kept, but it differs from formal space in that it entails behaviour that takes place behind closed doors and is not formally recognised as part of the official proceedings of the House. Nothing that happens in party space is recorded in the journals of the legislature.

Virtual space is developing as a new dimension of legislative politics. Recent decades have seen the use of broadcast media and new technology for legislatures and legislators to be seen by citizens and increasingly for citizens to engage with legislators.⁷ The use of new technology came to the fore during the COVID-19 pandemic in 2020, when a number of parliaments resorted to meeting virtually or in hybrid (part physical, part virtual) form. This, though, was to utilise technology in respect of formal proceedings accessible to the public. Virtual space has also become important as a subset of informal space, legislators communicating by text and by WhatsApp or other electronic platforms to keep themselves informed and to discuss matters informally. This became significant in the United Kingdom during the negotiations over the UK's withdrawal from the European Union (various WhatsApp groups were formed, such as the "Clean Global Brexit" group), and during the period of the pandemic. Such groups operate away from the physical observation of party managers and the whips.⁸

Our focus is the space occupied by parties, either in the form of parliamentary parties in the United Kingdom, or parliamentary party groups, as typically is other European parliaments, in essence where members of the same party in the legislature come together as an organised entity. Like the use of informal space, the use of party groups is largely neglected by scholars, not least because, by the nature of the activity, they are not privy to what goes on behind closed doors. They are dependent on some within a party group to "leak information",⁹ or the later publication of memoirs, but such information is partial and incomplete. Insofar as there is scholarly study, it tends to focus on party group behaviour in the chamber, analysing especially discipline and cohesion, or relations with the extra-parliamentary party.¹⁰ To what extent does party organization within a legislature facilitate or constrain the capacity of the party leadership, when in government, to dictate policy?¹¹ What happens prior to party members taking a stance in the chamber

6 Philip Norton, "Power Behind the Scenes: The Importance of Informal Space in Legislatures" (2019) 72 *Parliamentary Affairs* 245.

7 See Xuidian Dai and Philip Norton (eds), *The Internet and Parliamentary Democracy in Europe* (London: Routledge, 2008); and "Part V: Mediated Parliament and Digital Interactions" in Sophia Psarra, Uga Staiger and Caludia Sternberg (eds), *Parliament Buildings* (n. 4).

8 See Paul Goodman, "The Triumph of WhatsApp and Trouble for the Whips" (conservativehome, 22 May 2020), available at <https://conservativehome.com/2020/05/22/the-triumph-of-whatsapp-and-trouble-for-the-whips/>.

9 Knut Heidar and Ruud Koole, "Approaches to the Study of Parliamentary Party Groups" in Knut Heidar and Ruud Koole (eds), *Parliamentary Party Groups in European Democracies* (London: Routledge, 2000), 5.

10 See Knut Heidar and Ruud Koole (eds), *Parliamentary Party Groups in European Democracies* (n. 9).

11 See Philip Norton, "Patterns and Dynamics of Legislative Leadership" in Ludger Helms (ed), *Comparative Political Leadership* (Basingstoke: Palgrave Macmillan, 2012), 56, 67–69.

remains largely a “black box” to students of legislative behaviour. Insights gained from occasional leaks may give some indication, but such information is varied, both in quantity and quality, and does not permit of generalisation. Both the use of informal and party space has tended to be the neglected dimension of legislative studies.

The use of such space can have major consequences for what happens in the chamber and in the committees of a House. Party members may be united in the chamber, and in European democracies generally are,¹² supporting loyally the party leadership, but that unity may mask intense argument in private, party members expressing disquiet or taking a stance that shifts the position adopted by the leadership. As one leading British politician once observed, “Concord and peace may signify backbench influence, not dull obedience”.¹³ What the leadership brings forward in public may be very different to that which it had intended to bring forward.

Plotting by members in informal space, or animated discussions in party meetings, can also lead to members rebelling against the leadership or against a particular policy in a way that takes observers by surprise. Quick informal discussions before a vote may lead wavering members to vote in a particular way. And what happens in party space can have major consequences when a parliamentary party or party group decide that the party leadership, or a particular party figure, is behaving in a way, or advancing a policy, that is not acceptable. What happens in such space can determine the fate of policies and party leaders. Leaders may resign if it becomes clear that they have lost the confidence of their supporters. That loss of confidence may not necessarily be expressed by formal vote in the chamber, but by the vote of party members behind closed door.

To examine the consequences of the use of party space, we adopt a case study. Our focus is the Conservative 1922 Committee in the British House of Commons. This is the closest there is to constituting the parliamentary Conservative Party, although it does not include all Conservative MPs. It comprises all Conservative private members in receipt of the Conservative whip, which means all Conservative MPs, except the leader, when in opposition, and all Conservative MPs, except for ministers (including the leader, who is Prime Minister) when in government.

It forms the basis of study because of a combination of features that enables rich analysis of its proceedings. This writer has had access to the minutes of its meetings, covering the entire period since its formation. That access encompasses not only minutes of the full meeting of the 1922 Committee—in effect, the party caucus—but also of its executive committee. This access is complemented by the writer—as a Conservative member of the House of Lords, and as such eligible to attend meetings of the 1922 Committee—attending meetings regularly over a period of 25 years. Contemporaneous notes of meetings supplement the more spartan minutes. These sources are complemented by research of media coverage of 1922 Committee activity and of memoirs of Conservative MPs, as well as interviews with MPs over many years who have been active, or fairly inactive, in 1922 Committee proceedings. This has made possible an analysis of the consequences of

12 Ulrich Sieberer, “Party Unity in Parliamentary Democracies: A Comparative Analysis” (2006) 12:2 *The Journal of Legislative Studies* 150.

13 Ian Gilmour, *The Body Politic* (London: Hutchinson, 1969), 269.

the 1922 Committee, extending beyond external perceptions, gossip and received (and often inaccurate) wisdom of its impact. The research has formed the basis of a book, *The 1922 Committee: Power Behind the Scenes*,¹⁴ to mark the centenary of the 1922 Committee. It is only the second book to be published about the 1922 Committee in its hundred-year history. The first was published in 1973, by one of the Committee's joint secretaries, to mark its 50th anniversary.¹⁵ It is a body that is recognised as being nowadays a powerful body in British politics—the focus of media interest whenever there is a leadership crisis in the Conservative Party—but one about which little is known. Its activity has largely been hidden in plain sight.

We begin with a brief history of the development of the 1922 Committee, before identifying its key functions, or consequences for the political system. Its development is unique to it—rather appropriately for a Conservative body, it emerged rather than being a formally created party body—but its consequences have relevance for the purpose of comparative study. They provide a conceptual framework, or rather a checklist, for students of legislatures to use in assessing the consequences of party groups in other political systems.

II. The Development of the 1922 Committee

The 1922 Committee is distinctive for being formed from the bottom-up, that is, by backbench Conservative MPs and not top-down, formed by the party leaders or created under the terms of the party's constitution. It came into being as an unofficial party body, one enjoying autonomy within the ranks of the Conservative Party.

Some textbooks and commentators, including some senior figures and at times officers of the 1922 Committee itself, have asserted that the 1922 Committee came into being in 1922 and that it was formed as a consequence of a meeting of Conservative MPs in October 1922.¹⁶ At the meeting, the MPs voted, against the advice of party leaders, to fight the next general election as a single party, thus in effect bringing the then coalition with Liberal MPs under Prime Minister David Lloyd George to an end and precipitating a general election. Neither claim is correct. The 1922 Committee was formed, not in 1922, but in 1923, and the reason for its formation was unrelated to why Conservative MPs had gathered the previous October to determine the fate of the coalition. The motivation for its formation was more prosaic. It came into being, not to keep the leadership in check, but rather as a self-help group for newly elected MPs.

At the start of the 20th century, MPs, once elected, turned up at the Palace of Westminster and were left to find out for themselves how the House of Commons operated. There was no process of induction and no guidebooks on procedure. New Members

14 Philip Norton, *The 1922 Committee: Power behind the Scenes* (Manchester: Manchester University Press, 2023).

15 Philip Goodhart, *The 1922* (London: Macmillan, 1973).

16 See the examples given in Philip Norton, *The Voice of the Backbenchers. The 1922 Committee: The First 90 Years, 1923-2013* (London: Conservative History Group, 2013), 5–6.

learned by observation and by talking to longer-serving Members. As one MP first elected in 1910 noted, “There are so many Members, so many rules, so much to learn”.¹⁷

Among the MPs newly elected in the general election of November 1922 who was struck by the lack of any guidance was Gervais Rentoul, a 38-year-old barrister who had been elected as Conservative MP for the coastal constituency of Lowestoft. His father had been an MP, though not an especially active one (he was MP for the Irish seat of East Down and visited the constituency no more than once a year) and gave up his seat, while his son was still a teenager, to become a judge. Gervais Rentoul’s first love, like that of his father, was the law. He gained a first-class honours degree in jurisprudence at Oxford University and achieved national prominence by being defence counsel in a celebrated murder case. His motivation for standing for Parliament (he responded to an advertisement in a national newspaper placed by the Lowestoft Conservative association seeking a candidate) appears to have been one of public service. It may possibly have been influenced by his second love, after the law, which was amateur dramatics.¹⁸

Once elected, Rentoul shared his fellow MPs’ sense of bewilderment as to what was going on. “At all events”, he later wrote, “the new MPs soon began to realize, as many have done before, the complete insignificance of an inexperienced rank-and-file member lost in a maze of parliamentary procedure”.¹⁹ He reflected that it may be advisable to form a small committee “for the guidance and assistance of those private members who, like myself, were in the House of Commons for the first time”.²⁰ He consulted a few new MPs “who were chafing, as I was, against the feeling of ineffectiveness and bewilderment”²¹ and he invited newly-elected Conservative MPs to a meeting to discuss what action could be taken. The response, he reported, was enthusiastic and on 18 April 1923 a group of new MPs met in committee room 8 of the House of Commons. They elected Rentoul as chairman and agreed to meet six days later. At this second meeting, the principles of the body were agreed: “for the purpose of mutual co-operation and assistance in dealing with political and parliamentary questions, and in order to enable new Members to take a more active interest and part in Parliamentary life”,²² and an executive committee was elected. It was also agreed that proceedings of the committee should be strictly confidential. The Conservative Private Members (1922) Committee, known generally as the 1922 Committee (or simply “The 1922”)—was born.

As a body for drawing together members of a parliamentary party, it was not novel (the Parliamentary Labour Party (PLP) had been formed in 1906), and it was not comprehensive in terms of party membership. Initially, it was confined to MPs newly elected in 1922, but it soon agreed to consider applications to join from “older members” (ie, those elected prior to 1922) and in the next Parliament it was agreed to extend membership

17 Ellis Hume-Williams, *The World, The House and the Bar* (London: John Murray, 1930), 52.

18 See Philip Norton, “The 1922 Committee: A Body of Modest Origins” (2023) III:1 *Conservative History Journal* 36.

19 Gervais Rentoul, *Sometimes I Think* (London: Hodder and Stoughton, 1940), 232.

20 *Ibid.*

21 *Ibid.*

22 1922 Committee, *Minutes*, 23 April 1923.

to MPs newly elected at the 1923 general election. In the subsequent Parliament, it was agreed to open membership to all Conservative private members. This ensured that it had a continuing existence, but, as we have noted, it excluded those who were not private members—that meant the leader, whether in government or opposition, and ministers when in government. Much later, others, such as Conservative peers, were invited to attend, but were not members of the committee. It was novel also, as already recorded, by being formed by the members and not by the party leadership or party organisation.

By the time of its centenary in 2023, it was viewed as a powerful political body, one able to topple party leaders and ministers, and force changes in policy, but its path from its modest origins to occupying a significant position in British politics was chequered and marked by two key critical events.

The first was the formation in 1940 of a national government. That transformed the fortunes of the 1922. From its formation up to 1940, it had been a useful forum for Conservative MPs. They could meet to exchange information and to hear from invited speakers. It heard from ministers, especially in its early years, and from those outside Parliament, such as Sir John Reith, Director-General of the BBC (he spoke on two occasions), and during the 1930s from military experts on developments in Europe.²³ On occasion, the views of members expressed through the 1922 influenced ministers on policy. However, it was limited as a significant political body. There were three reasons for this. One was that it was overshadowed by the work of official backbench committees. Set up by the party leadership, the committees, on such issues as foreign affairs and agriculture, absorbed the energies of members and could prove influential.²⁴ Another was that conflict over the principal issues of the period, as on Indian home rule and rearmament, were not fought out in the 1922 Committee, but on the public platform and in the backbench committees. And the third reason was a self-inflicted wound. In 1932, the 1922 set up an Economy Committee to recommend savings following the economic crisis of 1931. The recommendations of the committee were radical and published without being discussed by the full 1922 Committee. They split the 1922 and had little effect other than resulting in the chairman, Rentoul, being voted out of the chair.

Rentoul's immediate successors in the chair were not especially energetic—they presided rather than led—and by the end of the 1930s it was by no means certain that the 1922 Committee would survive.²⁵ The creation in 1940 of a national government, all major political parties coming together to prosecute the war, created conditions in which the 1922 Committee flourished. There were two reasons for this. One was that it formed a conduit for the expression of a distinct Conservative voice when other elements of party organisation were wound down or went into hibernation. The other was that the government needed to maintain a united front in the chamber of the House of Commons. Any disquiet had to be headed off before coming to the floor of the House. The 1922

23 Philip Norton, *The 1922 Committee* (n. 14), 27–28.

24 See Philip Norton, “The Parliamentary Party and Party Committees” in Anthony Seldon and Stuart Ball (eds), *Conservative Century* (Oxford: Oxford University Press, 1994), 113–130.

25 See Stuart Ball, *Portrait of a Party: The Conservative Party in Britain 1918–1945* (Oxford: Oxford University Press, 2013), 383.

provided a private forum in which dissent could be heard and acted upon. This gave the 1922 a leverage it had not had before. Ministers appeared before it to rally support and tackle any criticism. The 1922 influenced various public policies, including killing off a scheme for coal rationing,²⁶ as well as influencing a reorganisation of the government.²⁷ It also provided a useful party forum for addressing policies for a post-war Britain. In all this, it also benefited from having an activist chairman, Alec Erskine-Hill, a Scottish lawyer, who busied himself seeing ministers and arranging dinners at which ministers could hear from critical backbenchers.²⁸ Prime Minister Winston Churchill could not stand Erskine-Hill, but he recognised the need to take him seriously. By the end of the war, the 1922 Committee was established as a permanent and important political body. It continued to exert influence in peacetime, aided by the fact that Churchill was largely an absentee leader with no clear vision for domestic policy. The 1922 Committee helped fill a vacuum, promoting policies and as time progressed influencing the careers of ministers. This was to be a pattern that was to endure in subsequent decades.

The second critical juncture occurred in 1965. Until then, the leader of the Conservative Party had been chosen by virtue of having emerged as the clear frontrunner to be leader. When Winston Churchill retired in 1955, his heir apparent was the Foreign Secretary, Sir Anthony Eden. However, when Eden retired 18 months later on health grounds, there was no clear frontrunner to succeed him and it was left to the monarch to take soundings before summoning someone, in the event, Harold Macmillan, to form a government. This was repeated in even more controversial circumstances upon Macmillan's retirement in 1963, also on health grounds, with his successor, the Earl of Home, being chosen from the House of Lords, in preference to a leading minister in the Commons. (Home renounced his title and successfully sought election to the Commons.) Recognising the impact of the controversy over the selection, he instigated a review of the rules for selecting a party leader and in 1965 a new system was agreed whereby the leader was to be elected by the party's MPs, with the chairman of the 1922 Committee serving as returning officer.²⁹ The 1922 Committee thus acquired a key role in determining the leadership of the Conservative Party. Once the new rules had been agreed Douglas-Home resigned and the party's MPs elected Edward Heath as leader.

The election rules provided for the election by MPs of the leader, but there was no provision for voting the leader out of office. That changed 10 years later, when members of the 1922 Committee pressed for a rule change to allow for a leader to be challenged and subject to re-election. Despite being elected by the MPs, Heath had never enjoyed good relations with the 1922.³⁰ However, believing he would be re-elected, he agreed to a change in the rules and was immediately challenged for the leadership, the MPs electing Margaret Thatcher in preference to the incumbent. Under the new rules, there was to be

26 See Philip Goodhart, *The 1922* (n. 15), 114–119.

27 Philip Norton, *The 1922 Committee* (n. 14), 36–37.

28 Viscount Kilmuir, *Political Adventure* (London: Weidenfeld & Nicolson, 1964), 63.

29 On the election rules, see Timothy Heppell, *Choosing the Tory Leader* (London: IB Taurus, 2007).

30 Philip Norton, "Party Management" in Andrew S Roe-Crines and Timothy Heppell (eds), *Policies and Politics under Prime Minister Edward Heath* (Cham: Palgrave Macmillan, 2021), 239–259.

annual election. Margaret Thatcher was challenged by another candidate in 1989 but saw off the challenge. She was less fortunate the following year when again challenged, failing to gain the required number of votes in the first ballot to be declared re-elected and opting to drop out.³¹

There were further rule changes in 1998, when the election of a leader was shared between Conservative MPs and the party membership, the former selecting two candidates to be placed before party members, who would then choose which one was to be leader. However, the 1922 had the sole power to remove a leader, the revised rules providing that if 15 per cent of the party's MPs wrote to the chairman requesting a vote of confidence in the leader, such a vote would take place and, if the leader lost the vote, ceased to be leader and could not stand for re-election.

The first leader to be elected by the party membership under the new procedure, Iain Duncan Smith, was also the first to be removed, two years later, by a vote of no confidence by the party's MPs. Two later leaders, Prime Ministers Theresa May and Boris Johnson, survived votes of confidence, but with the dissenting vote being of a size as to leave the leader seriously, if not fatally, wounded.³² The 1998 election rules essentially created the conditions for an invitation to struggle between the party's membership and its MPs. Eliminating ballots were held by the 1922 with a final ballot in which three candidates vied to be in the top two positions. It was possible for a candidate to come second, and go through to the election by party members, having received a small minority of MPs' votes, enough just to squeeze out the candidate coming third. The party membership could, and on two occasions (Iain Duncan Smith in 2001, Liz Truss in 2022), did elect as leaders MPs who had gained the votes of only a third of the votes of members of the parliamentary party.³³

A leader once elected by the party membership was then dependent on the support, not of the members of the extra-parliamentary party, but of the members of the 1922 Committee. The 1922 is essentially a veto player, with the capacity to remove the leader. That power has variously been exercised. MPs know they can move against the leader without revealing their actions: letters to the chairman of the 1922, as well as their voting in ballots, remains confidential.³⁴ Since 2015, one Conservative Prime Minister (David Cameron) has resigned as a result of a vote of the electors (in the referendum on whether the United Kingdom should remain in or leave the European Union), but three (Theresa May, Boris Johnson and Liz Truss) have left office following a visit from Sir Graham Brady, the chairman of the 1922 Committee. On each occasion, Brady slipped privately into 10 Downing Street and shortly afterwards a lectern was erected in Downing Street, followed by the Prime Minister stepping out to announce their resignation, tearfully in the

31 Philip Norton, "The Conservative Party from Thatcher to Major" in Anthony King (ed), *Britain at the Polls 1992* (Chatham NJ: Chatham House Publishers, 1992), 51–57.

32 See Anthony Seldon and Raymond Newell, *May at 10* (London: Biteback, 2019), 506–511; Sebastian Payne, *The Fall of Boris Johnson* (London: Macmillan, 2022), 123–129; and Anthony Seldon and Raymond Newell, *Johnson at 10* (London: Atlantic Books, 2023), 543–545.

33 Liz Truss got 31 per cent of MPs votes in the final ballot. See Harry Cole and James Heale, *Out of the Blue: The Inside Story of the Unexpected Rise and Rapid Fall of Liz Truss* (London: HarperCollins, 2022), 244–253.

34 Thomas Quinn, *Electing and Ejecting Party Leaders in Britain* (Basingstoke: Palgrave Macmillan, 2015), 179.

case of Theresa May, defiantly in the case of Boris Johnson. Supporters of the fallen premiers variously assailed the 1922 Committee for its actions, some, following the demise of Johnson, characterising it as a “cabal”.

This history is important to demonstrate the evolution of the 1922 Committee. It did not come into being one morning fully formed, nor established on the basis of some off-the-shelf rule book for forming party groups in a Parliament. It evolved in a distinctive manner as a result of developments indigenous and exogenous to the Conservative Party. It began as an unofficial grouping of new MPs seeking to inform themselves of what was going on in the House, and a century later exercising significant political clout in toppling Prime Ministers of the United Kingdom.

This establishes the context for discussing its consequences for the political system. Those consequences may be apparent in other legislatures and we hypothesise that they are likely to be in other parliamentary systems, not least where the party in Parliament enjoys some degree of independence from the extra-parliamentary party, but they may not all be apparent, nor are they exhaustive. The consequences of the 1922 Committee thus provides what we consider an indicative checklist for analysts of parliamentary parties, or party groups, in other legislatures.

III. The Consequences of the 1922

There are various consequences, or functions, of the 1922 Committee that are intrinsic to it or have evolved over time. In terms of the legislature and the Conservative Party, it contributes to the institutionalisation of both. In terms of the legislature, party organisation facilitates autonomy, distinguishing the body of members from the wider parliamentary environment, a principal element of institutionalisation.³⁵ It serves to dissipate the capacity of an external body, in this case especially a party leader (who may also be Prime Minister) to determine outcomes. It has come to occupy a position as, in Tsebelis’ terms, a partisan veto player.³⁶ Its institutionalisation in party terms we shall address shortly.

The other consequences may be grouped under the headings of integrating and being heard; collective action; maintaining a distinct voice; influencing policy; removing ministers; and leadership selection.³⁷

A. *Integrating and being heard*

The 1922 Committee provides a means for newly elected Conservative MPs to fit in within the legislature, to get to know the place, its members, norms and procedures. As with any party caucus, it plays to a member’s desire “to belong”.³⁸ That attachment is generally reinforced over time, attachment becoming a matter of habit.

35 Nelson Polsby, “The Institutionalization of the U.S. House of Representatives” (1968) 62 *American Political Science Review* 145; and Samuel C Patterson, “Legislative Institutions and Institutionalisation in the United States” (1995) 1 *The Journal of Legislative Studies* 16.

36 George Tsebelis, *Veto Players* (New York: Russell Sage Foundation, 2002), 79.

37 See Philip Norton, *The 1922 Committee* (n. 14), Part III.

38 Aaage R Clausen, *How Congressmen Decide: A Policy Focus* (New York: St Martin’s Press, 1973), 123.

It also enables members to play a role, utilising meetings for the purposes of information exchange, be it informally with fellow members or with a guest speaker, typically in the case of the 1922 Committee, a minister when the party is in power. Party leader may themselves use the meeting as a sounding board, soliciting members' views on a particular issue, especially one that has not been publicly promulgated.

Members may also be proactive in using meetings as a platform, utilising the opportunity to raise issues. The format of 1922 Committee meetings usually entails hearing the minutes of the previous meeting read, a statement of forthcoming business from a whip, and an invitation for members wishing to raise issues to do so prior to a talk by an invited speaker. Weeks may pass without an issue being raised, but the opportunity is there and is variously employed, sometimes to raise concerns, as over a policy or a particular action. In 1989, some MPs raised concerns about the Prime Minister's policy of introducing a community charge, or poll tax, on property.³⁹ Margaret Thatcher's failure to act on them was essentially to seal her fate, her commitment to the community charge leading members of the 1922 to consider her an electoral liability. In February 2024, when there was controversy over a decision by the Speaker of the House to defy normal practice and allow a vote on an amendment moved by the Opposition on the situation in Gaza, Conservative MPs flocked to a meeting of the 1922 Committee that evening to discuss what had happened. It provided a structured forum for discussing what action to take.

Some chairmen of the 1922 Committee (there has never been a female chair) adopt a practice of having a speaker at most meetings, whereas others have gone for short meetings with no invited speaker. When there is no speaker, the meeting may only last a few minutes, but if there is any issue raised from the floor, it gives it greater prominence. If there is obvious concern, it will be picked up by the whips in attendance, or, if present, the Prime Minister's parliamentary private secretary (PPS), an MP who acts as the Prime Minister's eyes and ears in the House. Whips have been invited to attend since the early 1950s, though they are not, when in government, members. The Prime Minister's PPS has made it a practice of attending since the 1940s, when the Committee acquired its significant role within the party. It was the Prime Minister's PPS who sent Margaret Thatcher a note in 1989 about the concerns raised at a meeting of the 1922 about the community charge.

B. Collective action

The 1922 Committee provides the means for collective action on the part of Conservative MPs, both in relation to the Conservative Party (as Conservative MPs) and the House authorities (as MPs). By forming themselves into an organised entity, Conservative MPs achieve some degree of autonomy relative to the party leadership and the extra-parliamentary party. They do not exist simply as discrete individuals with an existence solely as members of the party and subject to direction from the party leadership. They are able to deliberate collectively as Conservative MPs and take a stand on issues that affect

39 Philip Norton, *The 1922 Committee* (n. 14), 61.

them directly, such as the process by which local parties may de-select sitting MPs and the amount of money that MPs are permitted to donate to their local parties. Limits were introduced, following a report on party organisation in 1948, to prevent wealthy individuals in effect buying their candidature, an issue that resurfaced in 1994, 2003 and 2007.⁴⁰ The existence of the 1922 Committee as an autonomous body within the Conservative Party has given it leverage in the party in pursuit of the decisions it takes.

The 1922 also serves as a trade union for its members in relation to the House authorities as well as to the party leadership on issues that affect the MPs as Members of Parliament. This encompasses such issues as pay, pensions and facilities—MPs' pay has been the issue most often discussed in meetings of the 1922 since its inception, and at times has proved especially contentious. (In 1954, the Prime Minister and other senior ministers attended meetings to discuss the issue, when MPs were badly divided over whether to approve a pay rise.) It also extends to other issues deemed "House of Commons matters". This has included the selection of the Speaker, which until the 1990s was determined by agreement between the party leaderships, but with input on the Conservative side from the 1922 Committee. In 1943, the 1922's preference won out over a candidate favoured by Prime Minister Winston Churchill. Since the 1990s, the Speaker has been elected by a vote of the House, with candidates putting their names forward, the 1922 Committee now providing a platform for the candidates, regardless of party, to make their pitch for election.

C. *Maintaining a distinct voice*

The 1922 Committee also ensures that there is a distinct Conservative voice when the party is in government but is not the sole party of government. As we have seen, this was a notable and core feature of the 1922 Committee during the period of national government from 1940 to 1945. It was an ally with other parties in government in prosecuting the war, but it wanted to ensure that there was a Conservative voice in deliberations and one that could ensure that the Labour Party did not gain undue party benefit from its role in government. Conservative MPs regularly complained that the Labour Party was gaining advantage in debates and in media coverage.

It was a role it again fulfilled when a coalition government was formed, between the Conservatives and the Liberal Democratic Party in 2010. Conservative MPs were worried that in order to keep the Liberal Democrats supportive of the coalition, the Prime Minister (David Cameron) would prioritise the demands of his coalition allies over the partisan preferences of his own party. The 1922 Committee variously conflicted with the Prime Minister over policies, especially issues of constitutional significance, conceded by the leadership in order to persuade the Liberal Democrats to agree to a coalition.⁴¹ As a result of demands from the 1922, Cameron agreed to campaign for a "no" vote in

40 Philip Norton, *The 1922 Committee* (n. 14), 174–175.

41 See Philip Norton, "The Coalition and the Conservatives" in Anthony Seldon and Mike Finn (eds), *The Coalition Effect 2010-2015* (Cambridge: Cambridge University Press, 2015), 467–491; Philip Norton, "The Con-Lib Agenda for the 'New Politics' and Constitutional Reform" in Simon Lee and Matt Beech (eds), *The Cameron-Clegg Government* (Basingstoke: Palgrave Macmillan, 2011), 153–167.

a referendum on whether to introduce the alternative vote (AV) for parliamentary elections. He had intended to stand back from the campaign in order not to upset his Deputy Prime Minister, Liberal Democrat leader Nick Clegg. (In the referendum, there was a 2-to-1 vote against the introduction of AV.) The Liberal Democrats also lost their other flagship constitutional reform, that of an elected second chamber, when Conservative MPs voted against the Bill to give effect to it in such numbers as effectively to kill it off. The proposal was unpopular among Conservative MPs, with the executive of the 1922 being overwhelmingly supportive of maintaining an appointed second chamber. The 1922 throughout the period of coalition acted as a critical friend of government, ensuring that Conservative interests were not lost out within the coalition. For the party leader, the challenge in such circumstances is to balance the need to maintain support from the government's supporters with that of the other coalition party or parties. The value of the 1922 Committee, as with any party caucus, is that it provides a structured means of channelling concerns to the leadership as well as enabling the leadership to speak to the party's MPs without having to deal with them as individuals or factions.

During periods of coalition, the 1922 also serves as a forum for discussing what happens after the coalition comes to an end. This was notably valuable in the period of the national government after 1940, especially when it was apparent that allied forces were likely to be successful.⁴² Prime Minister Winston Churchill remained focused on winning the war. He gave little thought to winning the peace. The 1922 filled the void by discussing policies for a post-war Britain, not least in terms of social welfare.

D. Influencing policy

The 1922 acts as body through which policy may be influenced. This may be party policy when the party is in opposition, and government policy when the party is in power (which for most of the 1922's first century of existence, it has been). For much of the period up to the 1990s, policy was often influenced through the backbench party committees rather than through meetings of the 1922, but important policy conflicts could be, and were, taken to the 1922.

Since the 1940s, the 1922 has played a role in instigating policy and in blocking policies. An early instance of promoting a policy came when the party returned to power in 1951 and some members of the 1922 pushed for an end to the BBC's broadcasting monopoly.⁴³ They found widespread support among other Conservative backbenchers, though not from the Government: it resisted any change, arguing that there was not any demand for it. In the event, the pressure from the 1922 won the day. Subsequent decades witnessed policies advanced or withdrawn following pressure from the 1922. At times, the pressure has been directed at the party leader. For example, in the period of coalition government from 2010 to 2015, the stance of Conservative backbenchers induced Prime Minister David Cameron to switch from opposing an in/out referendum on the UK's membership of the European Union to supporting it and including it as party policy in

42 See Philip Norton, *The 1922 Committee* (n. 14), 186–187.

43 See H Hubert Wilson, *Pressure Group* (London: Secker & Warburg, 1961).

the party's 2015 general election manifesto. The 1922 included MPs who were opposed to a referendum, but meetings of the 1922 provided a platform for advocates to make their case.

Conservative ministers have also been aware that their policies may incur opposition within the 1922, which may deter them from bringing forward a proposal or may mean that they are summoned to the 1922 to defend it. Some ministers have had a bruising experience such as President of the Board of Trade, Edward Heath, who ran into trouble when in 1964 he sought to abolish resale price maintenance: speaking at a packed meeting of the 1922—about 200 MPs attended—his argument, according to one MP “went down like a lead balloon”.⁴⁴ When the Bill to give effect to the proposal was debated in the House, the Government came close to being defeated on an amendment: despite having a nominal majority of 100, it won by a single vote.⁴⁵ Other ministers have had to fend off intense criticism, at times finding themselves almost friendless.

E. Removing ministers

On occasion, ministers may have to face criticism that amounts to a lack of confidence in their policies or actions, resulting in them realising that their position is untenable. The first known occasion when a minister resigned having realised they had lost the confidence of the 1922 was agriculture minister Thomas Dugdale in 1954. The policy of his department in the sale of land at Crichel Down attracted criticism because of the way it was handled but also, crucially, because of the policy involved. Dugdale supported the policy against notable opposition from members of the 1922: after a meeting of the 1922, he realised he could not continue and in debate in the House announced his resignation. From the Opposition front bench, Labour's deputy leader Herbert Morrison declared, “Now the 1922 Committee has the scalp of the minister”.⁴⁶

Since then, other ministers have left office having faced opposition from the 1922. This was especially notable during the premierships of Margaret Thatcher (1979–1990) and John Major (1990–1997), with several Cabinet ministers resigning after bruising meetings of the 1922 or after the chairman of the 1922 told the minister (directly or through the Prime Minister) that their position was untenable. During the Thatcher premiership, the most senior casualties were Foreign Secretary Lord Carrington (over policy on the Falkland Islands), Trade and Industry Secretary Leon Brittan (over the Westland scandal) and another Trade & Industry Secretary Nicholas Ridley (over comments about Germany).⁴⁷ Both Carrington and Brittan faced tense meetings with MPs, each deciding following the meeting that they could not continue in office. Brittan in particular faced vehement and personal criticism for his handling of the controversy over the sale of the Westland helicopter company.

Ministers under pressure are the exception rather than the norm, but the number exceeds those who have fallen on their swords and resigned. Some ministers may be

44 Edward du Cann, *Two Lives* (Upton upon Severn: Images Publishing, 1995), 88.

45 Philip Norton, *Dissension in the House of Commons 1945-74* (London: Macmillan, 1975), 252.

46 House of Commons Debates (*Hansard*), 20 July 1954, col. 1283.

47 Philip Norton, *The 1922 Committee* (n. 14), 206–208.

summoned to the 1922 to justify a policy. The experience can be a bruising one, but not a fatal one, the members attending either accepting the justification advanced or believing that the minister has least made a case that means resignation is not necessary. Such an experience is not confined to those below the Prime Minister but has on occasion included the occupant of 10 Downing Street.

F. *Leadership selection*

Initially, the 1922 Committee had no influence over who became, or ceased to be, leader of the Conservative Party. Some commentators claim that in the post-war period up to 1965, leaders were on occasion forced to relinquish office following a visit from “the men in grey suits”, meaning the executive of the 1922 Committee.⁴⁸ In practice, this never happened.⁴⁹ Leaders went because of age, feeling that they had enough in office, or for reasons of health. The 1922 had provided a forum in which dissatisfaction with Churchill’s post-war leadership had been expressed, but there was no inclination to oust him given his determination to remain in post. The 1922 Committee neither selected nor removed a leader, though the views of members may be solicited when there was a vacancy and in 1963 the chairman of the 1922, John Morrison, along with some other members of the executive, played a role behind the scenes in persuading Lord Home to allow his name to go forward and in sounding out and reporting the views of Conservative MPs.⁵⁰

The situation changed, as we have seen, in 1965, so that the 1922 became the body that determined who became party leader, exclusively until 1998, and then jointly with the party membership, and, after 1975, who ceased to be leader if the leader did not step voluntarily (usually after the loss of a general election). The leader was no longer detached from the 1922 and had to listen to it and, on occasion, appear before it to defend a policy or, more crucially, their occupancy of the office. After the unexpected outcome of the 2017 general election, when a large Conservative lead in the opinion polls had disappeared and the party failed to gain an absolute majority of seats, Prime Minister Theresa May appeared before a packed meeting of the 1922 Committee and in effect fought for her political life. Her speech of contrition won over the members, gaining her time to continue in office. Not all leaders, as we have noted, have been so fortunate, Iain Duncan Smith appearing before the 1922 to fight for his political life, but failing to avert a majority voting to remove him from the leadership. In 2022, new Prime Minister, Liz Truss, appeared before the 1922 when her premiership was already under stress, delivering a speech that was regarded as lacklustre and failing to win over her critics, some of whom were barbed in their comments.⁵¹ The following week, after a chaotic debate in the chamber on the issue of fracking, in which MPs had received mixed signals as to whether it had been made a vote of confidence and there were reports that the Chief Whip had resigned, Truss resigned following a visit by the chairman of the 1922 Committee.

48 See, eg, Nick de Bois, *Confessions of a Recovering MP* (London: Biteback, 2018), 77.

49 Philip Norton, “The Party Leader” in Philip Norton (ed), *The Conservative Party* (London: Prentice-Hall/Harvester Wheatsheaf, 1996), 145–147.

50 Philip Norton, *The 1922 Committee* (n. 14), 49–51, 211.

51 Philip Norton, *The 1922 Committee* (n. 14), 88.

When a leadership election is triggered, the executive determines the rules. In 2022, it stipulated that a valid nomination for leader required the support of 100 MPs, up from 20 in the previous contest, doing so to speed up the process (avoiding eliminating ballots) and in the event producing only a single candidate, Rishi Sunak, thus obviating the need for a contest. When election of the leader had been first introduced, the number needed to be a valid candidate was two.

The 1922 has thus come a long way since Gervais Rentoul had the idea of forming a committee to help new MPs navigate their way round the procedures and practices of Westminster. It has become a powerful political force, fulfilling functions—some more frequently than others, some inherent and others acquired over time—that establish it as a core party caucus. In the period between 2017 and 2022, its chairman, Sir Graham Brady, acquired national prominence as the person who received letters from Conservative MPs calling for a vote of confidence in the Conservative leader, who was also Prime Minister. He became famous for being asked a single question (“how many letters have you received?”) that he was never going to answer.

IV. Conclusion

An outline of the 1922 Committee’s history is important in terms of understanding how an institution evolves in response to the political environment in which it operates and how an institution acquires rules and structures that affect outcomes. It has become a body exercising power.⁵² In terms of the pluralist view of power, focused on observable decision making, the 1922 exercises a capacity to affect outcomes, be it policy or political advancement. From the non-decision-making view of power, anticipation of its reaction may deter policies from being brought onto the political agenda. From the institutional view, its structures and processes affect how issues are resolved. Had the Conservative Party in 1975 still had the method of choosing a leader that existed up to 1965, then Margaret Thatcher by her own admission would not have become Conservative leader.⁵³

Parliamentary parties, or party groups, are generally significant political actors, but we hypothesise that they differ in response to their political environment and this will shape the power they exert within the political system. The fact of an organised party within a legislature suggests it has some consequences for the political system. The consequences of the 1922 Committee in the British Parliament adumbrated above provide in effect a checklist that scholars may utilise in examining the consequences of party organisation in other legislatures. It fulfils a purpose similar to that of Robert Packenham in his seminal analysis of consequences of members of the Brazilian legislature in the 1960s.⁵⁴ The circumstances were distinctive, though not unique, to Brazil at a time of military

52 On the different views of power, see Steven Lukes, *Power: A Radical View* (Basingstoke: Palgrave Macmillan, 2nd edn., 2004). Of the views applied to the UK Parliament, see Philip Norton, *Parliament in British Politics* (Basingstoke: Palgrave Macmillan, 2013), 5–7.

53 Leonard P Stark, *Choosing a Leader* (Basingstoke: Macmillan, 1996), 133.

54 Robert A Packenham, “Legislatures and Political Development” in Allan Kornberg and Lloyd D Musolf (eds), *Legislatures in Developmental Perspective* (Durham NC: Duke University Press, 1970), 521–537.

control, but the legislature still had a number of consequences, or functions, and these provided a basis for scholars to assess the consequences of legislators in other political systems, taking us beyond the focus of formal decision making. Even legislatures that are deemed, in terms of policy outcomes, to be “rubber stamp” legislatures can have consequences for the stability of the political system and in enabling citizens’ voices or concerns to be heard.⁵⁵

The institutional framework matters. Legislators’ behaviour is shaped by rules and practices, both in the chamber⁵⁶ and in party space. The difference having an institutional framework makes was well summarised by one long-serving Conservative MP in assessing the impact of the 1922 Committee. “The individual backbencher”, he reflected, “does not count for much ... but the 22 does matter; the anger of two-hundred or so backbenchers when focused upon a man or an issue can destroy the reputation of a minister ... or force a resignation ... it can also gravely weaken the standing of the Prime Minister of the day”.⁵⁷ The 1922 Committee provides the medium through which the anger can be channelled and to some effect. Having 200 members existing as discrete entities with no means for channelling their anger can result in the targets of their anger surviving unscathed.

Our study thus provides an equivalent basis for comparative analysis. A party group meeting regularly with an agenda and the opportunity to raise issues we would expect to socialise members into the legislature as well as provide the opportunity for information exchange, to raise issues and serve as a sounding board. We would also expect self-interest on the part of members to give it the attributes of a trade union for members. As for expressing a distinct voice, we would expect this to be significant in consensus systems of government, where coalition governments are formed more frequently than in the United Kingdom and other Westminster systems⁵⁸ and inter-party relationships form a key mode of executive-legislative relations.⁵⁹ How far a parliamentary party, or party group, affects policy outcomes and careers, including that of party leaders, will depend on the rules and the political will of members. Where members enjoy the power, *de jure* or *de facto*, to remove the party leader, the parliamentary party will be a significant political actor, especially when the party is in power.

Our purpose here is to identify the centrality of party space and to provide a framework for analysis. The consequences we have outlined are not designed to be exhaustive or definitive. There may be other consequences of the 1922 Committee and some we

55 See Liam Allmark, “More than Rubber Stamps: The Consequences Produced by Legislatures in Non-Democratic States beyond Latent Legitimation” (2012) 18:2 *The Journal of Legislative Studies* 184; and Wenbo Chen, “Is the Label ‘Minimal Legislature’ Still Appropriate? The Role of the National People’s Congress in China’s Political System” (2016) 22:2 *The Journal of Legislative Studies* 257.

56 Philip Norton, “Playing by the Rules: The Constraining Hand of Parliamentary Procedure” (2001) 7:3 *The Journal of Legislative Studies* 1.

57 Julian Critchley, *A Bag of Boiled Sweets* (London: Faber & Faber, 1994), 84.

58 See Philip Norton, “Is the Westminster System of Government Alive and Well?” (2022) 9:1 *Journal of International and Comparative Law* 1.

59 See Anthony King, “Modes of Executive-Legislative Relations: Great Britain, France and West Germany” (1996) 1:1 *Legislative Studies Quarterly* 11.

have identified may not be replicated elsewhere. Some party groups may have functions beyond those we have detailed. Certainly, the formal operation may differ substantially. Even within the UK Parliament, there are differences between the structure and operation of the 1922 Committee and the PLP. The latter is open to all the party's MPs, including the party leader, and lacks the power of the 1922 Committee to remove a leader by a vote of no confidence. What is offered for the purposes of comparative study therefore is not a model, but an indicative framework. The 1922 Committee provides a point of reference, derived from material not normally available in the public domain.

Parliamentary parties, or party groups, are important bodies within legislatures, but they are notably neglected in the scholarly literature. As a result, understanding the genesis of the outcomes of legislatures is incomplete. Addressing the deficit is challenging, given limited access to proceedings behind closed doors, but it is necessary to understand fully legislative outcomes that affect the lives of citizens.