

## MPs need to examine their consciences

Joe Egerton

As the controversy over the expenses claims made by Members of Parliament erodes the standing of Parliament, Joe Egerton suggests that Christians can draw on a thousand years of ethical and political theology, especially the thinking of St Thomas Aquinas and St Ignatius of Loyola, to see where Christian leadership might contribute to the restoration of public confidence essential to constitutional government.

The standing of Parliament has taken a battering since the *Telegraph* obtained and published details of the expense claims of Members of Parliament. The conduct of some MPs certainly has been revealed as less than edifying – but so is some of the reporting. For a thousand years, theologians have debated the relationship between God and the state.<sup>1</sup> I suggest that Christian leadership of public opinion has an important role to play in ending the current destructive

process. A long tradition of Christian thinking points to an obligation to work for the restoration of the reputation and standing of Parliament. What could Christians propose as a fair way forward?

### *Acknowledging repentance*

We could start with the fact of human frailty and the importance of recognising the possibility of repentance. Most of us have done things of which we are ashamed and would not like reported in the national press or indeed described to our families. We are also to follow the example of Jesus Christ, who forgave those who crucified him.

This is not to minimise the seriousness of fiddling expenses. St Thomas Aquinas has an instructive discussion of theft<sup>2</sup>. There has to be intention – an accidental error cannot be theft. Any taking of another's possessions except through dire necessity is



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against charity – the love one should bear one's neighbour – and thus likely to be a mortal sin, but if the amount is small, then this may not be the case. MPs should note that St Thomas also quotes with approval St Augustine's severe stance on stealing from the public purse<sup>3</sup>. St Thomas thinks (and the great Labour politician Herbert Morrison thought the same) that judicial execution is not an inappropriate punishment.

We have to be very careful not to assume that a claim of expenses should not have been made on the basis of something we have read or heard. Most claims will have been entirely proper. Not all of the reporting is fair and proper. Consider the article on Tony Blair's mortgage in the *Sunday Telegraph*<sup>4</sup>. Tony Blair properly made claims in respect of the home he maintained in his constituency. On this home he originally had a mortgage of £30,000. He later increased that to £90,000 to pay for renovations. £60,000 is not an unduly large sum to spend on a house if it is in bad condition, and, in all probability, in 1983 or 1984 a not very successful barrister-turned-MP could only have afforded a house in poor condition. Then he increased the mortgage further; the *Sunday Telegraph* speculates that this was to pay a deposit on his expensive London home. However – and the newspaper shows clear evidence for this – he was meticulously careful only to claim the interest on £90,000 of the new, larger mortgage. He did not try to

claim for the element that was a loan for his benefit. So he took not a penny more than he was entitled to. In justice, the story should have been headed 'Blair Took Care'; instead it was headed 'Questions over the £296,000 mortgage' as the *Sunday Telegraph* spiced up the story with speculation about the financing of the Blairs' multi-million pound purchase of a London house, quoting a mortgage broker using the word 'tricky' in connection with that.<sup>5</sup> Many people will have been given an impression that there had been some impropriety.

### Examination of conscience

The practical suggestion that I make is that each MP review their claims and consider carefully whether he or she really should have made a claim for each item. To forestall one objection, I should make it clear that by 'review' I mean take time – certainly hours, perhaps days – to go through every item, and by 'consider' I am calling for quite deep reflection. St Ignatius of Loyola has a very helpful suggestion that could be applied: imagine I am on my deathbed and then ask, 'what would I like to have done?'<sup>6</sup>

This is not a matter of our judging an MP's actions. This is a matter of each MP judging his or her own actions. We are, as responsible voters, entitled to say that we would be unhappy if we were represented by a person who was not willing to reflect on their own actions and consider whether they were right. We can expect that MPs repay anything they decide they should not have claimed, subject to recognising that some of the sums are so large that some may be unable to do that in full. And if after this process an MP in effect takes a public stance that some well publicised and controversial claim was in order, we are also entitled to ask whether we are going to vote for a person who thinks that that sort of claim is proper to make on the public purse.

By what criteria should MPs judge their own actions? 'This was within the rules' does not seem to satisfy those journalists and members of the public who have been able to put questions to MPs. We are right not to be satisfied. Rules are of course important, but as Aristotle observed twenty-three centuries ago, such rules only operate 'generally and for the most part'. What matters is the end for which an action is taken.

St Thomas Aquinas developed Aristotle's thinking. There are, he said, four ways in which an action has to be right, and if it fails in any of the four, it is wrong.<sup>7</sup> Alasdair MacIntyre helpfully illustrates St Thomas's thinking: 'Consider someone who sets out to construct a home for his or her family. The first way in which he or she has to judge their activity good is in respect of the kind of activity it is: its goodness lies in it being good for human beings to live commodiously in families...; second it is insofar as the person only uses land, materials and labour which are genuinely his or her own to make use of that the action is morally good, by conforming to the primary precept of the natural law...thus ensuring that the house is genuinely...the family's own; third the activity is good in so far as no harmful consequences ensue *per accidens*, as for example by excluding someone else's land from sunlight. And fourth, the activity is good in so far as its cause is the relevant kind of goodness in the individual or individuals carrying out the activity.'<sup>8</sup>

St Thomas's thinking can be applied to MPs' expenses. The first criterion would be satisfied by the claim enabling its recipient to be an effective representative and Parliamentarian. For example, as it is good for human beings to live together in families, it is good that MPs should have adequate accommodation for themselves and their family. The second requires conformity with the relevant rules – in this case those for making claims for expenses for second homes. We can thus see that conformity with the rules is a necessary but not a sufficient condition for making a claim for expenses. The third criterion – avoiding harming another *per accidens* – seems likely to be a problem if the claim goes beyond what was really needed. Why is that so? Because every penny taken in allowances is, by definition, not available for other public provision. The fourth criterion is about the MP's sincerity in acting as a Parliamentarian – if the motivation is profit, then that is wrong; if the motivation is to be an effective Parliamentarian, then that is a good cause.

The greatest area of concern is undoubtedly centred on second homes. All of us, MPs and ordinary voters alike, are able to ask: 'What is reasonable for a person in the role of MP?' There is a clear answer: if that MP has a family and needs to spend time in a constituency

a long way from London, two homes. And we should expect that all MPs are paid sufficiently to afford a home either in London within reasonable travel time of the Palace of Westminster, or in or near their constituencies.

### *A reasonable basis for funding second homes*

Given the availability of houses to rent, MPs who have a home in or near their constituency might quite reasonably rent a house with one bedroom for each family member, not too far away in travelling time from Westminster, with some limit on cost that would exclude renting in, say, Mayfair. Obviously what is needed would depend on the size of the MP's family, the age of children, and so on. This might well result in some MPs, for example those with large families, needing more than is at present provided, while others would not need a second home costing as much as the full current allowance.

Unfortunately, we have the complication that MPs have bought second homes and have equipped them themselves. Even if a rule of 'rent' were applied to new MPs, we would need some rules to deal with the position of those who have already bought second homes. Perhaps the answer would be to have a cap on claims equivalent to a reasonable rental cost for an appropriately sized home.

If we are to suggest to MPs that they examine their consciences about expense claims they have already made, it might be reasonable to ask them to compare the position that they have now reached with the position that they would be in had they rented a suitable home. In terms of specific items, they might ask: 'is this claim for something that a landlord would have done/provided in a rented home?' A landlord would have been responsible for repairs, including these infamous toilet seats, replacing equipment (e.g. dishwashers) that had ceased to work properly, redecoration, possibly some modest upgrades in the course of maintenance and certainly for dealing with a mouse or rat problem. On this basis, some of the claims that have been criticised would seem to be quite proper – a landlord would have wanted to deal with moles that were ploughing up his lawn, so the criticism of John Gummer for claiming for this would seem to be misplaced.

I am suggesting MPs review all expenses they have claimed. Going beyond second homes, there are some items that I would find extraordinarily difficult to justify. In particular, why is 'food' being allowed? I can appreciate that there might be some extra cost if the family have supper in London and the MP in, say, Manchester; but providing an extra portion for the MP would not have been cost free, and so the expense of the MP's meal is not wholly in excess of what the family would have spent had the MP eaten at home, and therefore should not be a legitimate claim. In addition, the purpose of these second homes is, in general, to allow families to live together. It may well be that an MP applying the tests of St Thomas would decide that the rules of the House simply should not have been as generous; and therefore conclude that the expenses claimed in respect of food should be returned. This may well apply elsewhere.

An intractable problem arises over any gain already made as a result of an MP having bought rather than rented a second home. It is quite difficult to determine what, if anything, should be done when gains have already been made. (Sir Christopher Kelly will doubtless address what should happen in future: the point at issue here is what has already happened.) An important point needs to be made at the start: if an MP ensures that he or she has taken no more in expenses under the headings allowed for a second home than the reasonable costs of renting adequately furnished accommodation, then there can be no question at all of the Treasury having suffered any loss. On the other hand, the MP may well have made a gain. In some circumstances, the gains may be taxed; in others they may not. It is not obvious what the right outcome is – every penny to go to the Treasury? Properly due tax to be paid? A voluntary payment to the Treasury or to charity? The MP to keep the profit (after all, any loss would be met by the MP, and there may well be some losses)?

One possible way forward would be for every MP who has claimed, or in future does claim, expenses on a second home to specify what is to be counted as the second home, and for the House of Commons to pass a resolution stating how any gain is to be treated. The difficulty is that there would probably be a media clamour for MPs to agree that every penny of profit be paid to the Treasury. While this might be fair

when the Treasury had borne the full cost of the home, it is not immediately clear that it is fair if the MP has carried some of the cost himself or herself. For future MPs, the problem would not arise if the rules only allowed them to rent a home of suitable size either in London or their constituency. Or there might be some other rule that commanded general acceptance. But with regard to current MPs who own both homes, we may have to accept that we have a problem for which there is no just solution.

### *Christian acknowledgement of voluntary approach*

I am not suggesting that the examination of conscience that I propose above should be enforced by rule. Sir Christopher Kelly will certainly propose some rules for the future. My purpose is to suggest what could be done now to put matters right, at least as far as that is possible, by cleaning up the past so that further damage to the legitimacy of our political system is minimised.

Some people will doubtless say ‘you can’t trust these MPs at all.’ If the position after any voluntary repayment is made is public, some MPs will still be the object of criticism because there will be disagreement as to what is proper to have charged. Some people will doubtless cite any repayment as proof of guilt, even if all that had happened was that an MP, on going through expense claims, noticed a genuine error. So, it may well be argued – and argued with some force – that the suggestion that MPs examine their consciences and act accordingly will simply fail to end the present destructive controversy. How do I answer this?

Where a Member of Parliament has recognised that he or she should not have claimed some money and has paid it back (whether this is before or after the matter became public is entirely irrelevant), for any Christian that should be the end of the matter. We should not ask for any public ceremony of repentance. We often have no means of knowing whether the error in the claim was intentional or not, and in many cases the failing will have been a lack of care, not an attempt to obtain money dishonestly. Even if we strongly suspect that the money would not have been repaid but for publicity, every time we say the Our Father we ask only that our sins be forgiven as we forgive sins against us. Fiddled expenses are sins

against us because the money came from the common fund held for the benefit of all by the Treasury, so if we don’t forgive our MPs perhaps our own transgressions will be held against us. We would be wise to remember what Jesus had to say on judging others: ‘Don’t judge, so as not to be judged: for you will be judged by the judgment with which you judge; and the measure that you measure out will be the measure that is measured out to you.’<sup>9</sup>

So my suggestion is that Christians should leave the question as to whether an MP has recognised failings and repented to the One who knows the answer – to God. If an MP states that he or she has carefully reviewed all claims, and refunded any that caused them serious disquiet, that should be the end of the matter. We should be prepared to say in public and in private that destructive criticism (over expenses) of any MP who had participated in such a process should stop.

In urging that the matter be closed, we might remember what St Ignatius of Loyola and St Thomas Aquinas had to say about repeating correct allegations that others have committed mortal sins. St Ignatius is quite direct: ‘Nothing must be said to injure another’s character or to find fault, because if I reveal a mortal sin that is not public, I sin mortally; if a venial sin, venially; and if a defect, I show a defect of my own’<sup>10</sup>. There is a proviso that could stretch to press revelations to date, which is that, with the right intention, it is permissible to speak about a public error infecting the minds of those with whom we live. But this proviso would not, I think, cover repeating allegations after the matter had been addressed by an MP. For St Thomas, telling tales and repeating such gossip is a sin against God – more grievous than an ordinary mortal sin – in that it damages or destroys the relationship of love and friendship that should exist between the people of God, that is the whole human race.<sup>11</sup> Again a similar proviso appears to apply. It may not always be popular to suggest that criticism of MPs has to stop, but we might remember the words of St Bernard of Clairvaux: ‘It is difficult to say which is the more to be condemned – the backbiter or he that listens to backbiting.’<sup>12</sup>

A further argument for drawing a line is that ‘public opinion’ is not entirely innocent; the rules that permitted this current mess would not have been made if successive Prime Ministers had had the cour-

age to say that independent recommendations for pay increases for MPs should be implemented in full and without delay – Sir Edward Heath being an exception to the general reluctance to ignore public opinion on this matter. They did this because they were frightened of a public reaction. If we, the public, do not support just treatment of MPs, we should not complain too much if MPs do not behave justly towards us. And again we need to have the courage to say so firmly.

### *Much is at stake*

A number of MPs may not be quite all that one would desire. MPs are, after all, human beings, and human beings are not uniformly attractive. If only one party were to be severely damaged by the expenses imbroglio, that might be unfortunate. A complete collapse in trust in MPs and a rejection of the Parliamentary system as providing legitimate government, would be unpleasant in the extreme. This Parliament will be dissolved and an election called within a year. British soldiers are fighting in Afghanistan. The public finances are in a very bad state. Many important questions have to be answered and a lot of problems solved, and we are less likely to preserve a tradition of justice and freedom if we allow Parliament to be wrecked as a credible institution.

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<sup>1</sup> See Alasdair MacIntyre: *Whose Justice, Which Rationality* pages 158 - 163. This is a short but comprehensive discussion of Hildebrand (Pope St Gregory VII) and the development of a specifically political dimension to Augustinian theology.

<sup>2</sup> [ST IIa IIae Q65 Art 5](#)

<sup>3</sup> Tract One, Super Joannem

<sup>4</sup> 10 May 2009

<sup>5</sup> The use of this quotation is in itself inflammatory and suspect. I advise firms including mortgage brokers on regulatory compliance and I know that in 2003 or 2004, Tony Blair, given the immense earnings he could expect as a former Prime Minister, would have had no difficulty in obtaining finance for such a purchase and that many banks would have – quite rightly – regarded such a loan as involving minimal risks. If the mortgage broker quoted knew that he was discussing an application for a loan by Tony Blair, then he is either incompetent or disingenuous. If the *Sunday Telegraph* did not tell the broker that the case they wanted a view on was Tony Blair's, then they were disingenuous in applying the broker's comments to the special case of a Prime Minister with huge earning potential from memoirs and lectures.

<sup>6</sup> Exx 186 – from the rules for making a sound election or choice.

<sup>7</sup> [ST Ia IIae Q18 Art 4](#)

<sup>8</sup> *Whose Justice, Which Rationality*, page 194/5.

<sup>9</sup> Matthew 7:1-5, Nicholas King's translation.

<sup>10</sup> Exx41

<sup>11</sup> [ST IIa IIae Q74 Art 2](#)

<sup>12</sup> De consid. Ii 13, quoted by Aquinas, [ST IIa IIae Q73 Art 4](#)