

Let the people choose our Bill of Rights

By **Billy Bragg**

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It is an accident of history that we are not able to summon up a form of words that defines the values on which our society is based.

The Americans can call upon "the Right to Life, Liberty and the Pursuit of Happiness" enshrined in their Declaration of Independence, while the French have the revolutionary slogan of "Liberté! Egalité! Fraternité!".

advertisement "An Englishman's home is his castle" is not much of a rallying cry.

The declared values of America and France were born of revolution and couched in the language of individual freedom of the 18th century.

By contrast, we British had undergone our own revolution the previous century.

A protracted affair, which began in 1641 and ended with the union of the English and Scottish parliaments in 1707, the British revolution fashioned a modern polity before such ideas as individual rights had established themselves.

What drove the Roundheads at Naseby, necessitated the creation of the Commonwealth republic, undermined the Stuart restoration and led to the "Glorious Revolution" was a firm belief in the idea of rule by consent.

These turbulent years saw a massive shift in the balance of power between Crown and Parliament, but failed to produce anything which expressed the purpose of these great changes in a single document.

As a consequence, our constitution must be assembled from many sources, some dating back to medieval times. This has created an ambiguity about the precise nature of our fundamental rights.

Many believe that the freedoms we enjoy are inalienable when, in fact, they can be restricted by ministerial diktat.

In other modern democracies, the constitution limits the power of the government; in Britain, the government limits the power of the constitution.

The need to address this anomaly has become more pressing since the "war on terror". Laws passed with the aim of protecting our security undermine our civil liberties. The introduction of identity cards is just the tip of the iceberg.

New powers will allow the Government to compile data on every citizen; the suspension of habeas corpus and the erosion of right to trial by jury has overturned centuries of convention. The Government can do this because our freedoms are based on legislation.

Now, with an immigrant population coming under increasing pressure to integrate, the question of what constitutes British values is causing friction.

Without a set of universal principles, integration becomes a one-way street in which incomers are instructed to "be like us".

If Britishness is to be attractive, it needs to involve more than mere cultural assimilation. Citizenship confers rights, but like everything else in our ambiguous constitution, what they amount to is never made clear. We must make those rights both visible and accessible to all.

But wasn't this the aim of Labour's Human Rights Act?

Heralded as a breakthrough, in fact it provided no new civil liberties, simply making available in British courts the existing protections we enjoy because Britain is a signatory to the European Convention on Human Rights.

The time has come for us to reconnect with the principle that defined us as a nation a century before American independence and French revolution - our traditional belief in rule by consent.

Schools, colleges and universities should take a lead role with communities, convening forums to discuss the freedoms which should be available to all. A website could host a debate.

Rather than waiting for the politicians, a campaign is needed which empowers citizens to articulate the fundamental principles by which our rulers must abide.

The short term aim would be to frame a Declaration of Rights based on open debate. The ultimate goal would be a Bill of Rights that belongs to the British people, not the government of the day.

Coming together in town and village halls up and down the country to create a document which enshrines in law our traditional aspirations of fairness and tolerance would greatly help us to define what we mean when we proudly evoke British values.

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