

The Rule of Law

There is a lot of talk in the Press at the moment about an arms contract. The Americans, the EU and the Swiss are all concerned about the possibility that it was not achieved in fair competition. Indeed our Serious Fraud Office also thought that there seemed to be something fishy about it. However, before they reached a conclusion, the Government stepped in and instructed them to drop the case on the grounds that, regardless of their findings, even looking at the issue would damage the security of the country.

I think we ought to step back for a moment and look at the moral issues: on the one hand, is it right to win contracts in a manner which we would regard as unfair if done by another country? On the other, should we allow an investigation into another country who might, as a consequence stop providing security information or investigate a rich and powerful UK company which might then have to lay off workers (or cut its political funding)? If we follow the Government's lead are we not saying that there is one law for the powerful and another for the weak? Are we happy to have laws that are like cobwebs; they catch small flies but allow wasps and hornets to break through?

It is indeed a very difficult question to answer because of the practical consequences for, if the Law prevails, then a lot of innocent employees may lose their jobs and the foreign country may no longer provide us with information on terrorists. If the Government prevails, we will have no standing when others, at home or abroad, win contracts by underhand means. Black pots don't carry a lot of weight when they criticise a dirty kettle.

I hope we will strive for a world in which the Rule of Law is paramount and that we do not ever again manoeuvre ourselves into a position like this in which there is no really satisfactory solution. If in the end the Law prevails, I hope that the Government will ensure, while taking steps to provide real help for those who may lose their jobs, that they do not reimburse those who may have lost their backhanders.