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OUR HOUSE

By **ALFRED C. BOSSOM**



**BUILDING TO THE SKIES
A BIRD'S EYE VIEW OF EUROPE
AN ARCHITECTURAL PILGRIMAGE IN OLD MEXICO**

ALFRED C. BOSSOM M.P.

OUR HOUSE

An Introduction to
Parliamentary
Procedure

Foreword by Lord Woolton

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Dedication

TO MY SONS, CLIVE AND DORIC, WHO WITH ALL OTHER
YOUNG PEOPLE STAND TO GAIN OR LOSE SO MUCH BY THE
RETENTION OR OTHERWISE OF OUR FREE PARLIAMENTARY
SYSTEM THAT HAS CONTRIBUTED SO PROFOUNDLY TO THE
DEVELOPMENT AND WELL-BEING OF THE BRITISH PEOPLE

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A. C. B.

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Foreword

by The Rt. Hon. Lord Woolton, P.C., C.H., J.P.

THE Palace of Westminster! What visions of the past those words can arouse in knowledgeable minds: here has been born and bred democracy at its best: here is housed the Parliament of Great Britain.

I pass in and out of its doors many times a week—and rarely without a stimulating sense of history. The British people should know more of Westminster, for here, under the Crown, its rights and its freedoms are preserved. Yet it is true that like most of its treasured possessions, the British people treat Parliament carelessly. They know little of its ways, of its dignities and of its functions. They think of it as a debating chamber; a place of resounding oratory or of dull speeches: in fact it is a place for the making of laws and the preservation of the rights of the people. To know it, is to hold it in high respect. On its State occasions it fills one with the pride of being a Briton. On occasions of great importance in the affairs of our land, words are uttered here that will be repeated with pride and emotion down the centuries of time as long as Britain and democratic Government prevail—And always, it is a human assembly, representing the best in the Nation, and the Nation at its best.

Politics will play a more important part in our future than they have done in the past. People cannot afford

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to be indifferent to what goes on at Westminster or what sort of men and women represent them there. They ought to come and look for themselves—but for many that is impossible. Therefore, Mr. Bossom's book is particularly welcome for he has made available for the first time a short and precise account of the history and functions of Parliament, and I can recommend it as a pleasurable duty for everyone to read this book, irrespective of their Parties or their present-day political faiths. In the reading of it one becomes by turns a Cavalier, a Whig, a Socialist and a Conservative—but always grateful to our fathers who have built this citadel of freedom for our use and our protection.

Author's Preface

EVERYONE is becoming more politically minded. All want to know not only what is done but how it is done, how laws are made, the ways in which citizens and Members of Parliament may criticise, propose or protest, the prerogatives of the Crown, the rights and obligations of Members individually and one towards another, the developments and changes that have taken place in Parliament. There is a great and growing need to explain both the facts and the procedures of the conduct of political business.

Newspaper Parliamentary reports, however simplified, contain curious references and phrases, Hansard itself is full of mystery, and visitors sitting in the gallery of the House listening to a debate find much that goes on incomprehensible. Yet in most cases interpretation is easy, once the principles of procedure are understood.

I have not attempted in this book to deal with the more technical ramifications of procedure that are explained in detail in, for instance, Sir Gilbert Campion's *Introduction to the Procedure of the House of Commons*. But in its brief compass I have endeavoured to give a general outline of Parliament's history, functions and procedure. It is not intended as a guide to the M.P., though possibly a prospective candidate might gather from it some slight indication of the tasks and responsibilities for which he will be held accountable if he should succeed in being elected.

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The Houses of Parliament are still a Royal Palace, and in our democracy you and I and all the rest of the British people own it, but that part of it which is set aside for the House of Commons is particularly OUR HOUSE. Action taken therein rapidly affects the lives of us all. If successful, our happiness, health and prosperity are assured. If not, austerity and a grim outlook confront us.

Consequently, in this as in every other phase of national life, knowledge is power, and the interest displayed in what goes on in Parliament benefits not only the individual but the whole nation, if it can be both satisfied and encouraged. It is to supply the needed information that this small book has been written.

The Historical Background of Parliament

PARLIAMENT is filled to overflowing with tradition, age-old ceremonies and unique expressions. To how many are they of invaluable historic and continuing importance and to how many are they simply mumbo-jumbo?

A Socialist Minister of Education came into the House determined, as he himself expressed it, to fight to the death to wipe out old rites and formalities. After occupying his seat for six months he declared with equal ardour that he would fight to the death anyone who would remove an iota of that time-honoured procedure. Not everyone, perhaps, would go so far as that, but there is quite a lot in what he said.

New forces are entering the world; the atomic bomb, and innumerable other discoveries of science; the fusing and changing of international alignments, and the threat of dictatorships from Nazis, Fascists and Communists. All are having their effect, and we must look to the horizon and trim the ship of State, for the tide turns and we too must face the flow in the oncoming years. No Parliament will guide us safely that is composed either of tame rabbits who blindly follow defunct practices and political dogmas, or of irresponsible ideological enthusiasts who would willingly throw overboard all procedure and knowledge gained from the past.

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The past always holds many lessons for the future, and it may be worth while having a look inside the Parliamentary machine, to find the real significance of those forms and expressions that play so important a part and are, in fact, almost the essence of its working.

Parliaments are elected and Parliaments are dissolved, but weaving through all, is a stabilising force of procedure and tradition. It may irritate some people, but it is a source of strength, of difficulty, and even of salvation. The "Rules of the House" curb and guide the inexperienced and aid the veterans, and oversimplification would be risky. We might gain but little, and lose much that numberless years of development and use have proved to be of value.

As a people we are inclined to be a trifle lazy and happy-go-lucky, yet endowed on occasions with spontaneous energy and astounding genius. It is those occasions that have marked our greatest advances in perfecting our system of government, and convinced us that the aggregation of British minds applied to national problems can bring results never achieved by nations ruled by autocrats or dictators.

OUR HOUSE—that is, the House of Commons in our Parliament—is the voice of the people, filtered upwards through the sieve of unfettered public opinion that eliminates or refines first the thought, then the urge for constructive improvement to replace some outworn principle or introduce something new. In the passage of an idea, minds of all types concentrate upon it until, if it is of real value, it reaches some Government Department and is embodied in a Bill. The process may start with you—with anyone. The real beginning of our parliamentary system was more than eleven hundred years ago, when the various groups on our

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island began to unite; the making of our laws may be traced as far back as the Saxon king Ethelbert in the sixth century, and the process continued under Alfred the Great, Edward the Elder, Edmund, Edgar, Ethelred, Canute. Edward the Confessor codified the best of the existing laws and orders and gained a reputation as a great legislator.

Parliament began as an assembly called the Wite-nagemot, a selected gathering of nobles, high officials and clerics, possibly about a hundred in all. They were not elected, but spoke for the people and conferred with the King. One such meeting was recorded in 934 at Winchester, with 2 Archbishops, 4 Welsh Kings, 17 Bishops, 4 Abbots, 12 Ealdermen and 52 ministri (these last were landholders).

When William the Conqueror came he showed wisdom in not attempting to destroy this system, and under him the national assembly became the Great Council, several hundred strong. In theory they represented the whole country, but in fact stood for those owning or controlling land—a condition which more or less prevailed right down the ages until the Reform Act of 1832. Until that date no one could vote who was not either a landholder or a freeman.

In Norman times power was concentrated almost entirely in the barons, who could and did exert pressure on the King. But although they had great power they also had definite obligations. A baron's first duty was to protect his tenants and subordinates: if he failed in this primary task he lost power and not infrequently his possessions and even his life. Despite the King's personal wealth he needed funds. He had to have armies, and for these he had to have money, and to get it he had to collect it from someone—and if he was

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unreasonable, and unblessed with common sense, he found himself in those rough-and-ready days face to face with real obstacles. Every schoolboy knows how King John at Runnymede had to bow to *force majeure* and sign Magna Charta.

This was our first great charter of freedom and rights.

Parliament much as we now know it came into being under Edward I. He called it, directed its proceedings, and adjourned it, as he wished, and as usual his main consideration was money. In 1296 he found himself, as kings and others so often do, in acute financial difficulties, with a war in France and a rising in Scotland both on his hands at the same time, and he summoned the biggest, most representative Parliament ever assembled up to that date. It comprised 2 Archbishops, the Bishops and Abbots, 7 Earls, 41 Barons, 2 Knights from each shire, 2 citizens from each city and 2 burgesses from each borough—an array indeed. It has come down in history as the Model Parliament.

At the upper end of the Parliament Chamber at Westminster was the Throne; nearest to it sat the King's ministers and those who formed his Inner Council, and after them came the Peers, Spiritual and Temporal. At the lower end, beyond what was even then known as the Bar, were the Commoners, headed by their Prolocutor, or Speaker. Parliament was a single body, and, though various groups conferred among themselves outside, all decisions were made by and proclaimed to the whole assembly of Church, Lords and Commons (the Three Estates), and the King.

Ownership of and connection with the land determined a man's status. It was the reward given by the King to those who served him well. A baron was

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usually the owner of two or more estates, a knight probably owned one. In Edward III's time the knights, no doubt with his approval, sturdily joined the burgesses, jointly with them forming the Commons and attending Parliament as representatives—elected at first by shire court officials, but after 1430 by those possessing freehold land worth forty shillings a year. In practice the knights were "County" Members and were proud of the distinction, they and their successors for centuries afterwards always coming to the House in topboots!

Thus the election of Members began, with citizens, burgesses and knights chosen by their fellows to attend Parliament, present and examine petitions, and express an opinion before these became law. It was some time before the Commons established a right to legislate, in fact they never have in so many words. One might say the function became theirs as part of the country's Common Law. This means law never enacted but made absolute by custom and usage. Even to-day one has only to prove that a certain right has always been held, to establish its authority.

Somewhere around 1400 it had become the custom of the Commons to withdraw, after the ceremonial opening of Parliament, into the Chapter House of Westminster Abbey for their own deliberations. Thus they became a separate body, and occupied the Chapter House until 1547, when they began using St. Stephen's Chapel, now the entrance to our present House of Commons, and this was their meeting-place until the fire of 1834.

History shows clearly how the power of our monarchs varied while the power of Parliament, though fluctuating at times, rolled irresistibly on, becoming ever more

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firmly established. And concurrently with this progress the nation as a whole advanced and prospered. Henry VIII was a wise man, surrounding himself with the brilliant spirits of a brilliant era. Progress was on the march, in art, poetry, religion, architecture, music, politics and commerce. The astute Wolsey and Sir Thomas More both aided and guided the King, who, though not a self-styled autocrat, "worked it" by the skill of those around him, who in turn became autocrats in their own way.

Then came Elizabeth, unscrupulous, clever, acute in instinct and understanding, inducing Parliament and people to comply with her ambitions with a willingness which in the light of to-day adds glamour to her record, for the nation gained no less than she. Such adventurous spirits as Drake and Raleigh are typical of her time.

To the reign of Charles I, though not to his desires, must go the credit for our second charter of liberty, the Petition of Right, 1628 (still to be seen in the House of Lords' Library), which mainly provided, once again, that no taxation should be imposed without the consent of Parliament. Nevertheless, in 1642, Charles went to the House of Commons with soldiers and ordered Speaker Lenthall to point out to him the Five Members, whom Charles considered chiefly responsible for opposition to his demands and wished to arrest. The scene that followed was one of the most deeply moving in British history, as with that firmness and courage essential in the man selected by the Commons as their Speaker, Lenthall, kneeling—to show that no due respect was withheld—told the King that he could neither see nor hear instructions from anyone other than the Commons themselves.

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The King's attitude led to his own undoing in 1649, and the document ordering his execution is still to be seen in a cabinet in the House of Lords' library: every signature on it can be read to-day, and the small Gothic chamber opening into the Courtyard Cloister, in which it was signed, survived the fire of 1834 and the bombing of 1914-18, though the German blitz of more recent years did not leave it undamaged.

For centuries Parliament sat fairly continuously. The longest intermission was from 1629 to 1640, and the longest Parliament (the Long Parliament) followed, from 1640 to 1659, with an interval. Cromwell attempted a dictatorship, misnaming it a Protectorate, during which he expelled the Long Parliament and tried successively the Barebones Parliament and a mainly military assembly. All this faded out with his death in 1658, and the following year saw the triumphant return of Speaker Lenthall with the Mace carried before him and 42 Members of the Long Parliament or, as it was now called, the Rump Parliament, following behind.

The interminable King versus Parliament disagreement recurred when James II asserted what he declared to be his "Divine Rights" and acted in disregard of the Habeas Corpus Act of 1679, which protected citizens from being gaoled without public trial. The weakness of this measure was that the King still more or less controlled the Law Courts, and the recognition of Parliament's authority was finally settled by our third great charter of British liberty, the Bill of Rights, 1689, after a constitutional upheaval literally amounting to a bloodless revolution. It forbade unlawful acts and the suspension of laws by regal authority, or the imposition of taxation and other charges on the people without Parliamentary consent.

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Whilst men live there will be problems ! Our next was that, although technically Parliament could control the affairs of the country, we had no safeguard against the Ministers who formed the Government following their own course of action. This in turn brought another reform—the formation of a Cabinet, responsible to the House of Commons.

Before this there was no special co-ordination between Ministers, all of whom were selected by the King and acted more or less independently of each other. Even after the Cabinet was formed, for some time its position was uncertain and still subject to attempts at Royal domination. Queen Anne, in 1707, refused assent to a Bill passed by Parliament (the Scotch Militia Bill). But since that day no King or Queen has refused the Royal Assent to any measure passed by Parliament and formally submitted to them, and the last serious conflict between King and Ministers on any matter was in 1834, when William IV tried unsuccessfully to exclude certain Ministers from office.

With the coming of the Hanoverians affairs of State were largely left to the Ministers, who at that time were Whigs, the Tories not having exactly welcomed the Hanoverian succession. George I kept away from Cabinet meetings, for being unversed in our proceedings he found them hard to follow, and this started the system whereby one Minister had to take the Chair and convey reports of meetings to the King.

The first to act in this capacity was Sir Robert Walpole, in 1721. He did not admit to the distinction but he was in fact our first Prime Minister. Certainly he wielded that authority, and when defeated in the Commons he resigned. By this time the two parties, Whigs and Tories, were firmly established. The

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Whigs, forerunners of the Liberals, largely originated in the seventeenth century as supporters of the Exclusion Bills of 1679–81 (to exclude James, Duke of York, and brother of Charles II, from succession to the Throne). The opponents of these Bills were called Abhorrers, and later Tories.

Once again, George III tried to exert royal control over national affairs. It was more than a little due to his action and insistence that we fought America and lost what might have been the greatest of our colonies, but after this catastrophic failure the inspired young Tory William Pitt had no great difficulty in maintaining and upholding the supremacy of Parliament.

Steadily the authority of the people was making itself respected, the standard of democracy was raised, though at the beginning of the nineteenth century the Government was still largely monopolised and electors much influenced by the "landed gentry". The French Revolution too had its influence upon us, for many who had dreamed of a wider freedom were scared by news of outrage in France and feared a repetition of its orgies here.

Charles James Fox and his particular coterie continued to stand firmly by the Whig tenets, and in 1830, twenty-four years after the death of Fox, a Whig Ministry came to power, pledged to Parliamentary reform. The Reform Bill of 1832 was forced through the Commons by a general election, and through the Lords by a threat to create more Peers.

In effect the Bill went a long way towards evening out the constituencies; pocket boroughs were deprived of their Members, larger ones that had grown up in the industrialised areas were given representation. In general all householders who paid £10 or more a year

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in rent, or held land of that value, were entitled to vote. Few manual workers held this qualification, and many were disappointed, but it was a step forward. In 1867 another Reform Bill extended the franchise to a wider range, largely artisans, but the lowest paid were still excluded until 1884, when every householder was given a vote regardless of his income or what he paid in rent.

Until the Ballot Act of 1872, when voting became secret, not only coercion but bribery was frequent, and undoubtedly many a Member gained his seat by the exercise of such practices on his behalf. In the constituency of Maidstone that returned me to Parliament, Lord Castlereagh (later Marquis of Londonderry) was given his seat after convincing a tribunal that his opponent's majority was won by other than the prescribed methods.

This method of gaining admission to the House is past, though voters are occasionally influenced by promises of favours to come, such as legislation to bring about higher wages, larger pensions, or other benefits, and when a year or two has rolled by, and promises fail to materialise, the electors usually want to know why.

In our early progress towards a two-party system, endeavours were made to draw a definite distinction between the ideals of the two major parties—unlike our Continental neighbours, who break up into many parties or groups, some of whom may have only one special little axe to grind and no clear thought on major issues. France, for instance, has at some periods of her existence had as many as thirty groups in one Parliamentary assembly.

We have shunned, so far, this multiplicity of parties and clung closely to our two-party system, apart from

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the inevitable small groups who have never achieved great importance—except the Irish Party which at one time grew large enough to swing the voting in the House by moving in a body first one way and then the other. Whigs and Tories were the main parties for nearly two centuries. The first Labour candidate stood, unsuccessfully, in 1857: two, Alexander MacDonald and Thomas Burt, were returned in 1874 and formed the beginning of the Parliamentary Labour Party, whose ideals were, as they still are, State control of production, distribution and exchange. There are always a few Independents, and a small number of Communists.

Now and again movements have developed such as the Chartists of the eighteen-thirties who agitated for vote by ballot, male suffrage, payment of M.P.s, abolition of property qualification, annual elections and equal electoral districts. At the time this was unsuccessful, but almost all the reforms mentioned have come along as the years have passed.

We are a nation of individuals, independent by nature, and like to have a clear idea of what we are collectively trying to do. Otherwise we could not so successfully have lived and prospered on this really small island—more densely populated than any other country in Europe, for though as a whole Great Britain has something over 500 to the square mile, England and Wales has 727 (Belgium comes second with 710).

Yet we have continuously raised our standard of living, of housing, of health, of education, and our conception of the rights of men. We cannot produce enough food on our own soil upon which to live—but this need has simply added a spur to the development of our international trade.

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One thing is certain, that our enlightened progress would not have taken place if individual initiative had been cramped under dictatorial rule. It has grown up under our two-party Parliamentary system, working in a rectangular Chamber with supporters of the Government on one side and members of the Opposition on the other. As Mr. Churchill once said :

The semicircular assembly appeals to political theorists, enabling every individual or group to move around the centre, adopting various shades of pink according as the weather changes. I have seen many an earnest and ardent Parliament destroyed by the group system. The act of crossing the floor is one that requires serious consideration.

In other words, if a Member of Parliament changes his Party he cannot do it by edging a little way along the row. He has publicly to rise from his seat, walk across that wide central aisle and sit on the other side of the Chamber with those he formerly opposed. On occasions this has happened, but usually when a man decides to take such a step he does so at the time of an election and not during the Session. Otherwise he is morally though not legally bound to go to his constituents and ask them to endorse his action by re-electing him.

The story just told is necessarily fragmentary, a patchwork description of how our system of government has been created, and of how the rights of the people have progressively become its guiding factor. And it has been done by conference and debate, by trial and error, with practically none of the violence we have seen taking place in various other countries.

Under a system invariably well tempered by the constructive criticism of opposing parties, we have made our laws, repealed them or modified them to meet

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changing needs and conditions, and through this flexible, adaptable quality we are sure to regain the high position we held before two world wars devoured our resources.

Britain is one of the few countries without a written Constitution. It is made and remade, adjusted and adapted in accordance with progressive developments both at home and abroad. And the spirit that fostered our advance from the "Divine Right" of Kings to the freedom of the individual, will carry us forward still.

Ceremony and Ritual

IF you enter the House of Commons by St. Stephen's entrance at a few minutes before 2.30 P.M. on Monday, Tuesday, Wednesday, or Thursday, or 11 A.M. on Friday, pass the friendly but scrutinising eye of some of the most alert police constables in London, go through the temporary plasterboard tunnel which hides Hitler's ravages and then through St. Stephen's Hall, you will reach the central lobby in time to hear the stentorian voice of another well-upholstered, cherubic-looking policeman shouting "Hats off, strangers!"

This means that in about ten seconds you will see a Messenger of the House, wearing evening dress and a gilt chain and medallion bearing a figure of Mercury, leading a small procession consisting of the Serjeant-at-Arms in silk Court dress, carrying the famous silvergilt Mace on his shoulder, the Speaker, in gown, knee-breeches, buckled shoes and a full-bottomed wig, and the Speaker's Trainbearer, Chaplain and Secretary.

They approach from the direction of the libraries, cross the central public lobby, proceed towards the Chamber via the Aye division lobby, enter the Chamber from the southern end, walk to the Bar, make a low bow—all the Members present standing in their places and bowing at the same time—advance a few steps and bow again. The Serjeant-at-Arms places the Mace in its racks on the Table, the Speaker advances to the

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left and the Chaplain to the right. Both step on to the dais and bow to each other, and Prayers begin.

These are called Prayers For The Parliament, and include one or two special Prayers, but are mostly taken from the Prayer Book of the Church of England, beginning with Psalm lxvii, and ending with the words of the Blessing used at the end of all Church services (2 Cor. xiii. 14).

Members face forward for the first Prayer, then turn and face their seats for the other Prayers—a reminder of the times when they knelt on their seats in the days when their meetings were held in St. Stephen's Chapel, between 1547 and 1834.

Visitors are not permitted to enter the Chamber until Prayers are over, when they file into the galleries from all entrances.

This is how the normal daily sitting begins.

At the Royal Opening of Parliament, the beginning of a new Session, an historic ceremony with much pageantry takes place. His Majesty the King, accompanied by the Queen (and the Heir to the Throne if of age), drive from Buckingham Palace to Westminster, entering the building through the ceremonial archway of the House of Lords.

Since the destruction of the former Commons' debating Chamber the Lords have lent theirs for the Commons' regular use, and this has compelled a slight variation in Opening Day procedure until the new Chamber is built.

In normal times this State Opening is a gorgeous ceremony. Members assemble just before eleven o'clock, take their places in their own Chamber, and wait for a few minutes while Their Majesties go into the King's Robing Room, walk through the Royal

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Gallery and perform the ceremony in the Lords' Chamber.

It is a glorious scene, full of colour and carried out with clockwork precision. Peers wear full Court costumes with decorations, Peeresses are beautifully gowned and bejewelled, Bishops and Judges wear ceremonial robes, and the few fortunate Members of the Commons who have been successful in the ballot and obtained a seat in one of the galleries, or a standing place, wear morning coats or Service uniforms.

As the King, wearing his Crown, advances with the Queen along the Royal Gallery towards the left-hand door of the Chamber, dimmed lights slowly blaze forth in the Chamber until at the moment of their entrance the highly decorated and fully crowded hall is flooded with light.

Officers and Ladies-in-Waiting of the Household enter with Their Majesties, who walk slowly to the dais, the King taking the right-hand throne and the Queen that on his left, while the Heir to the Throne has a special seat near by. Near the thrones stand the Gentlemen-at-Arms, Officers of the Royal Household and Heralds from the College of Arms in scarlet tabards.

Robed in black and gold, the Lord Chancellor kneels to hand His Majesty the Gracious Speech from the Throne, and the King then asks that his "Honourable Commons" be summoned. At this point the Gentleman Usher of the Black Rod, an important Officer of the House of Lords, leaves the Lords' Chamber and goes to the Commons', the door of which is slammed in his face in accordance with ancient tradition. He in turn strikes the door three times with his rod of office, the Serjeant-at-Arms responds by looking through the

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wicket to see that no soldiers accompany him, and opens the door. Black Rod enters, walks to the Bar, bows to the Speaker, then to the left and to the right, and delivers his "Message from the King."

Immediately the Serjeant-at-Arms takes the Mace and leads the way to the Lords, followed by the Speaker—he too in his ceremonial robes. The Prime Minister follows, walking beside the Leader of the Opposition, and the rest of the Cabinet in turn join their corresponding numbers of the Opposition, all walking two by two. The rest of the Members follow in pairs into the Lords' Chamber until the limited space available prevents any more from squeezing in, for the Commons proceed only to the Bar of the House. Those who cannot find room adjourn, by the custom of centuries, to wait in the smoking-room until the King has read his Speech.

This document, which His Majesty reads, has been prepared by the Cabinet and is the general programme of work to be carried out by Parliament during the coming Session. It begins always, "My Lords and Members of the House of Commons", and deals first with matters that apply to both Houses, then refers to finance, which concerns the Commons alone, and after a further mention of both Houses, ends with the impressive words: "I pray that Almighty God may give His blessing to your counsels."

Concluding, the King rises, extends a hand as though to help the Queen, and together they walk out attended by their Equerries and Ladies-in-Waiting, this time using the right-hand door, returning to the King's Robing Room by the same route as before, between rows of privileged spectators—for, with their customary endeavour to obtain equality of privilege, Members of

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the Commons have balloted beforehand for tickets, to enable their wives or other members of their families to stand on one of the temporary steps constructed on either side of the central aisle in the Royal Gallery, to watch the coming and going of Their Majesties and the Peers.

For the time being the ceremony is slightly modified, as there is no regular Commons' Chamber, and the Lords' Chamber has to be vacated by the Commons for this occasion and rearranged for the ceremony. Members assemble in St. Stephen's Hall, into which the Table and other appointments of the Chamber have been brought, and there await the summons from Black Rod. Also, since clothing coupons were introduced, only officials and bishops attend in ceremonial garb, the King wears naval uniform and the Queen a day dress and hat, as do all the Peeresses. The Crown and other Royal paraphernalia are brought in on cushions. Peers wear morning dress or Service uniform, and many Members of the Commons now wear ordinary lounge suits.

When the King and Queen have left the building the Commons adjourn for lunch and reassemble in the afternoon in their own Chamber, where on this Opening Day they do not have Prayers but proceed to go through the age-old formality of taking the opening stage of a Bill, to show that they are not compelled to deal at once with the work outlined in the King's Speech unless they wish to do so.

It is always the same Bill, the Outlawries Bill, and though it never gets any further than the first reading, and is quite obsolete, it is used as a symbol of independence. As a rule it is all over in about two minutes, but in 1946 a Member attempted to start a debate upon

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it, reminding the House that it was once debated, in 1794! But he was overruled by Mr. Speaker, and the House proceeded to the proper business.

This begins with the reading of the King's Speech by the Speaker, who has, to use his own words, "for greater accuracy obtained a copy", and when he has finished, one of the newer and younger Members on the Government side moves by prearrangement "an humble address" of thanks to His Majesty for "The Gracious Speech." His Motion is seconded by another of the younger Members, and the Leader of the Opposition starts the debate with a few complimentary remarks to proposer and seconder, followed by a speech in similar vein by the Prime Minister.

Everything is conducted with a sense of lightness and good humour; the real debate will begin next day, when the Government inevitably has to stand up to a full broadside of criticism on what it proposes to do during the year, and what it has omitted from its programme. Members of the Government and the Opposition both invariably let themselves go on this occasion. The Debate on the Address, as it is called, usually lasts for about six Parliamentary days and is conducted by a ding-dong, back-and-forth volley of speeches, mostly either of Government endorsement or Opposition criticism, before the real work of the Session is put in hand.

When Parliament is newly elected, the Commons have to meet before the actual Opening Day, to carry out, first, the unique ceremony of electing a Speaker. This must take place before Parliament can do any work, because without a Speaker at their head the Commons cannot function. The date for doing this is announced in the Proclamation issued at the

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dissolution of the old Parliament, and is usually a Tuesday, being a convenient day for all Members to attend.

They assemble in their Chamber, and Black Rod comes to summon them to the Bar of the Upper House, where they are informed by a Commission of Peers that they are to “repair to the place where they are to sit and there proceed to the choice of some appropriate person to be their Speaker”.

Back they troop to their own Chamber, and the Clerk, an officer of the House sitting “At the Table” in front of the Speaker’s Chair, gets up and, without speaking—to signify that the House has no voice without a Speaker—points to a Member, who in turn proposes that another, who has already been chosen by agreement between the Parties, do “take the Chair of this House as Speaker”.

Another Member seconds this and the Leader of the House supports it (there has been no disagreement about the choice since 1895, when a division was called). At this point proposer and seconder approach the Member selected, who at once displays a traditional show of reluctance to accept this high responsibility. His attitude may be interpreted both as polite diffidence and as a relic of the days when the office of Speaker, due to the inevitable conflict between King and Commons, was fraught with some risk !

He is escorted to the Chair, and next day his appointment is confirmed in the Lords by the Lord Chancellor on behalf of the King. Mr. Speaker, standing at the Bar of the Lords, then claims for the Commons “all their ancient and undoubted rights and privileges”, and on receiving confirmation of this he leads the Commons back to their own Chamber. There he affirms his

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determination to maintain all the rights of the Commons, and makes a few pertinent comments based on his own experience of procedure, practically always advocating the shortening of speeches so as to enable as many Members as possible to take part in debates.

After the election of the Speaker, and before Opening Day, both old and new Members attend the Chamber to sign the Roll and take the oath of allegiance, an old-established procedure dating from the time of Queen Elizabeth, though since 1888 those Members who prefer not to take an oath are permitted to make an affirmation. The words of the oath are:

I, A. B., do swear that I will be faithful and bear true allegiance to H.M. King George his heirs and successors according to law. So help me God.

The affirmation is:

I, A. B., do solemnly, sincerely and truly declare and affirm that I will be faithful and bear true allegiance to H.M. King George his heirs and successors according to law.

Those Members of the Government who have already been appointed to office by the Prime Minister take the oath first, then those of the front Opposition Bench, and from that time on the Speaker signals to bench after bench in no particular order, one side or the other, so that no one can tell exactly when he will be called. Those called form a queue at the Table and take the oath or make the affirmation, using the Bibles kept in the boxes on the Table for this purpose. With present numbers it takes all one day and part of the next, and some Members prefer to wait until the second day.

A new Member has much to learn about the customs

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of the House, but through trial and error, usually by doing the wrong thing first and being reminded in a prompt but friendly way by his colleagues, he does not make the same mistake twice.

In theory all Members are equal in the House. No man, other than the Prime Minister, the Cabinet, leading Members of the Opposition, and of course the Speaker, has a seat of his own. On the Speaker's right hand is the so-called Treasury Bench, reserved for the Government, *i.e.* the Cabinet and Parliamentary Secretaries, and their Whips: the corresponding one on the left is for leading members of the Opposition and their Whips. The one behind the Treasury Bench is occupied by Parliamentary Private Secretaries, each of whom is a Member but usually takes no part in debates.

On Opening Day two men have special seats—the two Members for the City of London, who sit at the corner of the right-hand front bench adjacent to the gangway, usually wearing silk hats and morning coats for the occasion.

A Member desiring a particular seat on any day goes to the Chamber in the morning, signs a white card and puts this on the seat he wants. He must then be in the House for Prayers, and the seat will be his for the rest of that day. Any member who is prevented from doing this by attendance at a Committee of the House sitting upstairs may sign a pink card and leave it on his seat, which will be left for his use whether he attends Prayers or not.

By courtesy, Members who have been in the House for many years usually occupy end seats. These are supposed to be more effective places from which to speak, but in fact it makes no difference.

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Entering the Chamber from the southern end, Members walk to the Bar, now indicated by a leather strip across the floor, bow, proceed along the centre aisle and take their seats. This bow may be considered a gesture of respect to the Speaker, but it is probable that it has continued from the days when Members met in St. Stephen's Chapel and bowed to the altar. Older Members are punctilious about this ceremony. Newly elected ones to-day are often inclined to be a little casual, but in a short time they develop a respect for ancient traditions.

A remarkable courtesy rules in the House, probably more marked than in any other Parliamentary Chamber in the world, and no matter how obstreperous a new Member may be on his arrival, a few months' experience usually induces him to adopt the habits that both dignify and ease the work of Parliament.

Outside the Chamber Members call each other by their Christian names or surnames—with no prefixes. Equality is the watchword, and no matter whether a Member is a Peer (Irish non-representative Peers may be elected to the Commons) or a former cab-driver, he has complete equality with other Members in the House, for each Member represents thousands of electors and is there on their account, not on his own.

No Member is referred to by name in debate. By those of his own party he is called "my honourable friend". By Members of other parties he is called "the honourable Member". If a lawyer he is "the honourable and learned Member", if of the Services "the honourable and gallant Member", if a peer or a peer's son bearing the courtesy title "Lord" "the noble Lord" (in the case of a peeress "the noble Lady"). These terms are invariable, and a Member calls another

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his "honourable friend" even if both are bristling with annoyance in the heat of debate!

Members of both sexes are addressed as "Sir". When Mr. Churchill was criticised by a lady Member, Dr. Summerskill, for so addressing her, he replied that there was no need for comment "because man embraces woman". The Prime Minister is referred to as "the Prime Minister" and addressed as "Mr. Prime Minister". A Privy Councillor is "the right honourable Member" or "my right honourable friend". The word "Gentleman" is often substituted for "Member" in the Chamber. The Speaker is always addressed as "Mr. Speaker" or "Sir".

Names are mentioned only when the Speaker calls on a Member to speak or to ask his question at Question Time; and the Member presiding over a committee of the whole House is addressed by his name. But if a Member is guilty of misbehaviour and is "named" by the Speaker a motion must immediately be made for his suspension, and when that has been agreed to by the House he must leave the Chamber.

Members are not permitted to take parcels, attache-cases, suitcases or even brief-cases into the Chamber, though they can and do leave them anywhere else about the building. Visitors, too, are restricted in this way. The only impedimenta a man may take in with him are the Order Paper, notes, Hansard, books or papers from which to quote, and his hat—though here again an old custom is rapidly disappearing. A small group tried in 1935 to revive the use of silk hats in the Chamber, but it proved unpopular. Possibly once a month a man enters wearing a hat, but usually after braving it for a few minutes he slips out and returns without it.

A hat is essential only when calling the attention of

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the Speaker to a point of order after a division has been called. A Member can only do this sitting down and wearing a hat. It does not often occur, but when it does, a hat of some kind always seems to be available. A paper one or a handkerchief will not do. I shall never forget the famous James Maxton looking round for a hat in these circumstances, and finding none within reach except that of Alfred Rothschild, who immediately handed it over, and Maxton put it on. It came down to his nose, and he had to make his point looking like a candle capped with a snuffer.

Long ago Members could take their swords into the Chamber, and in consequence there is still a red line along the floor at each side of the centre aisle, about two feet in front of the first row of seats. A Member who puts his foot beyond this line when sitting in his place is deemed to be standing up, and as only one person in the Chamber may stand at a time, this is out of order. But the origin of the rule was that by keeping both feet behind this line no one could thrust at his opponent across the aisle with his sword. Later, swords had to be left in the cloakroom, and right up to 1941, when the building was destroyed, a piece of red tape was tied to the hat peg of every Member, by which to suspend his sword.

The only sword to be seen in the Chamber now is that of the Serjeant-at-Arms, who sits by the Bar. Though not a Member, he holds an important office, and he or one of his two deputies is always present when the House is sitting. One of these three alone can carry the Mace, the symbol of authority with many historical associations. The one in use to-day has the same shaft as that referred to by Cromwell in his famous order: "Remove that bauble!" Without the

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Mace in its racks on the Table the ordinary business of the House cannot proceed. A few years ago a Member who wanted to stop a debate seized the Mace and ran out with it, but having done so he did not know what to do with it, and it was quickly removed from him and brought back by a messenger.

Certain ceremonies are carried out by the Government's Deputy Chief Whip, known as "White Rod" (the Commons' equivalent of Black Rod). He is chosen partly for his dignity and impressive appearance, and in every successive Parliament a man is usually found to comply with these requirements, standing well over six feet, with a good resonant voice.

One of his duties is to bring messages from the King, and his demeanour and bearing are watched critically as he walks to the Bar with the white rod in his left hand and the message in his right, announces his message, takes seven paces forward, reads the message, goes forward again, and hands it to the Clerk at the Table, who in turn passes it to the Speaker. Then, stepping backwards, he bows when half-way along the aisle, steps backwards again until he reaches the Bar, wheels round and walks out.

If he hits the spot accurately in each instance the House gives him a cheer, but if he overshoots the mark his failure is signified by the silence that attends his progress.

The Deputy Chief Whip, incidentally, has a task very seldom referred to. It consists of making a précis of each day's proceedings in the House and forwarding it to the King. These notes are not compiled in stilted official language, but in an informal style, such as a man would use if he wished to impart the facts and flavour without overburdening the reader with technical

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details. Nor has the Deputy Chief Whip been left entirely unaware that if he is possessed of a sense of humour, His Majesty may find his daily bulletins more acceptable than the dry-as-dust accounts that could easily be written of the day's work.

At the Table in front of the Speaker sit the Clerk of the House and the two Clerks Assistant, in gowns and short wigs. They are well versed in the rules of procedure and invariably helpful if the Speaker needs information or advice.

War conditions have interfered with many old customs of the House, some of which have not yet been revived and perhaps never will be again. But traditional ceremonies and privileges enjoyed by Members through the centuries are in general adhered to with a firm hand. Such ceremonies help to preserve the dignity of the House, and by recalling the principles on which parliamentary democracy is founded, they help to safeguard the rights of the citizen whom the Member represents.

Question Time in the House

QUESTION TIME in the House is one of the bulwarks of the citizen's liberty and independence. Since the day in 1835 when printed notice was first given of a Question in the House of Commons (though the first Question was asked more than a century earlier in the Lords) Members have displayed an ever-increasing amount of many-sided curiosity about Ministers' discharge of their responsibilities.

While a Minister is never bound to answer a question, it is obviously to his interest to do so if he can, and Question Time is consequently the occasion for the release of a vast amount of information about every form of governmental activity to the House and to the public.

As a matter of history, much earlier, Members who demonstrated such an interest by inquiring, for instance, into the expenses of the King's Household, found that their desire to obtain information that had not been volunteered brought them nothing but abuse, in fact it is said that one such inquirer landed in gaol for his pains !

But to-day, Britain alone among the great nations of the world has established this right for all Members of Parliament. Nowhere outside the Empire are Ministers required to submit to daily and direct catechising, and foreign legislators who visit the House are aghast when they see any back-bencher exercising the right to put down a Question, which within forty-eight hours will

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bring the holder of even one of the most important seals of office in the Cabinet to face him on the floor of the House and almost certainly make some sort of answer. Not only this, but the Minister can be asked supplementary Questions of which he has had no notice.

Even in the United States Ministers cannot be questioned in this way, because they are responsible more to the President than to the Senate or House of Representatives, and except to make a statement they do not attend sittings in either of the chambers.

In the House of Commons both sides use Question Time, which is the first hour of the sitting on the first four days of the week, to extract information from the Government; back-bench Members of all parties, in particular, use it to peer into any matter about which they are dissatisfied or suspect something wrong. And if any Minister ever tried to bluff it out with a nebulous, smart, or cutting answer, he would soon find such methods to be charged with political dynamite.

In many cases the Member asking a Question is either an expert on the subject concerned or has studied it beforehand, and for that reason any Minister takes risks if he fails to make himself master of his Department's work; there are few such subjects on which some Member of the House has not intimate knowledge, and this goes far towards keeping Ministers and departments up to the mark.

The system of question and answer has another advantage, in that it enables the Government to know what matters are disturbing the people, as well as letting the people know how far the Government can justify its actions.

Questions may be put down for either oral or written answer, printed notice being given in either case; in

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certain circumstances a "Private Notice Question" may be put, also for oral answer. Oral, or "starred," Questions are handed in at the Table, or sent to the Table Office, two clear days being allowed to elapse between receipt by the Clerks and the day on which an answer is required.

Let us take an Oral Question through its normal course: someone—worker, employer, housewife, shop-keeper, pensioner—is seized with the importance of some apparent injustice or uncertainty. He puts it before his Member of Parliament, who, if there is no ready answer, can either take it up personally by letter to the Minister concerned, or exercise his right to ask a Question.

If he decides to ask a Question he reshapes the inquiry into correct form, writes it out, puts a star at the top to show that it is to be answered orally, indicates to which Minister it is addressed, dates it for the day on which he wishes it to be answered, signs it and gives it to the Clerk at the Table or in the Table Office, and in doing so he assumes full responsibility for any statement implied in the Question. Perhaps he wishes to know what the President of the Board of Trade is doing about the shortage of children's rubber boots, in which case his Question will look like this:

ORAL QUESTION FOR THURSDAY, 6TH NOVEMBER

To ask the President of the Board of Trade whether he is aware of the acute shortage of rubber boots for children, and whether he will take steps to make an adequate supply available in the near future.

(signed) A. BLANK.

The Clerks at the Table will examine the Question to see that it does not infringe any rules of the House.

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The first and most important of these lays down that a Minister may only be asked about a matter for which he is officially responsible to Parliament. Secondly, the Question must genuinely either ask for information or press for action (the ingenious questioner, it may be noted, can usually manage to give a good deal of information without breaking this rule). Thirdly, a Member must make himself responsible for the facts on which his Question is based, and cannot, for example, ask for confirmation of a newspaper report. Further rules protect the Sovereign, friendly governments, persons in authority and cases still subject to judicial decision, and forbid vagueness, frivolity and the use of Questions for purposes of advertisement.

So many Questions are put down that Ministers have a rota whereby each in turn answers his Questions first on one particular day, and on another day second, and so on. From sixty to eighty Oral Questions are answered each day, but when No. 45 is reached those to the Prime Minister are answered, either by himself or the Lord President of the Council, or someone deputising for him. When these have been answered the other Ministers continue, but to be certain of getting an answer on a particular day Mr. Blank has put down his Question for the day when the President of the Board of Trade is first or second on the list. Otherwise it may not be reached, and though he will still get his answer, sent to him in writing and published in Hansard under Written Questions, it will not be answered orally, and he will not be able to ask a supplementary Question.

When the day comes he takes care to be in his place at Question Time. If he is not there when called, again it will be treated as a Written Question. The Speaker,

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reaching Mr. Blank's name on the list, calls him by name, as "Mr. Blank". He then rises and asks his Question by saying: "Question Number (8) to the President of the Board of Trade" (if the Minister has already begun answering Questions Mr. Blank need only give the number).

The Minister moves to the Table and reads out his answer, which has been prepared by his Department but which he has personally noted before coming to the House. Perhaps he replies: "An increased allocation of rubber for this purpose has now been made, and an increased supply of these boots will be available shortly."

Up to this point the procedure is somewhat mechanical, but having heard the answer, the Member has a right to ask a Supplementary Question. Mr. Blank may get up again and ask whether the Minister could be more specific and say what he means by "shortly", or whether he can say exactly what percentage this increased allocation amounts to, or whether the boots will only be in larger sizes or smaller ones.

The Minister has had no warning of any of these Questions, though the Department tries to foresee possible supplementaries and gives him answers to a few likely ones, for not only Mr. Blank but another Member after him may ask a supplementary on the same Question.

But if facts or figures are asked for that he does not possess at that time he usually replies: "I should like notice of that Question." The Member may then put it down for a future day. Sometimes three or four supplementaries are permitted, if Mr. Speaker considers the matter of sufficient importance.

In a few instances Questions may be asked of private

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Members, who answer for bodies not represented by a Minister in the House, such as the Charity or Ecclesiastical Commissioners. A Question about catering arrangements may be asked of the Member who is Chairman of the Kitchen Committee.

Questions may also be asked of Mr. Speaker himself, but these are Private Notice Questions, and do not appear on the Order Paper. They are usually asked to resolve some uncertainty regarding a rule of the House or point of order.

If two or three Questions happen to be very similar the Minister may answer them all together—which does not deprive any of the Members concerned of the opportunity to ask a supplementary.

Sometimes the answer to a Question consists of tabulated information and figures, in which case the Minister cannot be expected to read out the complete statement, but says: “As the answer is rather long, I will, with the hon. Member’s (or my hon. friend’s) permission, circulate it in the official Report.” This means that it appears in Hansard under Oral Questions.

A Minister can decline to answer a Question if it is not, in his opinion, in the public interest to give the information asked for. He can also decline to reply to a supplementary if it is pointless, or merely a comment in the form of a question, to which no answer is expected. No debate is allowed at Question Time. Everything a Member says must be a Question, though it may only be: “Why?”

A Minister may try, in a difficult situation, to fob off a questioner with an irrelevant reply. But if a Member is not satisfied with an answer he will call the Speaker’s attention on a point of order (though no point of order is really involved) and give notice that

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owing to the unsatisfactory nature of the Minister's reply he will "raise the matter on the Adjournment at the earliest possible opportunity".

Immediately after Questions he leaves the Chamber, goes to the Speaker's office and puts down a request for an opportunity of raising the matter on the motion for the Adjournment of the House when normal business is over, seven or more days hence. Probably several other Members have put down similar requests, and a ballot is drawn daily to decide who shall have the Adjournment half-hour. This ballot is always drawn seven days ahead, and if a Member is unsuccessful he goes on putting his name down every day until at last he chances to be lucky.

When that happens, he takes care to be in his place on the appointed day. The moment the business of the day comes to an end, no matter what the time may be, he rises in his place and the Speaker calls him. He then makes a speech of about fifteen minutes on the subject in question on which the Minister's answer failed to satisfy him. Another Member may second this in a brief statement of a minute or two, and then the Minister or his Parliamentary Secretary attempts to answer or more fully explain the situation. The entire proceedings have to be completed in thirty minutes, ending with as much debate as there is time to include. No vote can be taken, but the Minister may take the opportunity to announce some decision or make a statement about what his Department is doing.

Word values mean a great deal in both Question and Answer in the House, and sometimes Ministers try to ignore some particular aspect of a question, but Members rapidly become almost as skilled in this

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means of side-stepping a knotty or thorny question as are the Ministers or their Departments, and if an issue is slurred over or a pertinent inquiry deliberately avoided it indicates that something is not as it should be, and it is almost axiomatic that the questioning Member will see to it that more is heard of the matter. The whole House is alert to such incidents, and before long another Member will ask a Question dealing with another facet of the situation, thereby compelling the Minister to give the nation, through the House, the desired information.

Once a Question has been accepted by the Clerk at the Table (who acts under the Speaker's authority) and is on the Order Paper there is no way of stopping it, except by its actual withdrawal by the Member who put it down—which he may do up to within about two minutes of its being called, by going round quietly to the Clerks' Table and asking that it be withdrawn.

He may wish to postpone it if he sees that the time for answering is getting short and his Question is not likely to be reached, for in that case, unless he withdraws it it will receive a written answer. And once a Question has been answered, either orally or in writing, he cannot further question the reply on a future day unless he is abnormally ingenious in his wording. To attempt to conduct an argument by means of Questions is out of order.

No Member may put down more than three Oral Questions for one day, though he may do this for every one of the four days each week on which Questions are answered.

Written Questions usually refer to matters that are not controversial but upon which a Member desires detailed information, often statistical, and these only

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require one day's notice and may first appear on the Order Paper on the day they are answered. Members may ask as many of these as they like, but they usually limit themselves to about three on any one day. They are sent in in the same form as that of Oral Questions, except that there is no star and they are called "Written" instead of "Oral".

Private Notice Questions must be on matters of "urgent public importance" and are answered on the day they are handed in, but must be delivered early that morning to the Speaker's office and a copy sent to the Minister concerned. Mr. Speaker personally examines all such Questions and decides whether they are urgent. If he approves them, he calls the Member at the end of Question Time. The Member then rises and says: "I desire to ask the Minister of so-and-so the following Question, of which I have given him Private Notice", etc. A serious accident, a flood, a disturbance, or some important action by a Minister, would justify this form of Question.

Except in the case of important debates, Question Time attracts more attention from the Press and frequently provides more interest to visitors than the rest of the sitting, and sometimes gives a cartoonist material with which to lampoon a Minister in the Press. It is easier to avoid pitfalls or unwanted publicity when making a considered statement than when answering Questions, especially supplementaries !

Ministers and their Departments, even when backed by a huge majority, take note of the trend of Questions and take the opportunity to correct minor causes of dissatisfaction or attempt to justify them. It is not uncommon for a Minister to ask a Member of his own party to put down a prepared Question so that in

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answering it he can state facts that he wishes to make known.

Again, if one of the Opposition has a vital Question to ask, the leaders of his Party are often informed, and one of them who has had ministerial experience of the subject in mind will probably ask a very pertinent supplementary.

Almost anything under the sun can be asked, from a query as to whether native children in some part of the Empire are excluded from a state-aided school, to the reason why Mrs. Jones has not received her old-age pension, provided, of course, that a Minister's responsibility is involved. But experience has shown that matters of an individual character are best raised by letter to the Minister or a Written Question, unless they are symbolic of problems that are troubling many people.

So by all the different ways of asking and answering questions the process is used as a vehicle by both Government and Opposition Members, as well as Ministers, to dispel illusions, explain uncertainties, remedy injustices and reassure the public, forming a valuable safety-valve and a swift method of calling attention to wrongs otherwise overlooked.

As a former Clerk of the House, Sir Courtenay Ilbert, put it:

A Minister has to be constantly asking himself, not merely whether his proceedings and the proceedings of those for whom he is responsible are legally and technically defensible, but what kind of answer he can give if questioned about them in the House, and how that answer will be received.

Undoubtedly, without Questions in Parliament, much that is known to-day would remain undisclosed,

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and there are not a few who, in times of difficulty, believe that the period allowed for Oral Questions should be increased.

Research for the facts essential to ensure the accuracy of a Minister's answer is one of a Department's most exacting tasks, and woe betide any Civil Servant who fails to provide his Minister with correct data. Thus Questions are an invaluable part of the day's work in the House, and are steadily gaining importance as the public becomes more politically minded.

A hundred years ago an average of one Question a day was asked in the House. At the moment about 120 Questions of all types are asked each day !

How Laws are Made

“As it is the law, it must be obeyed.” Such is the traditional attitude of law-abiding Britishers, and to know how those laws are made is the right of those who, willing or unwilling, have to conform to them.

Parliament is Britain’s law-making machine, and the raw material of a law is a Bill, introduced either in the Commons or in the Lords. A Bill—so called when introduced in the House—is the draft of an Act, once it has received the Royal Assent it becomes an Act of Parliament and is then placed on the Statute Book. The contents of this so-called book as it stands to-day cover the whole gamut of British human action—even to the extent nowadays, some of us feel, of encroaching upon our thoughts !

The first actual law recorded in the Statute Book was the Statute of Merton, laid down in 1235 and so named because it was drawn up at the Priory of Merton in Surrey (the clergy did most of the clerical work in these days). It was mainly about the conditions governing ownership of land, requiring amongst other things that landlords should not imprison trespassers found within their parks and bounds. Another item concerned the illegitimacy of children born before marriage.

It was a long time before the Commons were permitted to have much to do with the making of laws, though they had a lot to do with proposing the basis of legislation. Originally their status was that of humble

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petitioners, asking that laws be made or existing ones modified, and pleading for the redress of grievances. They had no direct hand in the actual making of laws until the fourteenth century, when by the Statute of York, 1322, it was laid down for the first time that the consent of the Commons was necessary before laws could be passed.

Even after this there was difficulty in enforcing their authority, which was theirs in theory but was often disregarded in kingly practice, and it is on record that in 1414 the Commons were again asking for the right to be the assenters and approvers of Bills as well as petitioners. Without this right they were helpless against the autocratic attitude of kings of the Middle Ages, who would often either unwittingly or deliberately change the wording of a petition to suit their point of view before converting it into law. They asked, therefore, that "there never should be no law made which should change the sentence and intent asked." After which the King, Henry V, agreed that they should be entitled to resist laws that had been made "contrary to their own petition."

All the same, right down through the fourteenth and into the fifteenth centuries, laws were made almost entirely by the King in counsel with his Lords, who advised him and made it their business to influence his decision as far as they could. Throughout, the real power of the Commons lay in the fact that they could in the last analysis refuse their consent to the grants of money requested by the King for any purpose, and which they had largely to supply, until he had heard their complaints and satisfied their needs. This was the origin of the famous phrase "Grievances before Supply".

HOW LAWS ARE MADE

The Commons' persistence and ultimate success in establishing their authority were a logical step towards the form of a Bill as we know it to-day, and by the latter part of the fifteenth century Bills were passed not only by the consent of both Lords and Commons, but also "by the authority of the same". Thus the consideration and endorsement of both Houses had become essential to the passing of a law.

In 1689 the Bill of Rights settled the relationship between King and Parliament, and defined that it was illegal for the King to ignore or dispense with laws. From that time the King could not make laws, though he still held certain Royal prerogatives, most of which are still held by the King to-day. For example, theoretically he still has the right to refuse his assent to a Bill, though no sovereign has attempted to do this since Queen Anne, over two centuries ago.

The consent of the Commons was now recognised as essential before a Bill became an Act, but their position had still to be more clearly defined, to prevent that principle being got round by devious ways, such as by the issue of an Ordinance or a Proclamation. In 1766 George III, pushed by Lord Chatham, issued a Proclamation forbidding exports of wheat to be shipped from British docks. That year the harvest had been bad and no doubt the King's intentions were good, but his action generated such a commotion in Parliament that no such arbitrary action has ever been taken again on those lines.

To-day, as a Bill progresses through its many stages, much Parliamentary time and an infinity of effort may be expended. In fact the consideration of new laws and changes in existing ones form by far the largest section of an M.P.'s work. It is only by examination,

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debate, modification and improvement that proposed legislation is converted into workable law and exercises its appropriate influence on our individual and national life.

Bills may be divided broadly into two classes, Public and Private. The latter, which are intended to confer statutory powers on particular persons or bodies of persons (such, for example, as local authorities or statutory companies) and are often local in character, are dealt with on page 60. Provisional Order Bills, whose object is similar to that of Private Bills, are technically Public Bills, but are usually included with Private Bills in the general category of "Private Business". It should be noted that "Private Members' Bills" are Public Bills, differing only from Government Bills in that they are introduced by back benchers and have not the advantage of being included in the category of "Government Business".

All other Bills which are not so classified under this heading as Private Bills, are Public Bills, including Money Bills, which are governed by special conditions and are referred to in the chapter on Finance.

How is the idea of a Bill conceived? Very often it comes about through a Minister having taken careful note of public feeling on a particular subject. He listens to Members complaining in the House by the various methods open to them; he receives petitions and protests; he recognises that some existing hardship calls for alleviation, or that progress in one direction or another is overdue. He then calls for advice from various authorities, sets up a departmental committee or two to investigate the situation and report back to him, and when he is convinced that action is needed he has a draft Bill prepared, which is submitted to the

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Cabinet as a whole and is proposed to form part of the legislative programme for that or the next year. The Leader of the House, whose responsibility it is to allocate the time available for legislation, arranges a time for its introduction in the House.

Normally a Government Bill is formally presented to the House for its first reading after Question Time on the appointed day, the Minister handing a "dummy" of the Bill, endorsed with his name and that of several other members of the Government, to the Clerk, who reads out the title. A date for the second reading is then announced. This first reading is a strictly formal matter. No explanation of the Bill is given, nor is it actually read at all, and there is no debate. It is then "ordered to be printed" and from that time on it takes its place among the "Orders of the day," which means that it is in the Parliamentary machine, and copies are available at the Vote Office, for any Member to read and study.

A few days later, after due notice, the second reading is announced on the Order Paper, and on this occasion, after Questions and preliminary business are over, the Minister first reads out his Motion: "I beg to move, that the Bill now be read a second time," and then proceeds to give a somewhat elaborate description of the Bill and explains its justification and purpose. A leading member of the Opposition replies first, calling attention to any omissions and criticising the proposals. The Opposition may have put down a Reasoned Amendment, or a Motion "that the Bill be read this day six months" (see p. 104).

Usually a ding-dong debate follows in which several back benchers are able to take part, advocate and critic alternately succeeding in catching the Speaker's

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eye. If the Bill is a controversial one, as a Government Bill generally is, this goes on right through the afternoon and evening until about an hour and a half before the end of the sitting. At this point a leading member of the Opposition summarises his Party's attitude, based largely on the speeches already made, and the debate is wound up with a final speech by the Minister or his Parliamentary Secretary in an endeavour to answer more or less the points and criticisms raised from both Government and Opposition benches.

At the same time it is not unusual, if the Bill is a difficult one, for the Minister to indulge in the Parliamentary subterfuge of trying to avoid giving definite replies to many of the harder criticisms. Some Ministers are adept at so handling a second reading speech that listeners gain little knowledge or satisfaction. But in the main, Ministers find it easier and in the end a saving of time to make a genuine effort to be lucid and definite.

Unless the Bill receives general agreement a division is taken at the conclusion of the second reading debate, which invariably results in a victory for the Government, due to the majority that put them in control of Parliament. Government Whips have made it their business to see that supporters will be present to vote, and when the desired result is announced by the Speaker, the Bill has had its second reading and can go forward to the next step along the path to becoming a law.

This is the committee stage, at which the Bill is referred to one of several kinds of committee for detailed examination. All Bills, with the exception of Bills imposing taxes and Consolidated Fund and Appropriation Bills (see Chapter 6) are automatically sent to a Standing Committee, the composition of which

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is explained in Chapter 10, but it is open to any Member to move that such a Bill be committed to a Committee of the whole House, or to a Select or a Joint Committee.

The general practice is that, with the exception of the financial Bills mentioned above, which are automatically committed to a Committee of the whole House, the majority of Bills are considered by Standing Committees, while Committees of the whole House deal also with Bills of great constitutional importance and small Bills which are so uncontroversial that they can be relied on to get through with little or no discussion at all. The method of the Select Committee or the Joint Committee is reserved for Bills which need an inquiry accompanied by the taking of evidence from witnesses, a procedure for which a small committee is eminently suitable. Bills which have been thus dealt with are afterwards recommitted to a Committee of the whole House.

The duty of the committee in each case is to consider the Bill clause by clause, line by line, even word by word, together with amendments, which may be put down in great numbers by the Government and by the Opposition. The Chairman has, however, complete discretion in the selection of amendments for consideration by the committee. Any amendment that would either alter the principle of the Bill or change its proposals drastically would not be accepted.

The amount of time spent in committee on a Bill depends entirely on its length and complexity and on the degree to which it is opposed. Such proceedings may be completed in a few minutes, or may last for weeks. After the committee has completed its work the Chairman "reports" it to the House, that is, he informs the House that the committee has been through the Bill and has made amendments or not, as the case may be.

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The Bill is then reprinted with all the amendments agreed to in committee, and comes back to the House for further detailed consideration in what is called the report stage. This, though always taken on the floor of the House and not in committee, is conducted on much the same lines as the committee stage, and a Member, either a back bencher or the Minister himself, who failed to carry an amendment through in the previous stage, is entitled to try again with a similar amendment at the report stage, though an amendment defeated in committee is not often accepted when brought forward again.

What does happen frequently is that the Minister takes advantage of the report stage to introduce amendments of his own that he thinks will improve the Bill and make it more acceptable to the House and to the public. Many amendments are very minor ones, merely clarifying a clause or a phrase, and are accepted without debate, but many others lead to a division, and the House may be kept trooping in and out of the lobbies several times before the report stage is over.

After the report stage the Bill is again reprinted with amendments, and finally comes up for its third reading, again taken in the House. At this stage only the fundamental principles of the Bill can be debated, not the details, and at the close of the debate, if the measure is still opposed, a vote is taken which gives it final approval or otherwise.

At the conclusion of this third reading, if approved, the Clerk of the House is ordered to carry the Bill to the Lords and desire their concurrence. Before doing so he writes on the document the ancient, formal phrase in Norman French: "*Soit baillé aux Seigneurs*" (Let it be delivered to the Lords).

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In the Lords the Bill goes through the same stages, but usually at greater speed. Sometimes substantial amendments are made, except in Money Bills, which the Lords have no power to change. After this the Bill comes back for the further approval of the Commons, and the House proceeds to consider the Lords' amendments. They are generally sound and are accepted by the Commons, but if not, as a rule either the Lords do not adhere to them, or a compromise is accepted by both Houses. These sittings on the Lords' amendments are usually arranged late in the evening when most of the regular day's work of the Commons is over, unless they are of major importance. The Lords also endorse the document when returning it to the Commons, their phrase in Norman French meaning: "To this Bill, with amendments, the Lords have agreed."

This procedure completes the passage of the Bill, and it now merely awaits the Royal Assent to become law. All Bills awaiting the Royal Assent are kept by the Clerk of the Parliaments, the Lords' equivalent to the Clerk of the House—again with the exception of Money Bills, which are brought back to the Commons for the Speaker to carry to the Lords in person and present at the Bar of that House.

The ceremony of the Royal Assent to Bills is a distinctive and solemn occasion. As a rule several Bills receive the Royal Assent at one time, to avoid too frequent interruptions of the work of the Commons for this purpose, and invariably it is carried out by the Lords Commissioners on behalf of the King.

Black Rod is sent from the Lords to the Commons to desire their attendance for the purpose of receiving His Majesty's Assent to certain Bills. He may arrive at any time, no matter what is happening, perhaps in

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the middle of an important speech or debate, but the House immediately interrupts its business while the Speaker, accompanied by members of the Government and any back benchers who care to go, proceed to the Bar of the House of Lords. Here three Lords Commissioners await them, seated on a bench between the Woolsack and the Throne.

As the title of each Bill is read by the Clerk, the Royal Assent is pronounced in the Norman French formula which has been used for many centuries. To a Money Bill it is: "*Le Roy remercie ses bons sujets, accepte leur benevolence, et ainsi le veult.*" For other Bills it is simply: "*Le Roy le veult,*" or to a Private Bill: "*Soit fait comme il est désiré.*"

Private Bills usually take up only a small part of the time of the House although they may involve rate-payers in considerable expense. In substance they go through the same procedure as a Public Bill, but most of the work is done in committee upstairs, where any objections raised by opposing authorities or private persons affected are heard. The second and third readings are more or less formal affairs, after which the Bill goes to the Lords, and receives the Royal Assent in the same way as do Public Bills. During the war few of these measures were brought in, such development work being practically at a standstill, but they are coming in more frequently as the work of reconstruction goes on.

Provisional Orders may in certain cases be used instead of Private Bills, the procedure being both quicker and cheaper; the Order is made by the appropriate Minister, after an inquiry has been held by his representative in the district concerned, and is then embodied in a Provisional Order Bill. This Bill follows

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much the same procedure in the House as a Private Bill, but as the preliminary inquiry has already afforded an opportunity for objections to be heard and considered, it is usually unopposed and receives the Royal Assent in a much shorter time. The Statutory Orders (Special Procedure) Act has established a further procedure, under which Orders are made by Ministers for certain purposes and presented to both Houses, where they are subject to a motion for annulment ("a prayer") within a limited period, after which they become law. Interested parties can object by means of a petition, which is referred to a Joint Committee for consideration.

Prior to 1939 many valuable Bills were introduced by Private Members either by means of the Ballot or, more rarely, by taking advantage of the Ten Minutes Rule (see p. 107).

The procedure with such Bills is that after winning his chance in the Ballot or arranging for time under the Ten Minutes Rule, the Member is given a date for the second reading. He leaves his seat when called by the Speaker and carries his dummy Bill, bearing the short and long titles, to the Clerk, who reads out the short title and announces the date of the second reading.

It is not an easy matter to produce a Bill. Unless it complies with the rules of the House it is not allowed to proceed, but the Member responsible invariably gets advice in this respect. The chief things to take care of are that the long title covers the contents, and that the main object of the Bill is not to impose a charge upon the taxpayer or upon public funds.

Before the war, when many such Bills were introduced, they were not all conceived by the Members themselves. A man who had won his chance in the Ballot might have no Bill of his own to bring in, in which case he

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might bring in one on behalf of an unsuccessful colleague, or get a Bill ready drafted from his Whips, who always had several for this purpose. There were also outside groups or organisations anxious to get a Bill brought in by any Member who would do it for them if he thought it desirable. Preparers and sponsors of these Bills, or representatives of the firms that prepare them, were frequently to be found in the lobby. They could, if desired, prompt Members who were trying to pilot a Bill through the House, with information that would be useful in speeches or comments or as answers to other Members. In short, there were plenty of people about who were ready to act in a capacity similar to that of Civil Service advisors to a Minister bringing in a Government Bill.

Such authors of Private Members' Bills are not in the House when the Bill is presented, unless the Member gets a seat for them in the box on the right of the Speaker, in which Civil Servants sit when assisting Ministers with Government Bills. A. P. Herbert gives an excellent and amusing account of how he brought in his Marriage Bill, in his book *The Ayes Have It*.

When a Bill is introduced in the Lords it goes through the various stages first in the Lords and then in the Commons, though it is not necessarily proceeded with in the Commons—which means that it may lapse. But normally a Private Bill goes through without difficulty, and if the Government desire a Public Bill to be taken up the Clerk of the House is told accordingly, and the Bill is then recorded in the Votes as having been read a first time and the day for second reading appointed, after which it proceeds through the ordinary stages and is returned to the Lords.

The Lords can reject a Bill sent to them from the

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Commons, but the Parliament Act, 1911, lays down that if a Public Bill (other than a Money Bill) is passed by the Commons in three successive Sessions, whether of the same Parliament or not, it shall on its third rejection by the Lords be presented to the King and shall become an Act on the Royal Assent being given, provided that not less than two years elapse between the original second reading in the Commons and the final rejection by the Lords. A Money Bill, however, that is a Bill which is wholly concerned with finance, may receive the Royal Assent in not more than a month after the Commons have passed it, without the necessity of securing the agreement of the Lords, and without the Lords having been able to amend it. While, therefore, the Commons may (and sometimes do) ignore a Bill sent to them by the Lords, a Commons Bill sent to the Lords will eventually become law whether the Lords agree to it or not, provided that the Commons are prepared to insist on it in the form in which they originally passed it.

In 1947 a Bill to amend the Parliament Act was passed by the Commons; its text is as follows:

A

B I L L

TO

Amend the Parliament Act, 1911.

BE it enacted by the King's most Excellent Majesty, A.D. 1947
by and with the advice and consent of the Lords
Spiritual and Temporal, and Commons, in this present

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Parliament assembled, and by the authority of the same, as follows:—

1. The Parliament Act, 1911, shall have effect, and shall be deemed to have had effect from the beginning of the session in which the Bill for this Act originated (save as regards that Bill itself), as if—

- (a) there had been substituted in subsections (1) and (4) of section two thereof, for the words “in three successive sessions”, “for the third time”, “in the third of those sessions”, “in the third session”, and “in the second or third session” respectively, the words “in two successive sessions”, “for the second time”, “in the second of those sessions”, “in the second session”, and “in the second session” respectively; and
- (b) there had been substituted in subsection (1) of the said section two, for the words “two years have elapsed” the words “one year has elapsed”:

Provided that, if a Bill has been rejected for the second time by the House of Lords before the signification of the Royal Assent to the Bill for this Act, whether such rejection was in the same session as that in which the Royal Assent to the Bill for this Act was signified or in an earlier session, the requirement of the said section two that a Bill is to be presented to His Majesty on its rejection for the second time by the House of Lords shall have effect in relation to the Bill rejected as a requirement that it is to be presented to His Majesty as soon as the Royal Assent to the Bill for this Act has been signified, and, notwithstanding that such rejection was in an earlier session, the Royal

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Assent to the Bill rejected may be signified in the session in which the Royal Assent to the Bill for this Act was signified.

2.—(1) This Act may be cited as the Parliament Act, 1947.

(2) This Act and the Parliament Act, 1911, shall be construed as one and may be cited together as the Parliament Acts, 1911 and 1947, and accordingly subsection (1) of section four of the Parliament Act, 1911 (which specifies the words of enactment to be inserted in a Bill presented to His Majesty under that Act) shall have effect with the substitution of the words “the Parliament Acts, 1911 and 1947” for the words “the Parliament Act, 1911”.

The situation created in 1910 by the introduction of the Parliament Bill in the Commons was critical and quite unprecedented. Its essence is contained in the following passage from the autobiography of Sir John Marriott, a Member of Parliament at that time:

The question in 1910 was, would the Lords pass the Parliament Bill? The Government said that if they rejected it they would ask for a dissolution, but only after extracting a promise from the King to swamp the House of Lords, if necessary, by the creation of peers.

At the height of the constitutional crisis (May 1910) King Edward suddenly died. Political controversy was momentarily hushed, and an honest attempt was made by the leaders on both sides to reach, by a conference, an agreed settlement. The conference, though at first promising success, ultimately broke down, and pressure was then put upon a King new to the throne to give the promise required of him by his Ministers. The King was placed in a cruel situation. A pistol was (metaphorically) held at his head, and he was told, in effect, that if he did not yield to the

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demand of his ministers his own position on the Throne would be endangered. The memorable interview between King George V and the two ministers, Mr. Asquith and Lord Crewe, took place on 18th November 1910. The King gave his undertaking; the General Election held in December made practically no change in the position of parties: the Radicals and Unionists got 272 seats apiece and the Irish Nationalists remained masters of the situation.

The form of a Bill is always the same, except that the Preamble, the section that describes the reasons and intentions of the Bill, is now usually omitted from Public Bills; these are however often accompanied by an explanatory memorandum.

A Bill is known by its short title, printed at the head, which is used as a convenient brief means of reference. It begins with the long title, which gives the general meaning and purpose of the Bill. Next, but usually only for a Private Bill, comes the preamble, and following this the enacting formula, as follows:

Be it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

The exceptions to this are Consolidated Fund, Finance and Civil List Bills, in which the enacting formula is preceded by:

Most Gracious Sovereign, We, Your Majesty's most dutiful and loyal subjects the Commons of the United Kingdom in Parliament assembled, towards making good the supply which we have cheerfully granted unto Your Majesty in this Session of Parliament have resolved to grant unto Your Majesty the sum hereinafter mentioned; and do therefore most humbly beseech Your Majesty that it may be enacted, etc.

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This is because the granting of money for any purpose is the responsibility and prerogative of the Commons. Apart from this the main part of the Bill is laid out in numbered clauses, each with a marginal note, and arranged in such a way as to expound the chief purpose and principles of the Bill in the opening clauses. After the clauses, schedules may follow containing matters of detail dependent on the provisions of the Bill. Most Bills which do not qualify as Money Bills do cause a certain charge on public funds, which has to be authorised by a "Money Resolution" agreed to first in Committee of the whole House and then, on report, by the House itself. The relevant sections of the Bill are printed in italics when it is introduced, and cannot be considered in Committee until the Money Resolution has been reported and agreed to by the House.

Such, in substance, are the form of our laws, and the way in which they are prepared and considered to enable them to be developed from Ministerial or privately prepared Bills into the laws of the land. The whole procedure with all its variations and complications, too numerous to explain in this small book, has been built up through the centuries and is still subject to constant revision. It is mainly to carry on this task that general elections are held, M.P.s elected and OUR HOUSE sets to work.

The Rules of Debate

LOOKING down from the gallery, a visitor to the House of Commons must often be impressed by the care and respect shown by Members for some code of procedure, obscure at times to the layman, by which behaviour and actions in the House are obviously conducted.

Certain words are uttered quietly by the Speaker, and everyone conforms to his ruling in a manner probably unequalled in any other assembly in the world.

When a Speaker is elected in a new Parliament he always emphasises in his address to the House the value, though by no means the inevitability, of "the cut and thrust of debate". This is the real essence of House of Commons discussions, and when kept within the prescribed bounds, that is, free from irrelevant or personal allusions, is never checked.

Most debates take place on some proposal of the Government, either a Public Bill in one of its several stages, or on some important issue that is before the country. Or it may be on a Motion put down by the Opposition to secure the judgment of the House on the results of some action already taken by the Government. After the Budget a debate lasting several days is held on the proposals it contains, and the same thing happens after the King's Speech at the Opening of Parliament.

A debate begins with the moving of a Motion, which is a proposal made by some Member, whether Minister or back bencher, that a certain course of action be

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adopted or a certain judgment expressed by the House. After this has been moved, and seconded where necessary, the Speaker "Proposes the Question", that is, he reads the Motion to the House. The debate follows and at the end the Speaker formally "puts the Question", that is, he again recites the words of the Motion, and invites Members to express their opinion by saying "Aye" or "No"; if neither side is prepared to let the matter be settled thus (by deferring to the louder cries on the other side), he orders the division bells to be rung so that a vote can be taken.

A Member wishing to speak in debate may rise in his place at any time after the Question has been proposed from the Chair and before the final decision, but he may speak only if the Speaker permits him to catch his eye and calls him by name. The fortunate Member then directs his speech to the Chair, and he holds the floor until he sits down, unless he is interrupted on a point of Order, when he must sit down until this has been settled. During his speech another Member may rise to ask him a question on some point he is making, but he does not have to give way to this interruption unless he wishes to do so. It is better for him if he does, unless the interrupter is merely being frivolous, because otherwise he invites further interruptions. Knowing when to give way and when to ignore interruptions is a matter of courtesy, good judgment and experience.

In most cases interruptions are legitimate and are accepted. If a Member feels that his own speech is being misunderstood or misquoted by someone speaking after him, he naturally wishes to call attention to this and get it cleared up, for it is much more difficult to do so later on.

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Here is an instance of Members calling each other to Order. It is taken from Hansard, 25th June, 1947 (the debate was on the Electricity Bill, with the House sitting in Committee, as a financial clause was being discussed. An Amendment had been moved by Mr. R. S. Hudson, and the Deputy-Chairman, Mr. Beaumont, had just called on Mr. Raikes to speak, but before he could begin another Member raised a point of Order):

Mr. McKinlay: On a point of Order. The right hon. Member who moved this Amendment drew the attention of the Committee to the fact that the hon. Member for Wavertree (Mr. Raikes) was an officer of the Municipal Corporations Association. If the hon. Gentleman is an officer of the association, is he going to declare his interest?

The Deputy-Chairman: The hon. Member must wait and hear what the hon. Member says.

Mr. McKinlay: Further to that point of Order. This is not the first stage of the proceedings of this Bill. I am informed that no declaration has been made in Committee.

The Deputy-Chairman: I am concerned only with the proceedings now and not what happened before.

Dr. Morgan: With due respect, am I to understand from you that on a point of great importance involving a Member's interest in a Bill, you are ruling definitely on proceedings to-night, not having regard to the fact that it is alleged that in previous discussions on the Bill the hon. Member has spoken and not disclosed his interest?

The Deputy-Chairman: It is quite impossible for me to judge that matter because I am not aware of what occurred before. We must wait and see.

Mr. Gallacher: If I committed anything suspected as an offence, what a howl there would be from the other side. If there is any question at all that the hon. Member has acted in a way that is not in keeping with the recognised rules and procedure of the House, if there is any doubt, he

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should not be allowed to speak further on the Bill until that doubt has been effectively settled.

The Deputy-Chairman: So far the hon. Member for Wavertree (Mr. Raikes) has not said anything at all and, therefore, is completely in Order. I now call upon the hon. Member for Wavertree to speak.

Mr. James Hudson: With great respect, I was a member of the Committee and heard the speeches, being quite a regular attendant, and, as you say, Mr. Beaumont, we have not had information upon the point. I want to assure you that there has been no revealing up to this stage of the point which has only come out in the House to-night regarding the hon. Member's special connection with the organisation that we are now discussing. I put it to you that the hon. Gentleman has discussed this matter in Committee without any knowledge being given of his special interest.

The Deputy-Chairman: The one thing that seems to be very well known to hon. Members is the interest of the hon. Member for Wavertree. I have no knowledge of this, but even if he does not declare his interest he is still entitled to speak.

Mr. Raikes: After all this discussion, I am afraid I shall have to dispel the anxieties and fears of certain hon. Members opposite. It is a duty that any Member discussing any Measure in which he has any financial connection should disclose that financial interest. I have no financial interest whatever. My connection with this particular organisation simply amounts to this, that I was made a vice-president of the association of Municipal Corporations, Liverpool branch, as a local M.P. Indeed, until I received the letter referred to (by Mr. Hudson) I did not even realise that I was a vice-president.

The matter was then agreeably cleared up, and the Deputy-Chairman suggested politely that perhaps the Committee could get on with the debate.

This passage illustrates several things: (a) If a point

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of Order is raised it is dealt with at once. (b) When a Member has any sort of pecuniary interest in a matter which is the subject of legislation, that is, a personal interest and not one shared by the public generally, he has certain definite obligations to the House. He may discuss it, but may not vote upon it. Erskine May says:

Members interested may propose a motion or amendment. Although a Member interested is disqualified from voting he is not restrained by any existing rule of the House from proposing a Motion or Amendment.

And (c) If a Member questions any expression or comment made by the Chair he always prefaces his remarks with the words: "With great respect . . ."

In this case, although the point of Order arose from a misunderstanding, it was a genuine point of Order in that the situation needed clarification, and Members had a right to be informed of the facts.

A Member may speak only once on each Question or Amendment on which a Debate takes place but can in special circumstances speak again, with the consent of the House. A Minister in charge of a Bill often speaks or answers queries several times in the course of a debate on his proposed measure, and a back bencher piloting a Private Member's Bill is allowed this same privilege. When the House is sitting as a committee any Member may speak as often as he likes, if he can catch the Chairman's eye, though pointless and frivolous comments are frowned upon by the Chair and the House.

Practically every debate to-day is opened by a Minister with a speech of three-quarters of an hour or more, and this is answered by an ex-Minister of the "Shadow

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Cabinet" in the Opposition by a speech of equal or greater length, and in view of the fact that the winding-up process at the end takes nearly as long, it means that of the total time available something like three hours are taken up by Ministers and ex-Ministers making set speeches. Assuming that the average time of a back bencher's speech is fifteen minutes, twelve to sixteen is the average number that can "get in" even on a very important Bill, and when one enthusiast overlaps and takes half an hour someone else is crowded out.

Reading of speeches is not allowed, but in practice Ministers may read theirs, while any Member may have notes, and when the subject is a technical one he may bring in papers and books from which to reinforce his arguments. You will often see a Member happily strewing such material around him on the bench in readiness, other Members obligingly moving up to give him plenty of room.

Men gain distinction in the House by all sorts of means, and those who were in the House with Harry Crookshank between the wars will never forget his remarkable resource in debate. It developed out of an almost perfect knowledge of procedure. No matter what embarrassment the party might be involved in, he would know some perfectly proper way in which to circumvent an adverse decision. In fact he brought to his party a widening of opportunity that is rarely enjoyed and is always of the greatest value.

The rules of speaking apply to all forms of deliberation in which a Member takes part and, as at Question Time, there are several subjects to which he must not allude.

He may not quote or refer to speeches made in the

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Lords in the current Session, nor make any comments on members of the Royal Family unless the debate is for that purpose. He has to be cautious in alluding to another debate or another Bill under discussion; nor may he question any previous decision of the House unless he is moving a prayer that it be rescinded. Certain rules of courtesy must be observed in speaking of other friendly nations. He may not utter treason, speak offensively, comment on judicial decisions, or make personal reflections on other Members or persons not present, such as Civil Servants. If he does wish to make an observation regarding the work of Civil Servants he must refer not to them but to the Minister of that particular department, who is responsible.

A Substantive Motion is the only way of raising a question, so that the House may record its opinion, on the conduct of members of the Royal Family or the holders of certain high offices. The persons referred to are the Sovereign and other members of the Royal Family, Governors-General of the Dominions, the Lord Chancellor, the Speaker, the Chairman of Ways and Means, certain judges, and Members of either House of Parliament. This kind of Motion must be a self-contained proposal, embodying a definite criticism or suggestion submitted for the approval of the House, and drafted in such a way as to be capable of expressing the decision of the House when the question is put at the end of the debate. Previous notice must be given, and a seconder is required to support the Motion, unless it is moved by a member of the Government or a Privy Councillor. But no seconder is needed to a Motion made in committee.

The Motion heard every day in the Chamber, "that this House do now adjourn," is called a Dilatory

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Motion when moved in an attempt to interrupt or delay the business in hand. In this event it is often used as an occasion for demanding a statement of some sort from the Minister in charge of the business, though the Speaker can put the Question without allowing any debate to take place, or he can even refuse to accept the Motion at all if he thinks it is moved for the purpose of obstruction. The Motion for the Adjournment is regularly moved at the end of the day's proceedings, when half an hour's debate is allowed to take place on any subject which a Member may care to raise, so long as no question of legislation is involved.

A Member must not obviously obstruct public business, though this can be and is done in several ways and can still be in order. He may, for instance, find opportunities for causing many divisions, each of which takes from ten to fifteen minutes, and he may try to speak at great length with the same purpose, particularly if he is co-operating with other Members pursuing the same tactics, to delay, and if possible prevent, a Bill getting through the House in the time available. But he must observe the rules by conforming strictly to the subject in question, and must not repeat what others have said—nor repeat himself. If he does not keep the rules of order he will quickly be called to account by the Speaker, and by the House, for, needless to say, the other side of the House is trying with equal determination to prevent the obstruction of their measure. But these delaying tactics are useless where the guillotine closure is being used (see p. 84).

Some men acquire a great facility of language, and it is the duty of the Speaker to stop a man occupying the time of the House when saying nothing of any

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importance. But I remember one older Labour Member who had been so used throughout his life to haranguing great gatherings, and keeping them in order, that he could, and would, talk for twenty minutes in the House about anything in the world at a moment's notice, and not get out of order.

Such ability may be useful to a party when they are short of speakers and are liable to have a division called on them at any moment, because a division will not be called in the middle of a speech, and if they can get a man talking for twenty minutes it gives the Whips time to telephone around and call in all the Members available to vote. It may also be useful if a party wants to talk a matter out—which is taking it right to the time when the House has to rise, and thus prevent a vote being taken at all.

Rules also exist for those who are not speaking. These are more or less the ordinary rules of considerate behaviour. A Member may not unduly wander about, shuffle, hiss or clap. He must leave the Chamber quietly, and may only walk between the Speaker and a Member who is making a speech if it is quite unavoidable, in which case he stoops, to avoid obstructing the Speaker's view. He may step across the Chamber to speak to someone else, but only to give or receive information helpful to the matter in hand. He must not obviously read books, letters, or newspapers, and though there is a rather fine line between essential and casual reading, the distinction is soon understood and scrupulously respected.

On the floor-level of the Chamber there are only enough seats for about two-thirds of the Members, so when an important debate is on they crowd behind the Speaker's Chair, stand at the Bar, or sit in no little

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discomfort on the gangway steps. At any time a Member may stand at the Bar for a short time, but if his foot is over the line of the Bar he is standing in the Chamber and is out of order.

Another borderline item is the Silence Rule, which in theory forbids talking, but there are occasions when Members do confer with each other on the subject of debate. They must not allow their conversation to interrupt or annoy a Member who is making a speech, and if they do, shouts of "Order, Order", soon put an end to it. Here again the elasticity of the rules is a natural provision. It would be ridiculous to expect hundreds of men and women to sit in the House for hours at a time without saying a word to one another, and it is up to a Member to make his speech sufficiently interesting to justify the undivided attention of the House, if he can.

In a real case of "grave disorder" in the Chamber the Speaker has the authority to adjourn the House at once without putting the question, and he can suspend the sitting for a time to be named by him. It was so adjourned in 1787, after Richard Brinsley Sheridan's speech accusing Warren Hastings of plundering the Begums of Oude.

Speakers are men of much understanding, and I recall many times when the atmosphere of the House was becoming unduly tense, and the Speaker, with that sense of humour and patience for which he is usually famed, would look round the Chamber and allow to catch his eye one of those men equipped by nature to be witty and amusing, in order to break the strain and get the House back again into its normal serenity.

I remember a man we once had in the House who was

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almost stone-deaf and carried a small apparatus about with him, and sometimes he appeared to be laughing uproariously all by himself—which led to the rumour that his sound box included a small radio set that he alone could enjoy! There are no rules to meet such situations, but isolated and unorthodox incidents of this kind are treated with understanding.

Of course, if a Member is dull and heavy in speech-making he cannot expect a rapt audience, unless he chances to be a great authority on a special subject, and there is no obligation on others to stay and listen if they don't want to. In each of the many rooms members use in the House when looking after their own affairs, writing letters, preparing speeches and so forth, there are indicators which show who is speaking and what is taking place in the Chamber itself, and divisions are unmistakably notified by the shouts of the policemen and the ringing of electric bells.

In a normal debate, at about nine or a quarter past the Leader of the Opposition winds up for his side, leaving the Government spokesman anywhere from half to three-quarters of an hour to wind up for the Government and answer as many of the points raised as he feels able or willing to do.

Now the debate arrives at the moment of decision. The Speaker rises and puts the Question in the same terms as the Motion:

“The Question is, that the Bill be now read the third time.”

By the shouts of the “Ayes” and “Noes” he decides which, in his opinion, has a majority, and says: “I think the ‘Ayes’ (or the ‘Noes’) have it”. Again the two sides shout “Aye” or “No”, and if this continues he orders the lobby to be cleared. Strangers, *i.e.*

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visitors, in the lobbies around the Chamber must then leave, and the exit doors of the lobbies are locked. Division bells are heard throughout the House, and policemen cry "Division !" At the end of two minutes the Speaker again puts the Question, and if "Ayes" or "Noes" cease to shout the division is off, but if not the division goes on, and Members go to the lobby in which they have decided to vote.

Two Tellers are appointed for the "Ayes", and two for the "Noes", and the Speaker announces the four names. These are usually selected from the Whips, two from the Government side and two from the Opposition. A Teller for the "Ayes" and a Teller for the "Noes" take up their positions by the exit doors of each lobby, which are then unlocked. At the end of six minutes from the Speaker's order to clear the lobby the entrance doors from the Chamber are locked. The Members file out through the exit doors after giving their names to a Clerk at a desk in the lobby, and are then counted by the Government Teller as they come out. The counting is checked by the Opposition Teller, and when all the Members are back in the Chamber and the four Tellers have agreed on the figures, they give these to one of the Clerks at the Table. He writes them on a sheet of paper and hands it to the Teller for the winning side.

The Tellers then return to the Chamber, and line up before the Table, facing the Speaker, who rises. When he says: "Order, Order," they bow in unison, take one step forward, bow again, and hand the paper to the Clerk, who passes it to the Speaker. The Tellers return to their seats, and the Speaker announces the result to the House. Outside the Chamber an attendant then announces: "Unlock !" and non-members may

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re-enter the Members' lobby, which has remained closed to them during the division.

An old rule about divisions is that Members may not wear hats. It is supposed to have been imposed when some Members used to walk through the division lobby, hurry out, pull their hats over their eyes and go in again at the other end, so as to record two votes for their party!

If a Member is unable by some infirmity to go into the lobby he may be counted in the Chamber, but this is very rare. Occasionally a Member who hurries in late may find himself voting in the wrong lobby, and there are one or two ways of putting this right, but his best course is to get out by the near entrance as quickly as he can and vote in the right one!

When the two sides of the House are fairly equal in numbers, the system of pairing for divisions is a useful practice if a Member finds it difficult to be in the House at that particular time. Pairing means that a Member who wants to leave the House finds a Member on the opposite side who also wants to leave, and both inform their Whips that they are jointly going away, so that neither will be there to vote until the time at which both have agreed to be back.

There are two Members in the House, one an old knight on the Socialist side and the other an equally old Tory, both of whom have been in the House for over twenty years, who have agreed to pair every night from ten o'clock onwards unless they warn each other in advance that they intend to stay.

There are occasions when the political divisions of the House do not count. This is when the issue before the House is on some moral, non-political matter, such as a proposal to abolish the death penalty. It is then

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arranged through the “usual channels”—which means the Whips of all Parties in collaboration—that the question will be put to a free vote of the House.

In this any man is entitled to vote as his conscience alone guides him, with no regard to the views of the rest of his party, and the Whips take no notice whatever. If he attempts to do this on other occasions he certainly does not enhance his popularity with his Whips, though there are times when all Members take their own line.

A quorum of the House is forty Members including the Speaker, and once having satisfied himself that a quorum is in the Chamber when he takes the Chair, Mr. Speaker leaves it to the Members to call attention to the absence of a quorum if they wish to do so.

If someone draws his attention to the fact that a quorum is not present the Speaker announces this to the House, orders strangers to withdraw from the lobbies around the Chamber and from seats below the Bar, and the division bells are rung. At the end of two minutes the Speaker counts the House, and if there are still less than forty, and if the time is after four o'clock (or one o'clock on Friday), the House is adjourned for the rest of the day. If it is before the time named, he leaves the Chair and returns at four (at one on Friday), unless he is told earlier that a quorum is now present.

No count is taken between 7.30 and 8.30, or on Fridays between 1.15 and 2.15, except if a division is called, and if a quorum does not attend at once for this, the business in hand stands over until next day, and the next item is called. Once a count has been taken, and a quorum re-established in the Chamber, no further count will be granted by the Chair for about an hour, even if practically everyone goes away. To

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call a count is often quite a useful procedure, adopted when a Minister or a Member wants to delay or prevent a decision being taken.

Secret Sessions are only held when matters of great importance to the State, but which it is not "in the public interest" to disclose, have to be announced or discussed in the House. The Prime Minister enters the Chamber and says: "I spy strangers," at which signal all the galleries are cleared, every non-member except the Clerks at the Table and the Serjeant-at-Arms being required to leave the Chamber.

No record whatever is kept of these secret debates. The frankest statements and disclosures are made, and the frankest comments uttered by Members, but what is said is never repeated. It is interesting that with all the hundreds of men in the House who attended as many as sixty of these debates during the war, there was never a leak.

Like every other organisation, the House of Commons has rules of procedure both written and unwritten; the written rules are known as the Standing Orders of the House. They control generally the conduct and form of debates, and the behaviour and rights of Members. Like everything else, they are subject to revision if successfully challenged by a majority vote of the House, but many of them have stood for about a century, and the earliest of them dates from the year 1707.

In addition to these it is customary, where matters are more or less in the development stage and not covered by existing rules, to make Sessional Orders which apply for the Session only in which they are made. These are closely watched to see how they work. If satisfactory they are made Standing Orders, and if not

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they are either modified until they are successful or they are dropped entirely.

One function of the Standing Orders is the allocation of time for the various business of the House, including time normally allowed to Private Members. Certain business is exempted from the Standing Order which provides for the interruption of business at ten o'clock (four on Fridays), and can continue after the normal hour of rising. This includes certain forms of Money Bills, Reports of the Committee of Ways and Means and of other Committees of the whole House authorising expenditure, but not the Committee of Supply, and Motions commonly known as "prayers" for the annulment of Statutory Instruments, and other forms of delegated legislation.

Other business can be exempted from the same Standing Order by a resolution agreed to at the commencement of the business of the day and for that day only. The Motion is "that the proceedings on (description of business) be exempted at this day's sitting from the provisions of the Standing Order (Sittings of the House)." This may not be debated, and if it is not agreed to a division follows immediately. It usually means a division, as the Opposition naturally does not want to be kept late in the House to pass a measure of which it does not approve, and if the result of the division is a victory for the "Ayes" you can be sure the debate will probably go on far into the night, or even all night.

Although a Government with a secure majority can always be sure of getting its Bills and other business through the House sooner or later by this device of prolonging the sitting, so as to ensure that the business will not be interrupted before it is finished, various

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other methods are available for curbing discussion and preventing obstruction. The best known of these is the Closure. This consists of a Motion that the question before the House be now put—*i.e.* that a decision be now reached without further debate. If this proposal for an immediate closure is considered reasonable by the Chair, it is immediately put to the House, and if it is supported by a majority consisting of not less than 100 Members it is carried, and the question which was being debated is accordingly put forthwith. This rule also holds good in a Committee of the whole House and, with the figure 20 substituted for 100, in a Standing Committee.

Another means of curbing discussion is the Allocation of Time Order, or “Guillotine.” This is a schedule, the details of which are often the subject of prolonged discussion when submitted by the Government to the House, prescribing dates and times at which the various stages of a Bill or other business shall be completed; the Chair is directed to put the questions necessary to dispose of the matter under discussion at the times stated, and consequently the business is completed within the period laid down, whether each section has been fully discussed or not.

Such devices for securing the punctual completion of business are approved by Standing Orders, but they are unpopular in the House, particularly with the Opposition, and are usually only resorted to if the Government’s programme is inordinately congested. In handling debates, and in regulating all procedure, experienced men of all parties do not forget that the party in control to-day may be the party in opposition in the near future.

I remember “Jimmy” Maxton, as everyone knew him, putting this point in his own distinctive way

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during one of the all-night sittings after the financial crisis of '31. Jimmy was speaking in the early hours on one occasion when things were not going as he felt they should, and he turned with that gesture that was strictly his own, using his two long index fingers side by side as he so often did, and said :

“Now, you tall Members, you select tall lamp-posts, and you little ones select little ones, because we are going to hang the lot of you when we get into power.”

Poor Jimmy, with his little band of I.L.P.s, never got into power, in fact the party dwindled until it was almost non-existent, but his memory will always be fresh and bright amongst all those who knew him in the House. The moment he sat down he would roar with laughter about something or other. But he could be serious, and many times during the war, when the situation was exceedingly tense, he made contributions of sound sense and real value.

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SINCE civilised times began, there has never been a satisfactory system of government that was not founded on a sound financial system. A nation's currency may be based on gold or, like Britain's, consist largely of paper money only partly backed by gold, but depending in reality on the nation's true assets of character, wealth and credit.

If money is frittered away, either by individuals or nations, there inevitably comes a time when the irresponsible users are overtaken by trouble. For that reason the guardianship of national finance is one of the main tasks of the House of Commons.

All through our history finance has been the cause and basis of more legislation than all other problems put together. In early times, kings were almost uncontrolled in their demands for and use of the money provided by the nation in the form of taxes, direct or indirect. But since 1407, when Henry IV agreed to money grants being decided by the Lords and Commons before he was officially informed of the amounts, the Commons have held special rights in all matters affecting the public purse, and have clung to them with resolution.

Taxes can only be imposed by consent of the Commons, the House of Lords having only an advising position in the matter. It is accepted that the people provide the money in the first place and should have

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the controlling voice, through their representatives in Parliament, as to how it should be obtained and how used. Governments vary in their skill in handling finance, but acting as watchdog is traditionally the chief responsibility of the Commons, though this function has tended to receive less attention in recent times.

Originally the country's revenue was of two kinds: "ordinary revenue", being the feudal dues paid to the King on account of the land, all of which at that time was considered as belonging to him, and with which money he ruled the country; and "extraordinary revenue", being money collected from the people in taxes, and more often than not needed to pay the expenses of going to war.

In theory, until the latter part of the seventeenth century, all the resources of the State belonged to the King, and in theory he could do as he pleased with it. Both before and after that earliest outstanding effort in 1215, Magna Charta, to restrain the King from imposing taxes without the consent of those taxed, the raising of money for the purposes of the State was always a matter of dispute.

The King had, of course, to look after the upkeep of the machinery of State, such as it was, and the Courts. And though he had the use of money from many sources it was never enough to meet all demands, especially in time of war, and a certain amount of taxation was inevitable.

Parliament's declared function was to have the final word in the examination of and consent to the amount he should call for, and if he overstepped the mark his action brought Parliamentary resistance and criticism upon his head with unfailing speed. But gradually this

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somewhat primitive system was changed, and in 1689 the Bill of Rights made it literally impossible for a monarch to impose taxation on his own unsupported authority, and further, made the King's income separate from the State's revenue.

In that year William and Mary came to the throne and were granted £600,000 a year for their expenses. This too was something of a misnomer, as out of this large sum the King had to provide the salaries of Judges, Civil Servants, and Ambassadors sent to foreign countries.

During this period the Commons made the existence of the Army dependent on an annual Mutiny Act, which provided the money to maintain this force. It was done with the object of preventing the Crown from exercising military authority without Parliament's consent, and incidentally had a further collateral effect, as it meant that unless Parliament met we had no Army !

Nowadays the annual income of the sovereign is settled at the beginning of his reign, in what is known as the Civil List. This Civil List also includes allowances paid to other members of the Royal Family, and is a definite charge on the Consolidated Fund, not appearing in the Budget but paid automatically, though by Act of Parliament at any time the amounts can be increased or reduced.

Other amounts charged to the Consolidated Fund, so that they are kept entirely out of party politics, are the salaries of the Judges, the Speaker, the Leader of the Opposition, the Comptroller and Auditor-General, the Judge Advocate General, and payments made to Northern Ireland.

The term Consolidated Fund applies to a system established by William Pitt in 1787, and it now forms "that reservoir into which all revenue flows and from

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which all expenditure issues". It is the Government Account, kept at the Bank of England, and is called the Exchequer Account, or for brevity simply the Exchequer. When first established the fund was about nine million pounds, and an odd farthing, which was carefully carried over from year to year until at last in 1855 some reckless Civil Servant managed to write it off.

The Civil List is considered by a House of Commons Select Committee, and when worked out and agreed to by the House its provisions are given statutory authority for the entire reign. Allowances are made to the Heir to the Throne and other children of the King and Queen when they come of age. No provision was made for any special marriage allowance to the Princess Elizabeth, and when her wedding took place the King notified Parliament that he did not wish the Princess's allowance to be increased, but would for the time being use for her some of the savings that had accumulated in the Civil List during the war.

Under the present arrangement the King's income is £410,000 a year, covering H.M. Privy Purse, salaries and retired allowances of members of H.M. Household, current household expenses, the upkeep of the three private residences, Sandringham, Balmoral and the Royal Lodge at Windsor, and the Royal Bounty, such as the Maundy Money and the three guineas paid to parents in respect of triplets.

Here is a copy of the Civil List Act:

CIVIL LIST ACT, 1937

Most Gracious Sovereign,

Whereas Your Majesty has been graciously pleased to signify to your faithful Commons in Parliament

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assembled that Your Majesty placed unreservedly at their disposal those hereditary revenues which are so placed by your Predecessor.

Now, therefore, we, Your Majesty's most dutiful and loyal subjects, the Commons of the United Kingdom in Parliament assembled, have freely and voluntarily resolved to make such provision as hereinafter appears for the purpose aforesaid.

<i>Classes of Expenditure</i>	<i>Sum appropriated £</i>
I. His Majesty's Privy Purse .	110,000
II. Salaries of His Majesty's Household and Retired Allowances .	134,000
III. Expenses of His Majesty's Household	152,800
IV. Royal Bounty, alms and special services	13,200
	410,000

Other annual allowances are: Queen Mary £70,000; Princess Elizabeth £15,000; The Duke of Gloucester £25,000; The Princess Royal £6000. Princess Margaret will be entitled to £6000 at the age of twenty-one.

Our national income is largely provided by taxation, proposed by the Chancellor of the Exchequer and approved by Parliament. Sir Erskine May, the great authority on Parliamentary procedure, put it in these words:

The Crown acting on the advice of its responsible Ministers is charged with the management of all revenues of the country. The Crown makes known to the Commons

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the pecuniary necessities of the Government, and the Commons grant such supplies as are required to satisfy these demands, and provide by taxes the ways and means to meet the supplies which are granted to them. Thus the Crown demands money, the Commons grant it, and the Lords assent to the grant.

All financial business is originated by the Crown, that is, by the Government. A Minister acting on behalf of the Crown initiates the first stage of every financial proposal, and no back bencher may move a motion or an amendment, or introduce a Bill, imposing or increasing a charge.

The next stage is that the House must form itself into a Committee with the Chairman of Ways and Means in the Chair instead of the Speaker, in order to agree to a Resolution authorising the expenditure or taxation desired. This may be the Committee of Supply, to consider the Estimates, or regular expenditure of the Government departments, or the Committee of Ways and Means to authorise the payment of money from the Exchequer to meet the Estimates, and also to authorise taxation; or a special committee formed solely for the purpose of authorising the expenditure occasioned by some Bill under consideration by the House. In each case the Resolution, if agreed to, is reported by the committee to the House itself, which must agree to it before the expenditure or taxation is considered in the Bill and becomes legalised on the Bill becoming an Act of Parliament.

It should be observed that although plenty of opportunity is provided in this way for Members to discuss money matters, both in Committee of the whole House and in the House when considering money resolutions, as well as in discussing Bills dealing with

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finance, in practice many of these opportunities are not used, or are used for the purpose of discussing Government policy and administration rather than pounds, shillings and pence.

Our financial year begins in April. Before this, soon after the New Year, the Estimates for the various departments, including the Navy, Army and Air Force, are presented to the House. These Estimates, which have been carefully examined by and have to be approved by the Treasury, show how much money the departments consider essential for their work during the coming financial year. They are arranged in five sections, dealing respectively with the Navy, Army, Air Force, Civil Departments and Revenue Departments—the latter being those departments, including the Post Office, whose main function is to receive, rather than spend, money.

The main consideration of the Estimates takes place in the financial year to which they relate, that is to say after the beginning of April, but before that date it is necessary for the House to ensure that sufficient money is available for the work of government to be carried on without a break. For the Civil and Revenue Departments this is done by means of a "Vote on Account"—a composite sum which includes a sufficient proportion of each department's total estimate for the year, in round figures, to enable the department to carry on until the Appropriation Act is passed at the beginning of August. This "Vote on Account" is first approved by the Committee of Supply and then agreed to by the House, on Report.

At about the same time the Estimates for the three fighting Services are considered, and an adequate sum in respect of each is voted in the same way.

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When the House has agreed to these "Votes on Account" for the purposes in question, it goes into Committee of Ways and Means, in order to vote a sufficient sum of money out of the Consolidated Fund, *i.e.* the Exchequer, to meet these needs, and finally a Consolidated Fund Bill is introduced to give legislative sanction to the whole process, so that when the first of April dawns Government expenditure for the next four or five months, so far as it can be foreseen, has been duly authorised by Parliament.

During the same period (from April to August), if the House approves expenditure on some new service and it is thought advisable to start this at once, the Treasury can provide the initial amounts needed, from the money granted by the Consolidated Fund Act.

At the same time the House settles down to consider the finances of the year in detail. The first step is the introduction of the Budget by the Chancellor of the Exchequer. This takes place in Committee of Ways and Means, into which the House again resolves itself in order to consider how the money is to be raised to meet the total amounts of the Estimates. In his Budget Statement, as it is called, the Chancellor discusses the state of the nation's finances during the financial year just concluded, and then discloses how he proposes to meet the needs of the coming year by increasing or reducing the various taxes.

This is an occasion for the discussion in general terms of financial policy, and is one of the great days, if not the greatest, of the Parliamentary year.

In normal years one Budget is introduced, but in times of crisis such as war, or financial difficulties such as we endured in 1947, a second or even a third Budget may be brought out in the same year. Thus

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extra Budgets may be needed for two reasons: to raise more money for the use of the Chancellor of the Exchequer, or as part of the Government's policy to check inflation.

The Budget Statement given to the House in April, disclosing the nation's financial situation and proposing measures to meet it, is kept an absolute secret until it is given in the House of Commons, to prevent it being made the basis of Stock Exchange speculation. It has been contended that leaks have occurred, and due to inadvertence this has on rare occasions been the case, but I believe it has never been done for personal gain, and any apparent pre-knowledge is more likely to be nothing but intelligent anticipation. Those who follow the Treasury's financial operations through the year, and are closely connected with industry and the money market, can often foretell approximately what may happen, and it is impossible to prevent this.

When the Chancellor has prepared his Budget, there is no doubt that he should and does keep in close contact with the Prime Minister and a very few of his most intimate Cabinet colleagues. But he does not disclose his full plan even to them until just before presenting it in the House, perhaps as late as the morning of Budget Day.

As a rule the Budget affects almost every person in the country, and on that day every Member's and visitor's seat in the House is taken by 2.30 P.M. At one time Members used to wait all night to put a card on their seat to ensure a place, but that enthusiasm has waned. Nowadays most Members appear some time between eight and ten o'clock in the morning to mark their seats, and those who do not will probably have to stand behind the Speaker's Chair or the Bar, or even

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at the back of one of the galleries, if they want to hear the Chancellor's speech.

On this day Questions are rather hurried over, and promptly at 3.30 P.M. the Chancellor steps forward to the Table with his historic red box—the one used by Mr. Gladstone—in his hand, and opens his Budget. This expression “opening the Budget” was used in the eighteenth century when the Chancellor brought his Budget tied up in a linen bag. When a Budget is to be introduced the House turns itself into a Committee of Ways and Means, the Speaker leaves the Chair, the Chairman of Ways and Means sits at the Table with the Clerks Assistant, and as the Speaker leaves with the Clerk the Serjeant-at-Arms goes to the Table and places the Mace in its racks below, to show that the House is in committee.

No preliminary persiflage comes before the speech. The Chancellor usually plunges straight ahead, beginning by recapitulating the year's expenditure. One or two pertinent catch phrases are often introduced which give a name to the Budget for future reference, such as the famous People's Budget of 1909.

Some of the provisions of the Budget take effect directly the speech is over and the Chancellor sits down, and for that reason he reserves news of new taxes, or the remission of old ones, until after the Stock Exchange is closed for the day, to prevent any gambling between the moment of making such statements and the moment when he resumes his seat. He talks for about an hour and a quarter.

Seldom does anyone leave the Chamber during that time. The Chancellor has a glass of water or something else, possibly medicinal, to help him through his speech, which is a vocal endurance test. Some Chancellors

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seem to enjoy the suspense they create, but others I have known treat the matter on the basis of an important but friendly explanation in which they desire to take the House into their confidence. The delivery and presentation of this speech is more revealing of the nature of the speaker than any other statement he may make in the course of the year.

When he does sit down the Leader of the Opposition makes a few complimentary, non-committal remarks, and a few other Members say a few words, but usually the House rises early, every Member wishing to study the Budget statement in detail and keep his comments for another day. New Members often feel they must protest and criticise right away, but the more experienced know better. The Chancellor has chosen his words meticulously, and they often bear a subtle or unexpected meaning not obvious at first hearing.

A number of Budget Resolutions have to be passed after the Budget on the same day and immediately become operative, to allow the business of the nation to be carried on.

The question on each of these Resolutions, except the last, has to be put without debate, and they accordingly come into force soon after the end of the Chancellor's speech. The succeeding debate takes place on the final one on the Amendment of Law.

Here, chosen for its brevity, is one of the twelve Resolutions of the second Budget of 1947, on 12th November:

8. Resolved: "That an excise duty of ten per cent. of the stake money shall be charged on pool betting (including coupon and other similar betting and totalisator betting) except betting by means of a totalisator set up on an approved horse racecourse by or under the authority of

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the Racecourse Betting Control Board, and any Act of the present Session giving effect to this Resolution may contain provisions consequential on or incidental to the preceding provisions of this Resolution ”.

The twelfth and final Resolution, which was read on 19th November when the debate was over, was simply :

12. That it is expedient “To grant certain duties, to alter other duties, and to make certain Amendments in the law relating to the Public Revenue ”.

After these Resolutions have been agreed to by the Committee of Ways and Means they are reported to the House, which must approve or reject them without debate; on their approval the Financial Bill is introduced.

The Finance Bill is one of the longest and most important Bills of the year, its purpose being to turn into law the proposals outlined in the Budget, including those which became provisionally operative at the conclusion of the Speech.

All revision of taxation comes in for thorough review in the debate on this Finance Bill, and amendments by the score are put down by the Government and its supporters as well as the Opposition. The Bill is founded upon the Budget Resolutions, and its provisions imposing, renewing, or increasing taxation must not go beyond the scope of these Resolutions. It must become law by some date in August, when the amounts provided by the Consolidated Fund Act will be running out, and also to provide the necessary confirmation of the Budget Resolutions.

If the Government is defeated on any important section of the Bill it is customary, though not obligatory, for it to resign and ask the country's approval or

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otherwise of the matter in dispute. In troubled times such as we have had in the last half-century the Budget can have its effect on every industry and every person in the country. Nothing is too small to be made subject to some tax or another.

But the passage of the Bill has its lighter aspects. Many Members trot out some particular amendment they have long wanted to introduce. Amendments on unimportant items are not often accepted, but their introduction becomes a habit, and a man gets known for his familiar pet proposal. One former Kentish Member used to put down every year an amendment that would have had a slight effect on the manufacture of beer, and when after twenty years' membership he retired, on account of age, it was still unaccepted by any Chancellor.

To "move the Speaker out of the Chair" may sound rather a useless procedure, but it is by doing so that the House forms itself into a committee. This procedure is a relic of the days when the House looked upon the Speaker as the King's nominee and therefore preferred to discuss finance in the greater freedom possible in his absence.

Ordinarily when the Speaker leaves the Chair for the House to go into committee he does so without formality, but on four occasions in the year, that is, on first going into Committee of Supply on the Navy, Army, Air and Civil Estimates, he actually puts the question "That I do now leave the Chair", and amendments are moved to the question. This practice preserves the ancient principle that the Commons insist on their grievances being heard before Supply is granted to the Crown. A ballot is previously held among Members for the right to move the amendment

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on each occasion; the successful Member's name is called after Question Time, and he must then announce the subject he desires to raise. For example:

“When going into Committee of Supply on the Air Estimates I will raise the question of British Aircraft in the Pacific Bases and move a Resolution.”

The amendment is usually critical of some aspect of Government policy regarding the service in question, and it must be either rejected or withdrawn before the House can go into committee.

Twenty-six days are allowed for the Committee of Supply to consider the Estimates, Supplementary Estimates and certain other matters; most of these days occur during the spring and summer, the remainder during any other time of the year. It is usual for the Opposition to choose the subject or service to be discussed on most of these days, and amendments are often moved to reduce the amount to be voted; sometimes the amendment takes the form of a motion to reduce by £100 the salary of the Minister responsible, in order to signify dissatisfaction with his policy or administration. Such a motion is usually withdrawn after the debate that follows, but it serves the purpose of calling attention to any departmental deficiencies.

Finally the year's expenditure is authorised in what is called the Appropriation Act, by which money is appropriated from the Consolidated Fund to meet the nation's expenses. This Act, which is introduced as the Consolidated Fund (Appropriation) Bill, is passed just before the House adjourns for the summer recess. Parliamentary authorisation to collect taxes is made in the Finance Act, though it has been made legal to collect these before the Act is ratified. It used to be done without authority as soon as the Budget had been

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read, but in 1913 Gibson Bowles, M.P., sued the Bank of England for collecting taxes on his income before the Finance Act had been passed. The High Court upheld his contention that this was illegal, and his action led to the Provisional Collection of Taxes Act, 1913, which put the procedure on a correct legal basis.

In running the nation's finance the Cabinet acts in the capacity of Board of Directors, and back benchers hold watching briefs to see that they live up to their responsibilities. As in any good business the accounts are examined by an independent accountant, in this case the Comptroller and Auditor-General, appointed by the Crown. He checks the accuracy of all figures and sees that each expenditure is charged to the right department and that in the departments money is used for the purpose intended. Money allocated to the Ministry of Health for housing must not be used for providing clinics, for instance.

As a further check, when the Comptroller's report is presented, it is examined by the Public Accounts Committee, composed of fifteen Members and presided over by a member of the Opposition. An Estimates Committee also exists, sitting more or less continuously to consider the Estimates submitted by the various departments, and recommend economies if it can.

In all matters pertaining to the Finance Bill the Chancellor of the Exchequer is strongly guided by precedent. But now that the Bank of England has been nationalised it may well be that the Cabinet will feel it desirable to make changes in the present system, for the Governor of the Bank of England occupies a rather different position from that of his predecessors. He is to-day a servant of the State instead of an independent authority as in the past, and will be called upon

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for special reports instead of for advice. Though there may be little difference in form there may be much in spirit !

The last time the Finance Bill was held up instead of being passed by August of the same year was in 1909, when the Lords refused to pass it. This led to two general elections and the Parliament Act of 1911, under which Money Bills can be neither altered nor rejected by the Lords. When a Money Bill is sent up to the Lords the Speaker has to give his certificate that it is a Bill of this specific type.

So far the annual provisions and passing of this Bill have successfully accomplished their purpose. But we cannot live without doing business with other nations, both buying from them and selling to them, and paying our own way.

Two staggering wars have led to a period of extreme uncertainty that has gone near to straining our financial resources beyond endurance, and there never was a time when more hawk-eyed scrutiny was needed to ensure that our external and internal position in finance is sound and stable. Their responsibility for the nation's credit should always be uppermost in the minds of those in Parliament, for should our magnificent, traditional quality of absolute reliability ever be questioned, our status amongst other nations would be jeopardised, perhaps beyond recovery.

Means of Protest

THOSE who follow the situation in Parliament, either from a visitors' gallery or through the columns of the Press, must often become so incensed about some action or policy, that they want to know how a Member of Parliament, or for that matter a member of the public, can protest against any proposal which they consider undesirable.

Everyone, whatever his politics, agrees that Members of Parliament must be allowed the widest freedom of speech, comment and criticism, for they speak both for themselves and for their constituents.

This right of free speech is fundamental to such a democracy as ours. Without it we should have no system of checks and balances to ensure that the voice of the nation, through its elected representatives, is heard, respected and considered.

Few Parliaments in the world have so many or such easy methods of probing the weaknesses of legislation and registering dissatisfaction. And this facility of protest is by no means the exclusive function or prerogative of the Opposition. Members of all parties, though most are in general agreement with their own party's policy, often feel the need for modification of new or existing laws, even their total abolition, and to give free play to such constructive criticism Parliament has through long experience, by trial and error, established a variety of ways whereby the

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individual member can make his voice heard and his influence felt.

Nearly every law imposes a duty on someone, or restricts his freedom of action in some way, and in consequence there is usually some person who objects to a Bill either in whole or in part and can persuade a Member to take up his cause in Parliament, and to use one or more of the opportunities provided by the rules of the House to give expression to his views.

Even when a Bill has become an Act of Parliament, after being examined, considered, re-drafted, amended, criticised and voted upon (possibly several times), should any of its provisions prove unworkable, or result in unforeseen hardship in application, amending Bills can be passed to remedy these faults.

Possibly the simplest form of protest open to a Member is an Oral Question in the House. Not only does it invite and usually receive an answer within two or three days, but if it voices a just complaint that can and should be remedied it can bring equally quick results. And if the answer given discloses an unsatisfactory situation, the matter can be further ventilated in a debate on the Adjournment.

Again, if a matter of special importance and urgency needs immediate attention any Member can ask a Private Notice Question, which is answered on the same day, without more than a few hours' notice.

An even more spontaneous protest is often made by means of an interruption of proceedings in the Chamber "on a point of Order". This means that the Member raising the point is convinced that some rule of procedure or Standing Order of the House is being transgressed. No matter who is speaking—unless it is a new Member making his maiden speech, at which time

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the House extends to him the courtesy of an uninterrupted hearing—anyone, from the Prime Minister downwards, may be interrupted by another Member rising in his place and calling out: “On a point of Order, Mr. Speaker”. He is then allowed to give his reasons for the interruption, and the matter has to be cleared up before the business in hand can proceed.

I believe a good many laymen assume that when a Bill is being debated a Member has only to “catch the Speaker’s eye” to be able to get up at any time and make a speech of protest. On the other hand, some think he can object to a Bill only by voting against it at its second reading, or during the committee, report and third reading stages. But other means of influencing procedure have been developed, not only less uncertain of recognition but more effective. Critical comments alone are inadequate, and equally a flat vote against a Bill is undesirable if the proposed measure contains a large amount of good. Members may therefore move Amendments to a Bill, either to improve its provisions or clarify its wording. A Minister often moves Amendments to his own Bill during its passage through the House. Any Amendment of a minor sort which obviously improves without greatly altering a Bill is usually carried without a division, but more important Amendments with the intention of radically modifying its provisions are often put to a vote.

When an important Motion, or a second or third reading of a Bill is before the House, the Opposition may bring forward a “Reasoned Amendment”. It is moved at an early stage of the debate, supported by the names of a number of leading and possibly other members of the Opposition, and sets out clearly their reasons for objecting to the Motion or Bill as it stands.

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Sometimes a Reasoned Amendment is moved for the entire rejection of a Bill, when the Opposition are so completely and categorically opposed to it that they wish to state their objections in this form. The following is a Reasoned Amendment moved by the Opposition to the second reading of the Parliament Bill, 1947:

That this House declines to give a second reading to a Bill which, without mandate, justification or public demand, seeks to destroy the constitutional safeguards embodied in the Parliament Act, 1911, when no complaint has been made to deal with the composition of the Second Chamber which that Act laid down as an essential condition of further reform; and at a time when the immediate consequence can only be to distract attention from the economic perils with which the country is confronted.

More frequently if the Opposition want to reject a Bill entirely they move, at the beginning of the second reading, that the Bill be read a second time “this day six months”. This sounds a somewhat roundabout method, but if the Amendment were that the Bill be “*not* now read a second time”, it would leave the way open for the Minister and Party responsible for its introduction to bring it up again in time to carry it through during the Session.

Reasoned Amendments are also resorted to in a case where the Government moves a Resolution for a debate with the purpose of explaining some recent or proposed course of action, perhaps in connection with foreign policy, such as in making or accepting a loan. The House is always notified in advance of the subject of such debates, and is therefore in a position to consider the issue and prepare speeches and amendments.

Another useful means of improving the lot of the

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citizen open to back benchers in normal times is the introduction of Private Members' Bills, often with the purpose of modifying existing legislation. The time for this procedure may be restored in due season. But at the time of writing there is literally no opportunity to introduce a Private Member's Bill.

During the war all Private Members' Time was taken by the Government, and when the war was over and the Labour Party came into power, with an exceedingly long and elaborate programme of proposed legislation, they continued to take Private Members' Time for Government use. The result is that practically all the back bencher has left is the right of balloting for the chance to initiate the half-hour debate on the Adjournment.

Members elected since the war have had little experience of the uses that can be made of Private Members' Time. It has only been allowed during one and a half years of the whole ten years prior to 1948.

Some Private Members' Bills used to go through the House unopposed, but there was an easy way of stopping them if anyone wanted to do so. At the reading of the Order of the Day for the Bill, after the normal business of the House was over, a protest from one Member, simply saying "Object" stopped the Bill from getting any further, though it could come up again for its third reading the following day. This obstruction could go on for any length of time. When I was piloting the Architects' Registration Bill in 1937 the same Member objected time after time, until at last it was agreed by the Government Chief Whip that if by a certain date the Bill had not been allowed to go through, time would be arranged for a debate. The objector, knowing that the Bill would easily receive support from

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the majority of the House, let it go through without further comment.

A ballot was held to decide the precedence of Private Members' Bills, but if anyone was unlucky and despaired of ever bringing in his Bill by that means, he could move for leave to introduce it under the Ten Minutes Rule. This meant that he could explain his Bill to the House in a speech of ten minutes' duration, and could be followed by an opposer in another ten-minute speech, after which the Speaker put the Question and, if necessary, a division would take place. If this were carried in favour of the Bill the Speaker asked: "Who will prepare and bring in the Bill?" The Member bringing it in would then go to the Bar of the House, walk to the Table, bow three times and hand his dummy Bill to the Clerk, stating the date on which it was to be read a second time.

A simple non-controversial Bill might stand a chance of going through in this way, and Members occasionally used it to introduce a subject of special interest or benefit to their constituents. But on the whole such Bills were rarely successful in being carried through the House.

Private Members' Motions were also sought after in the ballot, this being held a fortnight ahead, the debate taking place on the second Wednesday following the draw. A Member successful in the ballot was then called after Question Time, and rose in his place to state the subject of his Motion. For instance: "I desire to give notice that this day fortnight I will call attention to Rural Water Supplies and move a Resolution."

What is done in the House depends almost entirely upon the time available for discussion, but if there is a

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general desire for a debate on any particular subject of wide interest, the Leader of the House will usually try to arrange time for it, unless the subject is embarrassing to his party. Any Member can press for such a debate by getting a large number of other Members to add their signatures to his own, but it is not obligatory on the Leader of the House to allow time and he has been known to refuse it.

A well-known instance in which a desire for a debate of this kind was resisted and thereby made ineffective was the case of Mr. W. J. Brown's Motion in 1947 to debate the pay of temporary Civil Servants. Practically half the Members of the House signed the request, and if a debate had been held and all the signatories had voted accordingly, the Government would have been compelled to agree to the decision reached. But Mr. Herbert Morrison refused to allow time. He was defying the wishes of the House, but was entirely within his rights. When treatment like this is accorded to those wishing to discuss a subject it requires the utmost ingenuity to raise the same question again by adopting some other procedure.

In different circumstances a debate can be asked for by a back bencher and held on the same day. This is when some serious issue suddenly arises, and a Member, usually by agreement with others, notifies the Speaker in the morning that he wants to move the Adjournment of the House to debate this urgent matter. Immediately after Questions, the Speaker calls the Member, who says :

Mr. Speaker, I beg leave to move the Adjournment of the House in order to call the attention of the House to a definite matter of urgent public importance, namely . . .

The Speaker calls on those who support this Motion

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to rise, and if forty Members do so the Motion stands over till 7 P.M. the same day when the debate takes place. If fewer Members support it, but not less than ten, the Speaker puts the Question which decides whether there shall be a debate or not, and a division may then be claimed.

When some aspect of the national situation is causing grave concern, due to Government policy, leading members of the Opposition have the right to put down a Vote of Censure. To be effective this has to appear in the names of the Leader of the Opposition and several of his supporters, usually ex-Cabinet Ministers, and it constitutes a challenge that the Government is bound to face. Time is allowed for full debate, usually led off by a reasoned and penetrating speech by the Leader of the Opposition, contending that the Government have by their own actions led the country into difficulties which can and should be remedied. A division invariably concludes such a debate, and should the Government be defeated they usually resign.

In their earliest form, protests took the form of straight petitions to the King—a procedure followed ever since regular laws as we know them were first made in Britain. Sometimes they came from individuals, sometimes from groups, and some came direct from Members of Parliament singly or collectively. Such petitions had always to be written, and were handed to officials authorised to act as Receivers, who saw that they were in order and then passed them to committees called Triers, for consideration.

It was not a difficult matter in those days to turn such petitions into law. To the petition itself, if approved, the King added his signature, which right away made it the basis of a statute. Thus petitions from individuals.

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or outside groups became Private Bills as we now know them, and those from the Commons collectively developed into Public Bills.

We still have on occasion something approaching the old form of petition. Every Member receives one occasionally, signed by a few or many people both in and outside his constituency who consider themselves aggrieved. As a rule he forwards it to the Minister affected, with an explanatory note asking him to give serious consideration to the complaint. But though a Minister may thus gain a useful indication of the prevalent feeling on the matter, it does not necessarily follow that he will do anything about it.

Other petitions are on a wider scale, constituting a form of challenge that can on occasions be effective. The road hauliers' protests against certain provisions of the Transport Bill, 1946, is a recognised instance. In that case the irate protestants approached many Members, who agreed to present the petition in Parliament. Another famous petition was that on behalf of old age pensioners, signed by over four million people and brought in by the late James Maxton in 1943. Not having been properly drawn up, the petition was held to be out of order and was never recorded as having been presented.

When there is widespread feeling on some issue and a petition is prepared for presentation to the House, the Member presenting it usually takes advantage of the rule which permits him to give notice of this, and on such occasions the Speaker calls him to present it before Questions. It may be noted that a small petition can be handled in the same way, but that is not so usual. The procedure is as follows:

He rises in his place and gives what is supposed to be

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a short, concise description of the petition, though nearly always the Speaker has to remind him after a few minutes that he has said enough, for at that hour of the day he is using time urgently needed for other business. But most Members try to persist in their oration, because it is conspicuously an occasion on which they want, if they can, to compel the attention of the Press.

No matter how he fares, his speech ended, he leaves his place, walks to the Bar at the south end of the Chamber, takes seven steps along the centre aisle, bows, walks to the Table, bows again, and hands the petition to the Clerk, whilst Messengers of the House carry copies of the petition bearing further signatures in bundles—if very bulky one bundle in each hand. It took a dozen Messengers to carry in James Maxton's petition.

Each sheet of paper bearing the signatures has to have a copy of the actual petition and the prayer at the head. The petition is addressed to "the Honourable the Commons of the United Kingdom of Great Britain and Northern Ireland in Parliament assembled." The statement of grievance follows, and finally the Prayer, beginning: "Wherefore your petitioners pray that your Honourable House will be pleased to grant, . . . and your petitioners as in duty bound will ever pray, . . ."

When the City of London wishes to lodge a petition, it enjoys the special privilege of being entitled to send its sheriffs to present this at the Bar of the House.

Once petitions have been carried in they are dropped into a huge black bag suspended behind the Speaker's Chair, later to be taken to the Clerk of Petitions, to be examined. An inaccurate belief has long persisted that once a petition gets into the canvas bag its fate is

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sealed, and that it is dumped into the furnace and forgotten. But this is just a facetious rumour, arising from the fact that so few petitions are successful in inducing the Government to revise legislation accordingly.

It is not incumbent on a Member, unless he has agreed to do it, thus to make a statement on presenting petitions in the House. It is the normal way of doing it, and the resultant publicity may be helpful. But he can, though he seldom does, just drop a petition into the black bag during a sitting of the House, without any ceremony at all.

Much criticism has been directed in the past, and particularly in the last few years, at the practice of delegated legislation, that is, the delegation of power by Act of Parliament to Ministers and departmental officers to make orders, rules and regulations—now called statutory instruments—which have the full force of law but have not been specifically approved by Parliament in each case. This is not a new practice; it has been used over a period of at least seventy years in various Acts of Parliament too numerous to mention, and when applied wisely and sparingly it both saves the time of Parliament and serves as a speedy method of filling in details too cumbersome or specialised to be included in the Acts themselves.

Some of these rules, orders and regulations do not have to be presented to Parliament at all; others must be presented, but no action can be taken on them by the two Houses; others again are subject to annulment if a Resolution to that effect is agreed to by either House within a certain stated period of presentation (in the case of financial ones by the House of Commons only); while in the case of a few, the most important ones, the

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instrument ceases to have authority unless it is approved by Resolutions, in one or both Houses as the case may be, within a certain period of being presented.

During the two wars the system was of necessity employed extensively, but since then these powers have been extended rather than reduced, and so much resentment was generated that the Government had to take action.

Since 1944 a Select Committee has been regularly appointed every session to examine all those statutory instruments which need confirmation by the House or are subject to annulment by Resolution, and to report, broadly speaking, whether any misuse has been made by a Minister of the powers conferred upon him by any Act. This Committee makes several reports each session. In 1946 the Statutory Instruments Act was passed, applying a uniform procedure to all former instruments of this kind and providing that the period of forty days during which they were to be subject to annulment should not include periods during which Parliament was dissolved or prorogued or both Houses adjourned for more than four days.

On the Tory side a group of Members called the A.B.B.s (Active Back Benchers) has been set up to watch every Order so laid on the table, and to put down a Motion (commonly known as a "prayer") to annul it, if they think fit. This needs constant vigilance and readiness to act.

The procedure when moving a prayer is that the Member selected by the group to attack the Order hands in a notice in the ordinary way to a Clerk at the Table, to the effect that on a certain evening, after normal business is over, he will move the prayer. He must then ensure that he will be in his place to be called

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by the Speaker at the conclusion of business of the day, no matter what time that may be. When called, he rises and moves his motion or prayer in the usual manner of moving a motion.

It is not always very simple, but here, for instance, is a definite example, regarding a new building order :

I beg to move, that the Control of Building Operations (No. 8) Order, 1947 (S.R. and O. 1947, No. 74), dated 15th January 1947, a copy of which was presented on 21st January, be annulled.

This was moved at 10 P.M. on 27th January 1947, and a debate followed lasting just over an hour, the Parliamentary Secretary to the Ministry of Works defending the order and the Opposition opposing it. Eventually a division was called to decide for or against its annulment. Result: Ayes 32, Noes 149.

One more important form of protest must be mentioned, and that is the letters or other communications from constituents to their Member. The usual procedure is that on receiving a complaint and seeing its justice the Member promises to take the matter up, and does so either by asking a Question in the House or writing personally direct to the Minister concerned.

Recognition of this facility for registering protests has resulted in a vast increase in Members' correspondence. Occasionally a Member gets fifty or sixty letters a day on separate, individual issues, and if a matter arises of specially wide interest, and of general dissatisfaction, the patient, industrious M.P. may get hundreds of letters on this one subject alone, though he must be wary against being the victim of a carefully organised campaign by a few people who push others who are not particularly interested to join in !

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I have tried to show, throughout this small book, the many ways in which Parliamentary machinery may be called into use for the protection and hearing of minorities, either individuals or groups, but the examples in this chapter outline in substance the most usual methods whereby an M.P. can register disapproval on behalf of his constituents or in defence of his own opinions and principles.

Ability to protest is of the first importance, now as in the past, though formerly it was between Commons and King, and now it is a case of the back benchers or Opposition and the Government of the day. It is only by keeping the means of protest working freely that Parliament as a whole can check any tendency in a Cabinet to try, like the Kings of yesterday, to grasp as much power as they possibly can.

The M.P.'s Day

MUCH of the work of an M.P. must be a mystery to most people. Apart from dropping in to a debate and trying to catch the Speaker's eye, how does he spend his time?

The House of Commons was for long known as "the best club in London" and this misnomer still persists, but anyone who imagines to-day that the M.P. gets up late, wanders along to this wonderful club, has a comfortable luncheon, talks to his friends, and then strolls into the Chamber to listen to a debate and join in if the spirit moves him, is to say the least of it inaccurate.

To-day the job of a Member of Parliament is one of the hardest and most exacting to which a man or woman can be called. It is literally a whole-time job, not infrequently covering the full twenty-four hours of the day in the Chamber itself, and even if he is not there his daily round starts at the breakfast-table—or well before that if he happens to be on the telephone.

A Member who represents an active constituency has in normal times thirty or more letters a day to answer in that capacity, and if some controversial proposal is before the House this number is doubled or trebled overnight. Most men make an effort to answer every letter, for by this means of communication they keep in close touch with views and feeling in their constituencies.

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Few letters are either simple admonitions or comments, or congratulations, to be answered with a single reply. Most of them entail further correspondence, letters to Ministers, Local Authorities, or departmental officials, in fact one letter from a constituent often leads to a file of a dozen or more, in addition to telephone calls and possibly a personal visit to a Minister if the case is complicated, before the matter can be regarded as finished business—and filed away carefully in case it crops up again later on.

Some of his correspondence may refer to simple routine matters, capable of being handled by a secretary if he has one, but even so he must read it over himself, and personally sign every letter after he is satisfied that the right solution is being sought. But most of the problems brought to him need to be considered in detail and dealt with personally, and altogether this item looms abnormally large in his day-to-day work outside the House itself. Requests and invitations from the various public and private organisations in his Division have to be answered and whenever possible accepted, otherwise he will not know his constituents as well as he should.

Publications of all kinds are sent to him which he has at any rate to scan, and he must read the newspapers to keep himself informed of comment in the Press on home and foreign affairs. Each morning, if he is in London, he receives the official report, Hansard, giving a verbatim record of everything that happened in the House the day before—Questions, debates, Motions, statements and all. At the same time he receives the Order Paper which tells him all the business to be transacted in the House on that day, and which he must carefully study so that he knows what Questions

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are to be asked, what the debate will be about, and what divisions may require his presence in the Chamber. The Whip, which he receives at the beginning of the week, is the essence of these two papers.

Party meetings at the House begin at ten-thirty in the morning—the Socialists start theirs a little earlier than other Parties—and committees on Bills, on which most Members are more or less continuously engaged, also start at ten-thirty and go on until about one o'clock.

During the morning a Member may have a party to “take round the House”, perhaps a group of school-children or the members of a local organisation in his Division. At this time of day, when the House is not sitting, visitors may walk through the Chamber as well as practically everywhere else in the House, if conducted by a Member, and see the Speaker's Chair and the Table with its worn edge where Ministers and ex-Ministers have put up their feet.

After this he may be able to have his lunch in the House, but often he has to attend a function at which he is required to make a speech, which may be political or about some subject on which he became an authority before he entered the House, or it may be anything under the sun. But in any case he has attempted to make some preparation beforehand if he wants to say something of interest and worth while.

He is expected to be back in the House and in his place by half-past two, when the Speaker takes the Chair and Prayers are read, before the day's sitting begins.

The first item of business, though only occasionally needed, is a Motion for a New Writ when a seat becomes vacant. This is moved by the Chief Whip of the Party

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which previously held the seat, and it orders the Speaker to issue a warrant for a new writ for a by-election. It is considered a very important matter and the Motion is made without notice, in fact the Speaker may issue such writs on his own authority alone during a Recess, and when a new Parliament meets he appoints from three to seven Members to issue writs in the event of his absence or death, so that no constituency need be left waiting for permission to elect a Member.

Next comes the reading of the titles of Unopposed Private Bills which are due for second reading, consideration, or third reading; then the presentation of Public Petitions, and Motions for Unopposed Returns, that is, orders for papers to be prepared by Government departments to give certain information to the House.

The rest of the first hour is Question Time, at which a Member may have up to three Questions down on the Order Paper, or if not, possibly one of someone else's may have given him a brilliant idea for a supplementary (see Chapter 3). Oral Questions are followed immediately by any Special or Private Notice Questions on matters of "urgent public importance" which have been handed in at the Speaker's office during the morning. And if during this hour the Member has expressed his intention of raising a matter on the Adjournment, he must lose no time in putting his name down for the ballot.

After this any new Members are introduced. Until this moment they will have been standing at the Bar of the House, awaiting the Speaker's call: "Members desiring to take their seats will please come to the Table". Each new Member is then accompanied to the Table by two Members sponsoring him, takes the oath or makes affirmation, signs the Test Roll, and is

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introduced by the Clerk to the Speaker, after which he takes his seat in the Chamber.

A Member may now claim to move the Adjournment of the House "on a definite matter of urgent public importance" (see p. 108), and this is followed by notices of other Motions, and personal statements and explanations by Ministers or Members.

All these matters are dealt with in quick succession, and then, soon after 3.30 P.M., the Speaker rises and in audible tones announces that "the Clerk will now proceed to read the Orders of the Day." One never hears this without thinking of that former and very popular Speaker, Captain Fitzroy, a tall, dignified figure, who always gave this announcement an oddly Gilbertian flavour. He had a special cadence in his way of saying it, that made one involuntarily think of the incident being portrayed in a Gilbert and Sullivan opera, when undoubtedly the "Speaker" would have accompanied his words with a few appropriate steps on his rostrum !

The real work of the day starts with these words, the "Orders of the Day" being the business arranged for this day's sitting. It may be the second reading of a Bill, a debate on foreign affairs, or on some new aspect of Government policy, or the House may go into committee on some important Bill, or on the Estimates.

From this time until about 10 P.M. the general debate continues, subject to certain interruptions, such as a summons from the House of Lords for the House to attend the ceremony of the Royal Assent to Bills, or a Motion for the Adjournment at 7 P.M. to give time for a short debate on some matter of urgency. Most Members try to be present at debates, though at the time of writing in 1948 there is so much congestion

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and pressure of work that even while the House is sitting many committees of the House are working upstairs, and numerous party or private committees, consultations, or informative speeches by authoritative visitors take place in the various committee-rooms.

Whatever a Member may be doing, a so-called "green card" may be brought to him asking him to go to the public lobby to see a constituent or some other caller. Such visits occur almost every afternoon, and he too may have calls to make, to see a Minister on behalf of constituents or visit a department to get information for which he has been asked. Or he may have to be away from the House, attending some official function or meeting in his Division or elsewhere, though a "three-line whip" takes precedence over almost any business outside. When not actually in the Chamber he tries to keep in touch with his Party Whips—incidentally a term with two different meanings.

It was originally introduced by Edmund Burke in 1769, when he remarked that the supporters of the Government, required to vote on an important issue, were being "whipped in from all quarters." Since that time the Members responsible for this marshalling of the forces and for giving out information have been called Whips, and occupy an important position in both the Government and Opposition parties. Their task is an exacting one, for they have to make sure there are always enough Members of their party present or available to carry on debates, and they have always to know approximately how many Members are in the House so that they cannot be caught with a surprise division and bring embarrassment on the Party.

The Whips form the nerve centres, like the staff of an army who try to see that no detail of organisation is

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overlooked. Some are unpaid, including those of the Opposition, but on the Government side the Chief Whips are also minor Lords of the Treasury and receive pay in respect of that office, though the duties are almost nominal, their real work being in the party itself. They seldom take part in debate, though they sometimes reply to a Question on behalf of an absent Minister. Each party has a Chief Whip and several others according to the size of the party, the Government and chief Opposition side usually having not less than half a dozen each. It is the duty of the Government's Chief Whip, on behalf of the Leader of the House, to arrange the business of the House and to see that its time is used to the best advantage.

The second kind of whip is the duplicated paper already mentioned, which is sent to each Member at the end of every week, giving a full statement of the next week's programme with each day's important item underlined, with either one, two, or three lines according to its urgency.¹

A one-line whip means that it is not vitally important for a Member to be present unless he or his Division is particularly interested; a two-line whip means it is advisable for him to attend; a three-line whip means that he must come and take his part either by his presence or his vote in a division as the case may be. The approximate time of an expected division is noted on the whip.

It is an important document and, though not secret, it is not unduly displayed to Members of opposing parties, though each party somehow manages to be aware of the intentions of the others except in very secret moves. Another sheet is now attached to the

¹ See Appendix I.

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whip, or for economy printed on the back, indicating the sittings of committees, times when special visitors will attend, and visits Members are asked to make.

To get information as to coming business, every Thursday afternoon the Leader of the Opposition asks the Leader of the House, who is either the Prime Minister himself or second in authority to him, whether he will tell the House the business for the following week. This is a useful advance notice, and also gives the Government an opportunity of announcing any changes in the general programme.

Inevitably events occur at which a Member's presence is required both in and out of the House at the same time, and he simply has to consult the whip and select the more important occasion for his attendance, giving Parliamentary responsibilities first place whenever possible.

When he intends to speak at any length in a debate he has to make proper preparation and study his subject, to make sure that his contribution will be of value. And when the day comes he may have to stay in his place in the Chamber all through the day's sitting, bobbing up when anyone else finishes speaking, and trying to catch the Speaker's eye. But it is in the experience of every Member that one may sit all day with a carefully prepared speech, and never be called to make it.

The Speaker tries his utmost to give all parties and all points of view a fair chance of being heard, and when constituents wonder why their M.P. has not spoken on an important subject, it is quite likely that he has been sitting for many hours trying to "get in," but without success, and he is just as disappointed as anyone else, if not more so. The only certainty about speech-making in the House is that the Speaker will

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be perfectly fair in giving opportunities to all sides and all parties.

At the end of the day the sitting can be terminated in several ways. If the business has not been exempted from conclusion at the normal time Mr. Speaker rises at ten and says: "Order, Order," and the Member in charge of the business in hand—probably a Minister with a Bill—tells the House when the debate will be resumed.

Now some unopposed business is quickly disposed of, after which a Member of the Government, usually a Whip, moves "that this House do now adjourn."

This Motion hardly ever leads to an immediate adjournment; since the rules of the House do not allow debate to take place unless a question is before the House (see p. 68) it is often used as an occasion for a debate on some subject which needs discussion rather than decision, and on which a statement of government policy is desired.

The debate on the Adjournment follows. No Member who has won an opportunity for this half-hour debate is deprived of it when the day comes; even if the main debate goes on well into the night, a Motion to adjourn the House is moved at the conclusion, so that he may have his debate. If this Motion is not agreed to within thirty minutes, Mr. Speaker adjourns the House without putting the Question by saying "The House now stands adjourned." At the same time the light at the top of Big Ben is switched off, thus telling London that the House has concluded business for the day.

Then the police constables' cry of "Who goes home?" is heard through the lobbies and corridors—a survival of the days when Westminster marshes were infested by

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footpads and no Member was safe when walking home by himself. Groups walked together for mutual protection.

Lights in the libraries are kept on for another hour if any Members are still working, and the bars in the smoking-room and tea-room are open for an hour to permit a hungry Member to get refreshment before starting for home, at which his arrival, somewhere between eleven and twelve, is often a prelude to some final preparation for the next day's work.

The Government and the House

WHEN a new Parliament is elected the King sends for the leader of the party which has the the majority of Members, and asks him to form a Government. This, in effect, is asking him to become Prime Minister. There is hardly ever any doubt as to the choice of a Prime Minister, as every party, whether in or out of power, has an undisputed leader, and the Leader of the Opposition occupies an important place. He is paid a salary of £2000 a year, has an office near those of the Secretaries of State, is a Privy Councillor, and stands beside the Prime Minister on ceremonial occasions. He is the man that the rest of the party will willingly serve under, and any other choice would certainly not meet with adequate support.

Having accepted his mission, the new Prime Minister appoints his Government, and from them selects the twenty or so who are to form that inner circle called the Cabinet. Most of these must, by the importance of their Ministry, be in the Cabinet, but the Prime Minister can slightly lengthen or decrease the list at his own discretion.

At the moment of writing the following Ministers are in the Cabinet:

Prime Minister and First Lord of the Treasury
 Lord President of the Council
 Secretary of State for Foreign Affairs
 Chancellor of the Exchequer

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Minister of Defence
Lord Privy Seal
Lord Chancellor
Secretary of State for the Home Department
Secretary of State for the Colonies
Secretary of State for Commonwealth Relations
Secretary of State for Scotland
Minister of Labour and National Service
Minister of Health
Minister of Agriculture and Fisheries
Minister of Education
President of the Board of Trade

Ministers not in the Cabinet are :

First Lord of the Admiralty
Secretary of State for War
Secretary of State for Air
Minister of Transport
Minister of Food
Minister of Town and Country Planning
Minister of National Insurance
Minister of Supply
Minister of Fuel and Power
Minister of Civil Aviation
Postmaster-General
Minister of Works
Minister of State
Chancellor of the Duchy of Lancaster
Minister of Pensions
Paymaster-General

. . .

Attorney-General
Lord Advocate
Solicitor-General
Solicitor-General for Scotland

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The Privy Council originally grew out of the earlier King's Council, and by the fourteenth century had become a permanent body, appointed by the King to advise and assist him in the task of governing the country. Gradually an inner council was formed of a few of these privy councillors, who under William III became known as the Cabinet Circle, their meetings being held in the King's cabinet.

Thus the Privy Council as a whole lost its former power, and during the reign of Queen Anne the existence of a Cabinet became fully established. When the Queen lay dying a full meeting of the Privy Council met to decide on the Hanoverian succession, which had already been laid down in the Act of Settlement of 1700. This was the last example of independent action on the part of the Privy Council.

It was not then considered necessary that all Members of the Cabinet should be of the same party: some were Whigs and some Tories, and of course this same principle is still followed to-day in the composition of a Coalition Government. But with the evolution of a Prime Minister, under George I, the system of party government inevitably followed.

Until a very few years ago Cabinet meetings were held in complete secrecy, no notes or record being made, but during the 1914-18 war a Cabinet Secretary was first appointed whose duty it was to be present at meetings and keep minutes, which are sent to each Minister.

Each Government department has also a Parliamentary Secretary who holds a paid appointment, is a Member of Parliament, and acts as deputy for the Minister in the House when required. In addition each Minister has one or two unpaid Parliamentary Private Secretaries, usually young and promising

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Members who are ready to give their whole time and energies to making a political career.

The Prime Minister and the Lord Chancellor are each paid £10,000 a year, £4000 of the Prime Minister's salary being free of tax. The Lord Chancellor's £10,000 is made up of £4000 as Speaker of the House of Lords and £6000 as President of the Court of Chancery. The Speaker of the Commons is paid £5000 a year, and he also has a residence in the Palace of Westminster.

Other Cabinet Ministers are paid £5000 a year, and of Ministers not in the Cabinet, all, except the last four on the list given here, receive £5000, the next three £3000, and the Paymaster-General £2000.

All these salaries except those of the Lord Chancellor, the Speaker and the Leader of the Opposition appear in the Estimates to be voted by the House each year, as also are the salaries of ordinary Members of Parliament, who are paid £1000 a year. A proportion of this, which a Member can show to be used for expenses in connection with his work as an M.P., is free of tax. The Leader of the Opposition, and any Minister receiving a salary of less than £5000, receives an additional salary of £500 a year in place of the back bencher's £1000. Some Government Whips are paid salaries, but Opposition Whips are unpaid.

Although a Government may resign and cause a Dissolution of Parliament, thereby unseating every single Member of Parliament in the country, no Member can himself resign his seat for any cause whatever. He can only disqualify himself from holding it by applying for and receiving an office of profit under the Crown, either as steward or bailiff of the three Chiltern Hundreds of Stoke, Desborough and Burnham, or as

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steward of the Manor of Northstead. Having accepted one of these offices he is no longer a Member of Parliament, and usually resigns his office on the same day.

A few offices in the Cabinet carry no particular duties. These are those of the Lord Privy Seal, the Lord President of the Council, the Chancellor of the Duchy of Lancaster. There may be in addition a Minister Without Portfolio. These appointments are bestowed on Members who are needed in the Cabinet, both for their qualities as advisers and to carry out any special work that may be outside the regular functions of departments.

A Minister, besides heading his department, maintains a two-way contact between the department and the House. His Permanent Under-Secretary, who organises the actual work, is a Civil Servant of high standing who may remain many years in his post, and serves equally well each Minister who comes along, regardless of his own personal political views. But the Minister is responsible, taking all the blame and all the credit, both in the House and in the public eye, for all that happens in his department.

The most important of those Ministers who rank as Secretaries of State is the Foreign Secretary, whose office is the oldest among them and who did actually function as a Secretary to the Sovereign, in earlier days, in conducting his relations with foreign countries. Gradually other similar offices developed, and by 1926, when the Minister handling Scottish affairs was made Secretary of State for Scotland, we had the seven you see in the list given on p. 127.

Several departments originated as Boards, but the only ones remaining now are the Board of Trade, the oldest of them all, which was originally appointed in

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the seventeenth century from the Privy Council; the Board of Admiralty, headed by the First Lord, who is a civilian and not to be confused with the five Sea Lords who are responsible for various phases of Admiralty administration and are naval officers still on the active list; and the Treasury, of which the Prime Minister is invariably First Lord. His actual duties in this capacity are few, as also are those of the Junior Lords of the Treasury, who are usually the Government Whips. The Chancellor of the Exchequer is of course the real head of the department.

In the Chamber, Ministers and Whips sit on the front bench to the right of the Speaker, with Parliamentary Private Secretaries on the bench behind. The latter bring with them all the papers needed by their Ministers, and if any further point arises on which they or a Minister need information, they walk along to the box on the Speaker's right, wherein sit permanent officials of the departments who can practically always answer the question. Altogether there is a Government group of about seventy, including Ministers, Parliamentary Secretaries who rank as junior Ministers, and Parliamentary Private Secretaries who are not Ministers, but are closely attached to them. These seventy support the Prime Minister and each other, do not ask Questions, and must vote on the Government side in a division or expect to resign. This has been done on many occasions where a man could not approve the policy adopted by the rest of the Government on some definite issue; Mr. Anthony Eden resigned on the Munich question in 1938, and Mr. Ellis Smith resigned from the Board of Trade when he disagreed with his Minister's policy, soon after the Socialists came into power in 1945.

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Clearly the most important person in the House of Commons is the Speaker. He is the first commoner in the land, and his rights, privileges and authority are unrivalled. Once elected he remains in office for the duration of that Parliament which chose him, and is usually re-elected until he resigns or dies, irrespective of party changes. When he accepts office he is no longer a party man but is entirely unbiassed in any political sense whatever.

Nowadays he is a man who has been in the House for many years, though in the fifteenth century two Speakers, John Say and John Mordaunt, occupied the Chair while still in their twenties, and their names are still to be seen in the House. Round the walls of the Silence Room in the Library are the names of all our Speakers, beginning with Sir Thomas Hungerford, 1377, and continuing up to Colonel Clifton Brown. A few still earlier ones can be traced in old records. Peter de Montfort, for instance, was chosen by the Commons in 1260 "to speak for them to the King".

In earlier times the office had not the same quality of impartiality which characterises it to-day. There were occasions when the King himself chose a Speaker for the Commons, which was much more to his advantage than to theirs. Thomas Thorpe, a favourite of Edward IV, was so appointed in 1453. Charles II disapproved the Commons' choice in 1679, and in turn they declined his, so a third had to be found as a compromise. By the nineteenth century the Commons' choice was undisputed, and the office developed its present unique character and great value.

It makes no difference to which Party he belongs, though I think it is correct to say that if anything he extends an infinitesimal degree of extra consideration

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to Members of parties other than his own, but not to the extent of giving advantage to one side over the other.

His duties are endless and increasing. The Commons have access to the King officially with the Speaker at their head. He certifies and presents Money Bills at the Bar of the House of Lords. He receives the Royal Assent to Bills, receives and conveys messages of thanks and censure, sends messages of congratulation or condolence on behalf of the Commons to the King, and receives and sends communications between Foreign Powers and the House.

In the Chamber his most conspicuous task is to preside over the sittings of the House, at which time his authority on all matters of procedure is accepted as final, though theoretically a Member can always appeal to the House itself. Before 1855 the House could not sit at all, except as a committee, when the Speaker was absent, and had to adjourn while he had his dinner. This gave rise to the dinner interval being called "The Speaker's Chop." But now the Chairman of Ways and Means and the Deputy Chairman can take the Chair as Deputy Speaker when he is away from the Chamber. It used to be said of our Speakers that they were the healthiest men in the country, for it is very hard to find any occasion in the past when the House had to adjourn due to the Speaker's illness, as it would have had to do if need be, there being no one then to take his place.

Endless patience, tact and firmness are inseparable from his task. Equally he needs a detailed knowledge of procedure, a quick mind and rapid judgment.

No Member may speak without his permission, and he is the one person in the Chamber who must concentrate on all that is said. If so-called unparliamentary

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language is used he demands its immediate withdrawal, though he may, if his attention is called to it by another Member, say that he "did not hear it", which is his way of smoothing over a rough spot. Disregard of his authority on any point may lead to a Member's suspension. If a Member refuses to comply with his instructions he can, and probably will, "name" the Member who will then be suspended by Order of the House, and the Speaker will order him to leave, and if necessary call on the Serjeant-at-Arms to have him forcibly removed.

The Speaker may not sway the House in debate, nor express an opinion except on procedure or points of Order. He does not vote except to give a casting vote, and on the rare occasions when he does so he gives his reasons, if possible leaving the matter open for further decision.

Officially the friend of every Member, always ready with help and advice, he shows no preferences. It is an unwritten rule that he does not become intimately associated with any Member.

In the endeavour to know the Members better, now and then Mr. Speaker gives small luncheon-parties, inviting Members from both sides of the House, and in the course of the year he and his wife hold one or two large receptions, known as Mrs. Speaker's Receptions, to which all Members and their wives are invited. Before the war such receptions were ceremonial occasions, held in the evenings, everyone wearing Court dress.

It must be remembered that as the Speaker is the first commoner in the land, an invitation to his home or to a reception carries substantially the same weight as an invitation to Buckingham Palace. It is literally an order.

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It would be unfortunate to be always changing the Speaker, and for the hundred years before 1935 he was usually unopposed at elections. There was a certain sense of shock in the House and the country when in 1935 Captain Fitzroy, who had held this office since 1928, was opposed at Daventry. The present Speaker, Colonel Clifton Brown, was opposed in 1945. But in each case the Speaker held his seat, though neither conducted an election campaign. Others were only too pleased to undertake it on their behalf.

Under the Ministers of the Crown Act, 1937, the Speaker is the judge of what party in the House constitutes the official Opposition, and among his other permanent powers is that of selecting amendments to Bills and Motions, and he can ask a Member to explain to the House the object of his amendment—which no Member is ever reluctant to do—before deciding whether to call it.

Next to the Speaker, the man with most influence in the House is the Chairman of Ways and Means, who presides over Committees of the whole House and acts as Deputy Speaker. He, too, is appointed for the duration of a Parliament, but whereas the Speaker is a non-party appointment the Chairman of Ways and Means is chosen from among the supporters of the Government of the day.

Like the Speaker, he only has a casting vote when in the Chair, and takes no part in divisions in the House. As presiding officer, when the Speaker is absent, he is the final authority, and no appeal can be made from his decision to the Speaker. A Deputy Chairman is appointed to act in his absence, and can also act as Deputy Speaker. And if both Chairman of Ways and Means and Deputy Chairman are absent, the Chair

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can be taken in Committee by a Member of the Chairmen's Panel who acts as "Temporary Chairman" (see p. 147).

In addition to Members such as these who are chosen to exercise authority in the House, there are permanent officials, non-Members, who hold positions of importance.

The chief of these is the Clerk of the House, who sits at the right-hand side of the Table, is appointed for life, and whose official title is "Under Clerk of the Parliaments to attend upon the Commons" (the Clerk of the Parliaments is an officer of the House of Lords).

The Clerk holds an office of great antiquity, probably dating from the days when the Commons first separated from the Lords. His two associates who sit with him at the Table are the Clerk Assistant and Second Clerk Assistant. His duties are to sign all addresses to the King, votes of thanks and Orders of the House, read the Orders of the Day and anything else that has to be read to the House, and endorse Bills sent to the Lords.

Like the Speaker he retires when the House goes into committee, his seat being taken by the Chairman. He or his assistants advise the Speaker if he wishes it during sittings, and is at the service of Ministers and Members. The two Clerks Assistant keep the minutes, receive Questions from Members, and notices of motions and amendments, all of which may also be handed in at the Table Office. They are responsible for the issue of the agenda of work to be done, the Notice Paper and Order Paper (decisions as to the management of business being, of course, the responsibility of the Government).

Behind the scenes the Clerk's department is a hive of

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activity, consisting of about thirty officers appointed by the Clerk, after having first been nominated by him for competition in the Civil Service Examinations for administrative posts. There are four offices in the Clerk's department: Public Bill Office, Committee and Private Bill Office, Journal Office and Table Office.

The Speaker's department includes a Secretary who deals with his correspondence, social and personal matters, and with the Press. In this office is kept the book which must be signed by Members who wish to ballot for the privilege of opening the daily half-hour's debate on the Adjournment.

The Speaker's Trainbearer looks after this book and holds the ballot, accompanies the Speaker in his official movements, acts for the Speaker's Secretary in handling tickets for the Speaker's gallery and for the Opening of Parliament, and generally assists the Secretary in many capacities.

Another member of the Speaker's department is his Chaplain—an office which has been filled continuously since 1659. The Chaplain reads the Prayers, and when the House attends divine service at St. Margaret's he usually helps in taking the service. He also conducts services in the Crypt Chapel in the Cloisters which is situated under St. Stephen's Hall.

In the Library the Librarian has his own staff of assistants, is always ready to help Members with research, preserves important papers and accounts, and acts in collaboration with the Members' Library Committee.

At the Vote Office all Bills and official documents of the House are available, and are circulated to Members by the officers in charge. Accountants of the House collect fees on Bills from Local Authorities and

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Members, pay Members' salaries, and issue railway passes. Petrol rationing caused the appointment of a Petrol Officer, to see that Members get their fixed ration of petrol for use in their Parliamentary work.

Much legal work of the House is carried out by the Attorney-General and Solicitor-General, two elected Members who are in the Government. Similar officers are appointed for Scotland. There are always brilliant legal men in the House. The only Parliament recorded as having no lawyers among its Members has come down to history as the Unlearned Parliament (1404). Mr. Speaker's own Counsel is in charge of legal matters connected with Private Bills, and sits on the Committee on Unopposed Bills.

Another great officer of the House is the Serjeant-at-Arms—the only non-Member, apart from the Clerks at the Table, allowed to attend Secret Sessions. He is appointed personally by the King. Many duties of a very practical kind fall upon him, but officially he is “to attend on H.M. the King when there is no Parliament, and at the time of every Parliament to attend upon the Speaker”. When he or one of his two deputies carry the Mace, no one is allowed to walk between him and the Speaker.

He preserves order in the galleries and lobbies, takes people into custody on the order of the Speaker, and is the official housekeeper of the House, having charge of committee rooms and the direction of the staff and servants of the House, including police constables on duty in the precincts. He has charge of admission tickets for visitors, now allotted by ballot; Members are allowed two tickets each sixteen working days, though after four o'clock during the ordinary day's sitting the Serjeant-at-Arms can give them tickets for

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any vacant seats for their visitors who may have come in the hope of finding a place.

Messengers of the House wear evening dress, and gold-plated chains and medallions, some of which are over a hundred years old. They carry visitors' cards to Members, admit visitors to the galleries, carry messages back and forth along the endless corridors, and are directed by the Serjeant-at-Arms.

Police constables guard entrances and doorways, keep order for the Serjeant-at-Arms in all parts of the building, patrol all rooms, corridors, lavatories, etc., announce divisions, call "Mace!" when the Speaker approaches, and give the call of "Hats off, strangers", and "Who goes home?"

These policemen are in uniform, but there are others in plain clothes who sit in the galleries to deal with any possible disturbance, while half a dozen more circulate through the House at all times to see that the public conform to rules that time has proved essential. They are on the watch, for instance, to see that no one carries into the Chamber a parcel, which might conceivably contain a bomb, or something equally inharmonious.

Parliament goes into Recess for about two months each summer, for a few weeks at Christmas and Easter, and a shorter time at Whitsun. In each case the House stands adjourned by a Motion "that this House at its rising this day do adjourn", and in case of emergency can be recalled by the Speaker at the request of the Government.

CENTRAL AND LOCAL GOVERNMENT

Local government in its present form and conditions has developed largely during the past hundred years.

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After the Reform Bill of 1832 various local authorities were set up in the form of boards for special purposes, but there was no adequate organisation either to unify these bodies or to maintain appropriate contact with the central Government.

In 1888 the Local Government Act created the present system of County Councils and County Borough Councils, under which County Boroughs exercise all local government functions in their areas, whilst in the counties some services are administered by the county councils, and others by urban and rural district councils and parish councils. In all there are 62 county councils to our 52 counties, London having its own, Yorkshire and Lincolnshire having three each, and Suffolk, Sussex, Hampshire, Cambridge and Northamptonshire two each.

Councillors to serve on each of these various bodies are elected to serve for three years, but in the boroughs outside London one-third of them retire on 1st November in each year. In the counties all the councillors retire together on 8th March in every third year. The county and borough councillors themselves elect aldermen, either from among themselves or outside, who serve for six years. County, urban and rural councils are presided over by a chairman, and borough councils choose a mayor to serve for one year.

These councils form committees who do much of the work, such as education committees, housing committees, public assistance committees, etc., each with its own chairman, and working in close contact with the professional official in charge, such as the education officer, housing manager, sanitary inspector and so on. These officials in turn work under the

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general administration of the clerk to the council or, in boroughs, the town clerk.

Local authorities are subject to the Ministry of Health for such matters as health, housing and finance; to the Ministry of Education for primary, secondary and higher education; to the Ministry of Transport for roads (but to the Ministry of Health for drainage); to the Home Office with regard to police; to the Ministry of Works for building materials. New housing and industrial development, and planning in general, come under the Ministry of Town and Country Planning and the Ministry of Health.

The Government keeps control of local authorities mainly by finance. Costs and estimates are handled in much the same way as those of the departments themselves, each council preparing an annual budget of income and expenditure, on which the rates to be levied in the following year are based. Many services are grant-aided by the Government, which by withholding grant can control the extent of the services to be provided and ensure that a certain standard of efficiency is achieved. If money is illegally or extravagantly spent the Minister of Health can surcharge the members responsible. But such a measure has only rarely been employed.

On the whole local authorities are highly efficient, and form the only means whereby local government can be conducted with a close knowledge of the conditions in each area, which vary all over the country and could not be appropriately handled from the centre.

Upstairs and Downstairs

BRITISH political institutions are strictly our own, prompted by and maintained by a natural desire for fair play and a more than normal admission that there may be some justice in the claims of the Opposition—so much so that many a compromise is accepted in our legislation, often to its advantage and improvement. This idea has received legislative expression in the provision that the Leader of the Opposition is given a special salary of £2000 a year.

The principle of give-and-take is illustrated when, after a debate in which harsh comments and violent political blows have been freely exchanged, not only the principal opponents but their most loyal supporters may often be seen sitting down in the smoking-room with those who a short time before had been the cause of intense outbursts of feeling, and again going into the matter of controversy with the purpose of finding a better or still more satisfactory solution than had been reached in the Chamber.

In the smoking-room, men of all parties mix freely. Friendships made there endure for years, even for life, and often between men who in politics differ to the utmost degree. Such friendships are based, apart from a mutual liking for each other, on the fact that both the men concerned are more interested in the well-being of the country than in anything else.

Not only do Ministers themselves frequently visit

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the smoking-room, either for a drink or for tea and to pick up the gossip and make themselves aware of the general atmosphere, but most of them like their Parliamentary Private Secretaries to do the same. By this process they understand the private as well as the public attitude of Members in general towards their various proposals, and the reactions of their constituents. There is no doubt that during the war much information of the first importance was gathered in this way from discussion in the historic smoking-rooms of the House.

Lobbies are another scene of congregation. There are many of them—the central or public lobby, the Speaker's lobby and the Members', the 'Aye' and 'No' lobbies, and the corridors which run along the full length of the libraries and dining-rooms, and in which every Member has a locker of his own. These lockers are arranged one above the other, about 2 ft. 6 in. high, 1 ft. 3 in. wide, and about a foot deep, and are popularly supposed to contain the most brilliant speeches ever written, which, through failure to catch the Speaker's eye, have never been delivered!

The busiest lobby of all is of course the public or central lobby, in which visitors gather and through which all Members should enter or leave the House. Then there are the two at the entrances of the Lords' and Commons' debating Chambers, where Members can get official papers, and which have to be cleared when the division bells ring. At present only one of these two lobbies exists, the one at the entrance of the Lords' Chamber which the Commons are now using. The other one was destroyed together with the Commons' Chamber, and will be rebuilt at the same time.

Once the day's work in the Chamber begins, at

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two-thirty, it is not interrupted for meals or committees until it finally ends at night, but as most Members' real homes are out of London, provision is made for them to eat at the House. During an all-night sitting even breakfast can be had.

For lunch and dinner Members have their own dining-room, with tables for two, four, or eight, and two special ones, one for Ministers and other senior Members on the Government side, and the other for ex-Ministers and older Members in the Opposition. At these the Prime Minister and Mr. Herbert Morrison may often be seen, and Mr. Churchill and Mr. Eden. This large dining-room is reserved entirely for Members, and conforms strictly with all food regulations, being run extremely well by a small dining-room committee. In addition there are two visitors' dining-rooms in which a Member may entertain up to three guests at one time. Here he can reserve a table, which he cannot do in the Members' dining-room.

There is also a double tea-room, with a cafeteria and canteen service in the middle. On the walls are illustrations of things of current interest and importance, such as sketches of proposed new power stations, bridges, and other developments. This room is popular with many Members who find that more solid meals, taken before going into the Chamber with its own peculiar form of ventilation, are too conducive to slumber.

Before the war it was an approved habit of Members to sign for their meals instead of paying on the spot, but now they pay at a cash desk as they go out, just as in a club or restaurant, and for tea in the Strangers' a ticket is bought before anything is provided. All tipping is prohibited.

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Two small dining-rooms, one upstairs and one downstairs, are reserved for the Press, and several other rooms are available to Members for holding private luncheons or dinners. But the demand for these is so great that the chance of getting one is remote unless booked at least a month ahead.

Under the main dining-room is a general bar, to which Members may take visitors.

On the Terrace level is a large room equipped with a cafeteria, and here visitors may get tea without being accompanied by a Member, so long as they are justified in being in the House. And of course there is always the famous Terrace, on which, it is remembered by older Members, it was once possible to get strawberries and real cream !

One end of the Terrace is reserved for the Lords, the other end for the Commons, and the centre for entertaining visitors, either to have tea or just sit and enjoy that wonderful prospect by the river.

Altogether the amenities of the House are well cared for, and the meals are good, considering that all food is under Government control, and they are cheap. In fact the nation has to subsidise this each year, to the extent of any loss involved, though it is carefully managed.

No older Member will ever forget "Annie's Bar," that used to be in the corner of the Members' lobby before it was bombed. This was presided over by a motherly lady who would always put up a few sandwiches in no time for any Member who was getting hungry but did not want to leave the Chamber for more than a minute or two.

Apart from eating, drinking and talking, an enormous amount of hard work, especially in committee, is done

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by Members outside the Chamber itself, in all the hundreds of offices and other rooms upstairs and down. The area of the Houses of Parliament is eight acres. There are eleven hundred rooms and a hundred stair-cases.

One evening in the early thirties I had been dining with Sir Austen Chamberlain, and as we walked back to the Chamber along the corridor a part of the paneling suddenly opened and out came a mechanic. Sir Austen turned to me with a delighted look and said: "I've been in this House for over thirty years and I had not the slightest idea that that door existed!" It takes a lifetime to learn the House of Commons.

Parliamentary Committees as we know them to-day began with Select Committees in the reign of Queen Elizabeth, appointed to consider Bills before they became law. They were quite small to start with, from three to fifteen Members. Later as many as thirty Members were appointed and they began to be called Standing Committees, to deal also with Petitions, Motions and matters concerning religion.

Committees of the whole House, to consider important subjects such as money bills, were first recorded in 1607, when it was affirmed for the first time that if Mr. Speaker were absent the whole House might be a committee, to consider the details of a Bill. But the Speaker did not necessarily have to leave the Chamber when the House was sitting as a committee, as he does to-day. He sat in the Clerk's chair instead, until 1610, when it became customary for him to retire.

Five Standing Committees had been formed by that time, to deal with matters of privilege and elections, religion, grievances, courts of justice, and trade, and to report to the House. From these developed sub-

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committees. But for a long time the real committee was the Committee of the whole House.

At the present day there are five different kinds of committee, namely, Committees of the whole House, Standing Committees, Select Committees, Joint Committees and Private Bill Committees. Committees of the whole House, meeting in the Chamber and consisting of all Members except the Speaker, whose place is taken by the Chairman of Ways and Means, have already been dealt with in the chapters on Bills and Finance.

Standing Committees, to which most public bills are committed, consist of from twenty to fifty members, nominated by the Committee of Selection, who ensure that the parties are represented on the Standing Committees in proportion to their strength in the House. With this reservation, Members are selected for these committees largely by volunteering to sit, application being made to their own party Whips, who select from among them if too many apply. Normally there are five of these committees, each being known by a letter of the alphabet. The Speaker distributes bills among them, giving notice of his allocation in the Votes and Proceedings. Each committee has a chairman, appointed for each bill by the Speaker from the Chairmen's Panel, which consists of ten Members, nominated at the beginning of every session for this purpose and to act as temporary chairmen of committees of the whole House in case of need. The quorum of a Standing Committee is fifteen and the procedure is generally similar to that of a Committee of the whole House.

Like the House itself committees may vote, the Members being counted by a Clerk, who calls out their

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names in alphabetical order after the door of the room has been locked. Chairmen have complete authority and no objection to their ruling can be sustained. If a Member becomes recalcitrant, and has to be asked to withdraw, the Chairman suspends proceedings and reports the matter to the Speaker at once.

Verbatim reports of proceedings are made and printed, and are available daily in the case of Government Bills, but not of Private Members' Bills unless the Chairman decides that the matter is important.

To consider Scottish Bills a special Standing Committee is constituted, composed of all the Members for Scottish constituencies, together with between ten and fifteen other Members appointed by the Committee of Selection. The same system is followed regarding bills relating exclusively to Wales and Monmouthshire.

Select Committees are nominated by the House, either to consider bills or to conduct inquiries or exercise supervisory functions and make a report thereupon to the House. They usually consist of not more than fifteen Members, but may have more by leave of the House.

Such a committee is usually given powers to send for papers and records, as well as to summon witnesses, who can be brought from anywhere. Even a person in prison can be brought in custody to give information, under "the Speaker's warrant."

Select Committees may be given power to appoint sub-committees of their own and occasionally to appoint non-Members to serve on them, or consult them, also to hold meetings outside the House if they wish. A report is prepared by the Chairman with the aid of the Clerk, but is not formally considered in the House unless it is specially important.

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This procedure was invaluable during the war, and took the form of a Select Committee on National Expenditure, from whose examination literally nothing was excluded except questions of policy. It was composed of 28 Members of all parties (ultimately increased to 32), who had the power to visit any part of the kingdom, and to demand papers and witnesses on any subject to do with expenditure. By this means they were able to help production in many ways, reduce costs, suggest improvements, and in general make a contribution to the war effort. Their investigations were secret, but a report was always submitted to Parliament when any special study was concluded.

While Select Committees may be appointed at any time, a number are regularly set up at the beginning of every session and are known as Sessional Committees. Of these, the Committee of Selection (eleven members), the Public Accounts Committee (eleven members), the Select Committee on Estimates (twenty-eight members), and the Select Committee on Statutory Instruments, etc. (eleven members), have already been dealt with. The Committee on Public Petitions (fifteen members) examines all public petitions presented to the House (see p. 111). The Select Committee on Kitchen and Refreshment Rooms (House of Commons) (seventeen members) controls catering arrangements. The Select Committee on Publications and Debates Reports (eleven members) assists the Speaker in arrangements for the reporting and publishing of debates and examines expenditure on stationery and printing for the House and the public service generally. Finally there is that very important body the Committee of Privileges, consisting of ten Members and appointed at the beginning of the session. These are experienced men of all

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parties, the Prime Minister being almost invariably included, though he does not always attend.

When a breach of the Privileges of the House is alleged to have occurred, unless the matter can be decided immediately by the House, it is usual to refer it to the Committee, whose duty it is to inquire into it, taking evidence if need be from the persons concerned, and to report whether the Committee think that a breach of Privilege has in fact occurred. Sometimes they suggest what further action the House should take. The Committees' report is often debated by the House, before a final decision on the matter is recorded.

The Committee of Privileges may consider the conduct of non-Members, who may also be called to the Bar of the House to answer questions put to them by the Speaker. At the Bar the Serjeant-at-Arms stands beside the offender, the Mace on his shoulder, and then escorts him from the Chamber. If it is decided that he be reprimanded he comes to the House and stands at the Bar, while the Speaker, sitting down and wearing his three-cornered hat, reprimands him—a most embarrassing experience. He is then escorted from the House.

In the case of a Joint Committee, a Select Committee is appointed to join with a similar committee of the Lords, the two committees sitting as one, though each reports to its own House. The first modern Joint Committee was appointed in 1864 to look into the proposal for a London underground railway system. When either House feels there should be such a committee on some matter a message is sent to the other House, which usually agrees. The first House appoints its share of the committee and sends word to the other House, which then appoints the rest. The House of

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Lords always proposes time and place of meeting, and the Chairman is usually a peer.

A Joint Committee on Consolidation Bills usually consists of six Members from the Lords and six from the Commons, being appointed to consider "all Consolidation Bills in the present session".

Occasionally a committee called a Royal Commission is set up to consider a matter intended by the Government to be the subject of legislation, or a problem concerning work already done, or a question of wide public interest and far-reaching importance which it is considered needs the ventilation of an exhaustive inquiry. Examples of each of these respectively are the famous Poor Law Commission, which sat from 1830 to 1846; the Royal Commission on Awards to Inventors, in 1919 and 1946, to examine the claims of those who felt that their inventions of war weapons, etc., had been of value during the war; the Royal Commission on the Press, set up in 1947.

In fact almost anything can be the subject of such a committee. It is composed of a small number, from three to fifteen or so, of persons of distinction carefully chosen, together with experts, who are very often the best brains in the country on the subject, and witnesses can be called to give evidence if the Commission so desires. Finally a report is drawn up, which includes suggestions and proposals, and if certain members of the Commission disagree a minority report is also submitted.

Sometimes Members make themselves into unofficial committees to study some particular subject, and invite specialists and authorities to come and address them—perhaps a great statesman, Service chief, or a scientist, who can give them information that may be useful when

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considering some part of the Government's policy, or the work it is doing.

Other small committees of Members visit different parts of the world at Government expense, to examine conditions and report back to the House. They may not be asked to report, but usually do so as a demonstration that they have taken their task seriously!

Most committee work in the House is intended to be done in the mornings, to leave Members free to be in the Chamber in the afternoons, but when the pressure of work is great they are often absent from debates and simply come along if they can when a division is called.

A part of Parliamentary work that goes on day and night is the preparation and publication of all sorts of official documents needed by Members—minutes of proceedings, and so on, Bills, Reports, debates—in fact the whole range of documents covered by the work of the House. A large number of publications are issued, which may be grouped in two sections: those issued by the House itself and those presented by departments, called Accounts and Papers. Most of them are printed by H.M. Stationery Office and can be obtained there by the public.

Many are circulated free to Members, being of particular interest to them and essential in carrying out their work. To a Member the most important is the "Order Paper", which is sent to him daily during sittings of the House, all through the Session.

This includes the Votes and Proceedings, a record of the previous day's proceedings together with the results of divisions; notices of Public Bills to be presented, and Private Bills; agenda of business for the current day, with the full list of Questions both oral and written; notices of amendments to Public Bills which will be

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considered in Committee of the whole House; Government Motions and Orders of the Day which will be the subject of debate; matters being considered by Standing Committees, and the Order Book, a programme of future business. This Order Paper is usually delivered by hand, having been printed during the night in order to be up to date.

Every Saturday a weekly list of Bills is circulated, giving the stage reached by every Bill. A weekly list is also published of Statutory Rules and Orders, which are liable for a limited period to annulment by resolution ("prayer"). A copy of every Bill is available at each stage of its passage through the House, and every two months a List is printed, showing the stage reached by every Private Bill. A chart is also published showing the order in which Ministers answer Questions addressed to them in the Chamber.

The Journals of the House are published annually, compiled from the daily records and minutes kept by the two Clerks Assistant at the Table. These now form an almost complete record of the past four hundred years in Parliament, and are written in narrative form; they are the official record and are accepted as evidence in a court of law of anything done in the House.

Accounts and Papers are documents presented to the House either by Royal Command, *i.e.* by order of the Government, or in pursuance of an Act of Parliament, or as returns made at the request or order of the House. The first category, known as Command Papers or "White Papers", includes Estimates, reports, memoranda and statements of all sorts furnished by the Government for the information of the House, and sometimes at Members' own request. Among these are important statements of Government policy

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explanatory memoranda on bills and such papers as the "Economic Survey for 1947", which was of such general interest that an enormous number of copies were bought by the public. This paper was formally described as being "presented by the Prime Minister to Parliament by Command of His Majesty". The second class, Act Papers, includes various annual reports and accounts, and vast numbers of Statutory Instruments and other rules, orders and regulations made by Government Departments.

Returns are documents containing information from departments, either by Order of the House from those departments constituted under Statute by the House, such as the Ministry of Food, or by "an Humble Address to the Crown," when they are required from departments originally established by the Royal Prerogative and still so recognised, such as the Home Office.

Literally every word that is spoken in the House during Question Time and in speeches, debates and statements, from the end of Prayers until the House rises, is published in the Official Report known as Hansard, which is delivered to each Member every morning. It costs sixpence per copy, has a world-wide circulation, and is as well known as Big Ben. A separate Hansard is published for the Lords.

Less than two centuries ago it was considered a breach of privilege to publish reports of debates, but persistent attempts were made during the eighteenth century to make verbatim records available to the public, and by the end of the century it was encouraged rather than disapproved.

In 1803 the Press were allowed certain seats in one of the galleries, and T. C. Hansard, assisted by his son,

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began his reports. Later, due to the excellence of their work, the Government gave them a grant to help the business to pay its way, and later still established a contract with another firm which undertook to produce the report when Hansards went out of business. Since 1909 it has been an official publication, printed by the Stationery Office and prepared by a staff who are responsible to the House. They work in quarter-hour relays and immediately dictate notes to typists, and if uncertain of any passage send word to the Member who made the statement, so that he can verify or correct the report. These reports are privileged.

Now and then slight mistakes occur in the printed copy, and a Member has the right to make a correction, with the consent of Mr. Speaker, and the alteration will be recorded in the permanent reports. He must not try to alter the intent of what he said: he may correct words but must not change the substance.

To make it possible for Hansard to reach Members in the early morning it has to go to press at approximately the same time every night, so if the House goes on sitting after the ordinary time of rising, the report of what is said during those hours is recorded at the beginning of the following day's Hansard.

Two groups of reporters attend the House: those in the Press gallery who take note of all that is said in the Chamber, and those who spend most of their time in the lobbies (lobby correspondents), sensing the situation, talking to Members and Ministers if they can, and sending information to their editors. These are the men who endeavour in a perfectly legitimate way to find out the general feeling of Members on important issues and on what has been happening in committee rooms.

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They are highly respected in the House and can be relied upon to keep confidential any information they collect, if asked to do so. I think it would be impossible to find any group of independent men so intimately associated with the public who bear a higher sense of integrity than these reporters either in the lobby or gallery.

Members frequently ask them questions as to feeling in different parts of the country, and even ask their advice about matters on which their opinions are usually sound, and on which the Press may have even more up-to-the-minute knowledge than the House.

Electing a New Parliament

ACCORDING to existing law the life of a Parliament may not exceed five years but there are a number of causes that might influence its duration. For instance, even if not beaten on a vote in the House, if a Prime Minister should feel that he and his Government have lost the confidence of the nation, he may go to the King and ask for a dissolution, a request that is never refused.

A general election may, of course, come about through the ending of Parliament's normal term, but this does not often happen. If things are going well the Government will probably choose what it considers an opportune moment to go to the country, hoping to ride back to power once more.

From about the beginning of the eighteenth century Parliament was dissolved when the Government was defeated, or at a constitutional crisis, or when the reigning monarch died.

In 1399 Parliament sat for one day, during which it deposed Richard II and was immediately dissolved. In 1694 the Triennial Act provided that the life of Parliament be normally three years. In 1715 the Septennial Act made it seven years. The second Reform Act, 1867, provided that Parliament should no longer be dissolved within six months of the demise of the Crown. And in 1911 the Parliament Act restricted the life of Parliament to five years instead of seven. But whatever is enacted it must be recognised that

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Parliament, being the supreme law-making body, can prolong or shorten its own life. During the First World War it extended its existence, and in 1945 after the Second World War the same Parliament had sat for ten years. This was both logical and necessary, for when a nation is fighting for its life it is no time to weaken national unity by stimulating political differences.

But more often than not the situation is that a vital issue comes before Parliament, and the Government of the day, deserted by many of its own party, is defeated and resigns—which means that the subject in dispute is referred back to the people, to decide the course the Government shall follow. Parliament by its action has put the issue squarely before the nation, and the Government must either have the endorsement of the electors' confidence or turn the direction of the country's affairs over to other hands.

The first step in a general election is the Prorogation of Parliament, a ceremony at which a Speech from the Throne is read in the House, and following this a Royal Proclamation dissolves Parliament, the Cabinet continuing to function until a new Government is formed, and other departments being left in charge of the permanent officials. The same Proclamation orders the issue of writs to every constituency throughout the country, and announces the date on which the new Parliament is required to meet.

These writs are issued by the Lord Chancellor in Great Britain and by the Governor-General in Northern Ireland to the Sheriffs and Returning Officers of each county and borough, requiring them to return a Member to Parliament. In simple parlance it means: Hold an election.

From that time on excitement wells up. Conflicting

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views are bandied hither and thither, speeches and broadcasts are made. Literally everyone to-day is closely concerned with what may happen at the poll, and both nationally and locally efforts are made to place each party's proposals before every voter, the B.B.C. allowing each of the leading parties a certain fixed number of opportunities to broadcast. Election results are unpredictable, but there is one certainty, which is that elections in Britain are handled as fairly as any in the world.

On Nomination Day, the eighth day after the Proclamation, the chosen candidate of each party in each division has to attend a public place in the constituency, such as the town hall, to submit his or her nomination papers and lodge the sum of £150 in cash, which is forfeited by any candidate who does not obtain at least one-eighth of the total votes cast. Locally a lot of fuss is made of Nomination Day, responsible citizens prominent in the community coming along to add their signatures to the papers of the candidate they support; and the rival candidates often try to arrive very early or very late, for the sake of publicity.

Polling Day is nine days later, and the assembling of the new Parliament cannot be less than twenty days after the Proclamation, though it may be more. At the 1945 election extra time was allowed for checking the votes of Service men and women stationed abroad. They could either ask a relative at home to vote for them, or cast their vote at the camp, airfield, or ship in which they were stationed, and from which the votes were sent to their home divisions. Inevitably the procedure lent itself to accidental overlapping, and all these votes were checked to see that no one had by some misunderstanding been credited with two.

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Elections are usually anticipated for some time beforehand. Registers of voters, compiled under the direction of Returning Officers, are checked to see that everyone entitled to a vote will have it. It is the job of party agents, who keep copies of the lists, to see that there are as few mistakes as possible.

The more lucidly a candidate and party present their case to the elector the easier it is for him to decide how to vote, and the more complete and compact the local party organisation, covering all types of election problems, the better the candidate's chance of success.

At the head, the Liberal Party has its National Liberal Federation, the Socialists their National Executive Committee and Transport House, the Conservatives their National Union of Conservative and Unionist¹ Associations, and Central Office. There is also an active Communist group forming the Communist Party of Great Britain, whose strength is an unknown quantity.

Between elections each party endeavours to maintain local associations in each constituency, whose job it is to establish widespread and successful connections with each ward and branch in the area. A ward is an urban section of a division and a branch is a rural section. Local members of these vary widely in energy and activity, but it is the duty of the main local headquarters to stimulate them to the utmost.

In addition to the Member of Parliament or prospective candidate and the paid agent, each local association has a chairman, possibly a president, and

¹ The term "Unionist" originated with the Liberals who joined the Conservatives on the question of preserving union with Ireland (as against Home Rule), and afterwards it came to be used by the Conservatives to describe themselves. The Labour Party are often referred to as Socialists.

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an honorary treasurer and secretary, together with an executive committee. These in their various capacities are responsible for organising and running the day-to-day political work needed in the division. Much of it is delegated to sub-committees, each of whom handles a definite subject such as finance, education, propaganda or speakers, and works in close contact with the main executive. Usually the chairman of each sub-committee is also a member of the main committee.

Active supporters of each party who become members of local associations divide themselves either into three groups, men, women, and younger people, or two groups, men and women together and young people. But in either case they try to interrelate their activities and meet together on occasions.

In the Liberal and Tory parties local organisations are largely left to handle their own affairs in accordance with their knowledge of local needs and conditions, though advice and help are readily given by headquarters. Socialist organisations are tied closer to their parent body at Transport House, from which they receive regular and definite instructions. All Socialist associations work hard, often in semi-secrecy, spurred on by the central driving force. Their supporters are in two classes, individual and affiliated, the second group being members of trade unions approved by the Trade Union Congress or of kindred bodies. This results in a more centralised and non-personal local organisation than that of the other parties.

Just as in every nation-wide activity calling for positive action, whether it be religion, art, commerce, sport or industry, politics cannot be disassociated from money, and each party has to make it its business to collect the sinews of war.

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Here again the methods used illustrate the various parties' philosophies. The Socialists draw a fixed, regular contribution from each supporter. In addition much is subscribed voluntarily and by the Co-operative movement, local events are organised to add to the funds, and collections made at all meetings, but the regular contribution, which might almost be called a compulsory levy, forms the backbone of Socialist finance.

A different approach to the problem is made by the Tories, whose funds have always been based on voluntary subscriptions or donations, plus amounts collected at special events, whist drives, dances, sales of work and so forth. Consequently when hard times strike the country the Socialists still know approximately what funds will be at their disposal, whereas the Tories find the situation uncertain and embarrassing. They are now decidedly the poorer party, and are having to review their entire financial structure and improve the means of collecting funds.

Liberals gather their resources in much the same way as the Tories. As for the Communists, it is generally accepted that they have more to spend in proportion to their numbers than any other party, but complete facts are not known—nor where most of the money comes from. There have been many attempts to expose all party finances to the full scrutiny of the community, but these have never been successful.

In the past, Tory and Liberal Members or candidates often assumed a large part of the expenses, both of running their associations and the election itself, which not infrequently led to richer people being selected as candidates. The only advantage of this was that such men had probably been leaders in some profession or

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activity and thereby gained knowledge not always enjoyed by the less successful. But since the introduction of universal educational facilities and opportunities of travel, conditions have changed, and in the desire to get the best and most suitable candidate, financial calls upon Members are being removed, and no large contributions to party funds are called for.

Constituents provide by their own activities most, if not all, of the money for their fighting fund, though no law controls the matter and it would be difficult to frame any legislation to meet it.

A definite limit is imposed on the amount to be spent on an election—a just and essential provision ensuring that no party can gain an unfair advantage by having more money to spend. In boroughs fivepence and in county districts sixpence may be spent by each party per head of the electorate, as based on the national register of voters at the time of the election.¹

This sum has to include all expenses, hire of halls, office staff, expenses of speakers, transport, posters, stationery, postage, etc. A certain amount for agent's fees and for the candidate's expenses, if paid through his agent, may also be spent, and one postal communication may be sent free of charge to each constituent, franked by the Post Office and usually containing the candidate's Election Address. This is a personal statement by the candidate explaining the party's policy, and including references to local interests and any special policies he intends to advocate if elected.

Each constituency has an exacting task in selecting a candidate, who should not only be of the highest

¹ Under the Representation of the People Bill introduced in 1947, £450 may be spent with an addition of 1d. per head of the electorate in a borough and 1½d. in a county.

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personal integrity but capable of expounding and upholding his party's policy and becoming a worthwhile representative, both in Westminster and the division, for all sections of the electorate.

If it is a "safe seat"—if there be such a thing nowadays—there is keen competition to become the candidate, but one of that great majority of seats needing constant attention, and the hardest work to hold, is not sought after with anything like the same zest !

The actual process of selection is interesting. At all party headquarters a list is kept of people who are likely to be the best standard-bearers of party policy in various types of constituency. Innumerable people get in touch with those whom they believe are influential, to submit themselves for consideration wherever a seat is likely to be contested. A difference exists here again between parties. Tories and Liberals in each division are strictly responsible for the selection of candidates, though they may have advice and suggestions from headquarters. But with the Socialists, although a preference for a certain candidate may be expressed, in every case the candidate must first be approved by headquarters.

When it is made known that a seat is or will be vacant, a list of possibly half a dozen candidates may be sent in response to an application to party headquarters. The executive committee in the division appoints a selection sub-committee, who review all information by or about the candidates, more or less irrespectively of its source, and the list is duly reduced to three or four. These are interviewed and put through a kind of political third-degree to make sure they are sound on party issues, willing to meet all demands on their time

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and energy, and likely to be popular in the area concerned—an important consideration in selecting someone who must play an intimate part in the life of the community.

His wife, too, does not escape scrutiny, for she would have to meet certain obligations as the wife of an M.P. Many a wife has turned the scale one way or the other in the selection of a candidate.

If no candidate is outstanding at this interview the list is reduced to two, who are invited to appear before the main executive and present their own case as they see fit. This interview is an ordeal, and having been present on several such occasions I can say that practically every competitor is nervous, and their technique in trying to impress varies widely. Some attempt to be humorous, others are grim in their sincerity. It is equally trying for the selectors, for a bad decision may mean losing the election, perhaps even losing the majority for their party in the House.

Very often the sitting Member of Parliament presents himself for re-election, having been invited to do so by his party in the division. But when the actual election is to take place he has to be officially adopted as the candidate: from the time of the Dissolution of Parliament he is only the candidate, and his right to call himself a Member of Parliament ceases.

Certain people cannot stand for Parliament, including all peers, except Irish non-representative peers; clergy of the established Churches of England and Scotland and of the Roman Catholic Church; persons under twenty-one; aliens; undischarged bankrupts; convicted felons and those guilty of corrupt and illegal practices at elections; certain pensioners and certain Government contractors. A Sheriff or Returning Officer

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cannot stand for the division in which he is performing his duties; other offices which disqualify are those of judges, Civil Servants and Colonial Governors.

Once selected, the candidate's work begins. Elections are won between elections, and seldom in the few days between the Prorogation and Polling Day. The candidate and his wife, if he has one, endeavour to know and be known by as many people in the division as possible, because once the election arrives it is difficult to make contact from the platform with more than about five per cent. of the electorate. For some reason hard to explain British electors have a curious antipathy to finding out about their candidate by attending his political meetings.

He has to keep innumerable engagements—attending civic ceremonies, sporting events, school theatricals, or dances, awarding prizes at pigeon races, opening fêtes, or even helping to judge beauty competitions. He is invited to be president or vice-president of every imaginable organisation. And if he wants to understand his constituency he does his utmost to comply. Some men set aside one day every week or fortnight on which to see anyone who is in difficulties, others fit in such interviews at any time, and if a man becomes known for giving sound advice it is remarkable how many people, including “strays” or non-residents, take advantage of this gratuitous wisdom. Once he becomes a Member it is obligatory to give such help when called upon.

Complete confidence must exist between the candidate and his agent, committee and association. Unless this relationship is entirely unreserved on both sides it almost certainly causes difficulties.

Each party has a political agent in each constituency,

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who is also secretary of the local association, but during the election he is no longer a party official but the direct employee of the candidate, who pays him a stipulated and agreed sum, included in the election expenses, for his services.

At any time the agent has an onerous position, being at once adviser, organiser, energiser, investigator and diplomat, ironing out the minor differences inseparable from such a widespread and voluntary organisation, keeping the Member and association fully informed of what is going on in the party and in the opposition. But at election time he is even more active, busy day and night and often unable to leave his offices during the whole period, even sleeping on the premises. He arranges working committees and meetings, sees to the staffing of committee rooms, writes endless letters and sees hundreds of callers, sends out circulars and posters, keeps in constant touch with the electorate, gives out information about the candidate and party, obtains speakers and helpers, tells the candidate all he should know about trends of local feeling, keeps the best check he can on the activities of rival candidates, and remains calm.

Agents to-day take a course on election law and gain a certificate of proficiency in their general duties. Without this knowledge they may easily cause candidates to fail or, even if successful at the poll, be unseated through some infringement of election law.

“Treating” by a candidate is absolutely forbidden; bribery in any form is illegal (sometimes it is hard to define a gift in these circumstances). Lending money is most dangerous, for if an election occurs within six months a successful candidate could be unseated on it becoming known that he had been so indiscreet.

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House-to-house canvassing was once an essential part of a candidate's or Member's duties, but with the size and widespread nature of many constituencies this doorstep work, as it is called, is well nigh impossible. Voters with the old tradition in mind resent the failure of candidates to pay personal calls, feeling they are entitled to this attention if they are to give their vote. But most canvassing is done by supporters, and it is one of the most helpful kinds of work that can be done in any division. Much is revealed in personal contact, and questions about party matters can be both asked and answered.

Before the Ballot Act of 1872 made voting secret, candidates were proposed and seconded at an open public meeting called a hustings, at which the Returning Officer invited candidates to make their speeches and then called for a show of hands. This done, the polling date and place were fixed, at which each voter publicly announced his choice, and the man who gained most votes was declared elected. This gave rise to extreme excitement and invited attempts at intimidation. Many a free fight took place and disorder was frequent. Even to-day feeling may run high towards the end in tougher districts, particularly in critical times, but does not often lead to more than loudly expressed irritation.

On Polling Day all polling stations (usually local education authority schools) are open for twelve hours from seven or eight A.M., possibly with an hour's extension at either end, by agreement between candidates. Stations are selected and equipped by the Returning Officer in collaboration with local authorities, and the proceedings are conducted by local officials who theoretically, for this occasion, have no politics.

ELECTING A NEW PARLIAMENT

The voter, which means a man or woman over twenty-one years of age who was living in the constituency when the last electors' register was compiled, enters the station, gives his registration number to the waiting official and receives a ballot paper. This he takes to an open booth so arranged that no one may look over his shoulder, puts a cross against the name of the candidate he supports, folds it, and drops it into the ballot-box. If he puts any mark on the paper except a cross, or shows it to anyone, it is invalidated.

By this method voting is secret. But outside the polling station each party usually has one or two helpers stationed, to ask each voter, as he or she leaves the station, for the card they have carried with them to the poll, bearing their registration number. Each agent, as a rule, has sent every constituent one of these cards, with an encouraging cross beside the name of the party's candidate, and the card the voter takes with him is sufficient indication of how he has voted. He can do as he likes about handing it to the collector, but enough people do so to form a fairly sure guide as to how voting is going as the day advances.

At the end of the day the ballot-boxes are collected and taken to the town hall for the count. This can be held over until next morning, but more often the excitement induces the counters to start work the same night.

In the town hall the Returning Officer (usually the Town Clerk) has posted officials to sort and count the votes, working in pairs to avoid mistakes. They are entirely impartial and reliable, but for their own interest and satisfaction candidates and agents, and a few other people, are allowed to watch the proceedings.

Sorted and counted votes are fastened with rubber

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bands in fifties or hundreds, piling up in a manner suggestive of a snake. It is fascinating and a little nerve-racking to watch first one and then another lot of bundles shooting ahead of the rest as votes from different parts of the constituency are counted, but usually by the time about half have been checked the result is fairly obvious.

If the difference after the final count is small, the candidate who is apparently defeated may require a recount, and this must be undertaken, but when the majority is beyond any dispute the Recording Officer goes at once to the doorway or balcony of the building and declares the result to the inevitable waiting crowd.

The successful candidate makes a short speech, assuring his constituents, in hackneyed but time-honoured phrases, that from now on he will not be partisan but will do all he can for everyone in the division. He congratulates his opponent on the fairness with which the campaign has been conducted, and he in turn has a word for his own supporters. Finally the victor is carried, precariously, shoulder-high to local party headquarters for a celebration.

From this moment his duties as a Member of Parliament begin. On the day appointed he goes to Westminster, carrying with him the confirmation of his election, signed by the Returning Officer. Without this he cannot take the oath or occupy his seat, and if it has been a by-election he cannot even come into the Chamber to take the oath until two sitting Members sponsor him. Usually there is no difficulty about this, but some men have been long delayed by finding no sponsors willing to present them to the House—which may happen if they stand for principles or policies not espoused by any other Members.

ELECTING A NEW PARLIAMENT

Many a Member arrives at the House understandably full of importance, having just enjoyed public notoriety, been voted for and acclaimed a victor, and he is surprised that the House is not impressed by his arrival. But he soon realises that over six hundred other Members are in the same position, and that his personal importance will depend upon himself. He finds he has much to learn, and that no amount of bravado will enable him to bluff his way very far. He must, in fact, deliver the goods.

He has to study and memorise all kinds of rules and Standing Orders, which have an importance undreamt of by him when he was making those slashing, fighting election speeches !

A few new Members are overawed, and they are fortunate if they hesitate and do not rush in at once to make their maiden speech, though it has been known for a man to take his seat and make his first speech on one and the same day. The Speaker is always considerate to a new Member, and the whole House adopts a friendly attitude towards him. After making his maiden speech he is invariably congratulated by the Member following him, assuring him that he has made an important contribution to the proceedings of the House and that other Members will always be interested in what he has to say.

But it takes a considerable time for an average man to carve himself a niche in the Mother of Parliaments.

The House of Lords

No account of OUR HOUSE would be appropriate without at least a verbal diagram of the "other place" with which it works in conjunction, for the British Parliament consists of the King, the Lords and the Commons.

Originally all three sat in one conference, but in the thirteenth century the Commons separated and sat strictly by themselves, the Lords formed a second or Upper Chamber to conduct their own deliberations, and the King, whose formal consent was then, and is still, required to all Acts passed by the two Houses, is now present only on special and definitely formal occasions.

The Lords, who for a long time were the most powerful part of Parliament, are the direct continuation of those who attended the Witenagemot of Saxon times, and have met, usually at Westminster, ever since, except during the Commonwealth, when Cromwell dispensed with their services on the grounds that they were "useless and dangerous".

In 1911 the Parliament Act radically curtailed the power of the Lords, and since then their authority has declined, but correspondingly with this subordination in importance to the Commons, the value of the Lords as an independent body with comparative freedom of action has steadily been enhanced.

To-day they are an unfailing source of strength both to

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the country and the Empire, both of which would lose much if the Lords' opportunities for giving advice were further restricted or more measures introduced to limit the application of their ability and knowledge.

There was a time when the House of Lords as a whole was regarded by the general public as consisting of a number of "belted earls" who had inherited their distinction from long lines of forebears, but who in themselves were neither practical nor hard-working. Possibly a very few of them might answer to this description, but as a general picture it is now completely out of focus.

Britain is abnormal, and fortunate, in that our Constitution is not a written one, and in consequence it is exceedingly flexible and adaptable to our changing needs and times. But there are a few continuing invariables, and one of these is the principle behind the House of Lords, to which no other country has a parallel. It is composed largely of men who have been honoured for exceptional public service in politics or commerce, the Church, science, industry, the Services, shipping, transport and other national activities, or as administrators or office-holders. Those whose great ability has brought new benefits to the community are in many cases given a peerage, which carries with it the right to sit in the House of Lords and the opportunity to continue to exercise in the nation's service those qualities that justified their promotion to the peerage.

Partisan politics of the individual are not the controlling factor in this group of men. Socialists, Liberals, Conservatives, cross-benchers or Independents, all sit in the Lords' Chamber. Many were formerly members of the Commons who retired rather than continue to stand for election and fight in the political

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arena, but they are delighted to draw on their fund of knowledge to make their contribution in this new sphere of influence.

When the official figures were last published the catalogue of the Lords was given as: 3 Peers of Blood Royal (these are the Duke of Gloucester, the Duke of Kent and the Duke of Windsor); 2 Archbishops; 20 Dukes; 27 Marquesses; 132 Earls; 95 Viscounts; 24 Bishops; 518 Barons; 16 Scottish Representative Peers; 8 Irish Representative Peers. Of this total of 845, 10 are Life Peers, 26 are minors who do not sit until they are of age, and the Bishops may also be classed as Life Peers, for although they are addressed as "My Lord" their wives are "Mrs".

Scottish Representative Peers are elected by their fellow-peers for every new Parliament, and Irish ones are elected for life. Originally, by the Act of Union, 1801, there were 26 Irish Representative Peers, but after the Irish Free State Act of 1922 the machinery for electing them no longer functioned, and since then eighteen have died. Some Irish peers sit in the House of Commons for English constituencies, like Lord Winterton, who has been Member for Horsham since 1904. Lord Lucan, another Irish Representative Peer, has been made a Baron of the U.K. and now has a seat in the Lords in that capacity.

In the last half-century something like 500 new peers have been created, thus providing a constant supply of new blood in the House of Lords, and it is in fact largely these men, possibly about 200 of those now occupying their seats, who do most of the work. This is another advantage in our system of awarding honours, that although the Upper House is a constant body, new members are continually being added, and none lose the

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right to attend, no matter which party is in charge of the Government.

Consequently the balance of parties in the Lords becomes a problem only when there is a violent swing over at a general election to one party or another which has only a minority in the Upper Chamber. When this does happen it is not unusual to see a number of members of the Commons promoted to the other House, to add debating and numerical strength to the weaker, though technically controlling, party, for it is within the power of the Lords to cause a constitutional crisis by refusing to approve and thus defeating a Bill sent to them by the Commons, and every measure except a Money Bill has to have their approval before it becomes law.

As the peers do not have to answer to any electorate, and as a matter of principle are not rewarded for their services, they are more likely to form a detached judgment upon the problems presented to them.

A number of special functions are the exclusive prerogative of the Lords, the most important of these being the exercise of certain forms of judicial authority. The House of Lords is the Supreme Court of Appeal except for certain cases which are dealt with by the Privy Council. For Great Britain and Northern Ireland this final Court of Appeal must consist of at least three of the following: the Lord Chancellor, the Lords of Appeal in Ordinary (each of these Lords of Appeal holding a life peerage as baron, carrying with it a seat in the House of Lords), the Judges of the Supreme Court of England or Northern Ireland or the Court of Session in Scotland. Together with about twenty ex-judges of Britain and the Empire, the Lords of Appeal in Ordinary form the Judicial Committee of the Privy

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Council, which acts as the ultimate Court of Appeal for the Colonial Empire.

Three Lords of Appeal constitute a quorum for judicial purposes, and they hold their meetings in the morning, listening to the most complicated and abstruse legal arguments in a final effort by litigants to prove the justice of their cause. Once the Lords' final decision is rendered it is as fully binding on the community as a normally enacted law, and cannot be reversed.

Dignity and simplicity impress an observer in the conduct of these appeals. The Lords of Appeal ask questions of the Counsel for litigants (Counsel stay outside the Bar of the House during these proceedings), and the hearing is not so much a matter of imposing the law as an attempt to render a considered decision with the utmost justice and equity, and to remove every possible ambiguity that may have arisen owing to the intricacy of legal parlance or the uncertainties of a borderline situation. There is nothing comparable to this final Court of Appeal in the world, and it gives to the Lords a status enjoyed by no other upper house.

The Lord Chancellor corresponds more or less to the Speaker of the Commons, but is a member of the Cabinet and is appointed by the Prime Minister at each new Parliament. He receives his appointment before he is created a peer, in fact it is not strictly necessary for him to become a peer at all. The famous Sir Thomas More, Lord Chancellor to King Henry VIII, never became a peer. In appointing a Lord Chancellor the chief factors are his learning, status and high character as a judge and in all matters pertaining to the law. He is also Lord Keeper of the Great Seal which is stamped on all documents that are sent out in the King's name; he is the chief judge in the land, and is one of the Lords

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Commissioners who on various occasions act on behalf of the King, and may read the Gracious Speech from the Throne at the Opening of Parliament if His Majesty is unable to attend in person. The Lords Commissioners, peers who are members of the Privy Council, also act for the King at the ceremony of giving the Royal Assent to Bills passed by both Houses.

Wearing a full-bottomed wig, Court dress and gown rather like those of the Speaker, the Lord Chancellor sits on the Woolsack when the Lords sit for debates and legislative business in the afternoons. Three, with the Lord Chancellor presiding, form a quorum, though this number cannot divide on any question. A division can only be held if there are thirty or more peers present. In divisions they do not shout "Aye" or "No", but express themselves as "Content" or "Not content". Otherwise the procedure is practically the same as in a Commons division.

No formal Question Time is held, though both oral and written questions can be asked. They are addressed to the Government as a whole and not to individual Ministers as in the Commons. Here is one of the three oral questions asked on 5th November 1947:

Lord O'Hagan: My Lords, I beg to ask the question standing in my name on the Order Paper.

To ask His Majesty's Government what steps have been taken to carry out the intention announced by the Minister of Health on July 31, 1947, to include in the housing programme the provision of financial assistance for the improvement of existing houses in town and country whether carried out by a local authority or by other persons.

Questions are answered in person by the Minister if he is a peer, or if not by a peer speaking on his behalf.

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Procedures and formulas followed by the Lords are in general more decorous than those of the Commons—who, though serious in their deliberations, adhere a little more closely to “the cut and thrust of debate”. Diction, too, is more studied and perfected in the more leisurely atmosphere of the Lords. They do not indulge in long speeches unless they have a definite object in doing so, such as slowing down the pace of some piece of legislation, and as a result they are able to carry out their work in possibly from a third to a half of the time taken in the Commons.

In debate they do not have to “catch the Speaker’s eye”. They get up and speak when they wish to do so. On the other hand, whilst in the Commons no one is permitted to stop a man speaking once he has begun, except on a point of Order or a direction from the Speaker, if a member of the Lords become a little too long-winded or repetitive a fellow-peer may move “that the noble Lord be no more heard”. But it is seldom necessary to adopt this practical though rather crude method of shortening speeches! In addressing each other they use the words: “My Lord so-and-so”. This is never varied.

Unlike the Speaker, the Lord Chancellor may take part in debates and also speak as a member of a party. But in some ways he has less power than the Speaker. He cannot, for instance, order a peer to withdraw from the Chamber. The most he can do to call a member to order is to ask the Clerk to read an ancient Order “relating to asperity of speech”. But this has not been necessary for over sixty years!

Usually they begin their legislative work at 2.30 P.M. after Prayers, and end it before dinner. Here again they enjoy a privilege not possessed by the Commons.

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If the work of the day is not completed by a meal-time they often simply adjourn the House while they go and have something to eat—a reasonable procedure indeed.

Like the Commons they have absolute right of freedom of speech, being immune from legal consequences for anything they say in the House, and they also enjoy a theoretical freedom from arrest. They are responsible solely to their peers, and the House of Lords itself can function as a Court for the trial of a peer accused of treason or felony. And if he should be guilty of a crime for which the penalty is death by hanging he can demand, if it is any comfort to him, to be hanged with a silken rope!

In addition to legislative work the Lords hold many debates on Motions “for Papers”. This means that when they want to debate a matter, usually with the purpose of ventilating a subject of public interest and making suggestions for improvements, one of the Lords makes a preliminary speech and then moves that papers be called for from the Government department concerned. On this Motion the debate is held, but the papers do not materialise, as at the conclusion of the debate the Motion is withdrawn. To move for Papers is merely a way of announcing that a certain subject is to be debated. Anything under the sun—the basic petrol ration, hop-growing, housing, public monuments, education, foreign labour, orphans, road safety—may be considered if the Lords feel their comments may be helpful.

Through the “Lords Spiritual” the established Church of England has a powerful voice in our national affairs, because, although no member of the Church of England clergy may stand for election to the Commons,

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the Archbishops of Canterbury and York and twenty-four bishops have seats in the Lords. In some quarters there is a good deal of resentment that the ordinary clergy can take no part in politics, but through its representatives in the Lords the Church is well able to keep a watchful eye and often give a helping hand on matters which in the bishops' judgment may have serious or unfortunate reactions. And at the same time they can bring their wisdom to bear on all sorts of subjects of debate.

Not infrequently Members of the Government are peers who have been so created in order that their special gifts may be constantly available in ministerial offices, for only a member of the Commons or a peer can have a seat in the Cabinet or be appointed head of a Government department.

In the spending departments, that is, those whose work involves the allocation of large sums of money, a peer is seldom appointed, both Minister and his Parliamentary Secretary being in the Commons. This is the logical procedure in view of the fact that the Lords have no voice in national finance. But in other departments in which money is not of the first consideration it is not unusual for the Minister to be appointed from either Commons or Lords, and his Parliamentary Secretary from the other House, whichever that may be, so that the Government has a representative to explain its policies in both Houses.

Certain sons of peers with courtesy titles have sat in the Commons, such as Lord Corvedale (son of the late Earl Baldwin), who was appointed Parliamentary Secretary to the War Office in 1945. A courtesy title, bestowed on the son of an earl or marquis, does not entitle him to a seat in the House of Lords.

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When on 10th May 1941 German bombs destroyed the Chamber of the Commons, the Lords immediately and generously volunteered to vacate their own debating Chamber and lend it to the Commons until a new one could be erected—just as they had done more than a century before, after the fire in 1834—and they betook themselves to an improvised smaller chamber, formerly the King's Robing Room.

In this four rows of benches have been erected at either side of a central aisle, similar in principle to the arrangements in their own Chamber and that of the Commons, but of course on a reduced scale. This improvised Chamber has a small gallery with a limited amount of seating for M.P.s and the Press, and seating at either end for visitors, who are allowed in if holding admission tickets.

At the opposite end of the Chamber to the gallery stands the Woolsack. At first inspection most people are surprised, and foreigners staggered, when they see our world-famed Woolsack on which the Lord Chancellor sits. It is small and inconspicuous, rather like a little couch, about five feet six inches long and four feet wide, covered in dark red cloth with a little flounce hanging to the floor, and finished rather like the upholstery of a Victorian easy-chair. Projecting up from its middle is a sort of inverted centreboard about two feet long, eight inches broad and one foot three inches high. On the forward side of this the Lord Chancellor sits, and at the back rests the Mace.

As its name implies, it is a sack of wool, a symbol and reminder of the fact that up to the sixteenth century England was the principal centre of Europe's wool trade, and it was thought appropriate that the Lord Chancellor should sit upon a sample of England's

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greatest product. A few years ago this ottoman was obviously showing signs of wear and sagging a little, and when opened for repairs it was found to contain a proportion of horsehair—due to that curious desire for change and supposed improvement so prevalent in Victorian days. It was of course restuffed with the purest wool, collected from the British Isles and every part of the Empire. It stands in the Lords' Chamber in the same relative position to the Members as the Speaker's Chair does in the Commons.

Again as in the Commons, the Lords cannot conduct their business until the Mace is in its place, and like the Commons they divide themselves, with the Government and so-called Treasury Bench to the right of the Woolsack and the Opposition benches on the left. The Clerks sit at the Table facing the Woolsack, and to the left at the far end of the room, almost under the gallery, sits the Gentleman Usher or Yeoman Usher, the Lords' equivalent of the Serjeant-at-Arms.

The small size of this room can be comprehended from that fact that the carpet covering the floor is of the same dimensions as the flag that flies over the tower of the House of Lords. The tower itself is about 323 feet high, one of the tallest buildings in the world, and comparing favourably with many of America's skyscrapers. But though small, the Chamber is a dignified room, possessing a highly decorated ceiling and an oak dado round the walls, in the upper part of which are inserted beautifully carved wood panels by H. Armstead, portraying the chief incidents in the legend of King Arthur.

Extending from the top of the dado to the cornice are five important frescoes, painted by W. Dyce, R.A., representing the virtues of Chivalry: Generosity,

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Religion, Courtesy, Mercy, and Hospitality (the last was finished in 1865).

Under the gallery is an elaborate and not very beautiful fireplace, alleged to contain a piece of stone or marble from every county in the kingdom—and it looks it! In the Victorian days of its creation it may have been a useful heating unit, but now it is just a rather poor example of the decoration of that period.

On the whole, this temporary Chamber is simple and unpretentious, devoid of the grandiose carving and gilding of the Lords' own Chamber, yet it impresses the visitor as a typically British setting for the Lords' debates. In this atmosphere of obvious and appropriate humility, though not of obscurity, the peers assemble to put at the nation's service the best judgment within their power, and the value of their work in straightening out and removing ambiguities from bills too hurriedly drafted and at times ill-considered in the Commons has been recognised by all parties. Having observed them for nearly a quarter of a century, both in their own Chamber and this temporary one, I am convinced that there is no judicial or legislative body anywhere that approaches national problems with more freedom from bias, profounder wisdom, less flamboyance and greater knowledge than our House of Lords to-day.

So far, unlike the Commons, the Lords have refused permission to a woman, even a peeress in her own right, to sit with them, excepting of course the Queen and the Heir to the Throne, Princess Elizabeth, on great occasions. At the end of the centre aisle, behind the Woolsack, is a small raised dais upon which stand two thrones, more or less like rather ornate gilt chairs upholstered in red cloth, and since 1947 another chair

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has been arranged near by for the Princess. I doubt if there is a Mayor's chamber throughout the kingdom that is furnished with less conspicuous or impressive seating arrangements.

On the wall behind these chairs is a large and exquisite panel of handmade needlework on a red velvet background, with the Royal Arms and Queen Victoria's monogram in fine stumpwork, made by the South Kensington School of Art Needlework and finished in 1856.

After a visit to the Lords, any visitor must be profoundly impressed with the marked absence of pomp or pretence in this debating Chamber. Mere background or setting would not add lustre to their deliberations, and it is the sheer quality and unbiased merit of their efforts that gives the British House of Peers its dignity, and entitles it to the respect accorded to it by all those who know it intimately.

The Old House and the New

ON 10th May 1941 the House of Commons was completely destroyed by German bombs. Nothing remained but pieces of broken stone, twisted ironwork and splinters of carved wood, where that historic Chamber had stood and where some of the world's greatest speeches had been made.

Such a calamity had not been entirely unanticipated. When Mr. Winston Churchill became Prime Minister in 1940 he advised all Members to be cautious when speaking about the sittings of the House, because, as he put it in his own Churchillian way, it would hardly be helpful to have about three hundred by-elections during the war, and we must remember we were sitting on the target. But luckily—and perhaps due to this warning—Hitler's airmen struck at a time when the House was not sitting.

Secrecy as to the time of sittings was reasonably observed by everyone, not only Members, for probably a great many bus conductors and practically all of London's cabbies could have given away the secret. But they never did.

For "reasons of security" even the Members' names were removed from their hat-pegs! And after the bombing our temporary place of meeting, in Church House behind Westminster Abbey, also remained a secret until we moved back into the Palace of Westminster and occupied the Lords' Chamber, which they

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graciously lent us for use until our own Chamber could be rebuilt.

No M.P.s had the misfortune to be killed in the House during the war, though in the fighting or in service connected with the war nineteen were killed. Two police guardians of the House lost their lives during air-raids at Westminster. The building was struck many times, both by explosive and by incendiary bombs, and one night when the bombing was heavy a fire started in the roof of Westminster Hall, that scene of many early Parliaments, built in 1097 by William Rufus. An ex-Minister who happened to be passing found that no one was there willing to assume responsibility for breaking in the door, and he at once did so himself, thereby preventing the loss of perhaps the most beautiful hammer-beam roof in the world.

The Chamber that was destroyed was not outstandingly beautiful, but had many attractive and pleasant qualities. It was homely. Years of use and association seemed to have impregnated the very walls with a tone and quality that age and human use alone can give. The oak walls, the green leather benches, the Speaker's Chair, the Table, the box-like space reserved for the Serjeant-at-Arms, the green matting on the floor, with the red line across the southern end to signify the Bar, all formed an ensemble famous and revered the world over.

It was not large, indeed small for 615 Members, being only sixty-eight feet long by forty-five feet six inches wide at the floor-level, and very little bigger at the gallery-level. At either end there was a fair-sized gallery and a narrow one along either side. On the floor the five ascending rows of benches on each side of a centre aisle provided seats for only 346 Members.

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Another 91 could be accommodated in the two long side galleries, making 437 in all.

At the northern end stood the Speaker's Chair, and just in front of him was the Table at which sat the Clerk and the two Clerks-Assistant, and on which rested the Mace, a row of reference-books, and the two boxes containing the tablets bearing the forms of the oath and affirmation, and the Bibles, used by the Clerk when swearing in new Members.

Below the Bar at the southern end sat the Serjeant-at-Arms in his box-like cubicle, near the main entrance door, mainly used by back benchers as it led from the Members' lobby. At the northern end behind the Speaker's Chair was another entrance, from a corridor leading to the various Ministers' rooms. Ministers and their Parliamentary Secretaries came in this way.

Once when Mr. Ernest Brown, that strenuous Liberal National who had a most remarkable voice, was using the telephone in a small ante-room behind the Speaker's Chair, the Prime Minister, then Mr. Stanley Baldwin, was passing, and he asked what all the noise was about. When told that it was Ernest Brown talking to Glasgow, he answered with that dry pawky humour of his: "Why the devil doesn't he use the telephone?"

Above and behind the Speaker's Chair was the Press gallery for the Hansard reporters and up to about seventy other reporters and journalists, and above this again were the Speaker's and ladies' galleries. These were behind the actual wall of the Chamber and gave a view of the proceedings between stone mullions (called the stone screens). An iron grill used to occupy the space between the mullions in front of the ladies' gallery, but this had to be taken out to release a

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suffragette who had chained herself to it, and it was never replaced.

Over the southern end were the galleries for “distinguished strangers”, usually Empire visitors, foreign diplomats and members of the House of Lords. One special seat, just under the clock, was kept for the Prince of Wales. Higher up behind this gallery was the public or Members’ gallery, for which Members could give tickets, holding about 110 seats. This had been extended, and an effort was made before the war to have it further enlarged, but the work was not begun.

This was the Commons’ Chamber built after the fire of 1834, when in trying to burn up the wooden tallies—the old form of receipt for taxes—a fire was started which not only burnt up the tallies but the Palace of Westminster as well, except certain of the older parts, including Westminster Hall, the crypt chapel and the cloisters.

Three years later, when a select committee had reported on a proposed new plan, a competition was held for the selection of an architect for the new building, which was to be Gothic or Elizabethan in style, and Sir Charles Barry was appointed to carry out the work. His assistant and associate was Welby Pugin, who was responsible for most of the decoration, but died before the work was finished. Barry’s wife laid the foundation stone in 1840, and generally speaking the building, in the Gothic design chosen, was finished in 1852, though the Lords, who also at that time had lent their own Chamber to the Commons, took possession of their new one in 1847.

The Commons’ new Chamber, which thus endured for about ninety years, had certain disadvantages. It was so draughty at either end that both the Speaker and

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the Serjeant-at-Arms could often be seen wrapping small rugs around their legs. The ventilation system, too, was exceedingly poor. The air for the Chamber was drawn into a large ventilation-room below the Terrace at the level of the Thames and was then forced through three-inch layers of cotton-wool: this was all the cleaning or air-conditioning it had. It was then forced up through gratings in the floor and through the green matting on which Members walked to their seats, and which was full of dust and dirt from their shoes. In consequence the air in the Chamber was anything but clean, and it was not uncommon to see on every bench Members falling asleep or dozing, especially towards the end of sittings, simply due to sheer inability to keep awake in such a soporific atmosphere.

Everything in the Chamber was destroyed in the bombing, including the Speaker's Chair, but it will be possible to duplicate the original in a new one, because when the Central Government buildings at Canberra were built, Britain gave a copy of our Speaker's Chair, complete with its fine carving and needlework, to the Commonwealth of Australia for use in their debating chamber.

After the destruction in 1941 Mr. Churchill, who had sat in the Chamber for something like forty years, expressed the hope that he would see it restored in all the essentials of its old form and dignity—a wish endorsed by practically every Member. He added that he ranked the House of Commons as “the most powerful debating Chamber in the world, as important as a fortification or battleship even in time of war”. He proposed, and again it was agreed, to build a new Chamber on the old foundations, which were intact, and

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in principle to maintain the old dimensions, using as far as possible its shattered walls.

These decisions have been respected by the appointed architect, Sir Giles Gilbert Scott, O.M., R.A., who has associated with him in this important undertaking his brother, Mr. Adrian Gilbert Scott, F.R.I.B.A.

The floor of the new Chamber is to be exactly the same size as the old, sixty-eight feet by forty-five feet six inches, but at the upper or gallery level the former dimensions are to be increased to a hundred and three feet by forty-eight feet. This will allow an increase in the total seating, from 744 in the old House to 915 in the new, this number excluding, as before, the seats behind the stone screens. Extra seating will be invaluable in view of the daily increasing demand for visitors' seats.

As in the past, the total number of Members' seats on the floor and in the lower side galleries will be 437. At the moment there are 640 Members, but this number may vary according to the periodical decisions of the Boundary Commission, whose duty it is to review the distribution of Members in relation to the number of electors, and other considerations. Too large a Chamber would destroy the intimacy and effectiveness of debate, and except on very important occasions there is usually room on the benches for all the Members wishing to be present.

The material to be used is Clipsham stone, from the Clipsham Quarry in Rutland which was reopened in 1945. In 1946 the foundations were put in order and building began in 1947, the steel framework being completed in the early months of that year. It was then anticipated that the new building would be ready for use in the early fifties, and though this was uncertain,

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due to other urgent demands for men and materials, the adoption of more modern methods of building could do much to make the date positive. But since a financial crisis struck the country later in 1947, many people have suggested that the work of rebuilding be held up to permit all available labour to be used for building houses.

In the meantime the Commons will continue to sit in the Chamber lent to them by the Lords. This has fulfilled its purpose admirably, though it has not quite the sense of intimacy and atmosphere that prevailed in our old Chamber. As soon as conditions permit, it is most desirable that the Commons should have a place of their own again, so that the Lords too may return to their own former home. As Mr. Churchill said in 1943: "We do not wish to outstay our welcome."

Many improvements are promised in our new Chamber. In general the lay-out will be the same as before, with five rows of benches on each side of a centre aisle and three cross benches at the end. The side benches are raised on steps one above the other, so that all Members and the Speaker have an uninterrupted view of the whole Chamber and no one is at the disadvantage of being invisible when trying to catch the Speaker's eye.

Again as before, division lobbies are to the right and the left of the Chamber, reached by short flights of steps descending from the level of the back rows of benches. Tellers for the Ayes are located at the south end of the right-hand lobby and tellers for the Noes at the north end of the left-hand one. This, in theory, is to prevent any clash when feelings may be running high and Members come streaming into the lobbies in large numbers.

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In the old Chamber there were blind spots from which a speaker could not be properly heard, and in the new one every possible precaution is being taken to avoid this. Lighting is to be as good as modern science permits. Artificial lighting will enter from above through a glass skylight, imitating daylight, and natural daylight will enter through the side windows, which are to be of a more domestic type than the old ones, easier to open and of plain glass. Formerly it was the custom, when the House became too warm, to ask the Speaker, on a point of Order, whether some windows could be opened. One of the officials of the House had then to climb out on to the roof and do this!

In the days before electric light was installed in the House it was the custom, when it grew dark, for a Member to rise in his place and move that candles be brought in. A little while ago, when a failure of current plunged the House into sudden darkness, a Member "called for candles" in the old way, and this will probably go down to history as the last time that this expression ever appeared in Hansard.

Carved oak panels will again line the lower part of the walls. The wood used will be home-grown, as, although several countries of the Empire generously suggested that they should be allowed to provide some of the wood, it is considered best to use nothing but English oak, as before. Above the gallery-level at either end the walls will be faced with limestone.

Behind the reporters' gallery will be two rooms for their exclusive use, and at the other end behind the public gallery will be two special strangers' lobbies, in addition to messengers' rooms, Members' writing-rooms and toilet accommodation for both sexes.

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A long-felt want will be met by a floor of offices over the Chamber, including the so-called Table Office where Questions are handed in, Votes and Proceedings Office, Public Bill Office, Journal Office, Fees Office where Private Bill fees are paid, Library, and typists' rooms, all reached by lifts.

In the past the basement was used as a ventilation-chamber, but in the new one it will be divided, with one entire floor given up to Ministers' rooms and conference rooms, and below this again there will be twenty small secretarial rooms, three large conference rooms, and a series of interviewing rooms for Members.

This new lay-out has been carefully studied with the special object of providing all the accommodation needed, situated conveniently, to save time and help Members to fit in all their work—which gets more arduous and seems to increase almost daily. Correspondence alone has swollen to such proportions that unless some facility is provided for dealing with it in the House, instead of in some outside and often far-off place, it is impossible to give this work the attention it should have.

Although the reigning King never enters the Commons Chamber, a special small room is to be provided for the Queen, from which she can see and hear the proceedings, and which she can enter and leave without being seen unless she so desires, and can bring with her any other member of the Royal Family except the King.

An interesting problem of procedure will arise when the future Queen comes to the Throne. As the reigning monarch she will not enter the Chamber, but the same ruling may not apply to her Consort.

Altogether the new Chamber will be a little less

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architecturally ponderous than the old, though still with a certain amount of pseudo-Gothic detail, and may be a trifle more interesting as well as more simple.

Some authorities have criticised the designs for the new House on the grounds that it shows an absence of any distinctive architectural character of the present day. But although the modern trend is towards greater simplicity and avoidance of mechanical, repetitive detail, the new character of architecture in England has not progressed sufficiently to justify any wide departure in the new building from the prevailing tone and quality of the remainder of the Palace of Westminster.

The House of Commons radiates a spirit of permanence. Here our laws are made. Members come and Members go, but the sense of timelessness continues. It is fair to anticipate that new Members sitting in the new Chamber, but with the same atmosphere surrounding them, will, like their predecessors, take on this sense of responsibility, politeness and respect for tradition that has been of great value to us in times of crisis—times that are bound to come again often before the world becomes stable once more, if it ever does.

Our House is solid and serene, and in spite of political vicissitudes it is to be hoped that in all essentials its character and tradition will continue through the years, stepping forward with the needs of the times but equally respecting the processes and procedures that time and testing have proved worth while.

Observations Based on Experience

HAVING lived for a considerable time under various legislative systems, both within and outside the Empire, I feel that our general system of government fits us as a nation. It may not be, and clearly is not, perfect, but it suits us better than any other system would be likely to do.

Like individuals, nations have personalities, and what is good for one is not necessarily good for another. Through the centuries the people of these islands have shaped their Parliamentary procedures for the making of laws to govern themselves, by a steady, continuous process of improvement which, though subject to some interruptions, has avoided any drastic or violent changes.

In recent years we have seen a more or less world-wide movement to the Left, a fluctuation no doubt partly caused by conditions resulting from two devastating wars which left stabilising barriers unavoidably reduced; and partly to a certain international intercourse with Russia, where a vast communistic experiment is being carried on. But movements such as this have taken place before, and while trying, as a nation and individually, to gain from such experiences, we have always in the past veered back into the advancing flow of freedom, where democracy in its largest sense is the code—yet where, to-day, certain modifications and changes are due, both in the form of advances in some directions and limitations in others.

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One obvious, single instance that must impress all Members of Parliament who have been in the House for any length of time is the continuous reference which has to be made to past legislation in order to find all the Acts, Orders and Regulations on the same subject. The Lord Chancellor said in 1947 that the Statute Book was in such chaos that it would take about fifteen years to straighten it out!

Dealing with the legal aspect of almost any situation to-day requires endless excursions through a maze of existing laws, and most thinking people feel it would not be injurious if a fair amount of Parliamentary time each year were given up to taking all the relevant legislation on a particular subject and reducing it in each case, by means of a Consolidation Act, into concise and understandable laws, saving time and money for all affected by them.

This would involve an amount of study by the departments, in conjunction with the official draftsmen who prepare Bills, but given freedom from emergencies sufficient time could easily be arranged to care for new legislation as well as to enable much clarification to be done. Even during both great wars, time was found to prepare for important future legislation while caring adequately for the emergency itself, and no hardship would be inflicted at present by using some of the time available each year to put OUR HOUSE in order. Such work has been carried out very successfully at various times, but more continuous effort is badly needed.

Again, many Members agree that too much legislation is attempted. During the first half of 1947 no less than fifty-four Bills, many of them of major importance, were rushed through the House. Legislation

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forced through at too great a speed results in anomalies and ambiguities finding their way into the Acts themselves, which then need revision and amendment in the House.

Another development that to many of us appears to need early reconsideration is the increasing use of delegated legislation, in the form of Statutory Rules and Orders—now collectively called Statutory Instruments—whereby not only Ministers but permanent officials of departments are being given the right of making regulations and orders that carry the full power of law, without always being submitted to the House.

A certain amount of delegated legislation is and always will be necessary, but a continuance of the practice on the present scale is not to be desired. Members of Parliament are directly responsible to their constituents and the nation for all laws that are passed, and the quantity is growing at such an alarming speed that Members have all they can do to keep up with the Bills introduced in the House, and find it almost impossible to keep count also of legislation they never hear of until it has been settled by departments and then thrown on to the table in such quantities that it is physically beyond their ability to study it.

This all points to the need for making Bills more comprehensive, and giving closer consideration to every detail at the committee stage wherein details are determined. If a measure is thoroughly examined and amended in these initial stages the need for much supplementary delegated legislation will be largely obviated.

Under recent legislation the tendency has been to transfer various services, such as hospitals, public

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assistance and electricity supply, to *ad hoc* Government boards and departments, and to transfer from smaller to larger authorities duties in respect of health, fire services, police, planning and other functions. It remains to be seen whether or not the transfer of these services to bodies administering large areas, remote from local interests, will result in a weakening of local initiative and interest in the well-being and progress of the individual towns and country districts.

Then we come to another point. When is the best and soundest legislation produced? Not at three or four o'clock in the morning, at which time the Members assume either a nervous irritability or a strained hilarity, and approval is given or disapproval registered more as a result of mental fatigue than of deep consideration by the Members, who have been elected to give the best of their judgment.

Long night sittings are sometimes unavoidable, but the more one witnesses in the House at such times the more strongly one is convinced that such late sittings are not productive of the best legislation, and should be restricted to the minimum.

This brings us to a vexing question that faces every Member constantly. How should he vote? Should he be a blind follower of his Party Whips? Should he permit himself to be markedly swayed by pressure from influential public bodies who bombard him with requests and with documents, by the letters he receives from his constituents, or any outside influence whatever?

A Member is a representative, not a delegate, and he should subject all these arguments to the best reasoning of which he is capable. His constituency includes something like 60,000 voters, and if a hundred or five hundred of them write in similar terms on a particular

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subject there may be several times as many whose feelings, though not revealed to him, run entirely counter to these.

Experience proves that he must be a hundred per cent. responsible for his own decisions, guided by his own principles and conscience, and, if need be, vote in complete opposition to demands or persuasion from any source, if in his heart and mind he feels it is the right thing to do, whilst not forgetting to estimate the probable consequences to the country, good or bad, when such decisions are made.

There are few Members in the House who do not regret the steadily growing encroachment by the Government upon the time normally known as Private Members' Time and used either to introduce Private Members' Bills or Motions with the object of debating matters not taken up by the Government of the day, pertaining to religion, local situations or side-issues which are yet of wide public interest, which bulk large in the minds of many but in which the Government is not taking an active interest.

The opportunities formerly available to Private Members to introduce Bills resulted in valuable measures such as the familiar Plimsoll Line Law which ended the practice of sending merchant ships to sea dangerously overloaded, the Hire Purchase Act, Sir Alan Herbert's famous Marriage Bill which became the Matrimonial Causes Act, 1937, the Slaughter of Animals Act and the Architects' Registration Act. All these were introduced and carried through the House by Private Members, and all have been of real public benefit. In fact one out of every six Private Members' Bills became law.

The right most jealously guarded by the Commons

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throughout all times and under all emergencies is the sole control of matters of finance, and this is kept as a subject to be debated first by the House sitting as a Committee of the whole House, so that details may be considered. No Bill involving expenditure or taxation, no matter who introduces it, can reach the committee stage until its financial proposals have been duly approved in this way, for no such proposals can be carried beyond the second reading stage without the Government's consent. Thus no Private Member can carry any of his proposals beyond the preliminary stage if they involve finance, except with the consent of the Government. The elimination of the Lords' supervision throws the total responsibility on the Commons, but it is a precious prerogative won after centuries of struggle and unshakable tenacity of purpose.

Three fine pictures illustrating this long contest hang in the House of Commons. Two are in St. Stephen's Hall, of King John signing Magna Charta, and of Sir Thomas More refusing Wolsey his demands on behalf of King Henry VIII. The third hangs in the Lobby at the entrance to the Lords Chamber and shows Speaker Lenthall defying Charles I when he entered the House to arrest the Five Members.

In earlier days King and Government acted as one, for the Sovereign nominated his own executive. The executive of to-day, the Cabinet, literally appoints itself from the leaders of the Party victorious at the polls. But here again, though in practice responsible to the Commons, it is not unknown for a Cabinet to endeavour to decrease or restrict the opportunities for scrupulous analysis and inspection of all measures by the House. Such tactics become dangerous and do the nation a

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disservice if they deprive Members of ample time to examine all bills and other proposals put before them. Each Member represents his whole electorate and should not allow himself to be dragooned, either by lack of time or ministerial pressure, into letting important decisions go by default, due to any political expedient.

Another aspect of our financial system which many feel needs revision is that when a major undertaking is authorised, such as the development and construction of the Singapore Base, instead of authorising the whole amount needed when the scheme is actually undertaken, only enough is voted year by year to enable work to be carried on, technically for one year but, in fact, only enough for about ten months, the operation then standing idle with just a skeleton force until more money is voted.

This not only seriously delays the time of completion, so much that in pre-war days many an aerodrome or similar work used to take up to four years to complete instead of two or three years, but adds to the cost, which has to be met by the taxpayers.

The procedure apparently followed is that an estimate of the work that can be done in a year is cut to such a close margin that the amount of money asked for is barely enough to cover a full year's requirements. It is bad industrial estimating to take longer than is necessary to complete an undertaking, and no business man would countenance such lamentable procedure.

It is essential in any case that a report be given every year to the House of how work is progressing and how much money is spent, but to have to wait for yearly approvals of money needed for a highly important project is antediluvian.

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Great majorities in the House are liable to be a disadvantage. They give the Government of the day ability to override all opposition, and the tendency to use such power is understandable. It would be hardly human to resist such an opportunity. But the best legislation is carried out where both sides are not too greatly dissimilar in numbers, for this compels each party to give of their best when reaching a decision.

A distinguishing quality of our British Parliament is that it is composed largely, not of professional politicians, but of men who have achieved success in some other walk of life, and gained experience and knowledge of some special subject before attempting to bring their intelligence to bear in matters political. The words of an expert on any subject under debate are always listened to in the House, and this leaven of indisputable knowledge does much to keep Ministers up to the mark.

It is equally essential that the House include many clever, energetic younger men filled with enthusiasm, and there is no doubt that it is mostly these younger men who have taken up politics as a profession, who attain Cabinet rank in the end. But it is the character of the majority of Members that gives it solidarity and value as a deliberative body, and not the brilliance of few individual, spectacular Ministers.

Possibly no more fascinating, exacting and responsible task than that of an M.P. can be performed by anyone, but, like everything, it needs apprenticeship if one is to get to the top. Sir Thomas Inskip, that great Christian gentleman who became our first Minister of Defence, once told me, it seemed with a certain amount of sadness, that in his very long experience, no matter how brilliant a man might be, if he were not elected until

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after he was forty he had little chance of ever reaching the Front Bench and attaining Cabinet rank, except possibly in the case of a great lawyer. My own long experience has proved that to be true. To reach high office a man should begin early. There is so much to learn, and although a Member may be highly respected, and his words listened to, he seldom reaches the hierarchy of political power if he has not gone up the first rungs of the ladder in comparatively early manhood.

How are Members elected? Every man or woman who possesses the franchise has a responsibility that cannot rightly or honestly be shirked, and it is useless and unfair for anyone who does not take the trouble to vote to criticise adversely the type of government that comes to power, or the laws that it passes. Everyone should face the duty of making his or her own decision, for only so can the real opinion of the country be reflected in the House. Lack of interest—apathy, laziness, fecklessness, call it anything you like—has led to more unsatisfactory legislation and discontent than any other cause. There are many, and I am one of them, who want voting made compulsory.

It is not always appreciated that many a law originates in the mind of some quite inconspicuous citizen. He has an idea and sends a note to someone else, who passes on the idea; either it catches on, slowly swells and gains force and influence or it fades into oblivion. But if of real value it usually, in the end, reaches an M.P., a senior permanent official, or a Minister, who in due course by many means may inspire a thorough investigation. Then the Minister has reports prepared, experts questioned, and in the end a Bill is drawn up. In actual practice of course the process is more

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complicated than this, but it is a simple outline of what may happen.

Bills and resultant laws are not the result of some supernatural inspiration of the Minister one night when plodding home from the House! In most cases the ideas are given to him, and it behoves everyone who sees the possibility of a real improvement to send the idea forward and follow it up as far as he can. We are all on the same island, we all have at heart the same pride in our native land, our institutions and our international status, and must do the best we can with our united intelligence to maintain them.

The simplest way to launch a conception on its way is to ask your M.P. to put down a Question to the Minister of the Department which handles the subject in which you are interested. If it is important only to a minority this is an excellent way of ventilating the problem, and in consequence Question Time is important to Members who wish to help to improve the condition of the nation.

Some ask why we have an Opposition in Parliament at all. Why not have one Party, and merely elect our representatives and trust them to appoint a sound Cabinet and Government? The answer is that any party needs opposition to push it to do its best. Many a Minister would rather hear the sound criticism of an opponent than a flattering oration by a supporter, and the chief function of the Opposition is to criticise constructively, ventilate grievances and keep a close watch on legislation and all Government action. Kemal Ataturk was so impressed by our Parliamentary system that he appointed and set up an Opposition to his own Government, but being based on different fundamental principles it was not a success!

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The human race progresses in stages, and its institutions evolve with it. Many opponents of a government criticise it because of what it did or did not do when in power at some previous time, but we successfully learn by results, successes and failures. The telephone was not available until it was invented; crossing the Atlantic by aeroplane was undreamt of fifty years ago. These grew from small ideas, elaborated by mental processes translated into mechanical, scientific realities; and political advances are made in the same way. All the world's progress up to the present day may have been latent in Adam and Eve in the Garden of Eden, but few would contend that it was only indolence that prevented all good developments and services coming into full force before now.

An invaluable check and stimulus to Government action is the House of Lords, and it will be a sorry day for Great Britain if the benefits gained from the existence of our Second Chamber are eliminated or detrimentally changed. Men of the Lords enjoy the sane, unbiased approach to problems which is so essential in days of undue bustle and rush. They sit either to suggest new ideas or to examine the work of others, not to destroy but to improve, and their faithful discharge of these obligations has earned them this tribute from Lord Hall, First Lord of the Admiralty in the Socialist Government, in 1947:

I freely and gladly acknowledge, not only on my own behalf but on behalf of His Majesty's Government, that noble Lords opposite have hitherto used their majority here in a moderate and statesmanlike way, and in a manner which has given us on this side of the House no real or reasonable ground for complaint.

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One spectacular instance of their successful handling of Bills sent up to them was the Transport Bill, which reached them overflowing with anomalies and errors and was returned unchanged in principle but improved beyond measure in drafting and clarity.

After a measure has been passed by the Commons the Lords can either reject it, drastically amend it, or postpone its consideration. Any one of these courses is open to them, but their approach is not so much that of party politicians as of statesmen, and their proposals are often of great value.

Some modification of the Upper House is overdue and necessary. Peeresses should be permitted to take their seats. No profession to-day excludes women; there is usually a fair sprinkling of women Members in the House; all women have the right to vote; and it seems an outdated and unwise provision that they are still excluded from the House of Lords. The addition of a fair sprinkling of Peeresses would add still more to its usefulness to the community!

In the last analysis our form of government entails the harmonious working of four elements: an electorate—an educated one that plays its part to the full, in the selection of representatives, who form a Parliament; a system of parties wherein Members can work reasonably together, each group with its own collective policy; the assembled body sitting as Parliament under a mutually selected chairmanship or Speaker; and all divided into a Government and an Opposition, and in the Government a Cabinet to act as executive.

Thus we progress by clear stages from the individual elector to the Prime Minister, with a possibility of two-way traffic of ideas. That is our system, a system of mutual respect and of mutual responsibility, and with

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it we have achieved our place in the world. But remove any of the units on this democratic chain and we become just a small crowded island in a chilly northern sea.

Surely our way is clear. Keep the best of all we have and continuously improve it.

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Appendix 1

FACSIMILE REPRODUCTION OF THE WHIP

On MONDAY, 24th November 1947, the House will meet at 2.30 P.M.

National Assistance Bill; 2nd Reading, and Committee stage of the Money Resolution.

YOUR ATTENDANCE IS REQUESTED.

Prayer to Annul S.R. & O. 2402—Potatoes (Control of Supply).

On TUESDAY, 25th November, the House will meet at 2.30 P.M.

Finance Bill; 2nd Reading.

YOUR ATTENDANCE IS PARTICULARLY REQUESTED.

On WEDNESDAY, 26th November, the House will meet at 2.30 P.M.

Ceylon Independence Bill; Committee and remaining stages.

Emergency Laws (Transitional Provisions) Bill; Report and 3rd Reading.

DIVISIONS MAY TAKE PLACE ON THE EMERGENCY LAWS BILL
AND YOUR ATTENDANCE THROUGHOUT THE SITTING
IS PARTICULARLY REQUESTED.

and if there is time,

Pensions (Governors of Dominions, etc.) Bill; 2nd Reading and Committee stage of the Money Resolution.

APPENDIXES

Further progress with the Housing (Temporary Accommodation) Bill.

On THURSDAY, 27th November, the House will meet at 2.30 P.M.

Criminal Justice Bill; 2nd Reading.

YOUR ATTENDANCE IS REQUESTED.

On FRIDAY, 28th November, the House will meet at 11 A.M.

Criminal Justice Bill; Conclusion of the debate on the 2nd Reading and Committee stage of the Money Resolution.

YOUR ATTENDANCE IS REQUESTED.

JAMES STUART.

Appendix 2

PRINCIPAL OFFICERS AND OFFICIALS OF THE HOUSE OF COMMONS

Members of Parliament

The Speaker.

Chairman of Ways and Means (who is also Deputy Speaker).
Deputy Chairman.

Clerk of the House of Commons.

Clerk-Assistant.

Second Clerk-Assistant.

Five Principal Clerks, caring respectively for Public Bills, Journals, Committees, Financial Committees, and Private Bills.

Sixteen Senior Clerks.

Assistant Clerks.

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Temporary Clerks.
Superintendent of Printing the Votes and Proceedings.
Accountant and two Assistants.
Serjeant-at-Arms.
Deputy Serjeant.
Assistant Serjeant.
Clerk in Charge (Serjeant-at-Arms Department).
Two Officers of Admission Order Office.
Two Doorkeepers.
Chaplain to the Speaker.
Counsel to the Speaker.
Secretary to the Speaker.
Trainbearer to the Speaker.
Two Examiners of Private Bills.
Secretary to the Chairman of Ways and Means and Clerk
to the Examiners.
Taxing Master.
Editor of "Hansard."
Assistant Editor.
Sub-Editors.
Reporters.
Short-hand Writer to the House.
Librarian.
Assistant Librarian.
Two Research Assistants.
Senior Information Service Clerks.
Junior Library Clerks.
Chief Office Clerk.
Two Vote Office Clerks.
Sales Office Clerk and Assistants.
Surveyor.
Resident Engineer.
Superintendents of Works: (1) Surveyors (2) Engineers.
Postmaster.
Officer in Charge of Police.
Refreshment Department Manager.

Bibliography

THE following books are recommended for further reading, though many of them overlap in their treatment of the various aspects of the subject. Anyone interested in the House of Commons, what it is and what it does, and who wishes to make a study of the House in the development of the British Constitution, should consult the excellent little bibliography called *Books about Parliament* by Mr. Norman W. Wilding, who is Assistant Librarian in the Library of the House of Commons. A second edition of this work, which was published by the Hansard Society, appeared in 1946: it is the first of the Hansard Society Pamphlets.

A Visit to the Houses of Parliament with John Battley, M.P., by John Battley. Westminster City Pub. Co., 1947.

A description of the building and precincts with notes on some customs of the House and the day-to-day work of a Member. Mr. Battley is Labour Member for the Clapham Division of Wandsworth.

The Speaker of the House of Commons, by Phyllis M. Briers. Hansard Society Pamphlet No. 3, 1946.

A short history of the Speaker's office and a statement of its significance now.

Everybody's Guide to Parliament, by W. J. Brown. Allen and Unwin, 1945.

A description by a Member of Parliament—Mr. Brown is now Independent Member for Rugby—of the

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day-to-day work of Parliament, of the Member's life, his duties and responsibilities both to his constituents and to the House. Two useful chapters are devoted to comparisons between the British and the American forms of parliamentary democracy and between the British and the Russian legislative systems.

An Introduction to the Procedure of the House of Commons, by Sir Gilbert Campion. 2nd ed. Macmillan, 1947.

Sir Gilbert has been Clerk of the House of Commons since 1937.

Concerning English Administrative Law, by Sir Cecil Thomas Carr. Oxford University Press, 1941.

A treatise on the history, from the early nineteenth century, of delegated legislation, and a study of the growth of bureaucracy. Sir Cecil is Counsel to the Speaker.

Westminster Hall, by Ivy M. Cooper. Nottingham, Cooke and Vowles, 1937.

An account of Westminster Hall which, in spite of the author's claims to the contrary, offers a very interesting introduction to its history and architectural development.

Crown, People and Parliament, 1760-1935, by William Edwards. Arrowsmith, 1937.

A work which can be recommended as an introduction to English constitutional history during the eighteenth and nineteenth centuries.

The Houses of Parliament: a Short Guide to the Palace of Westminster, by Sir Bryan Hugh Fell. 4th ed. Eyre and Spottiswoode, 1947.

A splendid guide to the buildings and precincts. Sir Bryan Fell was a clerk in the House of Commons for

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forty-one years. Mr. K. R. Mackenzie, who revised the fourth edition, is a Senior Clerk in the House of Commons.

Our Parliament, by Strathearn Gordon. 2nd ed. Hansard Society, 1946.

Traces the history of Parliament from the Anglo-Saxon Witenagemot, sketches "the separate elements which compose this [British] Constitution," describes the Member's duties and the Palace's precincts and, with very well-chosen specimens of official documents, explains the working of the House. There is a useful glossary of parliamentary terms. Mr. Gordon is a Senior Clerk in the House of Commons.

The Point of Parliament, by Sir Alan P. Herbert. Methuen, 1946.

"A. P. H." points out in a note that "most of this book first appeared in *Punch*, under the title 'Not so silly: a Child's Guide to Parliament.'" Sir Alan is an Independent Member, one of the two returned by Oxford University.

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