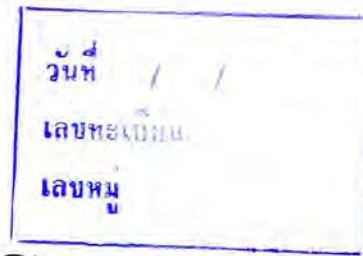


**PARLIAMENTARY
GOVERNMENT
IN BRITAIN**





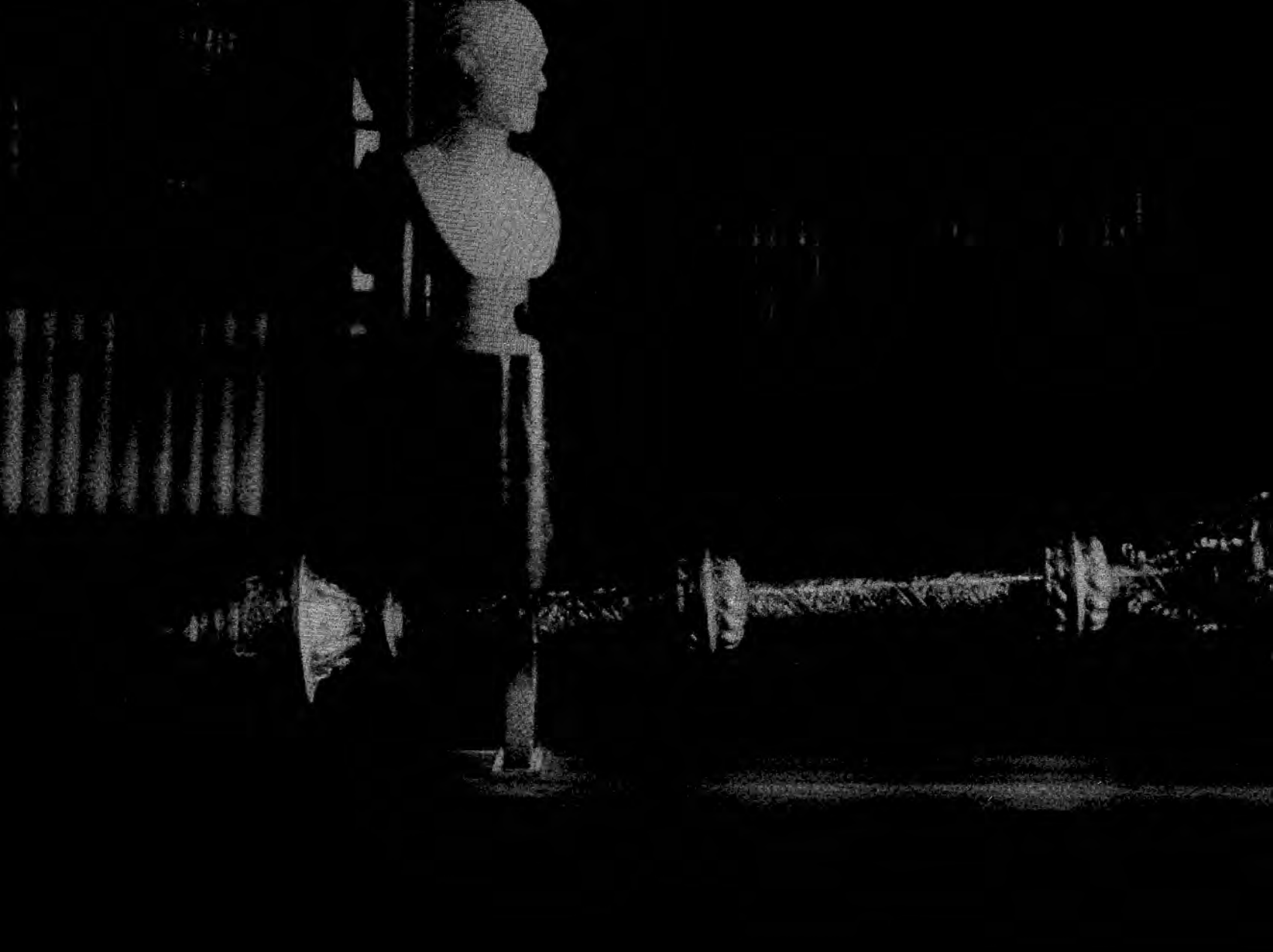
Parliamentary Government IN BRITAIN

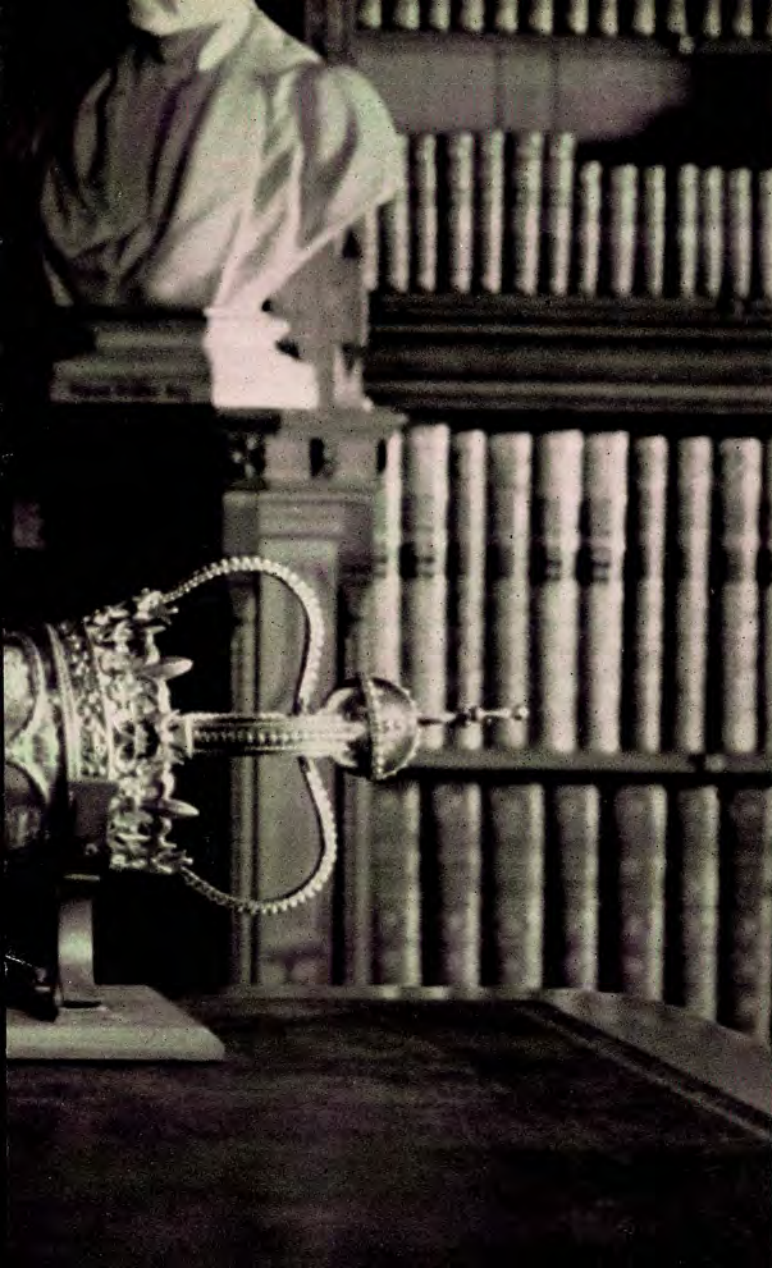
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Left: *Edward I's Parliament: the Lord Chancellor still takes his seat upon the 'Woolsack' in the House of Lords*; centre: *A portion of one of the remaining copies of Magna Carta, sealed in 1215 in the reign of King John*

สมบัติของห้องสมุดรัฐสภา





Britain as a Representative Democracy

BRITAIN is a parliamentary democracy with the Queen at its head. The British Constitution is not contained in a document but has grown up naturally over the centuries and is indeed still growing. Any part of it can be altered by Parliament at any time. And although democracy, in the form of a government responsible to an assembly elected by virtually universal adult suffrage, was not finally achieved in Britain until the twentieth century, its gradual development can be traced over at least eight hundred years.

The Sovereign and Parliament

The Queen is, in theory, the ruler of her country. Members of the Cabinet hold their offices as the Queen's servants and advisers. They are the Queen's Ministers and receive their seals of office from her own hand. Officers of the law keep 'the Queen's peace', service officers hold the Queen's commission, judges dispense the Queen's justice and are appointed by her. Postmen deliver the Queen's mails, and it is the Queen who summons Parliament and opens and closes its sessions.

The Mace, symbol of the authority of the Speaker in the House of Commons. Fashioned in silver gilt, it is carried by the Serjeant at Arms to the prayers preceding each sitting

As one of the Estates of the realm, the Queen is part of Parliament. When the other two Estates (the Lords, spiritual and temporal, and the Commons) have agreed to a bill, the Queen's Assent is necessary to transform it into a law which is then enacted by Her Majesty.

Such is the theory; but in practice, as a constitutional Monarch, the Queen acts on the advice of her Ministers. As her servants, they are bound to consult her and keep her informed on every aspect of the nation's business. She may encourage them in the line they are taking or warn them of dangers that she thinks may lie ahead. But Ministers are responsible to Parliament, and so long as they retain the confidence of the House of Commons, the advice which they tender the Queen must be accepted, and action must be taken in accord with it. In this way, Her Majesty is raised above party strife and is left to play her invaluable part in the life of the nation.

But it was not always like this. In the middle ages, the King exercised all governmental powers in fact as well as in theory. But he promised to 'rule justly' (in a Coronation oath which went back to the fifth century), and he was bound, under Norman feudal law, to consult his barons on matters of great importance, especially on those involving the raising of large taxes for wars and other purposes. Magna Carta in 1215 was mainly an attempt on the part of the barons to make King John carry out the ancient obligation to rule justly, and, while its actual provisions have long ceased to have any practical significance, the charter has, for hundreds of years, been appealed to as a landmark in the evolution of constitutional government.

The King's discussions with his barons took place in specially summoned parleys or 'parliaments'. On several occasions in the thirteenth century, knights of the shires were summoned to these parliaments as representatives of the 'communes' or communities, and in 1265 and 1295,

they were joined by leading men from the towns. The 'commons' soon became a permanent feature of medieval parliaments, while the present division of parliament into House of Lords and House of Commons may be seen in the practice developed in the fourteenth century of the Lords' and Commons' sitting separately for their discussions.

Parliament grew steadily in influence, but it was not until the seventeenth century that it was able to assert itself with regard to the King and gain greater influence. As a result of the Civil War in the 1640s and the bloodless revolution of 1688, Parliament became indispensable to the King's government as the main source of finance and the supreme source of law. The King still, however, played an active role in politics, although the necessity of securing a majority for his policies in Parliament led to the evolution of the modern Cabinet of Ministers owing their position, not primarily to their appointment by the King, but to the support of the elected House of Commons. The process of responsible government was completed in the nineteenth century with the great expansion of the electorate resulting from the franchise Acts of 1832, 1867 and 1884, the last of which virtually established adult male suffrage (female suffrage did not come until 1918 and was not placed on equal terms with male suffrage until 1928). Modern political parties came into being in order to appeal to the electorate with coherent party programmes, in the hope of securing a majority in the Commons and thus being called upon by the Sovereign (now by this time completely outside politics) to provide the government.

The Government—forming the Cabinet

It is the duty of the Prime Minister to choose from among his elected supporters in the House of Commons and the members of his party in the House of Lords a list of Ministers for the Queen's approval.

The principal Ministers are selected by the Prime Minister to form the Cabinet, the innermost council of the state and, theoretically, a committee of the Privy Council. As successive Prime Ministers may prefer a larger or smaller Cabinet, no fixed number of members is laid down. In recent years it has generally ranged between fifteen and twenty. In October 1961 there were twenty-one Ministers in the Cabinet and twenty others outside it. There are also some thirty junior Ministers. At its meetings which are held in secret, all important points of governmental policy are discussed and the necessary action decided upon.

The Cabinet is collectively responsible for all government decisions. If a Minister disagrees with his colleagues on a major issue, he may feel it his duty to resign from the Cabinet.

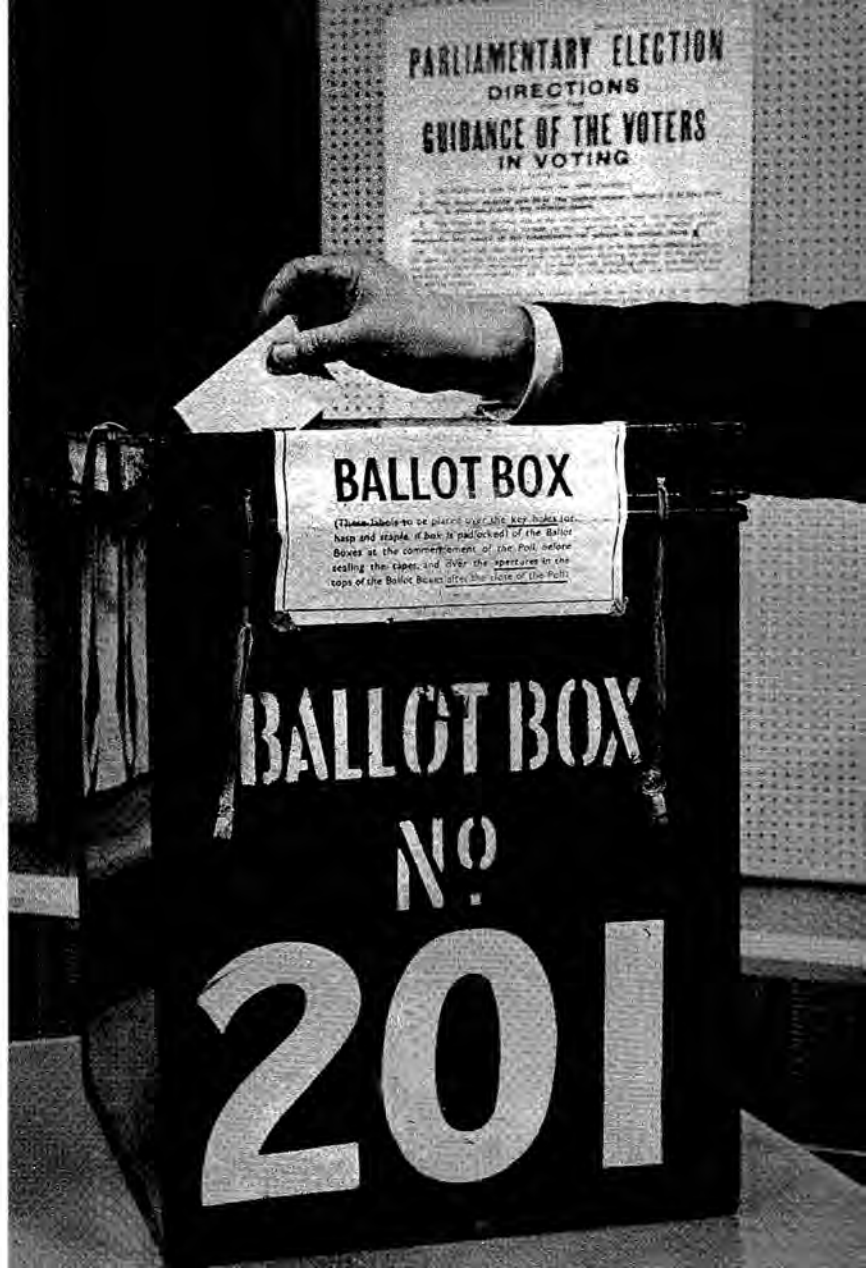
On taking office, Ministers who hold directorships of companies or other commercial interests give them up, so that there shall be no suspicion that their public actions are governed by considerations of personal profit.

Most members of the Cabinet are also in charge of a major Department of State, i.e. an office responsible for the administration of certain specific services and the implementation of the government's policy so far as those services are concerned. A Minister in charge of a Department is responsible for everything that happens in, or is done by, the Department and is answerable to Parliament for that responsibility.

The Civil Service

The Departments of State are staffed by civil servants. Like Ministers, they are legally servants of the Crown, but unlike

On polling day each voter, having indicated his choice of candidate on his ballot paper, places it in a plain black box





Ministers, they are outside politics and are recruited by public competition. They are required to serve Ministers of any party with equal loyalty. They advise the Minister on possible courses of action and are responsible to him for the detailed implementation of the decisions reached.

The Functions and Powers of Parliament

The functions of Parliament are to watch and, if necessary, criticise the government in its administration, to make new laws for national and local implementation and to provide by taxation the means of pursuing the work of government.

Parliament can pass, alter or annul any law, and its sovereignty is the main characteristic of the constitution. It consists of two chambers. The House of Commons is elected by the people and is the principal pillar on which national democratic government rests. The House of Lords is formed largely on a hereditary basis but includes also spiritual peers (archbishops and certain bishops of the Church of England), law lords and men and women granted life peerages under the Life Peerage Act of 1958.

Before the year 1911, the House of Lords had the power to reject altogether legislation passed by the Commons. The Parliament Act of that year reduced this power to that of mere delaying action for a maximum of two years, and the Act of 1949 reduced this delay still further to one year. The power to delay is subject to one exception in that the House of Lords cannot delay money bills at all.

Thus the will of the people as expressed by their elected representatives cannot be thwarted, and the House of Lord's chief function is to use the wide knowledge and



Top: *The name of Sir Robert Walpole (1676–1745) is associated with the emergence of Cabinet government*; bottom: *The Commons as it appeared in the time of William Pitt the Younger (1759–1806)*; right: *HM the Queen drives in state to open Parliament*



administrative experience of its members to scrutinise and revise bills passed by the House of Commons. Some bills, usually not of the greatest political importance, are initiated in the Lords.

Apart from its parliamentary function, the House of Lords constitutes the final court of appeal in Britain and, although in theory every member is entitled to attend when the House is sitting in this capacity, in practice and by tradition, this duty is carried out only by the law lords.

The House of Lords consists of about 900 members. The Queen, on the advice of the Prime Minister, creates new hereditary and life peerages from time to time as rewards for outstanding services to the state. These new peerages are normally announced in the Honours Lists twice a year—at New Year and for the Queen's official birthday in June.

Although all the 900 members of the House of Lords have the right to attend debates, the work of the Chamber is largely done by about a hundred peers. A large proportion of these have already had experience, often as Ministers, in the House of Commons.

Some Ministers in the government have, by law, to be appointed from the House of Lords whose members include distinguished lawyers, soldiers, administrators, bishops, doctors and trade unionists. This body of men and women forms a unique fount of expert, specialised knowledge and experience available in the service of the state.

The House of Commons consists of 630 members, 511 for English, 36 for Welsh, 71 for Scottish and 12 for Northern Ireland constituencies.

The privileges which the House of Commons enjoys are the result of a centuries-long struggle with the Crown. Gradually, power has passed from the Sovereign to Parliament, and one interesting corollary of this is to be seen in the fact that, of all the citizens of the realm, the Monarch is the only one who may not be present in the House when it is sitting.

Members of both Houses enjoy absolute freedom of speech during debate. Neither a peer nor a member of the House of Commons can be sued or prosecuted for libel, slander or sedition on account of anything said during proceedings in Parliament. In their actions outside Parliament, however, they are subject to the law of the land and can, in addition, be punished by the House of Parliament concerned for any breach of its rights or dignity.

British Elections: The Campaign

GENERAL ELECTIONS are held either when the limit for the duration of a Parliament is approaching, or when the Queen, on the advice of the Prime Minister, dissolves Parliament. The Prime Minister might feel it his duty to take this step if his Ministry were defeated on an important issue by the vote of the House of Commons. But he may also, without such a defeat, ask the people for a further vote of confidence.

When it has been decided to hold a General Election, two Royal Proclamations are made, one dissolving the old and calling the new Parliament, and another ordering the election. At least twenty clear days must elapse before the new Parliament meets, and in this time there is much to be done. A notice, or writ, has first to be sent to each constituency. Here an official known as the returning officer advertises the day, time and place of the election and makes nomination papers available to those who wish to be candidates.

In addition to General Elections which affect the whole membership of the House, by-elections are held when, through the death or resignation of a member or his elevation to the House of Lords or through some other cause, a single seat becomes vacant.

Nominating the Candidates

On nomination day, some nine days before polling day, each candidate, or his proposer or seconder, delivers to the returning officer his nomination papers, containing the names of at least eight local citizens entitled to the vote, who support him. With these papers he deposits £150. This sum will be returned to the candidate after the election providing he obtain at least one-eighth of the total votes polled. The purpose of the deposit is to discourage 'freak' candidates, for each additional candidate causes the spending of public money on official printing and free postage. This deposit does not prevent a poor man from standing for Parliament providing he has the backing of a party or of a sufficient number of people who agree with his views.

When only one candidate is nominated (this occurs rarely nowadays) he is declared elected. Otherwise the returning officer gives public notice to the voters that a poll will take place on a certain day. He also announces the names of the candidates and of those who have nominated them, and the situations of the polling stations.

Who may be the candidates at a Parliamentary election? Briefly, all British subjects of twenty-one years of age and above who are not disqualified by mental incapacity, character or conduct (i.e. bankrupts or criminals), or by

After the announcement of the election date (top), the candidates hand in their nomination papers and their statutory £150 deposits to the returning officer





THE CAMPAIGN

As the Labour candidate canvasses for votes outside a factory gate, his Conservative opponent addresses workmen in a canteen, and the Liberal candidate chats to voters in a shopping area



the holding of certain offices. Thus peers and clergy of the Church of England may not be candidates, because they are members of or represented in the House of Lords, and servants of the Crown (military or civil) are not eligible until they have resigned or retired. In addition, clergy of the Church of Scotland, Church of Ireland and Roman Catholic Church are ineligible. The bar on civil servants as members of Parliament emphasises the separation of the legislative and the permanent executive in British affairs.

The majority of the candidates are invited to stand for election by their political parties. The choice is made by the local party organisation which usually interviews possible candidates. In many cases the choice of candidate is no surprise. He may be either the previous member who has satisfied his supporters, or, if an opposing party holds the seat, he may have been chosen as prospective candidate some time previously, in which case he has probably been making himself known to the voters by public appearances and speeches. It is not necessary for a member to live in the district he represents.

The Party System

It may be asked 'Why is it necessary to have parties? Why set politicians against each other? Why not choose the most capable men and let them all work together for their country?' The answer is that the British people have realised, through the experience of two or three hundred years, that politicians will naturally group themselves together according to their political feelings and desires and that the conflicting views expressed in debate will ensure a thorough examination of each proposal or issue as it arises. In the past these divisions have been as between Roundhead and Cavalier, Whig and Tory, Liberal and Unionist. At present there are three main political parties represented in the House of Commons: the Conservative Party which, as it

holds a majority of seats, forms the official Government of the day, the Labour Party, constituting the official Opposition, and the Liberal Party.

The policies of these parties are partly determined by annual conferences which are attended not only by members of Parliament but by local representatives from all parts of the country. Though members are expected to support the broad principles of party policy, some latitude is allowed for individual differences of view, particularly on such 'matters of conscience' as capital punishment, divorce and other subjects with a religious background. Other parties are free to put up candidates, but they rarely secure election.

The party system, so far from artificially dividing men, ensures solidarity for stable government and vigilant opposition. In times of desperate emergency, such as the first and second world wars, the common purpose and danger reduced differences of opinion, and party conflict gave way to a coalition. But under normal conditions a non-party government would inevitably weaken itself by internal arguments. Parties do, indeed, have their internal differences and settle them by give and take, but the party system makes the best use of team work.

Though members of opposing parties may hold quite different views and express themselves forcibly in debate, yet in general their personal relations are friendly, and they acknowledge each other's sincerity of purpose.

Men and women come into political life through various channels, including the law, local government, the armed services, the trade unions, commerce, industry and finance. But anyone of merit, other than those excluded by legislation, whether a farmer, miner, housewife, professor, engineer or company director, has a chance of reaching the House of Commons. Membership of a political party is not essential (in fact, electoral arrangements take no notice of

parties as such). Some outstanding members of Parliament have been elected as Independents, though their numbers have dwindled as party organisations have become stronger, and in the 1959 General Election only one reached the House.

The names of those entitled to vote are to be found on the electoral register which is compiled at intervals by the local authority. In order to obtain the necessary particulars and to make street lists, a representative from the local authority calls on every dwelling in the constituency.

When the register is printed it is available for inspection by voters, and full opportunity is given to residents to make claims for inclusion or raise objections. If a voter changes his address after the register is made he is still entitled to vote in the district for which he was registered.

For voters, there are the same disqualifications because of physical reasons and of conduct as there are for candidates, but the disqualifications through office, as in the case of clergymen, civil servants and members of the armed services, do not apply. Indeed, for those serving abroad in the last category, special arrangements are made by which they may name a friend or relative to vote for them. This is known as voting by proxy.

When, in 1945, large numbers of voters were still serving in the armed forces overseas, the counting of votes was held up for three weeks to allow their votes, in this case registered personally on the spot and not by proxy, to be brought home and added to the rest.

The Campaign begins

An election campaign is made up of many factors. No genuine methods of persuasion are prohibited, but anything savouring of corruption or intimidation is barred. Corrupt practices which are punishable at law, include bribery, treating (buying drinks or food for voters), using undue

influence or threats to obtain votes, personation (pretending to be someone else in order to vote), making a false declaration of electoral expenses, paying for bands, flags or banners, hiring conveyances for voters, broadcasting from foreign wireless stations and printing imitation polling cards.

Each candidate is allowed to send, post-free, one packet not exceeding two ounces in weight to every elector in his constituency. This will probably contain his 'Election Address', a document in which he sets out not only his party's policy on the chief issues but also his own views on matters of particular importance to the local voters. For instance, in a country constituency he will give a large space to agricultural policy, and in a manufacturing area he will deal more fully with industrial matters. The address usually contains the candidate's photograph.

Besides this, the candidate will probably send out other literature, either by having it put through voters' letter-boxes by his helpers or by paying the postage out of his election expenses. One form of party propaganda is the miniature newspaper, printed in large numbers and sold to the local party associations for free distribution.

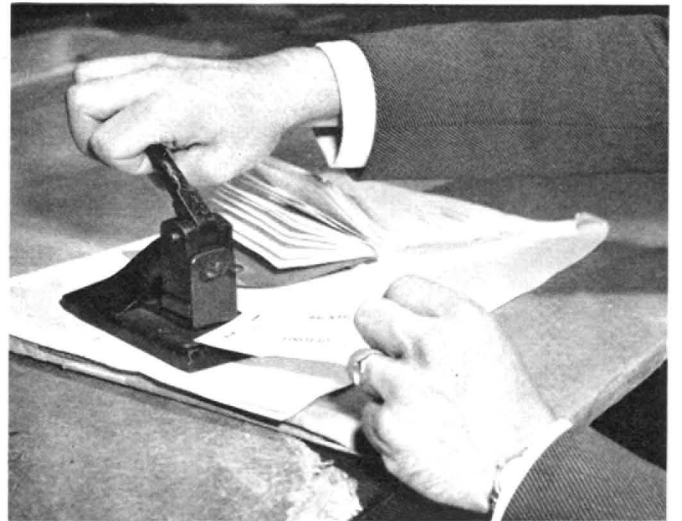
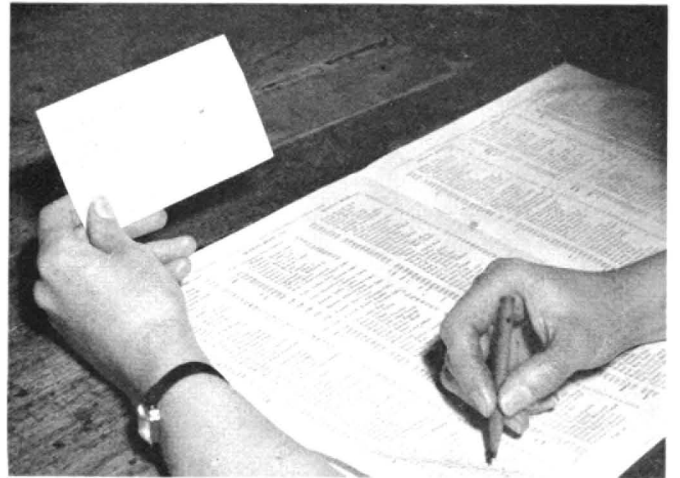
The days when a candidate might spend as much money as he chose on his campaign are long past, and there is now a fixed limit to expenditure, a detailed account of which must be prepared for official scrutiny after the election. This limit is a sum of £450, with an added allowance of 1½d. for each elector in town constituencies and 2d. for each one in country districts.

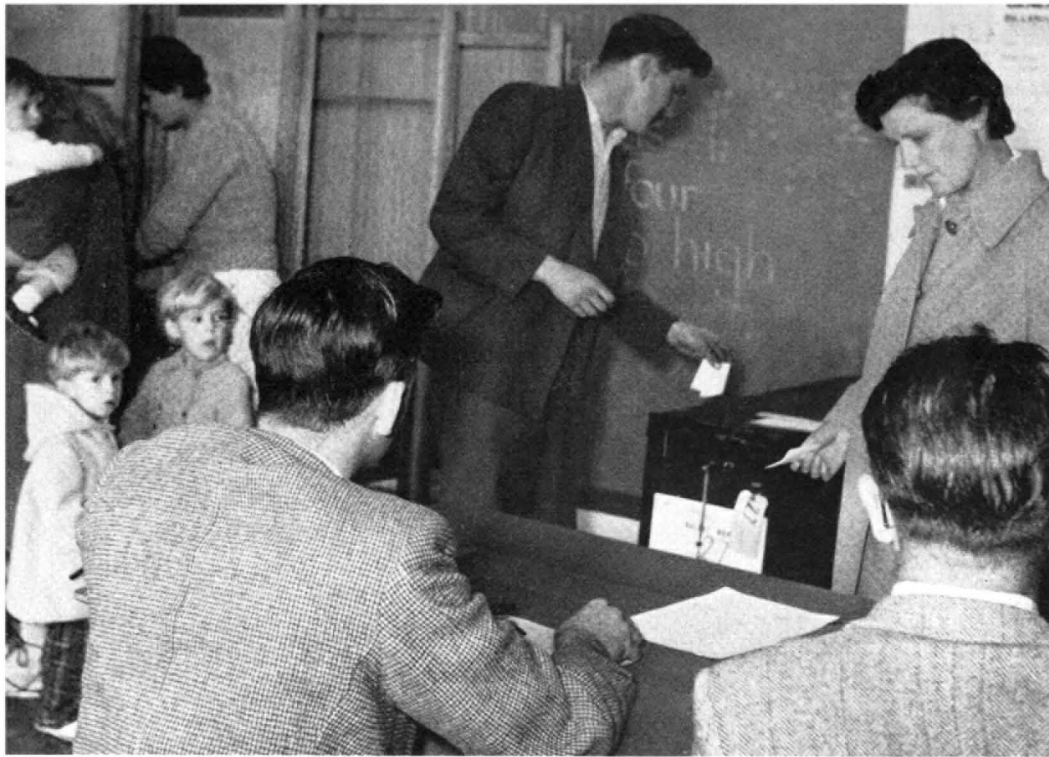
The sources from which candidates obtain money for election expenses include the central fund of their party (which raises money by appeals, contributions etc.), donations from local party funds and from individual supporters, social events such as dances and garden parties and collections at meetings. The amount contributed by the candidates themselves varies considerably.



POLLING

Secrecy is the keynote of the ballot. Above, an electoral officer signs his declaration of secrecy. Lists are checked (top right), and, to prevent fraud, each voting paper is stamped before it is handed to the voter





AT THE POLLING STATION

Voters mark their papers in screened booths and place them in the ballot boxes. After polling is over for the day, police guard the boxes on their journey to the central point where the votes are counted



During an election campaign, town and countryside alike are temporarily transformed. Shops and halls, their windows full of posters and portraits, become party committee rooms, more posters appear on hoardings, and many voters display cards and bills for the rival candidates in their windows. Loud-speaker vans crawl along the streets broadcasting slogans and instructions. Candidates and their bands of unpaid voluntary canvassers tramp the streets, knocking at doors and answering the voters' questions.

In the evening, each party will hold a series of meetings, in schoolrooms and halls, to which the candidate will dash in his car, facing several different audiences in the course of a few hours, making a speech to each and answering questions. On the evening before polling day, each candidate will usually arrange a particularly large meeting to arouse enthusiasm for the morrow. In a country district, with its villages and hamlets widely scattered, the campaign is extremely arduous.

Elections are fought on a national level as well as a local one, the press playing an important part. The chief speakers of all parties, peers as well as commoners, visit the vital areas, making speeches which are given prominence in the newspapers and answering each other from day to day in a country-wide debate.

The British Broadcasting Corporation and Independent Television reserve a number of periods for party leaders to address the nation in turn. The allocation of broadcasting and television time between the various parties is very carefully made so that each of the major contesting parties receives an equal proportion of the available publicity. Apart from these official party broadcasts, all reference to the election campaign is balanced in order to avoid any accusation of party bias.

The election broadcasts end some days before polling day to give voters time for calm reflection. It will be seen that

the British voter has every opportunity of hearing and reading all sides of the question and of weighing up the various party programmes and the merits of the candidates before casting his vote.

The broadcasting and television coverage reaches its climax when polling day comes, and the minute to minute arrival of results has brought into being a type of programme which, for sheer excitement and organising skill, could scarcely be bettered.

British Elections: Polling Day

BEFORE polling day, each elector receives from the returning officer a card giving the location of the polling station applicable to his district, the date and times of polling and, of course, a list of the candidates in the alphabetical order in which they will be found on the ballot paper.

Polling takes place in halls and schools which are well placarded to this effect, but no party posters or banners are allowed near the polling station. The stations are open for polling from seven o'clock in the morning until nine o'clock at night, so that all voters have a reasonable chance of attending. Those who for good reasons, including absence on business or illness, cannot do so, may apply in advance to be put on the absent voters' list and vote by post or by proxy.

Secrecy of the Ballot

Inside the polling station, with his clerks, sits an official known as the presiding officer who is usually a local government officer appointed by the returning officer. The voter, according to the street in which he lives, is directed to one of the clerks. The clerk asks his name, checks it on the register, tears a ballot paper out of the book, stamps it on both sides and hands it to the voter. The latter takes his paper to one of the compartments and there, in secrecy, with the pencil provided, he puts his cross against the name of the candidate of his choice. He then folds the paper to conceal his vote and, in the presence of the presiding officer, drops it through the slot in the locked ballot box. If a voter accidentally spoils his paper, the presiding officer will cancel and keep it and give him another.

A police constable is on duty at each polling station. The candidates and their agents are allowed to visit the stations from time to time to satisfy themselves that everything is being done in an orderly manner. They are, of course, not allowed to communicate with the voters or interfere with the voting.

Once opened, the polling station must not be closed at any period before the time limit. Then the presiding officer seals the ballot boxes to prevent the insertion of additional papers and also seals up all the unused ballot papers, counterfoils and registers. These he then takes, with the ballot box, to the place of counting, accompanied by a police constable.

Counting the Votes

The votes are counted in a large room under conditions which ensure a full scrutiny of proceedings by the candidates and their agents, who are sworn to secrecy, though it is, in fact, impossible for them to know how any person has

voted. The counting is usually carried out by local government employees.

The number of ballot papers is first counted, polling station by polling station, and checked with the number of counterfoils. When the returning officer is satisfied that all votes cast can be accounted for, the votes from the different ballot boxes are mixed together for counting. The reason for this mixing is so that no one with local influence shall know how the majority of people in, say, one village or estate have voted.

The votes for each candidate are counted into bundles of fifty and a hundred by the clerks, and each bundle is checked. If, when the final totals are reached, the margin between the candidates is close, a candidate may demand a recount. The returning officer will grant this if it is reasonable, and, if different totals are reached, further recounts may take place. In the case of a tie, the result is decided by drawing lots.

In most boroughs, counting goes on through the night until the result is known. In scattered rural areas, the ballot boxes are usually brought in and locked up for the night, and counting takes place next morning.

The result is announced in the room by the returning officer who then usually goes out on to the town hall steps or balcony with the candidates and repeats the result to the waiting crowds. This is followed by short speeches from the new member and his defeated rivals.

In Britain, as opposed to certain other countries, the successful candidate must have a greater number of votes cast for him than the next in order, though he need not have an absolute majority over *all* the candidates put together.

Without the consent of the returning officer nobody, other than the candidates, their wives or husbands and their election and counting agents, is allowed into the place where the votes are being counted





LEEDS
BIRMINGHAM
OXFORD
WATFORD
WEMBLEY
CON. H.O.
ABB. HOUSE
LAB. H.O.
SPORT HOUSE
DASH HOUSE



It will be seen that the British electoral system goes to great lengths to ensure that every elector is able to vote freely without direct or indirect compulsion and that, having cast his vote, he may be quite certain that no one will know for whom he has voted.

He is also free to abstain from voting if none of the candidates in his constituency meets with his approval. But in spite of the lack of compulsion the proportion of electors going to the poll is high.

In the General Election of 1959, out of a total of approximately 35,403,700 qualified voters, 27,862,738 cast their votes—that is to say 78·7 per cent.

It should be noted that in Great Britain a party can win an election even though it may have had less votes cast for it than its opponents. It is the number of seats won rather than the number of votes cast that determines the result of an election.

How Parliament Works

DURING a General Election, the government of the country must be carried on, and Ministers retain their posts. After the election, the new Parliament assembles at Westminster. If the election has decisively changed the balance of power,

Television and radio services come into their own at election time when well-known commentators give up-to-the-minute accounts of the relative positions of the parties

the Prime Minister may either carry on until his government is defeated by the vote of the House, or he may anticipate this and resign immediately. Mr. (as he was then) Winston Churchill took this latter course in 1945, when, without even waiting for all the results to come in, he tendered his resignation to the King who immediately sent for Mr. Attlee. The latter accepted the premiership within a few minutes of its being vacant; thus the continuity of government was preserved.

If no single party has an absolute majority in the new House of Commons, a coalition government of two or more parties may be formed.

The Speaker

The first duty of the House of Commons in a new Parliament is to elect one of its members to be the Speaker, and it is usual for the parties to agree on the choice. He may be a member of any party but becomes a non-party man on election. He not only presides over the House of Commons but is also the guardian of its powers, liberties, dignities and privileges. He makes every effort to be strictly impartial, and his rulings on all matters of procedure are accepted and recorded as precedents for future decisions. It is his duty to guide the proceedings, to keep order, to ensure that the government is not unfairly obstructed, yet also to see that every point of view, including that of the smallest minority, shall be adequately expressed. The symbol of his authority is the mace carried before the Speaker in the procession to prayers which open each sitting of the House. The mace lies on two rests on the table when the House is in full session.

The equivalent presiding officer in the House of Lords is the Lord Chancellor who has not, however, the power over his House that the Speaker has over the Commons. The Lord Chancellor has no authority to interpret the rules of



debate nor to call on individual members to speak. Except for the personal authority deriving from his office, his functions extend to little more than stating to the House the question which is to be decided.

There is a seat in the House of Lords known by tradition as the 'Woolsack'. It is on this that the Lord Chancellor takes his place in his capacity of Speaker. If he wishes to participate in debate, then he moves away from this seat as it is regarded as being 'outside the House'.

Government and Opposition

It will be seen from the diagram (page 24) that the House of Commons is a rectangular chamber. A member must sit either on the government benches on the left of the chamber (looking towards the Speaker) or on those of the opposition on the other side.

The smaller parties can sit either alongside the main opposition parties or, if they are largely in sympathy with the government, on the government side of the House. There is no middle course, and if a member changes his allegiance he must do it by the noticeable action of 'crossing the floor'.

The role of Her Majesty's government is to propose and submit legislation to Parliament and to oversee through its Ministers the day-to-day administration of the country and to defend the government's actions against criticism.

The function of those who sit on the benches opposite is not so obvious. They are known as Her Majesty's Opposition, and their leader (the alternative Prime Minister) is entitled to a salary of £3,000 a year. This provides an interesting sidelight on the British regard for fair play

The Speaker's procession in the Main Lobby of the House of Commons. Note the Mace, carried by the Serjeant at Arms

which sees to it that a large sum is paid out in salary from the taxpayers' money for the purpose of opposing and criticising the established and elected government.

Although in the case of non-controversial legislation, the opposition may confine itself to criticism of a helpful and constructive nature, some or all of which may be accepted by the government, in highly controversial matters affecting the very tenets of party policy, the opposition, in addition to making constructive suggestions, will play every card in its hand to defeat the government in a vote and thus bring about its downfall.

Moreover, the government is bound to play fair with the opposition and to allocate parliamentary time for votes of censure on its own policy. The Prime Minister sometimes consults the leaders of opposition parties before taking vital decisions on such matters as foreign policy and defence.

How Laws are made

Parliamentary legislation comes under two main heads, Public Bills and Private Bills. The former can be divided again into bills promoted by the government and those promoted by private members. Private Bills relate solely to matters of individual, corporate or local interest, which may be introduced by persons or bodies outside Parliament.

As an example of the stages through which a bill passes before it becomes part of the law of the land, it might be helpful to follow the passage of a public bill, as the greatest number fall into this category.

Bills are Acts of Parliament in draft form. They may originate in either House, though those authorising expenditure or imposing taxation (money bills) must start in the House of Commons. They are drawn up by legal experts at the instruction of Ministers and approved by the Cabinet before being laid in front of the House.

The first reading of a bill is a formality prior to its being printed and published. On the second reading, a bill is explained to the House by the Minister responsible for it, and at this stage a debate will take place on the bill's general principles. If the opposition approves of the purpose of the bill, but dislikes certain things in it, it will reserve its criticism until a later stage when alterations can be discussed. But if the opposition objects to a bill as a whole, it will put down an amendment for its rejection, and a vote of the House will be taken.

If the bill passes its second reading, it will go either to a Committee of the Whole House if it is of great importance, or to one of the six Standing Committees formed for the purpose. In a Committee of the Whole House, the Chairman of Committees or one of his deputies presides from the Clerk's chair. The Speaker's chair is left vacant, and the mace is removed from the table.

Standing Committees consist of thirty to fifty members, chosen in proportion to party strength by eleven members known as the Committee of Selection. Scotland and Wales, in addition, have their own Grand Committees made up of all their respective members, plus, in the case of Scotland a maximum of fifteen others and, in the case of Wales, twenty-five. These consider matters of specifically national interest such as the Scottish Estimates, the annual report for Wales and so on. They also select specified subjects for debate. On days when debates on purely Scottish or Welsh affairs are held, members for English constituencies for the most part leave the debates to these special bodies.

The object of the Committee stage of a bill is that it can be examined in detail, discussed and amended clause by clause.

Next follows the report stage, when the Committee reports to the House on the amendments decided upon. Further amendments may be made at this point. The bill is then ready for its third reading.

At the third reading, the bill is again debated by the whole House but on this occasion debate is confined to the contents of the bill. Only verbal amendments may be made at this stage. If it is a controversial measure, the debate is likely to be followed by a vote of the House and, if the bill survives this, the Clerk of the House carries it to the House of Lords where it passes through a similar number of stages.

Any amendments made in the Lords are reported back to the Commons who will then proceed to deal with them. Some may be accepted, some rejected, and for some, alternatives may be offered. In the case of the rejections, a committee is set up to outline the reasons for them. These are given to the Lords. At length, if agreement is reached, the bill is ready for the Royal Assent. When this has been given, the bill immediately becomes an Act of Parliament, and its provisions become part of the law of the land.

If no agreement is reached, the procedure laid down by Parliament in the Acts of 1911 and 1949 may come into play. By these, a bill passed by the Commons in two successive sessions becomes law in spite of any attempt on the part of the Lords to oppose it. A bill dealing with taxation or ancillary matters (a 'money' bill) cannot be delayed by the Lords for more than a month.

How Members vote

At the end of a debate in the House of Commons, the Speaker puts the question and calls for the voices 'Aye' or 'No'. If the Speaker's view as to which side is in the majority is challenged, the House proceeds to a Division. Warning bells ring throughout the building, and cries are heard of 'Division!'. The House does literally divide, for members vote by passing through the Chamber into the 'Aye' ('Aye' means 'Yes') lobby on the Speaker's right or the 'No' lobby on his left.

Here they are counted by four fellow members known as

'tellers' (one for and one against the motion in each lobby), and their names are ticked off by clerks for publication in the official report. There is a time limit of six minutes for the Division, and when the votes have been counted, the tellers come up to the table of the House (see diagram) with those for the majority on the right. The senior of the majority tellers announces the result which is repeated by the Speaker.

An important Division is an anxious time for the party whips. These are the members of each party responsible for party discipline. It is part of their duties to see that their party is at full strength in the lobbies and to warn their supporters to be ready when a Division is expected.

In some cases of sickness and unavoidable absence, the opposing whips make private arrangements to 'pair' the votes of two opposing members so that both may be absent without affecting the result of the Division.

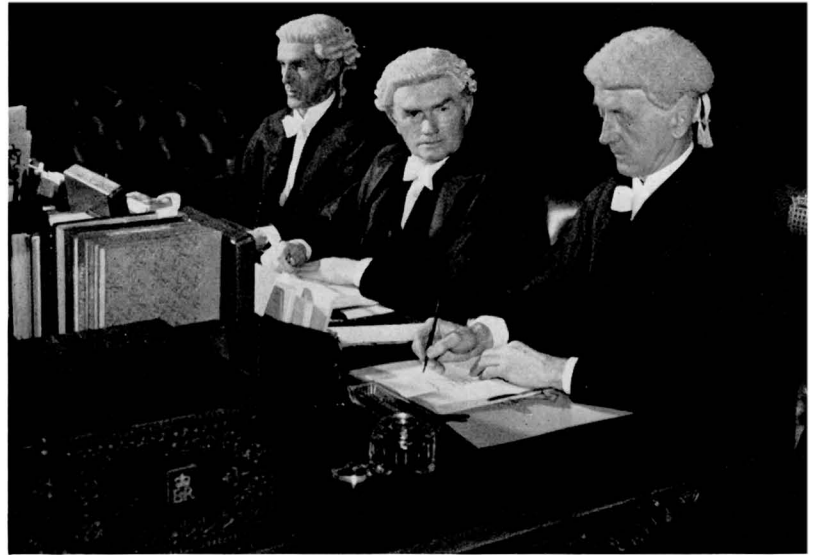
Debates in the House

When a government motion is debated, it is introduced by the responsible Minister or his deputy. A prominent member of the opposition then presents his party's case on the motion, and the debate is then continued by members speaking alternately from each side of the House. A member who wishes to speak must often pass many hours listening to the others. All members speak, not from a rostrum but from their places on the benches, and when they sit down, a score or more of other members often spring to their feet to 'catch the Speaker's eye', as the process of selection is called.

The Speaker decides who shall be heard next, names him, the other members sit down, and the speech commences. It is the Speaker's privilege to call whomsoever he pleases, and he takes several things into account, seeing that all shades of opinion get a hearing and that members with expert knowledge of the subject (such as ex-Ministers) are heard.

He also gives a courtesy preference, during their first Parliament, to new members who have not spoken before. A member's first, or 'maiden' speech is a considerable ordeal and by tradition is treated with sympathy.

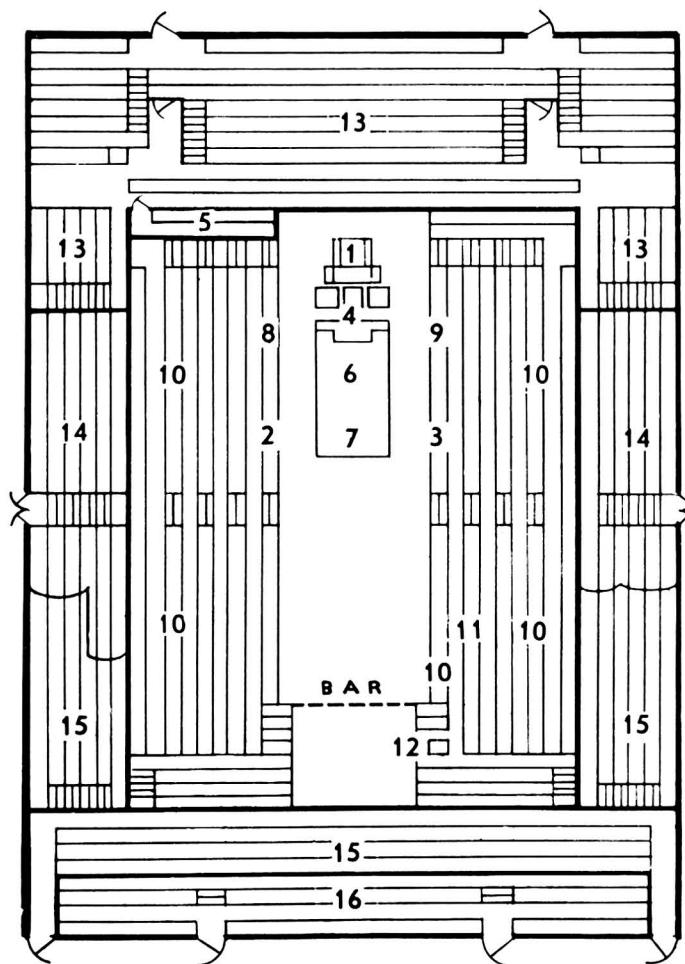
Debates do not necessarily consist of long speeches one after the other. The give and take of argument may flow rapidly from one side of the House to the other, since a speech may be interrupted by another member's rising to deny an accusation, level a criticism or ask a question of the member who is speaking. This happens only if the member who is already standing 'gives way' and allows the second member to proceed, as it is a rule of the House that no two members may be on their feet at the same time. Only if the interruption is on a 'point of order' that requires a decision from the Chair *must* the member speaking give way.



Top: *Every decision reached in the House of Lords is recorded by the Clerks*; bottom: *In the House of Commons, the Dispatch Box, heavily ornamented, stands in front of the Prime Minister's seat*

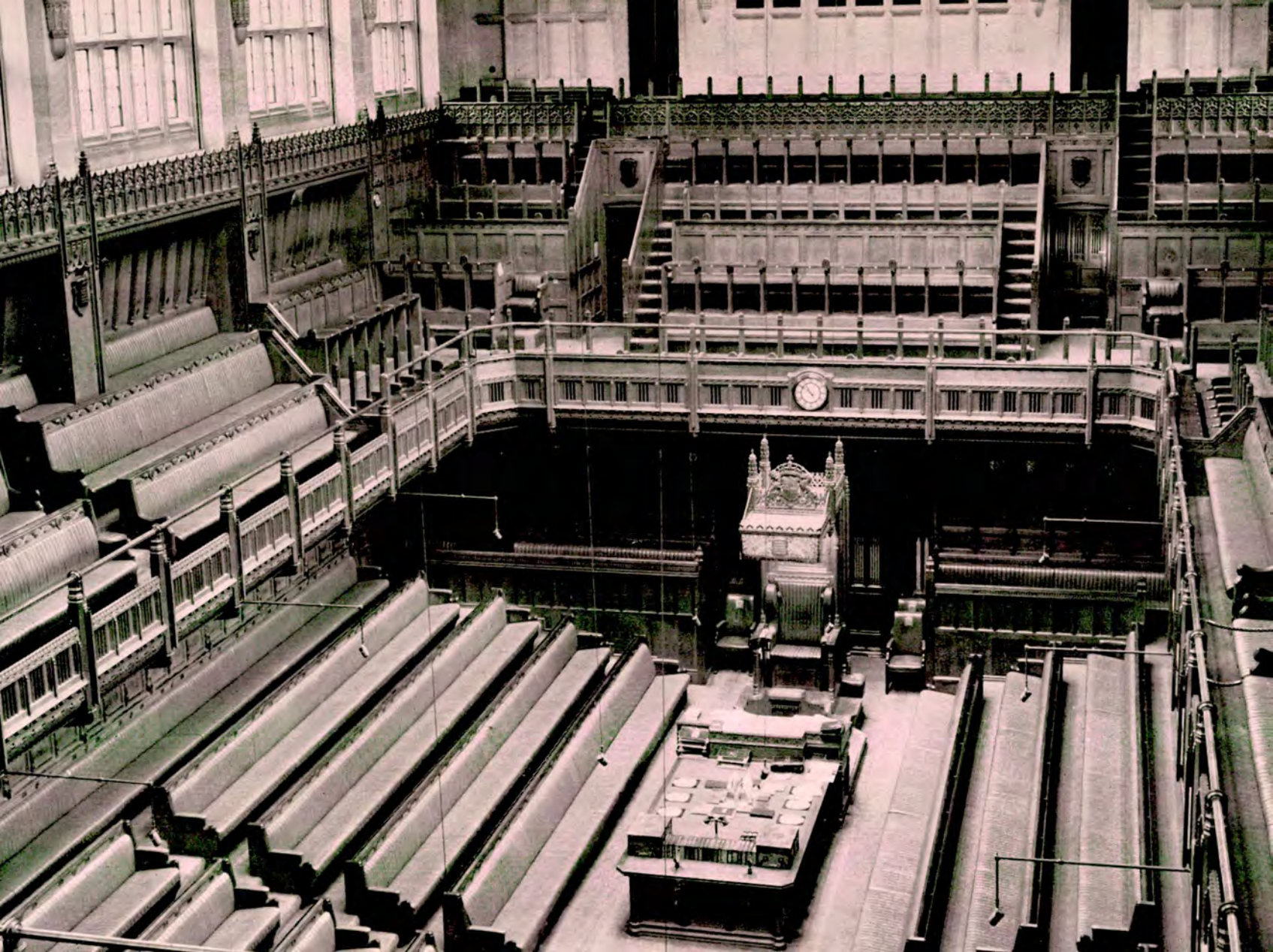
The sanctum of the House is that part within the inner heavy line on the plan—into this portion only members are allowed. All other persons are termed ‘strangers’ and are accommodated in the various galleries according to their category

Owing to statutory regulations it is not permitted to take photographs of the House of Commons in session, but the relative positions of its members will be apparent if this plan is compared with the picture opposite



**KEY
TO SIMPLIFIED PLAN
OF THE
HOUSE OF COMMONS**

- 1 The Speaker
- 2 Prime Minister or Government spokesman
- 3 Leader of the Opposition or Opposition spokesman
- 4 Clerks at the Table
- 5 Civil servants in attendance
- 6 The Table
- 7 The Mace
- 8 Government front bench, occupied by Ministers
- 9 Opposition front bench
- 10 Back benches
- 11 Other opposition parties
- 12 Serjeant at Arms
- 13 *Hansard* and press gallery
- 14 Members' side galleries
- 15 Special galleries, including Peers', Distinguished Strangers', Diplomatic and Commonwealth galleries
- 16 The public gallery



The Vigilance of Parliament

EXCEPT on exceedingly rare occasions, debates in the House of Commons are held publicly. If, however, a national emergency arises, the House may go into secret session to discuss such matters as, for example, the country's security.

In addition to the reports from *Hansard*, the official report of debates in both Houses in which is recorded every word, including interruptions and interjections, for daily publication, there are reporters from all the newspapers as well as from the BBC and the Independent Television News. Although there is no direct broadcasting of debates, a summary called 'Today in Parliament' is broadcast every night during the session. The public are admitted to the Strangers' Gallery to listen; they gain admittance either by ticket obtained from a member or by queuing.

Questioning the Minister

'Question Time' is an important and characteristic feature of the work of the House of Commons. For roughly one hour, on four days a week during the sessions, Ministers have to answer a series of searching questions on all aspects of their departments.

These questions are a safeguard to the liberty of the subject, and they are a guarantee that the rights and interests of the humblest citizen are not neglected. One member may ask the reason for the delay in settling the claim for John Smith's army pension, another may want to know how many people in his own town are waiting to have the telephone installed and how long they have waited, while another may ask the Minister about a shortage of beds in a

local hospital. Some of these questions will be the result of representations to the member from his constituents; others the result of his reading of newspapers and reports. Their local and personal character does not diminish their importance in the eyes of the House. The fact that such questions can be asked and become newspaper headlines helps to keep Departments alert and efficient. Many questions have a wider significance and may concern relations with a foreign power, constitutional change in a British dependency or matters of defence. During this time, questions may also be put to the Prime Minister on major points of governmental policy.

Each Minister has to answer the questions relating to his Ministry's functions and will have had two days' notice of them in order that his Department may provide him with the facts which are often involved and statistical. But the reply may draw from the questioner or from another member a 'supplementary question' which the Minister must answer impromptu. Thus the phrasing and the answering of supplementary questions are parliamentary arts and make 'question time' a very lively period.

At 3.30 p.m. question time is over. Questions not reached by this hour, which require long statistical replies or which have been put down for written answer only, are answered in *Hansard*, the official report. There is also a further type of question, known as a Private Notice question, dealing with urgent matters, which is answered orally at short notice immediately after 3.30 p.m.

Financial Matters

The House of Commons has to approve all financial measures, and no sum of money can be voted for any purpose except on the proposal of a Minister.

Every word spoken in debate is recorded in the daily Hansard report

Volume 657
No. 93



Monday
9th April, 1962

PARLIAMENTARY DEBATES (HANSARD) HOUSE OF COMMONS OFFICIAL REPORT

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LONDON
HER MAJESTY'S STATIONERY OFFICE
ONE SHILLING NET

1597 Education (Recommitted) 1 MARCH 1962 Bill—Committee 1598

[Mr. BROOMAN-WHITE:] college education for teaching, and to advanced full-time and sandwich courses at other full-time establishments. This leaves to local authorities part-time further education courses, non-advanced further education courses, and school courses.

Miss Herbison: Would that mean that people taking training as social workers, for instance, would be covered by the Clause?

Mr. Brooman-White: The broad definition which we are using is a course which is an extension of a university course necessary to acquire qualifications to enter a profession. There are bound to be borderline cases of demarcation between what comes under the local education authority and what under the Department. But during the first year of practical experience, this matter has not raised any great difficulty and we hope that it will run even more smoothly as our experience progresses.

Reference has been made to research. Grants are available for 45 research scholarships and about 30 have been given this year to arts students. Other research grants will continue to be assessed on their merits and given through the Agricultural Departments or the D.S.I.R., as hitherto. I must apologise for not having figures about the D.S.I.R. grants, but I do not think that there has been any substantial change from previous practice.

The hon. Member for Glasgow, Maryhill (Mr. Hannan) and other hon. Members referred to the case of the professional student. The hon. Member for Stirling and Falkirk Burghs (Mr. Malcolm MacPherson) will remember that this matter arose in our debates in Standing Committee. The point is that we are not giving grants to part-time students. We feel that if a man is engaged in his professional work, it is up to the profession to assist him and he is eligible for consideration for a grant for part-time study. If he is attending as a student full-time, he is covered, and that deals with what the hon. Member for Dunfermline Burghs (Dr. A. Thompson) said about students of architecture.

The hon. Member for Maryhill spoke about the availability of courses and the

Amendment of paragraph (10) of Section 70 of the 1946 Act. This is a technical matter, but I think that I have followed him correctly. The words about allowances for dependants in the 1946 Act were included to remove doubt, arising from the hardship criterion, but now that we have removed the hardship criterion I am assured that the words are no longer necessary. The position is automatically covered.

Mr. Hannan: That is precisely the point. As the Bill stands, there is no reference to dependants and there is simply a reference to grants for the courses. The explanation in Committee left no doubt about the position, but I do not understand at what point in the Bill that doubt is dispelled. If I am assured that the phrase, "for educational courses" includes grants for dependants, I shall be satisfied, but until then I do not think that I shall.

Mr. Brooman-White: The question of allowances for dependants is covered in the provisions concerning eligibility for married students and in the assessment of the general income scales. I cannot give the hon. Member a more detailed explanation now, but I would be glad to go into detail with him afterwards, if he likes.

6.15 p.m.

My hon. Friend the Member for Renfrew, East (Miss Harvie Anderson) mentioned the smoothness with which this new method of payment has been put into operation. I would like to thank her, on behalf of the Department, for her words of appreciation and hon. Members of the Committee, in general, for what has been said about this transition.

Mr. Malcolm MacPherson: Can the hon. Gentleman say whether a pupil for the Bar—he is not part-time, but spends his whole time studying for his profession—qualifies for grant?

Mr. Brooman-White: I can go no further than repeat what I said in Standing Committee. Such a student who was not full time would be considered as an apprentice and treated under the arrangements generally made for apprentices.

Before the end of each financial year, every Department lays down its requirements for the following year before the House of Commons. These are known as the Estimates and are debated by a Committee of the Whole House. This is named the Committee of Supply. Up to twenty-six days in the year are allowed for this purpose, and the opposition chooses certain of the 'votes', or divisions of the Estimates for debate.

In this way are discussed the particular fields of policy and administration which the opposition consider most open to criticism. At the end of the twenty-six days, the guillotine falls, and the outstanding 'votes' can be divided against but not discussed. To give statutory effect to the Estimates, voted by the Committee of Supply, the annual Appropriation Bill is introduced.

This, like any other bill, must be passed by both Commons and Lords but cannot be delayed by the latter for more than a month. The money to meet this expenditure is raised by another Committee of the Whole House, the Committee of Ways and Means to which the Chancellor of the Exchequer presents his Budget as soon after 5th April as possible.

The Budget is a statement of the country's financial position leading up to the government's proposals for raising the necessary money to meet expenditure for the coming year by taxation; at the same time it is a means of exercising control over the economy. The Budget taxation proposals are eventually included in a single Finance Act.

Parliament exercises detailed control over expenditure through two committees, the Select Committee on Estimates and the Select Committee on Public Accounts. The functions of the former, dating back to 1912, are to suggest the form in which the Estimates are to be presented and to point out cases where economies should, in its opinion, be

made, provided that the policy embodied in the Estimates is not affected.

In practice, the recommendations of the Select Committee affect the current year very rarely but may considerably influence future Estimates.

The Select Committee on Public Accounts consider the audited expenditure of each department and has become, since 1861, when first set up, a powerful agent for the economical and efficient uses of the finance available. Both these committees form a powerful deterrent against un-economical or wasteful spending, and their reports form the basis of discussion in the House of Commons on at least two days each session.

The Duties of a Member

A MEMBER of Parliament has two duties, one towards his constituents and the other towards the country as a whole. His constituents will often turn to him for advice and help. He must be prepared to give this, but his most important duty is to assist in the government of the country in the interests of the country as a whole. A member of Parliament owes his seat to the people who voted for him but is not bound necessarily to be merely their spokesman. He is under no obligation to adhere to his local party association's policies if these conflict either with the policies of the party as a whole or with his own conscience.

Making speeches and listening to them in public debates is only a small part of a member's duties. His first job in the



This party of Commonwealth Parliamentarians is attending a course on parliamentary practice and procedure

morning is to attend to his correspondence which is usually heavy. The average number of voters in a constituency is 57,000. The member will be able to deal with some of these letters by writing to the Minister whose Department is concerned, or, if the subject is important enough, by asking a question in the House after he has satisfied himself that this action is justified by circumstances. Some letters, he may find, deal with matters outside his province, but he will usually be able to pass them on to the right quarters. To deal with and answer this mass of correspondence, he will need a secretary, if he is not going to spend all his day in writing.

Although the House of Commons does not normally meet as a body until 2.30 p.m., its committees may begin work at 10.30 a.m. In spite of this, there are so many committees that they unavoidably overlap with the sittings of the House. A member may have to attend meetings of his party to greet, maybe, a distinguished foreign visitor or to take part in other business outside the actual debating chamber. The House normally rises at 10.30 p.m. from Mondays to Thursdays but it is quite common for special business to prolong the sitting far into the night, and occasionally debates go on until breakfast time next morning. Nevertheless, some members carry out their parliamentary duties and have other jobs as well.

The Member and his Constituency

If a member's constituency is near London he may have time to dash by car to a public inquiry or exhibition or a civic function where his presence is expected. The fact that he is not present during the whole of a debate does not mean that he is not interested in it. He may be in the Commons Library, making notes for a speech, or he may have been called into the lobby to meet one of his constituents or a deputation of traders, workers or housewives to discuss complaints or problems. It is to be noted that a member, once he is elected, represents all his constituents, whether they voted for him or not. He is expected to give as much assistance to a man who publicly campaigned for his opponent at the election as to one of his own supporters.

Most members of Parliament arrange that on a certain regular evening they will be available at an address in their constituency to interview and advise the people they represent. These meetings are valuable, not only to those who get advice, but also to the member himself who is thereby kept in touch with the opinions and day-to-day difficulties of the people.



Besides this, a member will use every opportunity of taking part in the life of his district and of finding out how government legislation and administration are affecting local life and industries. He will be quick to take action if he learns that his local factories are held up by shortage of labour or raw materials, if some new agricultural legislation is not working as smoothly as expected or if the local fishermen are not getting an economic price for the fish they catch.

Special Interests

But besides taking a particular interest in local problems, a member may well specialise in some particular branch of administration. As an ex-officer in the services he may watch military or naval matters very keenly, as a member of a local borough council he may follow local government legislation closely. Women members may have particular interest in child-welfare and health measures.

As the main business of the House is carried out from Mondays to Thursdays, the Friday session is usually shorter, and though debates of particular interest to some members may be held, major debates or votes of confidence are unlikely. Furthermore, on Fridays, business usually ends before the evening. This allows members to travel back to their constituencies which may be as far away as the Orkney and Shetland Isles (600 miles) or Northern Ireland (400 miles), where there will be a good deal of business and many interviews, functions and public meetings to occupy them before they return to the House on Monday.

The principle on which payment is made to a member of Parliament is that he should be able to maintain himself comfortably and honourably but not luxuriously. An ordinary member receives £1,000 a year, plus a tax-free expense allowance of £750, and he has the privilege of free travel between his constituency and Westminster.

In the case of members of the House of Lords, a salary is not paid, but expenses up to three guineas a day are allowed for peers attending the House (except when attending in their judicial capacity) as well as travelling expenses between their homes and the House. This last claim is allowed only in the case of peers attending at least one-third of the sittings.

Resignation

The formula for the resignation of an elected member of the House of Commons is somewhat complicated because in theory no member can resign. The member concerned therefore proceeds to get himself disqualified from sitting by being granted an 'office of profit' under the Crown. There are two such nominal 'positions of profit under the Crown'—both stewardships. One is of the Chiltern Hundreds (a 'hundred' was originally a division of land) and the other of the Manor of Northstead. There are no duties attached to these posts, and no salary is payable in spite of their technical inclusion in the category of positions of profit. Nevertheless, on receiving the appointment, the member is disqualified from sitting in the House of Commons and is thereby enabled to retire, whereupon a by-election is held in his constituency.

HM the Queen addresses a Commonwealth Parliamentary Conference attended by nearly two thousand people

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William Ewart Gladstone addressing the House of Commons in the year 1882. The chamber bears an interesting comparison with the present one which dates from 1950 (see page 25)

