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Are MPs competent legislators?

As I sat in the official box, year in year out, listening to debates on Bills I had drafted or helped to draft, it frequently crossed my mind that few politicians have a sound grasp of the legislative process. Many have no grasp at all, which is not surprising since nobody thinks it worth providing any training for them. These thoughts were never more strikingly confirmed than by the Tory plan for a Scottish 'third chamber'. You report today (17 May 1976) that the Shadow Minister for Scottish affairs says: 'It would take the second reading, committee and report stages of all Scottish Bills, with a final debate in the Westminster Parliament', presumably on third reading. The notion of one lot of people giving a *third reading* to a Bill entirely produced by a different lot is bizarre in itself, but when one considers the true function of a third reading debate it becomes impossible. Erskine May says: 'The purpose of the third reading is to review a Bill in its final form after the shaping it has received in its earlier stages. For this reason amendment, other than verbal, is no longer permissible on third reading. Hence also debate is confined strictly to the contents of a Bill, and cannot wander afield as on second reading' (sixteenth edition, page 528). Often, nowadays, there is no debate on third reading, and the Bill is passed 'on the nod'. Where there is debate it is usually formal, largely consisting of routine party bickering interspersed with 'sincere' congratulations on the statesmanship and magnanimity shown by the other side.

The Tory proposal involves something quite different. In your editorial today you indicate some of the dangers, particularly acute where opposing parties are in power in London and Edinburgh. But the basic trouble is that the idea is false to the whole nature of the legislative process. Perhaps what the Tories mean is simply that the House of Commons and the House of Lords should each have a veto on the Bills of the Scottish Assembly. If so, they should come out and say it; when in relation to the House of Lords especially, it would be exposed for the perilous nonsense it is. Politicians are not noted for facing inexorable truth bravely. Mrs. Thatcher says that we must at all costs save the Union (though she doesn't say why). The truth is that once you set up a directly elected parliament for the ancient Scottish nation the Union is done for. However few the powers initially conferred on the Scottish Assembly, it will rapidly obtain more and more until it has the lot. If we English could face this fact now, and not wait until, after a decade of turmoil, it is forced upon us, we should display true statesmanship. We will not do it, I know - that is not the English way.¹

¹ *The Times*, 19 May 1976.