

Farewell to Richard Hudson

I am honoured to have been asked to take over this column from Richard Hudson, who has written it so ably for thirteen years. I wish him well in his retirement.

The editor rang to confirm my appointment on 27 October, after which I went downstairs to watch Prime Minister's questions on the Parliament Channel. The spectacle seemed safe and ordinary, even dull. Speaker Betty Boothroyd, well-upholstered and comfortable, kept the MPs in order like Matron in a rowdy dorm. The Leader of the Opposition fired awkward questions at the Prime Minister. In reply, Mr Blair did every clever thing but answer the question. He shot back little teasers at Mr Hague, which that gentleman likewise side-stepped. It was familiar, predictable and cosy. There was much laughing and good-natured mickey-taking. Gordon Brown grinned at his opposite number, whoever that was. Had I perhaps taken on a rather boring task?

I soon got my answer. Watching the TV news that evening I learnt that gunmen had invaded the Armenian Parliament and shot dead the Prime Minister and the Speaker. We need to value the privileges we enjoy.

In the Lords on October 26 the Earl of Burford leapt on the Woolsack in protest while the House were debating the House of Lords Bill. This will end the right of hereditary peers to sit and vote. There will soon be an interim House of Lords composed of 550 life peers and 92 hereditary survivors. How will it behave? Perhaps the members will feel more free to challenge the Government, since it will have greater democratic legitimacy than the old House. We shall see.

What composition and powers will the permanent second chamber have? That remains shrouded. The Royal Commission considering the matter is required to report by the end of this year. In evidence to it I made various suggestions, some of which I will go on to mention for what they are worth. Any reader who has different ideas can send them to 4 Central Buildings, Matthew Parker Street, London SW1H 9NL. There is still plenty of time for sense to prevail.

I believe the new second chamber should not have power to reject a Government Bill, and any amendments it makes to such a Bill should be solely for the purpose of improving the working of the resulting Act. They should not be wrecking amendments.

There needs to be a provision corresponding to the Parliament Acts 1911 and 1949 to ensure that the Government of the day retains control of legislation. The Royal Commission is required by its terms of reference to have regard to the need to maintain the position of the House of Commons as the pre-eminent chamber of Parliament.

For this reason members of the second chamber should not be elected by any form of universal suffrage. That is the sovereign badge of democratic legitimacy. The nation should not have one lot of elected members (the House of Commons) ranged against a second chamber any of whose members can claim a like backing.

As members of the second chamber we need people of individual independence with a record of competence and experience in relevant areas of the national life. None of these should be

regarded as a delegate of any outside organisation such as a professional body (e.g. the General Medical Council or the Law Society) or a representative body (e.g. the T.U.C. or the Local Government Association).

There should I think be a fairly large number of ex officio appointments to the second chamber. The disadvantage is that some office holders may be thought unsuitable for parliamentary service. The advantage is that the invidiousness of personal selection, with its accompanying risk of canvassing, favouritism and prejudice, is avoided by automatic appointment. Furthermore many worthy people do not wish to submit their names for this kind of selective process and might otherwise be lost to the nation's counsels.

So I suggest that willing retired holders of state offices such as the following, if not MPs, should automatically be members of the second chamber (subject to an age limit): cabinet minister, permanent secretary in the Civil Service, senior armed forces officer, law lord, senior ambassador, British EU Commissioner, Bank of England Governor, Regius professor and so forth.

All these would be persons who had been appointed to their posts officially (usually by or on the advice of the Prime Minister). Office holders not appointed officially should not rank for ex officio appointment, because it is not right that membership of a basic element in the constitution should depend to any extent on private patronage.

There has been talk of appointment of other members being made by an Appointments Commission. That is not the answer. Who is to appoint the Appointments Commission? This can only be in effect the Prime Minister, so he or she would be appointing members of the second chamber at one remove. It is better to grasp the nettle and accept that the Prime Minister should appoint directly. An alternative would be to let the Cabinet appoint.

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1999.016 149 NLJ 1654 (5 November).