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## Editorial

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### Survival of the Fittest

A snap election always wreaks havoc with the Government's legislative programme. Ministers have just a couple of weeks to wrap things up before dissolution of Parliament wipes the slate clean. This election was no exception — though on the face of it, the statistics suggest a surprisingly low casualty rate among this shortened session's crop of public Bills. A respectable total of 41 Government Bills received the royal assent in 1986/87, compared with 50 in the full session 1985/86. Only four Government Bills were lost — one a consolidation measure, the other three belonging to that technically peculiar species, the hybrid Bill (the most prominent being the Channel Tunnel Bill, which had been launched in the preceding session). There was nothing in the 1986/87 session to compare with the spectacular demise of the Shops Bill, negatived at second reading in the Commons in April last year, to the acute embarrassment of the Government's business managers.

Yet as is so often the case, the raw statistics tell much less than the whole story. Many of the Bills that survived did so only in severely truncated form, the Government being obliged to negotiate with the Opposition parties (thereby

vouchsafed a tantalising morsel of real political power before going off to the hustings) to salvage uncontentious bits and pieces from the Parliamentary wreckage. Most of the Criminal Justice Bill was jettisoned, though the long-awaited Serious Fraud Office, recommended in the Roskill Report, has survived. Some 80 per cent of the Finance Bill was sacrificed on the dissolution altar (though the 2p cut in income tax remains). The Consumer Protection Bill, already having reached its later stages, scraped through by the skin of its teeth, to the modified rapture of consumer pressure groups. The cumbrously titled Abolition of Domestic Rates Etc (Scotland) Bill — introducing the community charge north of the Border — was forced onto the statute book against implacable opposition only by the use of a guillotine.

Of course, governments do have to govern, the executive enjoys legitimate mastery of legislative proceedings so long as it maintains a working parliamentary majority; but all this unseemly haste, compounded by inter-party wheeler-dealing, is a blight on the legislative process. It is productive both of flawed Acts of Parliament and of damaging uncertainty for everyone

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affected by legislation. Yet the situation we have described and condemned is just one symptom of a basic flaw in our constitution, and one which is profoundly detrimental to rational political and economic planning. It demands something more than mere procedural tinkering; it requires the drastic remedy of fixed-term Parliaments. Only by taking away the prime minister's right to call a sudden general election in order to capitalise on perceived electoral advantage will we ever achieve that rational and orderly style of government that we are all entitled to expect.