

THE HOUSE OF COMMONS

The Non-legislative Functions of Parliament¹

We hear now, as we almost always have heard at this season of the year, complaints of the inefficiency of the House of Commons. "They work hard enough", it is said, "but they pass nothing. The government brings in at the beginning of a session many bills which it never hopes to pass, and it withdraws at the end of the session many bills which every one hoped and believed would pass. The "massacre of the innocents", which Lord Lyndhurst used to ridicule twenty years ago, is not abated yet. Many proposals are made – many speeches are made, but nothing real is done." This is the substance of many conversations and of many leading articles, and it may be useful to consider how far it would be wise in us to pay attention to it.

As far as the present session goes, we might take what lawyers would call an issue of fact. The financial measures of the year are very considerable. We might say that they are enough for one year. Putting the French treaty aside, the simplification of the tariff which Mr. Gladstone has this year effected is a considerable achievement. Sir Robert Peel would have impressed on a listening House of Commons that it was sufficient not only for one session, but for several sessions. The ratification of the French treaty, and the alterations consequent upon it, even if they should disappoint its most sanguine admirers, may still be productive of great benefit. At any rate, for this is the point with which we have to deal, they are no nullities; they may be mischievous as their opponents say; they may be beneficial as their advocates say; but substantive measures of one species or the other they indisputably are. In behalf of the present session of Parliament we might plead it has done a good deal; and though some persons may question whether all which has been done was perfectly right, even these dissentients will not be inclined to question its importance.

We wish, however, to raise this week a somewhat larger question. We think it is far too often assumed that the principal functions of Parliament in the present day are legislative. In ordinary conversation it is often assumed that they are entirely legislative. If it so happens that no important enactment has marked a session, we constantly hear the House of Commons censured as if its time had during that session been entirely thrown away. No mistake, however, can be much greater. There are other functions of Parliament to which an attentive student of living politics will assign as much importance as to the legislative.

In the first place, there is the old but still important function of watching and checking the ministers of the Crown. We must not estimate the value of this by the actual cases in which we see it exercised. All checks are valuable, not in proportion to the vices which they discover, but in proportion to the vices which they prevent. No one, who has ever watched the administration of an absolute government closely, can doubt that the vigilance of a popular legislature prevents even the contemplation of many iniquities which under a quiet despotism are tacitly and easily perpetrated.

But there is a second far more important function of Parliament even than this. One great function of a popular legislature is to express the opinion of the people who elected it. During the present session of Parliament the opinion of the English people has been

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emphatically and efficiently expressed upon several points of the greatest importance. Upon the whole Italian question, complex as it is and many as are the issues it involves; the English opinion has been brought out in Parliament clearly and decidedly. We have said simply and clearly we will not interfere between the subjects of the various Italian governments and these governments. We will not, even for the sake of Italian freedom, intervene in contests between nations and their rulers. We hold as a principle that it is useless to do so; for, as an all but universal rule, a nation which cannot conquer its freedom will not keep it when it is conquered for it. The *test* of its being fit for liberty is its being ready to make the sacrifices needful to obtain it. Such is our policy in a purely domestic struggle with which no foreign government interferes. But, on the other hand, if other nations, for whatever purpose, intervene, we must reserve the right of intervening too. We will not help subjects against their rulers, but we will not permit domestic governments to put down a struggle for liberty in any country save their own. In the same way a very distinct opinion was pronounced on the annexation of Nice and Savoy to France, and an equally distinct one in favour of the volunteer movement at home. We select these points instead of others, because upon them no action has been requisite. It may be argued, and, indeed, it has been argued, that all which has been done in Parliament on these matters was “mere talk”. But those who so think have simply no conception of the nature of a popular government. In such a government it is not too much to say that “speech is action”. The adequate expression of the real opinion, if thoroughly brought out, may have incalculable weight.

Nor can it be said that the expression given by Parliament to English opinion is inadequate. We might paradoxically say that it was adequate on the whole, because it was imperfect in detail. All but the highest class of speakers doubtless give a very imperfect account even of *their own* sentiment, but in one sense their deficiency in eloquence is a merit. We want to express by means of Parliament *not* the opinion of our most eloquent or our most skilful statesmen – not the opinion of Mr. Gladstone or of Lord Palmerston, but the opinion of the average Englishman – of the mass of the English people. From the hesitating accents and ill-formed sentences of a hundred different members of Parliament, this opinion gains an expression which is adequate to it – which is almost the only one adequate to it – which is absolutely the only one it is impossible to deny the genuineness. In the present state of mankind, when so large a part of the civilised world is governed by despotisms which do not permit the expression of public opinion at all; when another considerable part is governed by extreme democracies which provide no adequate organ for expressing the true opinion of the educated classes, it is impossible to overrate the importance of the English Parliament – of the most efficient instrument for expressing the practical opinion of cultivated men which the world has ever seen.

We must remember, too, that Parliament should have credit for much which does not pass within its walls. The proceedings supply an invaluable thread for public discussion both in the press and in society. Every one who has to watch public opinion knows that it is idle to write articles upon subjects which the public is not interested in. The best articles on such subjects will lie unread. But how is the public to interested in a subject? The public is a very miscellaneous multitude. How can all the multitude be made to take an interest *at the same time in the same thing*? Only by Parliament, the great national institution in which every one takes some interest, discussing that subject, and, if we may so say, advertising it to the nation. The discussions in Parliament not only express public opinion; they consolidate its formation by rendering an efficient discussion in practice possible.

We are anxious not to be misunderstood. We are far from saying that all the time of Parliament is usefully spent. We know that much of it is by no means so spent. We are far, too, from saying that much valuable legislation is not unnecessarily postponed. We only say that we must not measure the efficiency of Parliament entirely by its shortcomings. We must remember that it has other functions besides legislation, in which, perhaps, it succeeds better – in which it, at any rate, succeeds to some extent.