

Prime Minister

A new Prime Minister

On the resignation of Boris Johnson as both Prime Minister of the UK and Leader of the Conservative Party, the Conservative MPs had a series of polls to whittle down a longish list of candidate replacements as Party Leader to just two, Liz Truss and Rishi Sunak, who were then submitted to the membership of the party for the final selection. Truss was chosen.

It was taken for granted that the Leader of the majority party would automatically become the new PM. Nobody questioned it. But there were moans all round about Truss being an "unelected PM". As there were when Truss was very quickly replaced by Sunak. And as there had been when May took over from Cameron, and Brown took over from Blair.

All of which is as though a General Election is for choosing a President, and MPs are in effect just his Electoral College. Is that grossly untrue? It certainly is in theory. Or is it too close to the uncomfortable truth? It seems to be in practice. PMs have become increasingly autocratic in recent years. And in particular increasingly take the right to decide who is allowed to be an MP and how they are allowed to vote when they are.

Choice of Party Leader

There are strong reasons for not having MPs choose their party leader, or prescribing who the party members may choose. That is primarily because the party leader controls the funds and machinery of the party, and the MPs' leader is thus in a position to bend the party to the views and tastes of its currently sitting MPs. He is moreover in a position to greatly influence who those MPs are, and thus to bend the parliamentary party to his own taste. Those two factors together create a self-fuelling cycle of perversion which can engender a vast gulf between the membership of the party and their MPs.

All of which can leave the bulk of the population, of whatever hue, significantly under-represented by their "representatives". Not even STV can cure that. There is little democracy if parties rule and parties are not themselves democratic.

Choice of PM

There are strong reasons for not automatically selecting as PM the Leader of the largest party in the Commons.

The PM, as PM, is leader of the country rather than of a political party. However, a PM can function properly only if they have the confidence of a majority of MPs. When an MP who can do that is identified the King invites them to form a government. And if there is a majority party then the Leader of that party is indeed almost certain to be their preferred choice for PM. But not necessarily, particularly if the Leader has been selected by the party membership contrary to the tastes and preferences of those who then come to be elected as its MPs.

And if there has to be a coalition then it is entirely up to negotiation what grouping of parties will be formed, and who will be their nominated PM.

Indeed, there is no absolute reason why the PM has to be the Leader of any party at all.

Unless and until we adopt the Presidential model, we have to accept the traditional view that MPs are elected to run the country and enact its laws. It is therefore right they should select their preferred PM from among their number. Which principle should surely apply whether or not there is a majority party.

The clear implication of which is that the PM really should be selected by a vote of all MPs, and not just those of their own party.

Election of PM

What sort of voting system should be used for MPs to select their PM?

Clearly FPTP would be a stupid option. If there were 6 candidates then someone might win with 20% of the vote, which falls some way short of demonstrating that they have "the confidence of a majority".

Some form of preferential voting would seem to be required, perhaps multi-stage voting, as used to select leadership nominations, or perhaps just a simple AV. But such systems generally work by progressive elimination, and for a choice as important as this we need to be sure that the elimination

rules are appropriate, which they are not guaranteed to be. For example, they would tend to eliminate first somebody who is everybody's second choice, who may in fact be exactly the person we need.

An appropriately sensitive evaluation algorithm is called for.

If one candidate has more than 50% of first choices in a preferential poll then they explicitly have the support of the House and are clearly to be chosen.

Failing that, the fairest evaluation is undoubtedly not by progressive elimination (as with AV or with multi-round voting) but by counting the number of head-to-head preferences each candidate has against the other candidates. This can be expected to produce a clear and appropriate winner, but is unfortunately not guaranteed to do so (Condorcet's Paradox). However there are various options for a suitable tie-breaker if needed (e.g. average ranking).

NOTA

But the winner emerging from such a process is not guaranteed to have the necessary support of the House. That would have to be established by a separate "confidence" vote.

Alternatively, and preferably, we could stipulate that "None of the above" (NOTA) would always be included as an option on the ballot. If that is the case then clearly both nominations and votes would best be kept confidential: in the current climate no MP could afford to be seen to be supporting the opposition, or even to be able to tolerate the possibility of working under them.

If the "winner" of the poll is NOTA then clearly no candidates have the confidence of the House. If the poll shows that the winner has higher preference than NOTA, then they arguably do have it. In the (hopefully unlikely) event that the winner actually has lower preference than NOTA then a separate confidence vote is clearly called for.

Impasse

If the winner of the poll is NOTA, or if the winner fails a subsequent confidence vote, then MPs should be asked to cast simple majority votes for motions to

- conduct a further poll
- call a General Election.

If NOTA is the winner of the prior poll then clearly all candidates in that poll should be disbarred from standing in the next poll.

If both those motions fail, or if no candidates can be found for a further poll, then there is clear impasse, and the matter should be referred to the Head of State.

Head of State

The UK's Head of State (HoS) is currently the hereditary monarch King Charles III. But the same procedure should apply if somebody succeeds in introducing a more democratic but less apolitical alternative.

When there is a leadership impasse in the Commons, the HoS should be asked, after taking appropriate advice from all quarters, to choose

- to invite a nominated MP to try to form a "minority" government, the success of which attempt would be indicated by a confidence vote in the Commons
- to have a further repeat of the poll for PM
- to call a General Election.

It might be argued that the King should be kept out of politics. But this is not politics: it is more a judicial function than a political one. It is no more "political" than the King signing political Acts of Parliament into law.

Moreover, if the King is to be in any way apolitically involved in the political process, which he is, it could be highly desirable that the King be expected, indeed required, to decline to sign into law anything which the vast majority of apolitical opinion would regard as immoral or illegal. The accepted convention that the HoS must not interfere in such matters must surely have caused the King's late mother considerable anguish.

May he defend our laws, and ever give us cause to sing with heart and voice, "God save the King".

WJW

