

THE RULE OF LAW

I am grateful to Benedict Birnberg for his thoughtful and sympathetic review of my book, "Statute Law", in your September issue. What he says about the content of the book calls for no comment from me. I would, however, like to respond briefly to his remarks on wider issues.

It is certainly true that a different book could be written about the social and political environment of legislation. (Indeed I have for some time had hopes of writing just such a book.) My entire career, spanning some 30 years, has revolved around the belief that law is basic to human living. It is the key to self-determination. Without it we are at the mercy of those who would use force to get their own way. But it needs to be the right sort of law.

Birnberg asks why it should be the preserve of politicians alone to make our laws. As he knows, they are not alone in fact. Nor do they originate much law. What in my view is vital is that they, should be true representatives. (That is why I have supported abolition of the House of Lords.) As representatives, in close touch with the opinions of their constituents, they can take sound decisions on what new laws should be made.

I believe that our system of representative government is a powerful contribution to human welfare. It needs improvement, as all things human do. But perhaps more than that it needs cherishing and protecting. It needs to be valued, as the only fair system by which a society can govern itself in freedom.

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