



1. The present situation is unprecedented, at least in the present century. There is, at present, no party which commands a majority. But that is ~~not~~ <sup>not at all</sup>. There seems to be no combination of parties which can command a majority. In the last resort there are only two ways in which the present dilemmas can be resolved. Either a Government must be formed which exercises its powers in such a way as to command the support of majorities in Parliament over a period of weeks or months; or, if no such Government can be formed in the present Parliament, there must be a general election in the hope, which may not be realized, that a more stable situation can be created in the new Parliament. A general election can only take place if two conditions are fulfilled. These are (1) a ~~request~~ <sup>request</sup> from a Prime Minister to the Crown that a dissolution should take place and (2) the acceptance by the Crown of this ~~request~~ <sup>request</sup>. It is generally accepted that in granting (or refusing) a dissolution the Crown is open to criticism either way and is without sense on its own. But the risks for the Crown are not equal. If a dissolution be granted the Crown is protected during the ensuing election by the existence of a Government <sup>which has advised the election</sup>. If the dissolution results in a change of Government, the Crown's critics are satisfied by assuming power. If it



confirms the old administration they are silenced by defeat. On the other hand, if a dissolution is refused, the critics of the Crown remain vocal, since the existing Parliament remains in being. If the new Government is not stable, the Crown is vulnerable to the criticism that it has granted to one party what it has refused to the other. If it remains stable the old Government, and its supporters, contrive to criticise the Crown, and assert that, if a dissolution had been granted they would have won. Thus the Crown will always tend to grant a dissolution at the request of an existing Prime Minister. There are no clear limits to the point at which it can do so, but since the Byng episode in Canada a sovereign's advisers tend to be conscious of the dangers of refusal.

2. There is every reason to believe that, if defeated on Monday, Wilson will either (a) go to the Palace and request a dissolution or (b) ask for a specific vote of confidence. If he takes (b) and gets his vote he will continue in office, as he would do if ~~he~~ won the Monday vote. But he will have asserted his authority successfully and magisterially. If he takes (b) and does not get his vote, ~~he must, I think resign, and he will, I think, ask for~~ ~~or if he takes (a) and does not get a dissolution~~



as of course he would do if he prefers course (1) *and would resign the office* a dissolution. The Queen can refuse it, in which case he will resign and the Queen may (1) send for E.H. (2) send for J.T. (3) send for all three leaders (4) send for some other figure whom she thinks can form a Government. Unless one of these courses yields a Government which lasts she is thrown back on H.W. For various reasons, I do not think (2) (3) or (4) would succeed, and I do not think she will try them. She will therefore either have to pursue (1) or grant H.W. what he asks.

3. Assume the Queen sends for E.H. then E.H. would try to form a new Government. He would be subjected to great criticism, and so would the Queen. If he did form a Government, he would have to do so in the hope that he could contrive in office for long enough to make it respectable for the Queen to grant him a dissolution when she had refused a dissolution to H.W. It is doubtful whether E.H. could do this even with Liberal support which has not so far been forthcoming. I doubt whether the Liberals could be induced to support any Government which was backed by Ulster Unionists. The other groups can be disregarded since they would not support a statutory income policy. The Ulster Unionists do not, I think, favour Europe.



4. If an election were called now or at any time in the next month or two, the electorate would be told that a vote for the Conservative Party was a vote ~~for~~ against the proposed increase in pensions, against the rent freeze and (almost certainly) a vote for an unpopular if necessary <sup>and for higher foreign</sup> incomes policy. This is a situation which must happen if either ~~the~~ (1) Wilson asks for a dissolution and gets it, or (2) E.H. forms a Government and cannot for any reason maintain it in office. In addition to this factor I have noticed that public opinion after an election continues to change along the lines which the election results show, and does not tend to reverse itself. However, as I say, the present situation is unique.

5. My conclusion is that it is to the interest of the Party that the present situation, whose dangers are obvious, continues after Monday. I do not think we stand to win if Wilson resigns. I also think that there is danger to the Monarchy if a dissolution were refused unless the ensuing Government lasted longer than I expect it would. If a dissolution were granted the Monarchy would not be subjected to like criticism, since either the Labour Party would win the ensuing election (as I think it probably would) or would be silenced by defeat following its own request to dissolve.

15 March 74.

Put down unstarred question about Dougherty case.

Asked by E.H. for memo on constitutional position. (opposite)  
photographed it (2 copies) and left copy on him at River Mill Ho. He  
will speak to me about it