

BHASVIC

A-LEVEL POLITICS

UK GOVERNMENT & POLITICS



KEY CONCEPTS

2017-2019

Name: _____

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UK Politics

DEMOCRACY AND PARTICIPATION

1 Democracy

Democracy literally means 'rule by the people' in the sense of 'rule by the mass of the people'. However, the exact meaning or understanding of 'democracy' is contested (like many concepts in politics) or it can be taken as a general term for a variety of political systems - some of which are referred to below. What is common to all conceptions of democracy is that, somehow or another, the people are sovereign and only they can ultimately legitimise government.

2 Legitimacy

Legitimacy is the idea of political rightfulness such that legitimacy transforms power into authority. I may have the power to do something but if I do not have the authority arising from legitimacy then, strictly, I ought not to exercise that power. Legitimacy often has to be traced backwards to see where it arises. For example:

On the 11th June 2016, Theresa May became the legitimate PM of the UK because the Queen asked her to form a government.

The Queen asked May to form a government because the outgoing PM, David Cameron, had told the Queen that May, as the new leader of the Conservative Party, had a majority of support in the House of Commons.

Her majority support in the House of Commons arises from the 12 seat majority gained by the Conservative Party in the 2015 general election.

The decisions of the House of Commons are legitimate because the House was duly elected by the people in 2015 and, under the Fixed-term Parliament Act 2011, should sit until 2020.

Hence May's prime ministership was legitimised by the people indirectly through the elected House of Commons. Theresa May is 'rightfully' the Prime Minister of the UK and so has the authority to wield the powers of the PM.

After a vote in the House of Commons under the rules of the FTPA, an early general election was called for the 8th June 2017. That election left May as the leader of the largest party in the House of Commons and as such it was legitimate for her to continue as PM even though she could not command a majority in the Commons.

In order to strengthen the legitimacy of her premiership, May tried to make an arrangement with the ten Democratic Unionist Party MPs which would enable her to gain the support of a majority of MPs in the Commons.

Theresa May will remain the legitimate PM if she has the confidence of the House of Commons.

So, we can say that legitimacy is the rightful use of power in accordance with pre-set criteria or widely-held agreements, such as a government's right to rule following an election or a monarch's succession based on the agreed rules.

3 Representation

Representation, in a political sense, refers to a situation in which an individual or a smaller group stands for or acts on behalf of a larger group of people. An example of political representation in the UK is the election of a Member of Parliament as the representative of the people in a particular geographical area known as a constituency. In Brighton & Hove, for instance:

Peter Kyle represents the Hove constituency, i.e. the people living in Hove;

Caroline Lucas represents the Brighton Pavilion constituency;

Lloyd Russell-Moyle represents the Brighton Kemptown constituency.

Similarly, the whole House of Commons can be said to represent the whole UK. Nonetheless, there are some questions to consider as to whether all groups in society are effectively represented.

4 Direct democracy

Direct democracy is a form of democracy in which citizens directly and continuously participate in political decision making. Hence, any distinction between the governors and the governed is at least reduced and may be obliterated. Sometimes direct democracy can be thought of as a system of popular self-government. The standard example of direct democracy comes from ancient Athens. Athenian democracy was politics by mass meeting - although only adult male citizens took part, with women, slaves, and foreigners excluded. The nearest to this direct democratic form in the modern UK is the occasional use of referendums.

The key idea of a direct democracy is that individuals express their opinions themselves and not through representatives acting on their behalf.

5 Representative democracy

Representative democracy is a limited and indirect form of democracy. It is *limited* in the sense that the participation of the people is infrequent and short; i.e. occasional voting opportunities when elections arise. It is *indirect* in the sense that the people do not exercise political power themselves but elect representatives to do so on behalf of the people. Representative democracy is said to be democratic insofar as it establishes a reliable and effective link between governed and government. That link is often known as the electoral mandate - the government is allowed to do what it wants because it was successfully elected.

In a representative democracy some individuals will have the right to vote to elect their representative. The right to vote is called the franchise or suffrage. Suffragettes were women campaigning for the right to vote on the same terms as men.

6 Liberal democracy

Liberal democracy, the most common form of representative democracy in the modern world, tries to balance popular consent against limited government. The issue here is that both individuals and minorities need to be protected against all-powerful governments even if the government has majority support. It is this protection of the rights of individuals and minorities that gives rise to the name *liberal* democracy. Individual citizens are given protection from the state by a range of 'checks and balances' such as constitutionalism, bicameralism, pluralism, a Bill of Rights, etc. At the same time, regular elections guarantee the democratic nature of the government.

7 Pluralism versus Elitism

Pluralism is a commitment to diversity and multiplicity in political society. In this case it refers to the plurality of political groups in society and to the plurality of their influence in a democratic society where people are free to associate, to demonstrate and to attempt to influence.

Elitism can have several related meanings but the issue here will be whether there really is pluralism in UK society or do elite parties and groups run things possibly undemocratically. Is UK society politically pluralist or politically elitist?

8 Pluralist democracy

A type of democracy in which a government makes decisions as a result of the interplay of various ideas and contrasting arguments from competing groups and organisations. So this is simply a democracy that allows freedom of association into political parties and pressure groups. A pluralist democracy expects there to be a range and a variety of political views in society without an elite group (or groups) heavily reducing the opportunities for influence by the plurality.

9 Parliamentary democracy

The UK is a parliamentary democracy. A parliamentary democracy is a political system where voters elect the parliament but do not directly elect the government. The government emerges from the democratically elected parliament but is not itself directly elected. In the UK system, whichever MP has the most support in the House of Commons will become PM. In a parliamentary democracy the government answers to the parliament and the parliament answers to the electorate.

10 Political participation

Political participation is important in any democracy because it's through participation, in one way or another, that political power is legitimised. If levels of participation are low or falling then there is said to be a participation crisis or a legitimisation crisis.

11 Participation crisis

There is said to be a participation crisis when there is a lack of engagement in the political process by a significant number of citizens either by choosing not to vote or to join political parties or pressure groups or to offer themselves for public office.

12 Democratic deficit

A democratic deficit is a flaw in the democratic process where decisions are taken by people who lack legitimacy, not having been appointed with sufficient democratic input or subject to accountability.

13 Referendum

A referendum is a single one-off vote by the electorate on a particular issue (usually an issue of some constitutional significance); for example, the recent referendum on the UK's membership of the EU. Referendums are commonly considered little bits of direct democracy within a liberal representative indirect democracy. Referendums do not replace representation but, instead, supplement representation. In the UK, a referendum cannot bind parliament and can only be called by the government through parliament. However, in some countries, referendums can arise from popular petitions.

Historically, referendums were generally considered un-British and the UK never had a referendum until 1973. After a handful of referendums in the 1970s, no more referendums were used until the Labour government of 1997. Since then, the UK has had fairly regular referendums of one kind or another.

14 Think tanks

A think tank is a body of experts brought together to focus collectively on a certain issues, investigating and offering solutions to often complicated or even seemingly intractable economic, social, or political issues.

15 Lobbyists

A lobbyist is paid by clients to try to influence the government or MPs and members of the House of Lords to act in their clients' interests, particularly when legislation is under consideration.

16 Pressure groups

A pressure group is an organised association which hopes to influence the policies and actions of government. Unlike political parties, pressure groups do not usually stand for election or seek governing power. Also, pressure groups usually focus on a single issue or a group of related issues rather than having the broad policy interests of a political party. However, unlike social movements, pressure groups are often formally organised and systematic in their methods.

Pressure groups can be classified:

Sectional groups are those pressure groups that exist in order to defend the interests of the members of that group. An example would be a trade union like the National Union of Teachers which primarily defend the interest of its members, even though there may be, for example, wider concerns for education and the well-being of students.

Promotional or cause groups are those pressure groups that exist in order to support the interests of others than their members. An example would be the pressure group Shelter which campaigns on behalf not of its members but on behalf of those who are homeless. This distinction is not always clear in that a sectional group can promote wider values than its own membership and a promotional group can represent the interests or at least the values of its membership.

Insider groups are privileged in that they enjoy organised access, to some level of government; maybe through representation on government bodies or through consultation processes. An example, historically at least, would be the Trades Union Congress in relation to the Labour Party or the Confederation of British Industry in relation to the Conservative Party. Their influence can be direct.

Outsider groups do not have that same organised government access so commonly find themselves using different methods to influence government. Their influence is indirect.

POLITICAL PARTIES

1 Political party

Commonly, a political party is a group of people organised to gain government power by electoral or other means. Four factors distinguish political parties from other groupings:

- A. Political parties aim to exercise government power. This can distinguish parties from pressure groups, although smaller parties may accept that the most they can gain is some influence over governing parties.
- B. Political parties have a formal organisation with members who are often said to be 'card-carrying'. This can distinguish parties from more general social movements.
- C. Political parties usually have a broad range of issues and policies of interest to them - although smaller parties may be more wedded to a single issue rather like a pressure group.
- D. Political parties, despite sometimes having internal differences, are groups that share an ideological identity and a range of political preferences.

2 Left/Right

Left and Right are shorthand terms for summarising political beliefs of individuals and of political parties. A highly simplified version of the Left/Right spectrum looks like this:

Left - Communism - Socialism - Liberalism - Conservatism - Fascism - Right

'Left' tends to mean collectivist and interventionist, desiring change, reform and alteration to the way in which society operates. Often this involves radical criticisms of the capitalism made by Liberal and Socialist parties.

While 'Right' tends to mean individualist and laissez-faire in economics, but also reflecting support for the status quo, with little or no social change, stressing the need for social order, stability and hierarchy – and generally relates to Conservative parties.

3 Liberalism

Liberalism is a political ideology whose central theme is commitment to freedom of the individual and so commitment to a society structured so that individuals can achieve their interests. Hence, liberalism tends to be committed to liberty (or freedom), individualism, rationalism, equality, toleration etc. However, as liberalism believes in a variety of talents its understanding of equality tends to equality of opportunity but not equality of outcome. The inequality of outcome is said to be fair as long as it is a result of equality of opportunity alongside talent and hard work. This legitimises the inequality of outcome which is known as meritocracy or 'rule by merit'. Be aware however that liberalism is very diverse such that all of the UK's major political parties are liberal in some sense.

A clear distinction within liberalism can be found between -

Classical liberalism: a philosophy developed by early liberals who believed that individual freedom would best be achieved with the state playing the most minimal role.

Modern liberalism: which emerged as a reaction against free-market capitalism, believing this had led to many individuals not being free. Freedom could no longer simply be defined as 'being left alone'.

4 Conservatism

Conservatism in its traditional form is committed to conserving the organic society that has evolved over long periods of time and so has a suspicion of change. While 'change in order to conserve' can be acceptable to conservatives, there is a strong commitment to tradition, authority, hierarchy, property, and paternalism, and to the idea that humans are imperfect. The conservative understanding of human

imperfection is that human beings are dependent, selfish, and not rational enough to understand the complexities of the world. Hence the importance of accumulated wisdom rather than theorizing about the future; better to stick to what we know from the past. However, the modern Conservative Party contains strong elements of liberalism alongside elements of traditional conservatism.

A clear distinction within conservatism can be found between –

One Nation: A paternalistic approach, adopted by conservatives under the leadership of Benjamin Disraeli in the 19th century and continued, to some degree, by David Cameron and Theresa May in the 21st century, that the rich have an obligation to help the poor.

The New Right: There are two elements to the New Right – (i) the neo- (or new) conservatives who want the state to take a more authoritarian approach to morality and law and order and (ii) the neo-liberals who endorsed the free market approach and the rolling back of the role of the state in people's lives and businesses.

5 Socialism

Socialism is an ideology that stresses the social nature of human beings in their common humanity. Individual identities said to be shaped by membership of social groups, especially social class, and stress is given to cooperation over competition. Socialism is opposed to capitalism and often sees liberalism as the ideology of capitalism. Some socialists, rather than being opposed to capitalism, have sought to run capitalism more fairly than the capitalists. The modern Labour Party retains many elements of socialism but has also been heavily influenced by liberalism. Outside the Labour Party one finds great diversity of socialist traditions varying from your local cooperative grocers to the might of the former Soviet Union.

A clear distinction within socialism can be found between -

Revolutionary socialism: Such as anarchist or Marxist forms of socialism.

Evolutionary or gradualist socialism: Parliamentary forms of socialism such as the UK Labour Party.

And a clear distinction within the Labour Party can be found between -

Old Labour (or social democracy): Embodying principles of nationalisation, redistribution of wealth from rich to poor and the provision of continually improving welfare and state services, which largely rejected Thatcherite/free-market reforms or a Blairite 'new labour' approach.

New Labour (the Third Way): A revision of the traditional Labour values and ideals represented by Old Labour. Influenced by Anthony Giddens, the 'Third Way' saw Labour shift in emphasis from a heavy focus on the working class to a wider class base, and a less robust alliance with the trade unions.

6 Factionalism

A political party is usually a 'broad church'. That means that within a party, although there will be common beliefs there may be sometimes quite strong differences. The different groupings within a political party are called factions or party factions.

7 Consensus politics

A consensus is a kind of broad and general agreement accepted by a wide range of individuals and/or groups. There can be differences about detail while there is a general consensus. So, 'consensus politics' implies a working together with general agreement over both substance and procedures in politics.

8 Adversary politics

Adversary politics implies a clash between two or more groups with strong differences over procedures and/or substance in politics. The UK system is adversarial in that it stands Her Majesty's Loyal Opposition as a formal adversary against Her Majesty's Government. It is the job of the Opposition to

oppose the Government adversarially. Nonetheless, sometimes, there is a consensus between governments and oppositions.

9 Party system

Party system is a term useful in understanding the position of political parties in the electoral system. We'll need to understand the following examples of party systems:

- A. Single party system - there is only one party (any other parties are really variants of the one party).
- B. Dominant party system - there is more than one party but one particular party commonly governs.
- C. Two party system - there are many parties but two main parties usually take turns to govern.
- D. Third party system - two main parties but a third party has a large say in who governs.
- E. Multiparty system – several parties have a real chance of governing, perhaps in coalition.

ELECTORAL SYSTEMS

1 Election

An election is a method for the members of the relevant electorate to select some kind of representative or office holder. Liberal democracy usually thinks of elections as needing to have:

- A. Universal adult suffrage
- B. One person, one vote
- C. One vote, one value,
- D. Secret ballot
- E. Plurality of candidates and parties
- F. Regularity

2 Safe seat

A seat in which the incumbent has a considerable majority over the closest rival and which is largely immune from swings in voting choice. The same political party retains the seat from election to election. A majority of seats in UK Westminster constituencies are safe seats.

3 Marginal seat

A seat held by the incumbent with a small majority. There is no precise percentage or winning margin to which this aligns but a 10% margin would need only a swing of 5% to the rival party to take it. Marginal seats are important as they are where the outcomes of elections are decided. Only a minority of seats in UK Westminster constituencies are marginal.

4 Minority government

This is a government that enters office but which does not have a majority of seats in the legislature (parliament). This makes passing legislation very difficult.

5 Coalition government

This is a government that is formed of more than one political party. It is normally accompanied by an agreement over policy options and offices of state, as was the Conservative-Liberal-Democrat coalition from 2010–2015

6 Majoritarian representation

Majoritarian representation refers to the outcome of various electoral systems that are more likely to ensure majority representation to one group while minimising representation of other groups. Examples are:

- A. First Past the Post (simple plurality) - used for Westminster elections of MPs
- B. Alternative vote - not used in UK
- C. Supplementary vote - used to elect the Mayor of London
- D. Second ballot - used to elect the French president, not used in the UK

7 Proportional representation

Unlike majoritarian systems, proportional systems aim to produce a more proportional representation in the outcome. In a pure system of proportional representation, 10% of the votes would lead to 10% of the representation. Such a pure system is rare but there are various systems which are more or less proportional in their representational outcomes:

- A. National party list - not used in UK
- B. Regional party list - used in UK to elect MEPs to European Parliament
- C. Additional member system - used to elect MSPs to Scottish Parliament
- D. Single transferable vote - used to elect MLAs to the Northern Ireland Legislative Assembly

8 Electoral reform

Electoral reform is the issue of whether or not the electoral systems used in the UK ought to be changed or not. Five different systems are now in use in the UK for different purposes. In 2011 the UK had a referendum on changing the Westminster electoral system from FPTP to AV. The electorate voted 'No' to AV.

9 Strong government

'Strong government' is the idea that a government can carry out its policies and respond to events without great limitations from parliament because the government has the majority of support in parliament. The present FPTP electoral system is often said to lead to strong government with good majorities and that this is its great strength.

10 Stable government

Stable government is the idea that, while governments may come and go, they do it with within the rules of the political system and with some continuity from one government to the next. Dominant and two party systems tend to the greatest stability. There are some questions over the continuing stability of UK governments.

VOTING BEHAVIOUR AND THE MEDIA

1 Class dealignment

Class alignment is the process where individuals, as members of social classes, identify with a particular political party as their party and vote accordingly. Class dealignment is the breakdown of that class alignment such that individuals no longer identify themselves as belonging to a certain class and for political purposes fail to make a class connection in their voting.

The alignment historically would roughly be:

Upper class – Conservative Party,

Middle class – Liberal Party, but replaced by the other parties in the 20th century.

Working class – Labour Party, (however, always some ‘deference’ voting for the Conservatives).

2 Partisan dealignment

This is the related process where individuals no longer identify themselves on a long-term basis by being associated with a certain political party.

3 Governing competency

This is the perceived ability of the governing party in office to manage the affairs of the state well and effectively. It can also be a potential view of opposition parties and their perceived governing competency if they were to secure office.

4 Disillusion and apathy

It is sometimes said there is a process of disengagement with politics and political activity with people having no confidence in politicians being able to solve issues or really make a difference. Disillusion and apathy are manifested in low turnout at elections and poor awareness of contemporary events.

5 Manifesto

In its manifesto, a political party will spell out in detail what actions and programmes it would like to put in place if it is successful in the next election – a set of promises for future action.

6 Mandate

A mandate is an instruction received by one body from another. In our case, from the electorate to the government. If a party’s election manifesto contained a particular policy and then that party wins the election and becomes the government then they are said to have a mandate to govern and a mandate for that particular policy.

UK Government

THE CONSTITUTION

1 Constitution

A constitution is a collection of rules setting out the duties, powers, and functions of the institutions of government, regulating the relationship between those institutions, and defining the relationship between the state and the individual. Thus, a constitution is the rules of government and politics in a particular nation-state like the UK. Constitutions govern governments and determine where sovereignty lies in a political system.

There is more than one type of constitution. The types are outlined below.

2 Constitutionalism

Constitutionalism can have two related meanings:

- A. That governments are limited by the constitutional rules.
- B. That the freedom of individuals and groups is protected from government power by the constitutional rules. An aspect of this might be a so-called Bill of Rights which clarifies the rights of individuals.

3 Codified and uncodified constitutions

Codified constitutions are written and published in a single authoritative document such that one can, for example, go into a bookshop and purchase a copy of the codified US Constitution and look up, for instance, the rules on elections in the USA. There can still be disputes about the meaning of the words codified but, nonetheless, they are codified into a single authoritative document. The great majority of constitutions take this form and they were often codified as a result of a new situation arising from war or revolution or independence; e.g. the US constitution after rebellion, war and independence from Britain or the new German constitution following the defeat of the Nazis.

Codified constitutions, which are often known as 'written constitutions', are said to be **entrenched** as 'higher law'. All other laws are subject to constitutional law which can only be changed by a process more difficult than changing ordinary statute law.

However, an uncodified constitution is different and rare. There are said to be very few states with uncodified constitutions and the UK is one of them. The rules of an uncodified constitution are *not* written and published in a single authoritative document. Instead of a single and entrenched source of constitutional law, an uncodified constitution draws upon a range of sources. In the UK those sources include:

- A. Statute law, i.e. laws passed by parliament although not all are of constitutional importance;
- B. Common law, i.e. laws by tradition made by judges where the statute law does not cover the issue or is unclear such as 'if it is not prohibited then it is permitted';
- C. Conventions, which can overlap with common law, i.e. the royal prerogative power to appoint as the prime minister whosoever has most support in the House of Commons; so conventions are traditions not contained in statute law but influential in the operation of the political system;
- D. Works of authority, i.e. Erskine May's *Treatise on the Laws, Privileges, Proceedings and Usage of Parliament*, first published in 1844, which outlines how parliament works; these are works written by experts describing how a political system works, they are not legally binding but are taken as significant guides;

E. International treaties (including EU laws arising from our European treaties); these are formal agreements with other countries, usually ratified by Parliament.

An uncodified and **unentrenched** constitution is often said to be 'flexible' while the codified kind is said to be 'rigid'.

4 Unitary and federal constitutions

Unitary constitutions and constitutional arrangements that concentrate sovereignty, i.e. ultimate legitimate power, in one single national body. In the UK, commonly, this is said to be the unitary sovereign parliament at Westminster and all other levels of government in the UK are said to be subject to Westminster.

Federal constitutions do not concentrate sovereign power in one place; they are not unitary. Instead, in a federal system, there are two or more relatively self-ruling bodies of government. A standard example of this is the USA with its federal government in Washington DC and fifty member states of the union, each of which has its own level of sovereignty such that some matters are dealt with by individual states and other matters are dealt with federally. You may have noticed in films the distinction between the state police and the FBI, that's the Federal Bureau of Investigation.

As above, the UK constitution is commonly considered to be a unitary constitution with sovereignty seated in a single place at Westminster - devolved governments in Edinburgh, Cardiff and Belfast exist at the whim of Westminster. However like many things in politics this has been disputed and a claim is made that the UK constitution is neither unitary nor federal but is in fact a 'union' constitution.

It is also sometimes claimed that the UK constitution has become 'quasi-federal' - more on that below.

5 Parliamentary sovereignty

Sovereignty is the principle of absolute, ultimate and unlimited power.

You have probably heard the word sovereign applied to a king or queen. 'The sovereign' meaning 'the Queen'. This is a reference back to the days when the monarch wielded that sovereign absolute power.

Over the years, centuries even, that sovereign power has drifted away from the monarch to parliament such that we now say that 'parliament is sovereign' and hence the phrase 'parliamentary sovereignty'.

Parliamentary sovereignty means that parliament (i.e. Commons, Lords and Crown - although Commons is now the most powerful part) wields absolute, ultimate and unlimited power. Being sovereign, parliament can make, amend, or unmake any law it chooses to make, amend, or unmake and parliament cannot be restricted by anything a previous parliament has done. This means that parliament cannot bind a successor parliament or be bound by a predecessor parliament.

For example, the *European Communities Act 1972* was passed by the parliament of the time and was the legislation required for the UK to join the EU, or as it was known at the time the EEC. If Britain is to leave the EU then that act of parliament may need to be unmade, to be repealed. A sovereign parliament can do so.

Parliament's sovereignty might rightly be called 'legal sovereignty' as it is the sovereignty to make and unmake laws. Meanwhile, on some accounts, 'the people' hold 'popular sovereignty' especially at election time.

6 Rule of law

This is the principle that all people and bodies, including government, must follow the law and can be held to account if they do not.

The law should rule, and law should rule equally over everyone, even the government. Alongside parliamentary sovereignty, the rule of law is said to be a pillar of the UK constitution.

7 Pooled sovereignty

The member states of international organizations can sometimes voluntarily link themselves by treaties to an international organization. In the European Union this is understood as 'pooled sovereignty'.

8 Devolution

Devolution is the transfer or dispersal of power from central government (i.e. Westminster) to regional government (e.g. Scotland). The transfer of power is limited and is not commonly seen as a transfer of sovereignty.

9 Quasi-federalism

This is simply the idea that with devolution of power from Westminster to the Scottish Parliament, the Welsh Assembly, the Northern Ireland Assembly etc., the UK's constitutional arrangements have become somewhat federalised.

10 Elective dictatorship

One of the key criticisms of the UK's constitutional arrangement is that an elected dictatorship can emerge. This is when, as the result of a general election, the governing party has a very large majority in the House of Commons and, in effect, can pass any law it wants with little effective opposition.

PARLIAMENT

1 Parliament

The British parliament at Westminster is the legislative or law-making body for the UK. There are other assemblies, e.g. in Cardiff, Edinburgh and Belfast, but Westminster is the sovereign legislature for the United Kingdom.

The UK parliament is made of three parts: House of Commons, House of Lords, and the Crown in Parliament. For an act of parliament to be passed it must pass through the Commons and the Lords, although the Commons has much greater powers than the Lords, and then be given Crown assent which is a matter of convention alone these days.

House of Commons - The primary chamber of the UK legislature, directly elected by voters.

House of Lords - The second chamber of the UK legislature, not directly elected by voters.

2 Westminster model

The Westminster model refers to the UK system of parliamentary government under a constitutional head of state. It's a system much copied worldwide.

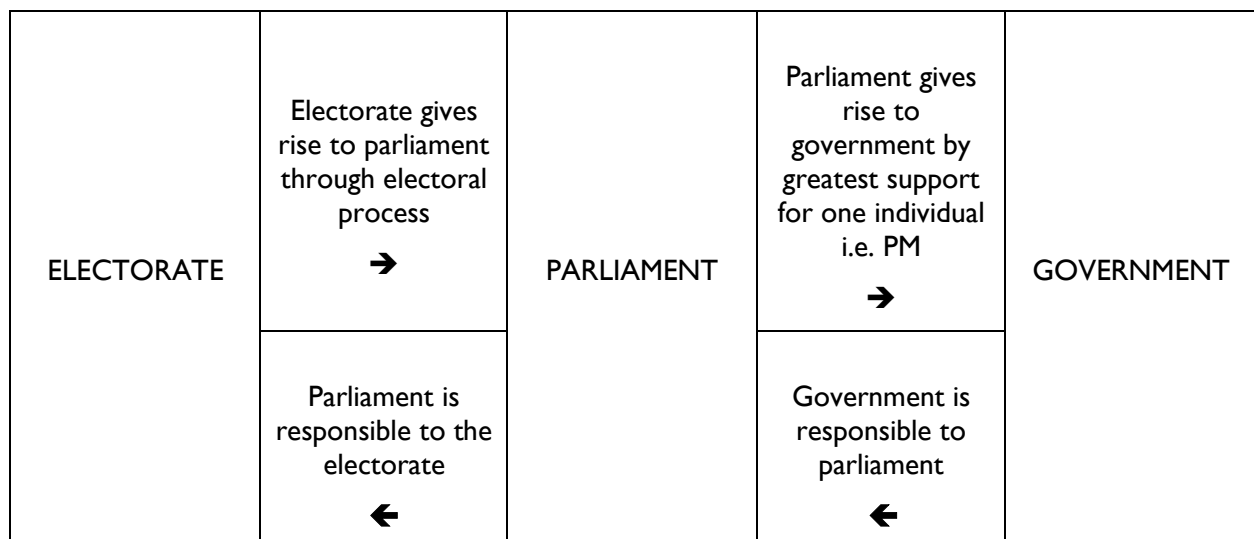
3 Representative and responsible government

One of the functions of parliament is the representation of the people and as the government emerges from parliament it too can be said to function as representative. However there is much debate about the actual extent of the representation.

The reverse of the representation of the people by parliament is that parliament, and the government in and through parliament, is responsible to the people.

Hence parliament is said to be representative and responsible.

4 Parliamentary government



Parliamentary government is the idea that the government operates 'in and through' parliament. The government emerges from parliament, e.g. the PM is the person with the greatest support in the House of Commons, and the government must answer to parliament for its actions, e.g. Prime Minister's Questions. The parliament itself is formed from a general election and is answerable to the electorate at election time. The government is not directly elected. There is fusion of parliament and government.

5 Presidential government

In presidential forms of government (e.g. the USA) the parliament (known as Congress in the USA) is wholly separated from the government and the president as leader of the government will be directly elected. The president will answer directly to the electorate not to the parliament.

6 Fusion and separation of powers

There are said to be three powers or branches of government: legislature, executive and judiciary.

- A. Legislature is the general term for an institution that makes laws. In the UK that is parliament.
- B. Executive is the general term for an institution that carries out the laws. In the UK that is what we commonly mean by the government i.e. the prime minister and cabinet and junior ministers.
- C. Judiciary is the general term for an institution that judges if and when the law has been broken. This is the judges in the courts. In the UK we do use the term judiciary for them.

These three powers are said to be separated when no one can be a member of more than one of them. For example, in the USA, the president (the head of the executive) cannot also be a member of Congress (the legislature) and nor can the president also be a judge (i.e. the judiciary). That is separation of powers.

However in the UK, although the judiciary is separated, the executive and the legislature are said to be fused. Not only can a member of the executive be a member of the legislature but it is required that they are so because in the UK we have parliamentary government - the UK government sits in parliament. The executive and the legislature are fused.

7 Bicameralism

Bicameralism is a constitutional arrangement whereby the parliament or legislature is divided into two separate chambers or cameras. In the UK the two chambers are the House of Commons and the House of Lords. The idea is that the two chambers are a check on each other.

8 Accountability

Accountability is the idea that the government and parliament are ultimately responsible to people and ought to give an account of themselves to the people. Parliament, or at least its House of Commons members (i.e. MPs) are held accountable at election time.

But it is the job, a function, of parliament to hold the government to account in between elections. This is done by various means but the one you will be most familiar with is Prime Minister's Questions.

9 Confidence and supply

These are the rights of parliament to support or remove the government (confidence) and to grant or withhold funding (supply). The term is also used to describe a type of informal coalition agreement where the minority partner agrees to provide these two things in exchange for policy concessions.

10 Salisbury Convention

The convention whereby the House of Lords does not delay or block legislation that was included in a government's manifesto (if the government has a clear majority in the Commons and so a clear mandate for its manifesto).

I 1 Parliamentary privilege

This is the right of MPs or Lords to make statements within Parliament without being subject to outside influence, including the law. For example, an MP cannot be sued for libel for something said in the Commons.

I 2 Legislative bills

Legislative bills are proposed laws passing through Parliament and which may eventually become Acts of Parliament, i.e. statute laws.

I 3 Public bill committees

These committees are responsible for considering legislative bills in detail.

I 4 Select committees

These committees are responsible for scrutinising the work of government, particularly the work of individual government departments.

I 5 Backbenchers

Backbenchers are MPs or Lords who do not hold any government or opposition office.

I 6 The Opposition

The Opposition are MPs in the Commons and members of the Lords who are not members of the governing party or parties.

PRIME MINISTER AND EXECUTIVE

1 Executive

The executive is the collective group of Prime Minister, Cabinet and junior ministers, commonly known as 'The Government'.

2 Government department

Government departments are part of the executive, usually with specific responsibility over an area such as education, health, the treasury, defence.

3 Minister

A minister is an MP or a member of the House of Lords appointed, by the Prime Minister, to a position in the government, and usually having specific responsibilities within a department.

4 Cabinet government

In the UK, a cabinet is a committee of senior ministers each representing the departments of government. Among those senior ministers is one known as the prime minister - 'the first among equals' - who chairs cabinet meetings. The cabinet is the ultimate decision making body, the senior executive organ of the UK government.

The cabinet is responsible to parliament and its members are all members of the Commons or the Lords.

5 Core executive

The core executive is a term sometimes used to include the most senior and influential members of cabinet e.g. the Chancellor, the PM, as well as senior civil servants and political advisors, security services, etc.

6 Prime ministerial government

Although the PM is said to be merely 'first among equals', he or she can be very powerful over and above cabinet colleagues as the PM has the power to appoint and sack ministers. When the PM is most powerful, then there is said to be a tendency to prime ministerial government rather than to cabinet government and decisions are taken individually by the PM or in bilateral meetings rather than collectively by cabinet.

When the PM conducts decision-making outside of cabinet it is sometimes referred to as 'sofa government'.

7 Royal prerogative

A set of powers and privileges belonging to the monarch but normally exercised by the Prime Minister or Cabinet, such as the granting of honours or of legal pardons.

8 Presidentialism

In the US system of government, the President alone is the executive. The President's cabinet are merely his advisors; he makes the decisions. This is opposed to the UK system of collective cabinet government.

However, the more powerful the PM and the more prime ministerial the decision making procedures, especially if cabinet is being ignored, then the more the UK system may appear presidential.

9 Presidential government

An executive dominated by one individual, this may be a President but is also used to describe a strong, dominant Prime Minister.

10 Political leadership

Prime ministerial leadership is varied and depends on several things:

- A. Personality;
- B. Popularity;
- C. Experience;
- D. Parliamentary majority;
- E. Alternative leaders in waiting, etc.

11 Collective responsibility

The UK's cabinet government is a collective government where the whole government takes responsibility for all government actions.

A cabinet member can argue his or her case within cabinet even disagreeing strongly with the majority, including the PM. However, once a decision of cabinet is finalised then all members of the government must stick to the agreed policy and support it in public.

A minister who cannot accept collective responsibility must resign from the government and traditionally goes to parliament to explain the resignation. A famous example is Robin Cook resigning in 2003 as he was unable to support the invasion of Iraq.

So, 'collective responsibility' is the principle by which ministers must support Cabinet decisions or leave the Executive.

12 Individual responsibility

As well as collective responsibility, ministers each have individual ministerial responsibility for their portfolio. For example, the Home Secretary can be held responsible for matters covered by his department but not matters covered by the Foreign Office. Individual responsibility can lead to resignations. A famous example is Lord Peter Carrington resigning as Foreign Secretary when he failed to foresee the Argentinian invasion of the Falkland Islands in 1982.

A second aspect of individual responsibility is when a minister finds himself or herself embarrassed by personal matters that have become news.

So, 'individual responsibility' is the principle by which ministers are responsible both for their personal conduct and for their departments.

13 Secondary legislation

Powers can be given to the Executive by Parliament to make changes to the law within certain specific rules without reference to parliament, e.g. the level of the minimum wage.

RELATIONS BETWEEN BRANCHES

1 Judiciary

The judiciary is that branch of government that holds the power to decide legal disputes, both civil and criminal. The judiciary does not make statute law but it does interpret the law and adjudicate on the meaning of law. In fact the actual meaning of a law is only revealed when it is interpreted by the judges in the courts.

2 Judicial independence

In liberal democracies, the judiciary is commonly held to be independent of other branches of government, in particular the executive - hence the separation of powers. This is unlike Nazi Germany, for example, where the courts were used as instruments of ideological repression and political persecution.

3 Judicial neutrality

Judicial neutrality, like judicial independence, separates the judiciary from other branches of government but also from contamination by social, political and other biases. It is the principle that judges should not be influenced by their personal political and social opinions and should remain outside of party politics.

4 Supreme Court

This is the highest court in the UK political system.

5 Judicial review

This is the power of the judiciary to review, and sometimes reverse, actions by other branches of government that breach the law or that are incompatible with the Human Rights Act.

6 Elective dictatorship

An elective dictatorship is a government that dominates Parliament, usually due to a very large majority, and therefore has few limits on its power.

7 European Union (EU)

The EU is a political and economic union of a group of (at present) 28 European countries.

8 Four freedoms (EU)

The four freedoms are the principle of free movement of goods, services, capital and people within the EU's single market.

9 Legal sovereignty

The legal right to exercise sovereignty - i.e. sovereignty in theory. Parliament is commonly said to be legally sovereign as no other body can make, amend or repeal all laws.

I0 Political sovereignty

The political ability to exercise sovereignty - i.e. sovereignty in practice. Even parliament, or at least the House of Commons, is subject to the people at election time. The people are politically sovereign.

I1 *Ultra vires*

Ultra vires, literally 'beyond the powers' refers to an action that is taken without legal authority.

I2 Civil liberty and civil liberties

Civil liberty is the freedom to go about one's business privately without interference from the state (i.e. the government). The standard civil liberties are usually taken to be:

- A. Freedom of speech;
- B. Freedom of the press;
- C. Freedom of religion and conscience;
- D. Freedom of movement;
- E. Freedom of association.

These are freedoms from government interference and as such are liberties not rights. Rights to vote or to marry, for example, are not liberties from government but are granted by government. Even the civil liberties have limits. For example, 'freedom of speech' does not grant me any freedom to shout 'bomb!!' merely for a laugh in a crowded airport.