

‘Parliament at Westminster remains the most powerful institution in UK politics.’ To what extent do you consider this to be true?

This essay will assess whether Parliament at Westminster remains the most powerful institution in UK politics, and analyse the UK constitution, the political system and the checks and balances that supervise government. The powers and constraints the Prime Minister and UK parliament face in practice will be discussed. A comparison will be made with the United States and its own system of governance throughout this essay. Interest groups and the news media will be discussed as well as, the challenge the EU parliament and devolution pose, leading to a conclusion being reached on whether parliament remains the most powerful institution in UK politics.

The UK constitution in comparison to the US constitution is a flexible document. The UK constitution has changed slowly, being reworked incrementally in response to changing circumstances (Heffernan, 2010, p.18). The constitution is not contained in one document but has five sources these being; statute law, common law, custom and practice, authoritative and scholarly work, European law and accession treaties. Statute law being the most important source, as all statute law is passed by parliament. Parliament is the highest national authority in the UK and no other institution may regulate its actions except electors, however, since 1973 parliament has voluntarily qualified this in regard to policies that fall under the rubric of the EU (Heffernan, 2010, p.19). It is accepted that there is a conflict between EU laws which takes precedence over domestic law. The UK parliament’s sovereignty is not necessarily surrendered but pooled, the UK is constitutionally free to leave the EU should it so wish (Heffernan, 2010, p.20). There has been much debate over recent years over just how much power the EU parliament has over Westminster, with Eurosceptic sentiment across Europe on the rise. The United Kingdom independence party has been vocal regarding the power deficit between Westminster and Brussels.

The UK is a centralised, unitary democracy within the framework of a constitutional monarchy. Power has not been divided institutionally between the centre and locality. It is the structural feature of UK politics, the empowerment of the centre, which ultimately determines the nature of governmental power (Heffernan, 2010, p.9). Despite being centralised, the UK government is not all powerful. The UK has never been an authoritarian state, and this liberal tradition prevents the state from acting in an arbitrary and authoritarian manner. This tradition of liberalism fostered a constitutionalism, which when gradually married with democracy and the emergence of representative democracy and government, made sure that the government controlled the governed and also that the government controlled itself. The centralist politics are limited and are checked and balanced by many alternative central points of power. These centres of society include most commonly the news media, civil society, the market economy, the established church, local government and by centrist, moderate political parties. Thus, the centralisation of power in the UK has never been accompanied by the accumulation of total power and the abuse of office it promotes (Heffernan, 2010, p.9). In this case parliament, at Westminster may not remain the most powerful institution in politics in this instance. This being due to the constant checks and balances in place and, the fact that the centralisation of power in the UK, has never been accompanied by total power.

An argument that parliament might not be the most powerful institution in UK politics is due to one of these alternative points of power. Most notably the British press which as Polly Toynbee points out is different to the press across most of the rest of the Western world. She describes it as “far

more dysfunctional, it's far more raucous, it's far more influential. Its ownership structure means it's run by a handful of right-wing Euro-sceptic, extremely eccentric people and they dominate the public's base through their power" (Toynbee, 2010). She makes it clear how she views the way that the media is run and where the power is concentrated. Polly then moves on to state just that the prime minister is at the mercy of the media to an extent "So every prime minister has always felt beholden to the press. So, in a sense, the checks and balances against a prime minister, I'm afraid probably the most powerful of all is our eccentric and right-wing press" (Toynbee, 2010). This is backed up by the actions of Tony Blair who courted Rupert Murdoch vigorously, shifting The Sun newspaper into the Labour supporter camp in the three elections from 1997.

Devolution, regional and sub-regional politics challenge government authority at Westminster. The English civil war and parliamentary victory essentially began the movement of powers away from the monarch and to the parliament. This was a process that took many years, however, and over time the monarch gradually lost more of its outright governing power. As Westminster gained power from the end of the civil war, it can be said in the late twentieth and early twenty-first century parliament has had its powers reduced, with an asymmetric decentralisation model for all nations in differing degrees granting autonomy to Scotland, Wales and Northern Ireland. Scotland's devolution resulted in the establishment of a Scottish parliament elected by the Scottish people. The Westminster parliament retains competence over foreign and defence policy, European matters and, crucially, macroeconomic policy (Guibernau, 2010, p.59). Although the Westminster parliament has lost some of its powers through devolution it has some powers in those crucial matters, thus the Scottish parliament does not have full power.

It's important to note that voters in a liberal democracy such as the UK do have powers at Parliament; the Prime Minister in the UK is indirectly elected, rather than directly elected. The public can also wield power over Westminster through public opinion, not just at the ballot box. Examples of this would be the NO2ID campaign and the Iraq war protests. Polly Toynbee makes the point that "governments are probably more rapidly responsive to what they sense out there" (Toynbee, 2010). The NO2ID campaign was largely successful in getting the government's plans to introduce UK identity cards dropped, in terms of the Iraq war protests. The war still went ahead even after the large protests. Both demonstrate that public opinion can be influential but as the Iraq protest suggests parliament or in this case the prime minister can still have the majority in power to make things happen regardless of opinion. Richard Heffernan states that "prime ministers operate against the backdrop of parliamentary and public opinion" (Heffernan, 2010), which to an extent has been shown true. In the UK the prime minister can be ousted from office unlike the US president. He then goes on to further state "Britain's parliamentary executive is composed of semi-autonomous political actors drawn from the legislature, each of whom could replace the prime minister as head of the government" (Heffernan, 2010).

In terms of representation, traditionally MPs and MEPs are political officials that represent the people through election. Interest groups can represent citizens be it collective or individual, and whilst they do wield a certain degree of power they are limited more by the structure of the UK governmental system, than in comparison to the US. Interest groups have much less opportunity to use the courts to insist upon their rights in the UK than in the US. This has changed significantly, however, in recent years thanks largely to the Human Rights Act of 1999 (the HRA) (Heffernan, 2010, p.123). Interest groups have less access to government in the UK than in the US but they can shape the media agenda to have more impact. The UK government now, especially in regard to routine policy making and implementation, works within and through a

series of networks in Whitehall and Westminster, and supplemented networks in Edinburgh, Cardiff, Belfast and Brussels (Heffernan, 2010, p.124). Westminster remains a key player in policy formation and the main partner with which both associational and promotional interest groups have to engage. Interest groups can influence public policy through directly lobbying or externally pressuring politicians to do or to stop doing something. These interest groups can be classed as those that operate inside the state as insider groups and outsider groups those that operate outside the state.

Support for interest groups is mobilised through protests, websites (such as change.org), and social media (through Facebook and twitter hashtags). Support can be mobilised by one person though it's done as a group more commonly. Policy can be shaped by citizens as well as parliament through interest groups. Both promotional and associational groups are highly influential in terms of pressurising the government. Some groups or individual with majority support are thus able to influence parliament greatly.

To conclude, this essay has assessed whether Parliament at Westminster remains the most powerful institution in UK politics, the flexible UK constitution was analysed showing that statute laws are important because they are passed by parliament and that EU law overrides UK law however, sovereignty is pooled not necessarily surrendered. The essay has shown that over more recent times power has transitioned away from parliament at Westminster however, Westminster still retains an important amount of its decision making powers as highlighted by the Iraq war protest. Therefore power still remains with parliament concentrated at the centre, in the future this may change further with the future Scottish referendum on independence. This essay has shown that parliament has to work with other actors and a prime minister must keep in mind how any changes may affect him politically so power at Westminster is not absolute.

Word Limit: 1,582

References

Guibernau, M., (2010) 'Centre-periphery relations: government beyond Westminster', in Richard Heffernan, G.T. (ed) *Politics and Power in the UK*, Milton Keynes, The Open University.

Heffernan, R., (2010) 'Interest groups and interest representation in UK politics', in Richard Heffernan, G.T. (ed) *Politics and Power in the UK*, Milton Keynes, The Open University.

Heffernan, R., (2010) 'Governing at the centre: the politics of the parliamentary state', in Richard Heffernan, G.T. (ed) *Politics and Power in the UK*, Milton Keynes, The Open University.

Toynbee, P, Heffernan, R., (2010) 'Audio Feature 4: Explaining the prime minister', Study Guide Week 10 Available at <https://learn2.open.ac.uk/mod/oucontent/view.php?id=422429§ion=10> (Accessed 12/05/2014).