

The political structure of GB

A VERY, VERY SHORT HISTORY

To understand fully any country's political system, one needs to understand something of its history. This is especially true of the United Kingdom because its history has been very different from most other nations and, as a result, its political system is very different from most other nations too.

Like its (unwritten) constitution, the British state evolved over time. We probably need to start in 1066 when William the Conqueror from Normandy invaded what we now call England, defeated the Anglo-Saxon King Harold and established a Norman dynasty. The Normans were not satisfied with conquering England and, over the next few centuries, tried to conquer Ireland, Wales and Scotland. They succeeded with the first two and failed with the last despite several wars over the centuries.

Although the Normans were the last to mount a successful invasion of the country, there were plenty of other plans to conquer the nation, notably the Spanish under King Philip II in 1588, the French under Napoleon in 1803-1805, and the Germans under Hitler in 1940. None succeeded.

Furthermore, in recent centuries, Britain has not had a revolution of the kind experienced by so many other countries. Some might argue that the English Civil War (1642-1651) was the nation's revolution and - although it was three and a half centuries ago - it did bring about a major shift in power, but the main constitutional consequence - the abolition of the monarchy - only lasted 11 years and the Restoration of the Monarchy has so far lasted 350 years (although it is now, of course, a very different monarchy). There was a time in British history which we call the Glorious Revolution (1688) but it was a very English revolution, in the sense that nobody died. So the British have never had anything equivalent to the American Revolution or the French Revolution, they have not been colonised in a millennium but rather been the greatest colonisers in history, and in neither of the two world wars were they invaded or occupied.

HOW HISTORY HAS SHAPED THE POLITICAL SYSTEM

The single most important fact in understanding the nature of the British political system is the fundamental continuity of that system. For almost 1,000 years, Britain has not been invaded or occupied for any length of time as the last successful invasion of England was in 1066 by the Normans. This explains why:

- almost uniquely in the world, Britain has no written constitution (the only other such nations are Israel, New Zealand and Saudi Arabia)
- the political system is not neat or logical or always fully democratic or particularly efficient
- change has been very gradual and pragmatic and built on consensus

British attitudes towards the rest of Europe have been insular, not just geographically but culturally, which was a major factor behind the Brexit decision of 23 June 2016.

To simplify British political history very much, it has essentially been a struggle to shift political power and accountability from the all-powerful king - who claimed that he obtained his right to rule from God - to a national parliament that was increasingly representative of ordinary people and accountable to ordinary people. There have been many milestones along this long and troubled road to full democracy.

A key date in this evolution was 1215 when King John was forced to sign the Magna Carta which involved him sharing power with the barons. This is regarded as the first statement of citizen rights in the world.

The so-called Model Parliament was summoned by King Edward I in 1295 and is regarded as the first representative assembly. The Bill of Rights of 1689 - which is still in effect - lays down limits on the powers of the crown and sets out the rights of Parliament and rules for freedom of speech in Parliament, the requirement for regular elections to Parliament, and the right to petition the monarch without fear of retribution.

Another important feature of British political history is that three parts of the United Kingdom - Scotland, Wales and Northern Ireland - have a special status and have local administrations with a wide

range of responsibilities. However, England - which represents about 84% of the total UK population of around 65 million - does not have a clear and strong sense of regionalism. So the British political system does not have anything equivalent to the federal system of the 50 states in the USA.

The UK has been a member of what is now called the European Union (EU). This now has 28 Member States covering most of the continent of Europe. Therefore the UK Government and Parliament are limited in some respects by what they can do because certain areas of policy or decision-making are a matter for the EU which operates through a European Commission. However, in a referendum held on 23 June 2016, the British people narrowly voted that the country should leave the European Union, a process that was activated in March 2017 but will take two years and be very complex.

THREE ARMS OF THE STATE

The British political system is headed by a monarchy but essentially the powers of the monarch as head of state - currently Queen Elizabeth II - are ceremonial. The most important practical power is the choice of the Member of Parliament to form a government, but the monarch follows the convention that this opportunity is granted to the leader of the political party with the most seats in the House of Commons or who stands the best chance of commanding a majority in a vote of confidence in the Commons.

Although any remaining powers of the monarchy are largely ceremonial, the Royal Family does have some subtle and hidden influence on the legislative process because of a little-known provision that senior royals - notably the Queen and her eldest son the Prince of Wales - have to be consulted about legislation that might affect their private interests and given the opportunity to have such legislation amended. Traditionally the oldest male child of a monarch was the next in line to the throne.

In classical political theory, there are three arms of the state:

- The executive - the Ministers who run the country and propose new laws
- The legislature - the elected body that passes new laws

- The judiciary - the judges and the courts who ensure that everyone obeys the laws.

In the political system of the United States, the constitution provides that there must be a strict division of powers of these three arms of the state, so that no individual can be a member of more than one. So, for example, the President is not and cannot be a member of the Congress. This concept is called 'separation of powers'. This is not the case in the UK where all Ministers in the government are members of the legislature and one individual, the Lord Chancellor, is actually a member of all three arms.

THE U.K. PARLIAMENT

The British Parliament - like that of most larger countries - is bicameral, that is there are two houses or chambers. The Parliament is often called Westminster because it is housed in a distinguished building in central London called the Palace of Westminster which stands out because of the clock tower at the south end (this is the Elizabeth Tower and it houses Big Ben) and the tower with a flag at the other end (this is the Victoria Tower).

The House of Commons

This is the lower chamber but the one with the most authority. The House of Commons sits each week day for about half of the weeks of the year. The Commons is chaired by the Speaker.

The House of Commons currently comprises 650 Members of Parliament or MPs (the number varies slightly from time to time to reflect population change). Members vote by physically walking through one of the two lobbies which run along the side of the Commons chamber. These lobbies are the 'aye' lobby and the 'nay' lobby. This archaic procedure means that votes take a long time to conduct and it is not unknown for a member accidentally to walk into the wrong lobby. The votes are counted by 'tellers' who then return to the chamber to announce the numbers to the Speaker. Each member in the House of Commons represents a geographical constituency. Typically a constituency would have around

60,000-80,000 voters, depending mainly on whether it is an urban or rural constituency.

Every citizen aged 18 or over can vote once in the constituency in which they live. Voting is not compulsory (as it is in Australia). In the last General Election of May 2015, 66.1% of the electorate actually voted.

Until recently, in the UK (unlike many countries), there was not fixed term parliaments and a General Election was held when the Prime Minister called it, but the election could not be more than five years after the last one and it was usually around four years after the last one. The Coalition Government of 2010-2015 passed legislation to provide for fixed five-year parliaments which meant that the next General Election was scheduled for May 2020.

The House of Lords

This is the upper chamber but the one with less authority. Its main roles are to revise legislation and keep a check on government by scrutinising its activities. Since 1911, its power to block "money bills" is limited to one month and its power to block other bills is limited to one session, so ultimately it cannot block the will of the House of Commons. Furthermore, since 1945, there has been the Salisbury Convention that the House of Lords will not oppose a measure that was specifically mentioned in the last election manifesto of the political party forming the Government.

The House of Lords is an utterly bizarre institution that has no parallel anywhere in the democratic world. The explanation for the unusual nature of the Lords goes back to the beginning of this essay: the British political system has evolved very slowly and peacefully and it is not totally logical or democratic.

There is no fixed number of members in the House of Lords and the number fluctuates because of deaths, retirements and new appointments, but currently there are almost 800 members - many more than in the House of Commons and more than the second biggest legislative body in the world (the Chinese National People's Congress).

Historically most members of the House of Lords have been what we called hereditary peers. This meant that years ago a king or queen

nominated a member of the aristocracy to be a member of the House and, since then, the right to sit in the House has passed through the family from generation to generation. Clearly this is totally undemocratic and the last Labour Government abolished the right of all but 92 of these hereditary peers to sit in the House. Almost all the other members of today's House of Lords are what we call life peers. This means that they have been chosen by the Queen, on the advice of the Government, to sit in the House for as long as they live, but afterwards no member of their family has the right to sit in the House. Almost 200 are former Members of Parliament. Others are distinguished figures in fields such as education, health and social policy. A small number of other members - 26 - are archbishops and bishops of the Church of England. The archbishops of Canterbury and York and the bishops of London, Durham and Winchester automatically take seats in the Lords, while the further 21 seats are allocated on the basis of length of service. Iran is the only other country in the world that provides automatic seats for senior religious figures in its legislature. There is no retirement age for peers and the average age is an incredible 69.

THE U.K. GOVERNMENT

All Government Ministers have to be a member of either the House of Commons (most of them) or the House of Lords (the remainder of them) and every Government Department will have at least one Minister in the Lords, so that the Department can speak in either House as necessary. The number of Ministers varies from administration to administration, but typically there will be around 120.

Historically most British governments have been composed of ministers from a single political party which had an overall majority of seats in the House of Commons. However, occasionally there have been minority governments or coalition governments, especially in recent years.

The Prime Minister

The UK does not have a President. Constitutionally the head of state is the monarch who is a hereditary member of the Royal Family. However, the monarch has very few formal powers and stays above party politics. He or she receives a weekly oral report from the Prime Minister, a tradition which began with King George I in 1714 because this German had struggled to follow the English deliberations of his Cabinet.

Therefore, in practice, the most important person in the British political system is the Prime Minister. The first modern Prime Minister was Sir Robert Walpole who served from 1721-1742, so the current PM Theresa May is the 54th (and only the second woman to hold the post). In theory, the Prime Minister simply chooses the ministers who run Government departments and chairs the Cabinet - the collection of the most senior of those Ministers. In practice, however, the Prime Minister is a very powerful figure and increasingly has been behaving much like a president in other political systems, especially in the area of foreign policy.

The most important political departments are called:

- The Treasury - In most countries, this would be called the Ministry of Finance. It is responsible for the raising of all taxes and the control of all government expenditure plus the general management of the economy. The head of the Treasury is called the Chancellor of the Exchequer.
- The Home Office - In most countries, this would be called the Ministry of the Interior. It is responsible for criminal matters, policing, and immigration. The Head of the Home Office is called the Home Secretary.
- The Foreign and Commonwealth Office - In most countries, this would be called the Ministry of Foreign Affairs. It is responsible for all international relationships, especially membership of the European Union. The head of the Foreign Office is called the Foreign Secretary.

Many other UK Government Departments are similar to those in other countries and cover subjects such as education, health,

transport, industry, and justice. However, there are also small departments for Scotland, Wales and Northern Ireland.

Government Ministers

All Government Departments are run by Ministers who are either Members of the House of Commons or Members of the House of Lords. There are three classes of Minister:

Secretary of State - This is usually the head of a Department.

Minister of State - This is a middle-ranking minister.

Parliamentary Under-Secretary of State - This is the most junior class of minister.

The Prime Minister and all the Secretaries of State together comprise an executive body of government called the Cabinet. The Cabinet meets usually once a week on Tuesday morning. Cabinet meetings are confidential and all members are bound by any decision that it takes in a practice called collective responsibility.

DEVOLVED GOVERNMENT

The UK has a devolved system of government, but this is categorically not a system of federal government such as in the United States or Australia.

The three devolved administrations are:

- The Scottish Parliament
- The Welsh Assembly
- The Northern Ireland Assembly

THE U.K. JUDICIARY

The British judicial branch is extremely complex. Unlike most countries which operate a single system of law, the UK operates three separate legal systems: one for England and Wales, one for Scotland, and one for Northern Ireland. Currently Wales is slowly developing a fourth jurisdiction. Although bound by similar principles, these systems differ in form and the manner of operation. The head of the judiciary is the Lord Chief Justice. The Supreme Court hears civil cases from all parts of the UK and criminal cases

from England, Wales and Northern Ireland, so it is the ultimate court of appeal in all legal matters other than criminal cases in Scotland. In most cases, there is no automatic right of appeal to the Supreme Court. Generally cases are appealed from a lower court where there is sufficient uncertainty about how the law should be applied and what precedent the lower courts should follow in future.

Each case is usually heard by a panel of five Justices, selected by the President and Deputy President of the court.

The Supreme Court shares its building and administrative functions with the Judicial Committee of the Privy Council. The Judicial Committee is the highest court of appeal for civil and criminal cases for about 30 Commonwealth countries (such as Jamaica) and British overseas territories, the crown dependencies, and military sovereign base areas.

Finally, since 1951 it has been a signatory to the European Convention on Human Rights (part of the Council of Europe) and since 1966 it has allowed its citizens the right of individual petition enabling them to take the government to the European Court of Human Rights (ECHR) in Strasbourg.

Bibliography

1. Blackstone, Sir William (1765). Commentaries on the Laws of England. Oxford: Clarendon Press.
2. "Companion to the Standing Orders and guide to the Proceedings of the House of Lords". Parliament of the United Kingdom. 2007.
3. May, Erskine; Chisholm, Hugh (1911). "Parliament". In Chisholm, Hugh. Encyclopædia Britannica. 20 (11th ed.). Cambridge University Press.