

Лінгвокраїнознавство
Лекція №2
«Politics. Constitution. Law»

Politics of the United Kingdom

The United Kingdom is governed within the framework of a **constitutional monarchy**, in which **the Monarch** is the head of state and **the Prime Minister** of the United Kingdom is the head of government. **Executive power** is exercised by Her Majesty's Government, on behalf of and by the consent of the Monarch, as well as by the devolved Governments of Scotland and Wales, and the Northern Ireland Executive. **Legislative power** is vested in the two chambers of the Parliament of the United Kingdom, **the House of Commons** and **the House of Lords**, as well as in the Scottish parliament and Welsh and Northern Ireland assemblies. **The judiciary** is independent of the executive and the legislature. The highest national court is **the Supreme Court** of the United Kingdom.

The UK political system is a multi-party system. Since the 1920s, the two largest political parties have been **the Conservative Party** and **the Labour Party**. Before the Labour Party rose in British politics **the Liberal Party** was the other major political party along with the Conservatives. Though coalition and minority governments have been an occasional feature of parliamentary politics, the first-past-the-post electoral system used for general elections tends to maintain the dominance of these two parties, though each has in the past century relied upon a third party to deliver a working majority in Parliament.

With the partition of Ireland, Northern Ireland received home rule in 1920, though civil unrest meant direct rule was restored in 1972. Support for nationalist parties in Scotland and Wales led to proposals for devolution in the 1970s though only in the 1990s did devolution actually happen. Today, Scotland, Wales and Northern Ireland each possess a legislature and executive, with devolution in Northern Ireland being conditional on participation in certain all-Ireland institutions. The United Kingdom remains responsible for non-devolved matters and, in the case of Northern Ireland, co-operates with the Republic of Ireland.

Constitution of the United Kingdom

The Constitution of the United Kingdom is the set of laws and principles under which the United Kingdom is governed.

Unlike most other nations, the UK has no single constitutional document. This is sometimes expressed by stating that it has an uncodified or "unwritten" constitution. Much of the British constitution is embodied in written documents, within statutes, court judgments and treaties. The

constitution has other unwritten sources, including parliamentary constitutional conventions and royal prerogatives.

Since the English Civil War, the bedrock of the British constitution has traditionally been the doctrine of **parliamentary sovereignty**, according to which the statutes passed by Parliament are the UK's supreme and final source of law. It follows that Parliament can change the constitution simply by passing new Acts of Parliament. There is some debate about whether this principle remains valid, in part due to the UK's European Union membership.

Parliamentary sovereignty (also called **parliamentary supremacy** or **legislative supremacy**) is a concept in the constitutional law of some parliamentary democracies. It holds that the legislative body has absolute sovereignty, and is supreme over all other government institutions, including executive or judicial bodies. The concept also holds that the legislative body may change or repeal any previous legislation, and so that it is not bound by written law (in some cases, even a constitution) or by precedent.

Constitutional monarchy

The United Kingdom is a **constitutional monarchy**: succession to the British throne is hereditary.

Under the British Constitution, sweeping executive powers, known as the royal prerogative, are nominally vested in the Monarch. In exercising these powers the Monarch normally defers to the advice of the Prime Minister or other ministers. This principle, which can be traced back to the Restoration, was most famously articulated by the Victorian writer Walter Bagehot as "the Queen reigns, but she does not rule".

The precise extent of the royal prerogative has never formally been delineated, but in 2004, **Her Majesty's Government** published some of the powers, in order to be more transparent:

Domestic powers

- The power to dismiss and appoint a Prime Minister
- The power to dismiss and appoint other ministers
- The power to summon and prorogue Parliament
- The power to grant or refuse Royal Assent to bills (making them valid and law)
- The power to commission officers in the Armed Forces
- The power to command the Armed Forces of the United Kingdom
- The power to appoint members to the Queen's Council
- The power to issue and withdraw passports
- The power to grant Prerogative of mercy
- The power to grant honours
- The power to create corporations via Royal Charter

- The power to appoint bishops and archbishops of the Church of England.

Foreign powers

- The power to ratify and make treaties
- The power to declare War and Peace
- The power to deploy the Armed Forces overseas
- The power to recognize states
- The power to credit and receive diplomats

The most important prerogative still personally exercised by the Monarch is the choice of whom to appoint Prime Minister.

Parliament of the United Kingdom

The Parliament of the United Kingdom of Great Britain and Northern Ireland is the supreme legislative body in the United Kingdom, British Crown dependencies and British overseas territories. It is located in **Westminster**, London.



Parliament alone possesses legislative supremacy and thereby ultimate power over all other political bodies in the UK and its territories. At its head is **the Sovereign, Queen Elizabeth II**.

Elizabeth II



Elizabeth II in 2007

The parliament is bicameral, with an upper house, **the House of Lords**, and a lower house, **the House of Commons**. The Queen is the third component of the legislature.

The House of Lords

The House of Lords is independent from, and complements the work of, the House of Commons; the Lords share responsibility for making laws and checking government action. Bills can be introduced into either the House of Lords or the House of Commons and members of the Lords may also take on roles as Government Ministers.

Unlike the elected House of Commons, most new members of the House of Lords are appointed. Membership of the House of Lords is made up of **Lords Spiritual** and **Lords Temporal**. There are currently **26** Lords Spiritual who sit in the Lords by virtue of their ecclesiastical role in the established Church of England. The Lords Temporal make up the rest of the membership; of these, the majority are life peers who are appointed by the Monarch on the advice of the Prime Minister, or on the advice of the House of Lords Appointments Commission.

Membership was once a right of birth to hereditary peers but, following a series of reforms, only **92** members (as of 1 July 2011) sitting by virtue of a hereditary peerage remain. The number of members is not fixed; as of 11 June 2012 the House of Lords has **775** members (not including **28** who are on leave of absence or are otherwise disqualified from sitting), unlike the House of Commons, which has a **650-seat** fixed membership.

The contemporary role of the House of Lords is primarily to act as a body of specialist knowledge that scrutinises in greater detail bills that have been approved by the House of Commons. It regularly reviews and amends bills from the Commons. While the House of Lords is unable unilaterally to prevent bills passing into law (except in certain limited circumstances), its members can severely delay bills that they believe to be misguided and thereby force the

government, the Commons, and the general public to reconsider their decisions. In this capacity, the Lords acts as constitutional safeguard that is independent from the electoral process and that can challenge the will of the people when the majority's desires threaten key constitutional principles, human rights or rules of law.

The Speech from the throne, often known as **the Queen's Speech**, is delivered from the House of Lords during the State Opening of Parliament.

The House of Commons

The Countries of the United Kingdom are divided into parliamentary constituencies of broadly equal population by the four Boundary Commissions. Each constituency elects a **Member of Parliament (MP)** to the House of Commons at **General Elections** and, if required, at by-elections. As of 2010 there are **650 constituencies** (there were 646 before that year's general election. Of the 650 MPs, all but one - Lady Sylvia Hermon - belong to a political party.

In modern times, all Prime Ministers and Leaders of the Opposition have been drawn from the Commons, not the Lords.

One party usually has a majority in Parliament, because of the use of the First Past the Post electoral system, which has been conducive in creating the current two party system. The monarch normally asks a person commissioned to form a government simply whether it can *survive* in the House of Commons, something which majority governments are expected to be able to do. In exceptional circumstances the monarch asks someone to 'form a government' *with a parliamentary minority* which in the event of no party having a majority requires the formation of a coalition government. This option is only ever taken at a time of national emergency, such as war-time.

The two Houses meet in separate chambers in the Palace of Westminster (commonly known as the Houses of Parliament), in London. By constitutional convention, all government ministers, including the Prime Minister, are members of the House of Commons or, less often, the House of Lords, and are thereby accountable to the respective branches of the legislature.

Prime Minister and Government

The Prime Minister is appointed by the Monarch. When one party has an absolute majority in the House of Commons, the Monarch appoints the leader of that party as Prime Minister. When there is a hung parliament, or the identity of the leader of the majority party is not clear, the Monarch has more flexibility in his or her choice. The Monarch appoints and dismisses other ministers on the advice of the Prime Minister (and such appointments and dismissals occur quite frequently as part of cabinet reshuffles). The Prime Minister, together with other ministers, form the Government. The Government often includes ministers whose posts are sinecures (such as the Chancellor of the Duchy of Lancaster) or ministers with no specific responsibilities (minister

without portfolio): such positions may be used by the Prime Minister as a form of patronage, or to reward officials such as the Chairman of the ruling Party with a governmental salary.

The Prime Minister and all other ministers take office immediately upon appointment by the Monarch. In the United Kingdom, unlike many other countries, there is no requirement for a formal vote of approval by the legislature either of the Government as a whole or of its individual members before they may assume office.

The Prime Minister and all other Ministers normally serve concurrently as members of the House of Commons or House of Lords, and are obliged by collective responsibility to cast their Parliamentary votes for the Government's position, regardless of their personal feelings or the interests of their constituents.

Judiciary

As mentioned above, there are **three separate judicial systems** in the United Kingdom: that of England and Wales, that of Scotland, and that of Northern Ireland. Under the Constitutional Reform Act 2005 the final court of appeal for all cases, other than Scottish criminal cases, is the newly created Supreme Court of the United Kingdom: for Scottish criminal cases, the final court of appeal remains the High Court of Justiciary.

Vacancies in **the Supreme Court** are filled by the Monarch based on the recommendation of a special selection commission consisting of that Court's President, Deputy President, and members of the judicial appointment commissions for the three judicial systems of the UK. The choice of the commission may be vetoed by the Lord Chancellor (a government minister). Members of the Supreme Court may be removed from office by Parliament, but only for misconduct.

Judges may not sit or vote in either House of Parliament.