

An Overview of the UK Parliament



By Robert Hirst

December 2023

The Westminster Parliament is one of the oldest continual legislatures in the world. With centuries of history and precedent. “The Mother of Parliaments” is characterised by its fusion of powers between the executive and legislature, its bicameralism, and its constitutional monarchy.

Electoral system

Each Member of the House of Commons is elected from one of the 650 constituencies throughout the United Kingdom through a single-member plurality (first-past-the-post) system). In addition to providing a local electoral connection, the effects of this plurality method are what characterises Westminster Parliament as a distinctly majoritarian legislature. Termed ‘the winner’s bonus’, the leading party can, and often does, occupy a disproportionate number of seats in relation to their votes won. UK general elections therefore tend to produce single-party parliamentary majorities and a two-party system.

Size and structure

The House of Commons

The House of Commons is the UK Parliament’s lower chamber and is composed of the 650 elected Members of Parliament. These Members often belong to political parties that act as the principal units of organisation. The party that can command a majority of seats in the House of Commons is invited to form a government. The leader of that party rises to the office of Prime Minister, the Head of Government. Although they are “first among equals”, the Prime Minister possesses prerogative powers and is the fount of policy. The Prime Minister also selects their Cabinet’s Ministers to oversee policy sectors. Through the convention of individual ministerial responsibility, each Minister answers to the House regarding their own department and conduct. And through the convention of collective ministerial responsibility, the Cabinet answers to the House for government policy as a whole.

As an elected body, the lower house operates as an arena between the Government and the Opposition. The government is able to introduce and pass its policies by virtue of its party majority while the opposition parties may scrutinise the government for its actions and policy. The government has the right to its business and the opposition has the right to be heard. Further, a government's majority is not always guaranteed. In combining with opposition parties, government backbenchers can, and do, rebel in the division lobbies to deny a government its proposal. Intra-party management is thus central to the UK governance.

The House of Lords

Whilst much of the Lords' procedure is analogous to that of the Commons, its membership is unelected. Originally, membership of the Lords was hereditary until 1999 where only 92 Peers now inherit their position in the chamber. Today, the vast majority of its membership consists of life peers who are selected by the Prime Minister often on the basis of expertise. Thanks to its membership being knowledgeable and secure in its incumbency, the Lords may focus on the detail of legislation rather than its principle. This allows legislation passed by the Commons to benefit from further, more detailed scrutiny.

Although the assent of the House of Lords is necessary to produce an Act of Parliament, it can only reject bills under limited circumstances (its own bills, bills to lengthen the life of a parliament, and secondary legislation). The House of Lords may attach amendments to bills originating from the Commons and force the lower chamber to think again on its measures. When the two chambers disagree on amendments, the bill undergoes *ping-pong* until the final print is decided upon. The government, may however, override the Lords and pass the bill in the following session. Yet, in seeking to preserve legislative time, compromises are often found.

Crown-in-Parliament

While Parliament is bicameral, it features an additional element: the Crown-in-Parliament. Being the oldest institution in the UK's constitution, the Crown once exercised supreme rule over all executive, legislative, and judicial matters until the thirteenth century. After which, the Crown's power progressively diminished, most notably after the Magna Carter in 1215 and the Glorious Revolution in 1688. Today, the Monarch serves a largely symbolic function as Head of State, exercising formal powers on an apolitical basis through conventions. For instance, the Crown invites the leader of the party who can command the confidence of the House or gives Royal Assent to legislation passed by both Houses. Again, by convention, the Crown acts on advice the advice of the Prime Minister to dissolving and call parliaments. It is through avoidance of personal discretion that the unelected Head of State serves as a safeguard against the abuse of prerogative power.

Main powers of the parliament

Most prominently, the UK Parliament has the power to assent to or deny bills through the division lobbies. It is this process through which public policy emanates. On this matter, Parliament is sovereign; there is no alternative institution that may implement a public policy programme nor another body in the UK produce legislation that overrides it. The only exception to this being Parliament's own successors. However, Parliament does not *create* policy; it merely carries it. Through a majority voting system, Members of Parliament accept or reject measures put to the House. In this sense, Parliament is a reactive legislature, invoking the power of anticipated reaction. The government-of-the-day must propose measures that it expects the House will accept. If it does not, the House may ultimately deny the government its policy.

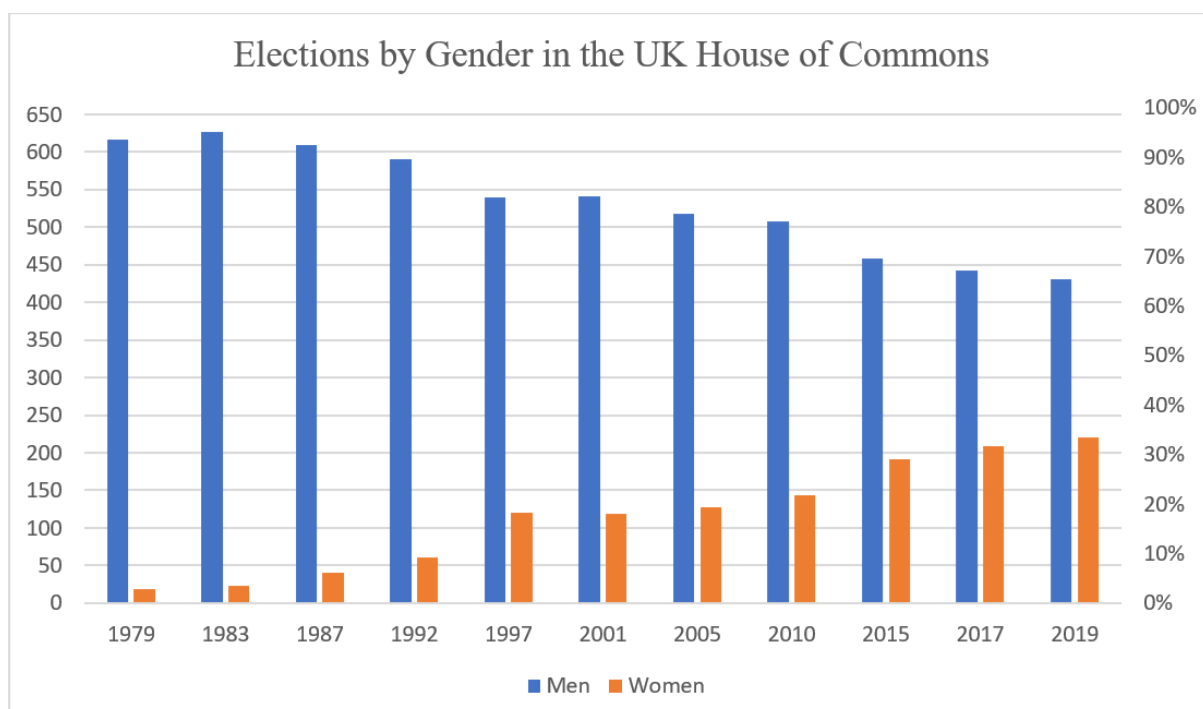
Whilst a less tangible power, Parliament performs a significant degree of scrutiny and influence over the government. Through publicly-available debates, question times, and committee meetings,

Parliament can bring into question the decisions made of Ministers, exact their reasoning for them and potentially steer the course of government policy.

Another important power of Parliament is its 'elective function'. That is, the ability to create, sustain, or destroy a government through the convention of confidence. This can be done either through explicit votes of confidence, implicit votes of confidence or votes on substantive measures with the issue of confidence attached. If the House of Commons expresses a lack of confidence in the government, then the government resigns or requests the dissolution of Parliament. This is, however, a two-way street. The Prime Minister reserves the unilateral prerogative to advise the Crown to dissolve Parliament; a power used to coerce Parliament into maintaining the government and its agenda.

Indication of descriptive representation

In 1918, Parliament passed the Parliament (Qualification of Women) Act, permitting women to stand as candidates to the House of Commons. Over 100 years later at the 2019 General Election, the highest proportion of women were elected to the Commons, comprising 34% of all MPs.



It is generally stated that the first MPs from minority ethnic groups were first elected in 1987. As of 2019, 65 MPs from minority ethnic backgrounds sit in the House of Commons, comprising 10% of the chamber. For scale, the UK population is from around 14% minority ethnic groups.

The first Member of Parliament to explicitly "come out" as homosexual was in 1984. Today, 46 MPs identify as LGBT+: a portion of 7% of the total chamber. For reference, 3.2% of those surveyed in the UK's 2021 census identified as LGB+.

Discussion of one or two key issues surrounding this legislature

The UK is one of the oldest democracies in the world and its constitution has done well to adapt to changing times. Despite this, there are areas of contention in which reform has been advocated.

One of which is the House of Lords. Despite its complementary and subordinate functionality, its unelected and bloated form is often criticised. More moderate proposals for reform have included changing how peers are appointed by removing the prerogative from the Prime Minister and bestowing it upon a committee within the Lords. Others have proposed for the chamber to be a partly

elected chamber, retaining its key strength of expertise whilst introducing an element of representativeness. Finally, there are also calls for the chamber to be replaced by a wholly elected chamber, affording it the teeth to hold the government to account.

Another key issue is the UK's use of referendums. First imported to the UK in 1975, the UK has since had two more national referendums along with a number of devolved and local referendums. As per the sovereignty of the UK Parliament, a referendum can only be advisory. Despite not being legally binding, they are nonetheless politically compelling. Referendums may therefore supplement the UK's representative democracy by drawing electors closer to the decision-making process, helping to dispel public cynicism in the institution and resolve party conflict. On the other hand however, referendums can challenge the UK's representative democracy. By collapsing the relationship between the elected and the electors, the accountability of Parliament and its deliberative functionality is undermined. This was most prominently displayed during the 2016 Brexit Referendum.

About the author

Robert Hirst is an aspiring PhD student who recently graduated from the University of Sheffield with an MA in Politics, Governance and Public Policy.

Further Reading

Bagehot, W. (1867) *The English Constitution*. Milton Keynes: Lightning Source UK Ltd.

King, A. (1976) 'Modes of Executive-Legislative Relations: Great Britain: France, and West Germany', *Legislative Studies Quarterly*. 1(1), pp. 11-36.

Norton, P. (2020) *Governing Britain*. Manchester: Manchester University Press.

Russel, M. (2020) 'Brexit and Parliament: The Anatomy of a Perfect Storm', *Parliamentary Affairs*. 74(1), p. 443-463.