Parliamentary Sovereignty

Parliamentary sovereignty is a description of to what extent the Parliament of the United Kingdom does have absolute and unlimited power. It is framed in terms of the extent of authority that Parliament holds, and whether there are any sorts of law that it cannot pass. In other countries, a written constitution often binds the parliament to act in a certain way, but there is no such written constitution in the United Kingdom.

Parliamentary sovereignty is a principle of the UK constitution. It makes Parliament the supreme legal authority in the UK, which can create or end any law. Generally, the courts cannot overrule its legislation and no Parliament can pass laws that future Parliaments cannot change.

Legal Sovereignty

Where Supreme Power lies according to the law.

1. Parliament is the supreme law making body and may enact any laws on any subject matter.
2. No parliament may be bound a predecessor or bind a successor.
3. No person or body including a court of law may question the validity of law.

Parliament has the ultimate political authority. Most key decisions (but not all, as some military and foreign decisions are in the hands of the PM) must be approved by Parliament.

All powers exercised by ministers (except for the prerogative powers of the PM), devolved governments, local governments, and other public bodies are granted by parliament and can be removed by Parliament.

All new primary legislation must be passed by parliament and secondary legislation made by ministers can be overruled by Parliament.

Parliament is not bound by its predecessors (i.e. past Parliaments cannot control the actions of the current Parliament).

Parliament cannot bind its successors (i.e. it cannot pass laws that cannot be repealed or amended by future Parliaments).

Political Sovereignty

Where Supreme Power lies in reality.

The Erosion of Sovereignty

Over the years, Parliament has passed laws that limit the application of parliamentary sovereignty. These laws reflect political developments both within and outside the UK.