

To what extent does the government dominate parliament ?

Parliament is the legislative of this country, it's the body responsible for producing, scrutinizing and passing legislature. Government on the other hand is the body responsible for running the country day to day. Under the fused model, government is formed from the winning party in the legislature which means government immediately wields power over parliament through a majority, this essay will argue that although the coalition in principle would mean that government would require parliamentary support as they lack a majority in the house, government still dominates the production, scrutinisation and passing of legislature in Parliament because of a variety of constitutional factors and also internal party politics.

DOESN'T = **Parliament is legally sovereign** and therefore, in principle should be more powerful than the government. Parliament as the legislature is the body responsible for making and passing legislation, no legislation proposed by government can be passed into law without Parliament's approval. **Reserve powers exist to dismiss a government if required** but this however required 2/3's of the majority vote in Parliament as happened with the **1979 government under James Callaghan who was forced to resign after a vote of no confidence from Parliament**. Parliament however doesn't always need 2/3's if the majority to defy government, it is possible for members of the **ruling Parliament to rebel against their own party and deny legislation**, although quite rare this happened recently under the current government when **Conservative backbench MP's rebelled and voted against the House of Lords reform bill**

DOESN'T = **Government has to pass all laws through Parliament**, this means all legislation is scrutinised by Parliament therefore meaning that government doesn't dominate Parliament by wielding unchecked power. **A more activist and significant House of Lords has led to the blockade of several bills** which may have been passed through Commons forcing the government to make amendments, **for example the House of Lords reform in 2012 was blocked by Lords as well as backbenchers from the Conservatives and also the Anti-terrorism legislation was blocked by the Lords under the labour government**

DOESN'T = **Select committees have a good record of bipartisanship and forcing government to be accountable** and to amend policy on occasions (e.g. defence procurement).

DOES = **Fused government model means that the government enjoys a great deal of political sovereignty**, allowing it to dominate Parliament. **Parliament's sovereignty over time has been granted away** to other institutions such as local governments and **devolved assemblies such as those in Wales and Scotland or the EH**. **Political sovereignty is also in the hands of the executive** - for example the prime minister has sovereignty over decisions regarding foreign affairs or defence, can involve parliament in its decisions **as Cameron did in 2011 and 2014 with Libya and Syria respectively**. Governmental ministers who also sit in the common or lords enjoy **parliamentary privilege to start the vast majority of new legislation**. As government will always enjoy the numerical 326+ majority in the House of Commons, this means the government is able to easily pass the vast majority of legislation it proposes.

DOES = UK's **party system gives the government a significant degree of power to limit opposition**, hence helping it to dominate Parliament. **The power of party loyalty, the whips etc.** MPs have a natural allegiance to the party they represent and will therefore support it most of the time. In any event they are whipped to supporting government policy and the ultimate price for disloyalty can be deselection. Ministers are less likely to break a 3 line whip or revolt against parliamentary decisions as they face penalties or being made to resign by their own party **as happened to George Galloway who was forced to resign after opposing Labour's bill in 2003**. The **Parliament Acts of 1911 and 1949 also granted the Commons more sovereignty over the lords meaning its able to pass any legislation it wants** thereby reducing the Lords ability to block any bills proposed by the government.

DOES = **Collective responsibility protects ministers** from questions over mistakes as happened with **Theresa May, Secretary of State of the Home office who wasn't forced to resign over her immigration policies**. **Select**

Overall, DOES as A huge majority of laws or proposed laws originate from government with a few coming from back bench MPs as a private members bill. Members of the executive have the full power to make any changes and new laws therefore the right to make new laws doesn't rest with Parliament as the legislative body but rather with the executive. Although it does face some opposition from parliament when trying to pass legislation then again the government will have a majority in the Commons meaning any law they try to pass will always go through and since the Commons is more powerful than the Lords, government dominates both houses.

DOES as carry more political authority than Parliament does. As government dominates the house of commons by having a majority it has enough influence on the legislative to wield superior authority. However PM's are less likely to rule via elective dictatorship so therefore is compelled to involve Parliament in the decision making process of most of its policy thereby giving parliament the ability to have a say and block or amend anything they see fit. However patronage means ministers are obliged to vote with the party on any issue brought to parliament as loyalty repays well in politics through promotions.

Overall, DOES as Parliament lacks real political influence and power when it comes to its role of holding the government to account for its

To what extent have constitutional reforms in recent years made the UK more democratic or What effect have constitutional reforms had on government power (

Devolution was the first of many constitutional reforms which was introduced by the Labour government in **1997 for Scotland and 1998 for Wales**. This can be seen as more democratic as for example, the Scottish Parliament has the ability to make law on matters which have been devolved from Westminster while the Welsh assembly has recently got more legislative powers, therefore **increasing access points** for the electorate or pressure groups to raise concern. It also means areas like Scotland and Wales who have about 5% Tory support aren't fully represented by a government they don't want, this also allows for different policies in different areas so **for example in Scotland, university tuition is still free while in the rest of the UK it got trebled to £9000**.

Reform of the Judiciary; the **HRA** and the **FOI** has made the judiciary more active in a way which challenges parliamentary sovereignty, and the power of the executive making it a more effective check and balance of government power. Judicial activism also increase due to the creation of the Supreme Court which establishes a **clearer separation of powers** than was previously the case. This is more democratic as the judiciary is now more able to protect individuals rights and control excessive government power, **for example the Belmarsh prisoners case where the Judiciary ruled the government's actions of detaining suspects without trial as a breach of civil liberties**.

Reforms of Parliament as made the UK more democratic as the removal of most of **the 92 hereditary peers in the House of Lords** means Britain was now closer to be a modern liberal democracy. In 2000 **an Independent Appointments Commission** was set up which appoints peers to the House of Lords meaning and increase in independent peers which has **reduced partisanship in the Lords** and also lead to increased Lords activity therefore allowing it to effectively check and balance the House of Commons prevent government dominance of Parliament. **For example in 2012-2013 the government has suffered 48 defeats in the Lords on issues such as legal aid reform, welfare reform and local government finance**.

However, **constitutionally parliament still remains the sovereign body so therefore all powers handed down to devolved bodies can be taken back to parliament**. The **West Lothian question** can also be raised with regards to devolution, 'Why should Scottish MP's vote on English only issues'. However on the whole devolution has been a positive step for the UK, on the other hand one constitutional change which can be seen as undemocratic and counteracts devolution is the **transfer of sovereignty upwards to the EU**. The **EU is now politically sovereign in some areas of British legislation such as agriculture**. This has led to a more centralised government in Brussels which is undemocratic due to its lack of pluralism.

Judges remain unelected, the Human Rights Act does not bind the UK Parliament, 'declarations' have rarely been made that is, the courts have rarely challenged legislation using the HRA – **by May 2013, only 23 declarations**. Freedom of Information is too weak, the reform doesn't go far enough to prevent public authorities from trying to get around the Act. **Parliament itself was extremely reluctant to divulge the information that led to the MPs expenses scandals**. In addition information can still be redacted if the public authority believes the information requested could compromise commercial confidentiality or national security.

However, the **Lords reform is incomplete**, an elected HoL is an important step in the process of 'slicing up power into pieces', and truly separating powers in the UK and therefore making it more democratic. Lords reform has stalled, the house is not yet fully elected or democratic and 92 hereditary peers remain, although the **last government did attempt to pass legislation which would allow for this, but it was blocked by a back bench rebellion then abandoned**.

Overall reforms have generally structured checks and balance by decentralising power, the House of Lords has more legitimacy, this is almost certainly the case following the House of Lords Act (1999) which removed nearly 600 hereditary peers. The Freedom of Information act has also had an impact, eg MPs' expenses and the HRA has led to many successful rights and liberties legal victories because of the the judiciary being more independent.

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