THE LEGISLATURE: PARLIAMENT

The British parliamentary model is one of Britain's most successful exports; in whole or in part it has been copied by every other liberal democracy, including the United States. Also known as the Westminster model—because the Houses of Parliament are situated in the district of Westminster in central London—it dates back more than 700 years. Parliament has three main functions: it is where laws are introduced, discussed, and either rejected or accepted; it is where existing laws are amended or abolished; and it is responsible for checking on government policy and debating major issues. It may seem powerful, but because a prime minister with a strong majority can usually rely on the loyalty of party members, Parliament usually spends most of its time debating or confirming the program of the government and has much less power in relative terms than the Congress. It was only in November 2005—more than eight years after coming to office—that Tony Blair lost his first legislative vote in Parliament (over the question of how long suspected terrorists could be held without charge).

Parliament has two chambers with different structures and powers.

House of Lords

The so-called upper house, the Lords recalls the days when Britain was ruled by aristocrats. Members must be peers, which meant—until 1999—that they were either hereditary or were appointed to the House for a life term as a reward for public service or political loyalty. Nearly 1,200 peers had the right to sit in the Lords, although only about 800 ever actually attended, and only about 300 were regular participants—members who attended received no salary, only expenses. The pre-1999 Lords was not elected, so it was both unrepresentative and undemocratic, but it had little power. It could introduce its own legislation, and all bills going through Parliament had to be approved by the Lords, but its decisions could be overruled by the Commons and bills on taxation or spending did not need the approval of the Lords. However, it had more time to debate issues than the Commons, it often debated controversial issues, it could force concessions from the Commons, and it was a useful point of access for lobbyists.

While in opposition, the Labour Party had long threatened to abolish the House altogether once it came to power, but in the event the Blair government took a more moderate position. After removing the rights of hereditary peers to sit in the House in 1999, Blair appointed a commission to decide what form the new chamber should take. Proposals ranged from an all-appointed chamber to a fully elected chamber, but there was no political agreement on how to proceed, as a result of which the House of Lords today is in a state of limbo, with an unclear future. For now, at least, it has four kinds of members:

- **Life peers.** Numbering about 600, these are mainly people who have been in public service and are rewarded with a life peerage by the Queen on the recommendation of the prime minister. All former prime ministers are usually offered a peerage, as are other people prominent in public life, such as actors, musicians, and entrepreneurs. Many life peerages are political rewards, where favors are returned, or where peerages are given in order to build party numbers in the Lords. (Knights—such as Sir Elton John and Sir Paul McCartney—are not members of the House of Lords.)
- **The law lords.** These are 12 nominated judges who function as the supreme court of appeal for civil and criminal cases (except in Scotland, which has its own legal system). (But see section on the judiciary below.)
- **Religious leaders.** These consist of the two archbishops and 24 bishops of the Church of England. (This is an interesting concept for Americans raised on the idea of a separation of church and state.)
- **Hereditary peers.** A group of 92 has been allowed to stay on pending the next stage in the process of reform.

Except for the bishops, most members of the House of Lords belong to one of the major political parties (in 2008, there were 216 Labour peers and 202 Conservative peers), but a significant number will typically declare themselves as independents—they are known as "crossbenchers."
House of Commons

The House of Commons is the more powerful chamber of Parliament, and has five major roles: to represent, to make laws, to keep the prime minister accountable, to be a forum for national debate, and to act as a recruitment pool for members of government. It consists of 666 Members of Parliament (MPs) elected by direct universal vote from single-member districts. Debates are presided over by a Speaker, who is elected by the House from among its members and usually comes from the majority party. Unlike Speakers in the U.S. House of Representatives, who act as the partisan leaders of their party, the British Speaker is more of an arbiter who keeps order and maintains the flow of business in the House.

To encourage debate, the chamber of the House has been kept small, with benches rather than seats (Figure 2.1). The governing party sits on one side, with the prime minister and senior ministers on the front bench. MPs without government office, or with only junior office, sit behind the front bench and are known collectively as backbenchers. The next biggest party in Parliament sits across from the governing party and acts as the official opposition. Its leader sits directly opposite the prime minister, besides a shadow cabinet of opposition MPs responsible for keeping up with—and challenging—their counterparts on the government front bench. The leader of the opposition and the shadow cabinet are formally recognized and salaried positions. If the opposition wins a majority in an election and becomes the government, the leader of the opposition would normally become prime minister and many members of the shadow cabinet would become the real cabinet. In other words, the shadow cabinet is a government in waiting.

Anyone who has seen the Commons in action will wonder how it ever achieves anything. As the newsweekly The Economist once put it, MPs “snigger and smirk. They sneer and jeer. They murmur and yawn. They gossip salaciously in the bars. They honk and cackle when the Prime Minister or his opposite number is trying to talk. They are like unruly schoolchildren, egged on by the frisson of a chance of being spanked by [the] Speaker but knowing they will usually get away with naughtiness.” In fact, like the U.S. Congress, most of the real work of Parliament is done in committees, where specialists go over the details of bills and invite outside experts to give testimony. The chamber of the Commons is normally quiet, except during controversial debates or Prime Minister’s Question Time, a half-hour session that is held every Wednesday afternoon during which MPs can ask the prime minister for information on government policy.

Party discipline is much tighter in the British system than in the U.S. Congress, because MPs are expected to vote with their parties. But rumbles of discontent are normal and party revolts have led to 7 of the 11 Conservative leaders since 1900 being unseated by a vote within their own party. This last happened in November 1990, when Margaret Thatcher lost the leadership of her party. Many in her party thought she could not win another election, so a challenge was mounted during the normally routine annual leadership election. She won, but not by a big enough margin to retain her credibility, so she resigned and was replaced as leader—and prime minister—by John Major.