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**Subject- Legislative and Quasi Judicial Powers of Administration**

**Class- LL.M. II Semester**

**Topic- The UK system of government**

### **The UK system of government**

The United Kingdom is a parliamentary democracy with a constitutional monarch. A king or queen is the head of state, and a prime minister is the head of government. The people vote in elections for Members of Parliament (MPs) to represent them.

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#### **Constitution**

The United Kingdom doesn't have a single, written constitution (a set of rules of government). But this doesn't mean that the UK has an 'unwritten constitution'.

In fact, it is mostly written – but instead of being one formal document, the British constitution is formed from various sources including statute law, case law made by judges, and international treaties.

There are also some unwritten sources, including parliamentary conventions and royal prerogatives.

- **Where your rights come from**
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#### **Monarchy**

Politics in the United Kingdom takes place within the framework of a constitutional monarchy, in which the monarch (Queen Elizabeth II) is head of state and the prime minister is the head of the UK government.

- **The monarchy**
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### **Prime Minister and Cabinet**

The Cabinet is a formal body made up of the most senior government ministers chosen by the prime minister. Most members are heads of government departments with the title 'Secretary of State'.

Formal members of the Cabinet are drawn exclusively from the House of Commons and the House of Lords.

- **The Government, Prime Minister and Cabinet**
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### **Parliamentary democracy**

The UK is a parliamentary democracy. This means that:

- members of the government are also members of one of the two Houses of Parliament (the House of Commons and the House of Lords) – although there are rare exceptions to this rule
  - government is directly accountable to Parliament – not only on a day-to-day basis (through parliamentary questions and debates on policy) but also because it owes its existence to Parliament: the governing party is only in power because it holds a majority in the House of Commons, and at any time the government can be dismissed by the Commons through a vote of ‘no confidence’
  - **Parliament: House of Commons and Lords**
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### **Parliamentary sovereignty**

The UK Parliament is a ‘sovereign parliament’ – this means that the legislative body has ‘absolute sovereignty’, in other words it is supreme to all other government institutions, including any executive or judicial bodies.

This stems from there being no single written constitution, and contrasts with notions of judicial review, where, if the legislature passes a law that

infringes on any of the basic rights that people enjoy under their (written) constitution, it is possible for the courts to overturn it.

In the UK, it is still Parliament (and not the judges) that decides what the law is. Judges interpret the law, but they do not make the law.

- **How laws are made in Parliament**

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### **Royal Prerogative**

Traditionally, the Royal Prerogative is a body of customary authority, privilege and immunity, recognised in common law jurisdictions possessing a monarchy as belonging to the Crown alone.

Today, most prerogative powers are instead directly exercised by ministers, rather than the Crown. They relate to areas including the regulation of the Civil Service, certain areas of foreign and defence policy, and the granting of appointments and honours.

These powers are beyond the control of the House of Commons and the House of Lords. This means that if, for example, the British government wanted to put British troops into action, this would not formally require the consent of Parliament – even if, in practice, a debate might actually take place in Parliament before such an action was taken.

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### **Unitary government and devolution**

The UK has a unitary system of government, meaning a system where power is held in the centre, although some powers have been devolved to Scotland, Wales and Northern Ireland.

- **Devolved government in the UK**

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### **Permanent and impartial civil service**

The UK has a civil service that acts impartially and doesn't change when the government changes.

Impartiality is not the same as neutrality. Civil servants work for ministers in the government of the day. Impartiality means that, while working for current ministers, civil servants retain the confidence of the opposition parties to work for them if they come to power.