

Essay UK-6 - Discuss and analyse the statement: "Sovereign power rests too much in the hands of the PM - more powers should be given to the Cabinet, Parliament, and the EU Parliament."

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Introduction

This essay will present a balanced discussion over an issue that is controversial, heartfelt and largely a politically opinionated affair of general social importance. Firstly, one will begin by providing relevant definitions. I will then go onto describing in depth the powers, which the Prime Minister, the Cabinet, Parliament and EU Parliament have. To compose an impartial discussion, one will provide arguments in favour of the removal and dispersal of power from the Prime Minister to the other institutions and to enable balance, arguments to flout the statement throughout the descriptions. One will integrate examples of political current affairs throughout and conclude with my personal opinion in relation to the normative statement.

What is sovereignty, the P.M., the Cabinet, Parliament and the EU Parliament?

Sovereignty simply means holding supreme power or authority. For illustrational purposes, much of the public feel that the UK is handing over much of its 'sovereignty' to the European Union, as law can now be set and the UK now have to abide by it regardless of their own views.

The Prime Minister is simply the head of government. The Monarch is the head of the state and technically appoints the Prime Minister to run her/his government. The Prime Minister is the leader of the main political party, which has the most seats in the House of Commons.

The Cabinet is the committee of senior government ministers, which is headed by the Prime Minister. Every Tuesday during Parliament, Secretaries of State from all departments and some other ministers meet in the Cabinet room in Downing Street to discuss the major issues of the day. Meetings are attended by 22 paid ministers and one unpaid minister appointed to Cabinet, and six other invited ministers and peers.

Parliament is the main law-making body in the UK and consists of the House of Commons, the House of Lords and the Monarch. It is also known as the legislative.

The EU Parliament is a supranational institution whose members are democratically elected by direct universal suffrage. It represents the people of the Member States. The European Parliament, which is elected every five years, is involved in drafting numerous laws (directives, regulations etc.) that affect the daily life of every citizen.

The Powers of the Prime Minister

At present our Prime Minister (PM) is currently Gordon Brown who is also the leader of the Labour Party. The PM's powers are not laid in statute law but their parameters emerged gradually. The main powers, which the Prime Minister holds, can be broken down into different areas to allow for easier critical analysis. These areas are: patronage, authority in the cabinet system, party leadership, public standing, policy-making role and finally Prime Minister's Office. One will now outline the PM's powers in each area.

Patronage

The PM is responsible for making a range of appointments to public office. These appointments include government ministers, senior civil servants, life peers, judges, diplomats and senior members of the Church of England. For illustrational purposes, Tony Blair (P.M.1997-2007) ennobled Lord Irvine and Lord Falconer making them members of his government. The power to nominate life peers has also enabled prime ministers to alter the party balance in the Lords. To illustrate this, Blair appointed a large number of Labour peers before embarking on reform of the upper House.

In theory the PM can create his own cabinet in his own image, rewarding supporters and penalising disloyal MPs. The Conservative Party provides its leader with a free hand in appointing cabinet ministers. However, theory is somewhat different to practicality. A PM. is unlikely to overlook senior party figures, of whom may be rivals for the PM's job.

The PM's choice of ministers is constrained by the talent available in the party as rising talented individuals should be promoted.

The PM has the additional power to reshuffle cabinet portfolios and the PM decides the timing of these shuffles. Although, the PM uses the power carefully as many previous PM's have shown the potential consequences such as Harold Macmillan in 1962.

The power to make appointments to public office should certainly be kept and I feel that the PM does not hold

enough power in this area to make the conclusion that sovereignty should be moved from its role. The power cannot be used clumsily and without much thought as the potential consequences are grave and therefore it counter-balances the authority given to the role.

Authority in the cabinet system

The main powers the PM has over the cabinets system are that he/she chairs cabinet meetings, manages the agenda of cabinet meetings, directs or influences cabinet discussions, appoints members of cabinet committees, decides when to call a general election, appoints senior civil servants and organises the structure of the government.

Being the chair of the cabinet it effectively gives him the power to steer discussions and sum up. Although, it could be argued that his power is somewhat limited as other senior ministers may raise an alternative viewpoint and the PM will not be able to get his way so easily.

The PM sets the agenda for each cabinet meeting. This allows the PM to shape the agenda to examine issues he/she wishes to promote. Issues that are of major importance and are of a controversial nature, requires cabinet support and senior ministers have authority and may challenge the PM's preferred policy.

Although, at surface level it may seem that the PM's powers are strong within the cabinet, one must not overlook the fact that the PM can only steer the discussion on certain issues and cannot ensure that everyone agrees. Another point is that serious problems will surely arise if the senior ministers feel they are being ignored, which is not desirable as the cabinet should be one of unity. Therefore, once again I believe that the PM should be allowed to steer discussions and his/her role is not too powerful.

Party leadership

The Powers of the PM over a party include the clear authority as the leader of the political party, the fact that he/she was elected by MP's and party members shows a support base and the PM enjoys a majority in the House of Commons as a result of our electoral system, First Past the Post.

With a working majority it allows the PM to enact the government's policy programme. Tony Blair had a landslide victory against John Major in 1997 and enjoyed the largest ever Labour parliamentary majority of 179, which allowed him to have a large influence and many would argue that the sovereignty should have been dispersed due to the clear example. However, constraints upon the power of the PM do exist. The first being that the support of the party is not unconditional which can be illustrated by the 2003 Iraq War, where Tony Blair had no support from his own party and had to rely on the Conservatives to push his proposal through. The second reason is that there is a possibility of backbench rebellions. Backbenchers can refuse to give support and often do leave the party, which lowers the PM's power of influence.

In evaluation, it could be argued that the PM's power is not too strong in that the party may choose not to support him. However, I would disagree, as I believe that he/she can have a majority that it is exceptionally strong and allows no democracy as other parties and the main opposition have little influence over the policy agreed upon.

Public Standing

The powers of the PM in his/her public standing involve being a high public profile, communicator-in-chief for the government, political leader in times of crisis and representative of the country in international affairs.

Tony Blair has forged a successful relationship with the US President using his power to represent the country in international affairs. The media is now focused ever more upon the PM for any mistakes due to the undertaking of the role of communicator-in-chief, articulating the government's policy programme and objectives.

The power of a public standing that accompanies the role of being PM is balanced via constraints such as the unpopularity that can be achieved which would effectively undermine authority. The media will also scrutinise all actions and ensure the electorate are aware which ensures that the PM is accountable truly to the electorate.

In assessment of the sovereignty, I believe it is vital that the PM has all this power to ensure he/she can represent the country and can form relationships that are beneficial in the long run. Although, many would argue that sometimes it is most advantageous to remain neutral and for example not follow the US into Iraq. The power is kept in scrutiny by the media, which allows accountability and therefore ensures that no rash decisions are made.

Policy-making role

The PM directs government policy and sets the agenda, has the authority to become involved in policy areas which he/she chooses and takes the key role in times of crisis.

The PM has a license to get involved in issues across the political spectrum and can give an issue that is of "importance" a central place in the government's programme.

In evaluation, the PM can effectively undermine their own authority if they create policy, which will not be popular with the electorate. This was shown by Margaret Thatcher's introduction of the poll tax, which was most surely a significant factor in her downfall.

In evaluation, in times of crisis it is certainly beneficial that the PM does have significant power to allow a quick and certified reaction. Although, many argue that the power given to react quickly is somewhat undemocratic, however I believe that society would rather the country reacts quickly than face a crisis. Therefore, I believe that the PM should retain the power of a policy-making role as the sovereignty is accountable and the PM is not the sole person involved.

The Prime Minister's Office

The powers of the PM in 'his office' include the support and advice that is given to him which better enables the PM to direct policy and act as a communicator, he/she has the power to appoint special advisers and the power to reorganise the structure of government. Tony Blair is a good illustration of how the PM can appoint special advisers, as he doubled the amount of special advisers in Downing Street. In 2001 Tony Blair's reforms created a "Prime Minister's Department" and the reorganisation effectively brought about a fusion of the Prime Minister's Office and the Cabinet Office.

In evaluation, the power that the PM has as a result of the PM's office is not that significant as the office has limited resources such as the amount of funding and the amount of staff. The Prime Minister's Office is simply a coordination centre and not that much power is received, therefore the sovereignty issue is not a problem in this area.

The Powers of the Cabinet

The powers of the cabinet over the recent years have diminished considerably. It now only plays a limited role in decision-making, as many key policy decisions are made elsewhere in the core executive. Although, it could be argued that their power has not been removed as Mrs Thatcher's resignation showed that a PM who fails to recognise his or her dependence on the support of senior cabinet colleagues risks losing office.

The cabinet acts as simply a clearinghouse for policy as most of the decision-making has been made at a lower level in ministerial standing committees. Many argue that the sovereignty lies too much with the PM as if the PM and the cabinet minister responsible for the policy is questioned, other ministers have little chance of changing a decision. In addition, ministers are discouraged from reopening issues where a decision has already been reached.

The power of the cabinet is minimised due to meetings being infrequent, the size of the cabinet and the detailed nature of much policy. 21 ministers cannot engage in detailed discussion over a wide range of issues and therefore their influence is curbed. Most ministers are experts in their own field and may not see the relevant papers and therefore it stops ministers offering their opinion on an issue. This limits their power and increases the PM's power. The PM has the power to change a cabinet and with the frequent turnover it seriously weakens their influence. Meetings under Tony Blair and Gordon Brown are very short, even under half an hour, and only once a week.

The cabinet's role is somewhat only advisory and the ministers can advise and warn, but it is the PM who takes the final decisions. Votes are very rarely taken, as they would reveal divisions, while the interests and expertise of departmental minister differ from issue to issue.

The PM has in effect complete control and there is no real purpose for a cabinet it is simply advisory. Therefore in alignment with the statement, I believe that the PM has too much power and more sovereignty should be given to the cabinet as they are the heads of the government and are not having their opinion heard. Although, many would disagree with one's view in that Margaret Thatcher found that not letting the cabinet have their say results in a PM's downfall. However, I would counter this argument with the view that for a minister to stay present in the cabinet they would stay reasonably quiet as the threat of a reshuffle is imminent if not. I believe that collective responsibility is simply an image that the PM tries to convey on the surface level to show a united government.

Parliament's Power

Many argue that Parliament today is somewhat of a rubber-stamp to the all-powerful executive and that it is just a tradition and formality. The rhetorical question many academics ask is whether the UK is now a presidential system? Academics ask such a question as the PM is often seen as having too much sovereignty and the power should in fact be dispersed throughout Parliament. The fact that the PM can break and make careers tends to make the PM seem too strong. However, it could be said that the House of Commons still has significant control because unlike in America, where the president can be removed from office by a successful impeachment and

two-thirds majorities in the Houses of Congress, the UK's PM only needs to lose confidence of the Commons. Parliament still has significant power as nearly all legislation is passed through both Houses therefore, each Member of Parliament can either walk through the 'Aye' or the 'Nay' corridor and take a vote in the debate and have their say. This ensures that democracy prevails.

However, many would argue that Parliament no longer has much democratic values and the power within is lacking. A reason for this is that the PM can ensure that the Chief Whip conducts a 'three-line whip' ensuring that each member of their party votes and 'tows the party line' otherwise consequences will occur such as the potential lose of a position. In 1997 where Labour had a huge majority, voting would seem pointless and insignificant as the PM will have his way by his use of the whips. Although, it could be argued that the media via leaks will publish the regular use of the whips and ensure that the PM is criticised in the public domain. Therefore, technically, the PM is still accountable to the House of Commons.

Every Wednesday the PM takes part in 'Prime Minister's Question Time' that is televised and backbenchers can have their say and raise issues to the PM which the PM will have to answer on the spot, which ensures accountability. Over recent years it could be argued that due to Labour's majority decreasing Parliament's power has been increasing as the opposition parties are growing and the Liberal Democrats are securing ever-greater number of seats.

On 5th March 2008 there was a vote in the House of Commons over whether the UK should have a referendum over the Lisbon Treaty and the House of Commons turned down the Conservative proposal by 311 votes to 248 - a margin of 63. From the appearance of the results it would seem as though the margin was narrow and the PM nearly did not have the power to have push through his opinion. In fact Nick Clegg ordered his party to abstain and a few did vote in favour, although most did abstain. With the Liberal Democrat's vote and a few Labour backbenchers the result would have been reversed. This shows that the PM does have significant power, however Parliament still retains most of the sovereignty.

In evaluation, I believe that Parliament still retains much of the sovereignty although if a large majority is won then the PM's power is certainly on par, which demonstrates the idea that the PM's power should be reduced.

EU Parliament's Power

EU Parliament has a number of powers consisting of: its legislative power, its budgetary authority and its democratic supervision.

Most academics argue that although the powers of the European Parliament have increased over the last decade as result of further integration by Tony Blair, it does not enjoy the authority or legitimacy of national parliaments.

Although, the EU Parliament is of higher importance than the PM, the PM can withdraw from the EU, which means that the PM has more power than the EU Parliament. However, the PM would have to consult with the House of Commons and most likely a referendum would be issued to the electorate, therefore the PM personally would not be able to have the power to remove the UK out of the EU's enforcing zone. Any regulations that are set by the EU Parliament are automatically law and the PM has no power to prevent this. An example of a regulation showing that the UK is not supreme is Re Tachographs; Commission v UK (1979).

In evaluation, the EU Parliament does have a significant amount of sovereignty and further integration in my view would hand over all the UK's sovereignty of today. In my opinion the PM has power to potentially withdraw us and therefore the level of sovereignty equates to that of the EU Parliament's. Although, the PM has no influence or power over EU Law set and has no control.

Conclusion

In conclusion, after reviewing the power of each institution in comparison to the PM's power I believe that the PM does not hold 'too much' power and that the position does need a sufficient amount of sovereignty to enable the PM to run the country. There are adequate accountability checks to ensure that the PM does not abuse his/her sovereignty and in my opinion, the amount of sovereignty provided is ample and academics need not fret whether more power should be given to the Cabinet, Parliament, and the EU Parliament.

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