

# Changes to the westminster system since 1945



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How has Westminster system in the UK changed since 1945?

Westminster is a system of government originally developed and followed in the UK as explained by Esaiasson and Heidar (2000). The term has originated from the Palace of Westminster of British Parliament. This type of arrangement involves a series of particular procedures suited to operate a legislature that has faced many changes since 1945. These significant changes over the course of time (Rhodes, 2002), were due to a number of behavioural, institutional and political factors. The Westminster system is often compared to the presidential systems of the United States or a semi-presidential system such as the one followed in France. This essay shall attempt to track these changes in the Westminster system from 1945 until now and analyse the factors behind it.

Westminster system as a model was rapidly adapted by numerous nations and states across the world, evolving into a government system as it moved to the developing world. The main purpose of this essay is to study the conventions and institutions that characterized the Westminster system and evolved since 1945 to later be adopted by governments outside of the UK. The essay has first provided an overview of the Westminster system of government, then it has highlighted the legislative process structured at Westminster, the third component is the conventions and institutions that characterized the system and their evolution over time and the factors that caused this change in the system. Lastly before concluding, the role of institutions, government, and opposition within such changes have been discussed.

Westminster is a name provided to a parliamentary democracy system mainly in the UK and other countries such as Australia, Canada, Britain, and New Zealand. The focus of this essay is the Westminster system in the UK. Westminster model is the dominant theory of British politics defined the way the British system of governance works or is supposed to work (Flinders, Gamble, and Hay, 2009). Core principles include parliamentary sovereignty, the legislative process is handled by a government with a parliamentary majority and a two-party system. Lijphart (1999: 9) used the term 'Westminster model' interchangeably with a majoritarian model to refer to a general model of democracy. Further, as studied by Bulmer (2002: 93), a key feature of this system is a democratically elected lower house that chooses the government. Additionally, the government requires the support of majority members of such chamber to stay in office; Prime minister is the head of Government and leads Cabinet and Cabinet is responsible and accountable to lower house; there exists a loyal opposition which is led by party leader or leader of the party with the second highest number of seats in the lower house; there is a constitutional monarchy which is above politics and acts according to the advice of prime minister; a career public service also exists that serves the government of the day impartially; armed services act according to instructions of government and are outside of politics; with an independent judiciary, there exists a rule of law subject to the constitution.

According to Marsh (2008: 253), this system is also called 'responsible government', referring to a government which is responsible and accountable to the parliament. The system varies from country to country as per vernacular conditions. According to Dewan and Spirling (2011: 339), in the

Westminster system, a bill is a proposed law that is to be introduced in the parliament. A debate is made associated with the bill and once it is approved by each parliament house and received royal consent, it is made a law to be known as an act of law. A bill can be introduced by any parliament member. For each parliament session, a legislative programme is arranged by the government including a plan of bills to be considered in session. If any government department has a proposal which it wishes to be included in the legislative programme, it has to submit a bid in relation to the bill to parliamentary business and legislation committee of the cabinet. This bid is required a year before initiation of the session in question. These bids are considered by Parliamentary Business and Legislation (PBL) committee and a recommendation is made to the cabinet regarding the provisional content of the programme. This recommendation depends upon few factors such as the need for the bill, its link with political priorities of government, publication of bill as a draft for consultation and progress in working up the proposal. Kavanagh et al. (2006: 54) stated that when a provisional programme is agreed by Cabinet, it is reviewed by the PBL committee and a month before the start of the session; the programme is finalized by the cabinet. This is then announced in the speech of the Queen at the first session of the parliament. Policy in the bill requires agreement from a policy committee of the Cabinet.

We shall now discuss the conventions and institutions that characterise the system. Norris (2001: 882), documented that convention development can be regarded as growth rather than planning, for instance, the constitution which is still in law that appointment of Governor-General is made by the Queen,

however, current practice is that the governor general is chosen by existing prime minister. In this manner, many practices and laws have changed in the Westminster system of different countries Kavanagh et al. (2006: 52). It is common that a law and a convention intersect such as convention of prime minister choosing a governor general has the same subject as a law that gives this right to the queen. There are other minor conventions that have developed over time and have overridden previous laws. Kaiser (2008: 23) stated that these conventions are associated with social rules and business dealings of government. After the crisis of 1975, conventions were given more substance and recognition. The issues and 1975 crisis resulted in additional conventions, in 1983, a set of 34 conventions was agreed and by 1985 additional 18 conventions were introduced (Saalfeld, 2003: 629).

Russell and Sciara (2007: 303) stated that major institutions that underpin the Westminster form of democracy are grouped along two principal dimensions; federal-unitary and executive-parties. The federal-unitary dimension covers the distribution of power in the legislature, vertical division of power, constitutional amendment procedures, interpretation of the constitution in line with the constitutional compatibility of laws and the central bank. Whereas the executive-parties dimension covers the party system, the cabinet, the executive-legislative relationship, the electoral system and interest groups. The political system in the UK has been transformed by multiple reforms; multiple types of electoral systems, devolution of Scotland and Wales, central bank independence, regulation of party funding, the role of the house of lords and reforms to the composition.

Major institutions that characterized Westminster system were only public institutions while private institutions did not have any power previously. Furthermore, according to Rhodes (2002), global institutions such as the European Union and WTO had no or limited powers which have now increased. These global institutions started to characterize the Westminster system of government in the UK as the UK entered the membership of these institutions. Dicey (1889: 3) explained parliamentary sovereignty as parliament 'under the British constitution' having the right to make or unmake any law and that no person is recognised by the law of England as having a right to override or set aside the legislation of Parliament. According to Bagehot (1867: 175), the ultimate authority in the English constitution is a newly-elected House of Commons, putting light on the importance of the British Parliament in the political system. With the membership of the EU, the explanation put forward by Dicey was sidelined since the EU law is able to set aside British statutes. The power has gradually drained away from Whitehall to both the non-profit and corporate sectors. Bogdanor (2011: 186) counters this argument, as supported by Brexit that the parliament can leave the EU at anytime. However, pure Westminster system as followed in 1945 gave the power to centralize and unitary political system in which power was centralized in cabinet House of Commons.

Additionally, globalisation is also studied by Marsh (2008: 257) as a major influence on the principle of parliamentary sovereignty. The influence of multinational organisations on the domestic and taxation policies of the government has shown that the British government has struggled to stop

British businesses from being taken over and exported overseas and encouraging foreign investment by keeping corporation tax low.

The transforming status of parliamentary sovereignty has lined the potential shift away from the British two-party system. The two-party system thrived until the 2010 election when the inclusion of Liberal Democrats in the governments showed the importance of smaller parties in the process of government formation Kaiser (2008: 26). The 2010 general election was of monumental significance with regard to the party system. Formation of first coalition government since 1945, clearly showed a movement towards greater consensus, than majoritarian, in both the 2010 and 2015 general elections. In terms of executive-legislative relationship, the fostering of long cabinet durations has been reduced by the Fixed-term Parliaments Act 2011, which takes the power of the prime minister away to call an election at a time when his party has the best chance of winning (Norris, 2001: 884). The executive dominance of one party gaining a majority and using it to govern effectively has also suffered from the changing nature of the party system.

The traditional role of the upper House of Lords is viewed as a revising chamber reviewing the problems with the bills presented in the lower house. Despite, the dominance of the government has the power to over-rule the upper house's decision, in recent times its role has also been transformed (Paun, 2011: 426). The House of Lords Act, 1999 provides greater legitimacy to the upper house.

Following the above understanding, it is essential to discuss the factors that led to the changes in the Westminster system. One such factor is changing

the population. Spolaore (2004: 119), documented that Britain has transformed materially since 1945 and a major driver for change is the growth in population which is matched by rising expectations regarding lifestyle. The composition of the population has also undergone significant change. Additionally, population diversity is another factor due to large-scale immigration resulting in important cultural consequences. The immigration is particularly from South Asia and the West Indies and also from other regions like Eastern Europe. A major increase in population with different cultures required few changes in Westminster systems as well.

Cultural and social change in the UK has reflected the level to which population has become less deferential and more individualistic. Moral code in 1945 broke down a process formalized according to legal changes in the 1960s. Moral codes changed in such a way that abortion and homosexuality became legal, measures were taken to improve women position and capital punishment was abolished. The changes were related to shifts in religious practice, by 1990s it was noted that only one out of seven Britons was an active member of the church, however, more claimed that they are believers (Bulmer et al., 2002: 41). This implies that for Britons, formal expressions of faith were unimportant. Authority of experience and age was overthrown and voting age was lowered to 18 in the UK. Decreasing voting age implied that youth was now more empowered with the right to franchise.

In 1945, the UK was the largest colonial empire which eventually broke down as UK successfully fought a war between Argentina in 1982 and the most populous colonies of Britain were handed over to China including Hong Kong in 1997. Further, the Westminster system changed due to membership of <https://assignbuster.com/changes-to-the-westminster-system-since-1945/>



Britain with international organizations like European Union, United Nations, and World Trade Organization etc. Its membership amongst international organizations also put a restriction on its powers because it then had to follow the requirements of these multinational organizations. The British parliament is influenced, legally and politically, by their inclusion in the like of the IMF, NATO and the UN (Russell and Gover, 2017). Powers of the UK government became limited as compared to the powers it exercised previously.

Norris (2001: 879), stated that in contrast to the situation of Scottish nationalism and Northern Ireland remained non-violent and in 1997 enjoyed local control with devolved assembly. Britain entered the European Union in 1973 which resulted in the erosion of national sovereignty and the transfer of powers to Europe (Russell and Gover, 2017). Talking about national level, it was noted that government was controlled by Labour party and its Conservative rival with no coalition ministries. These two parties i. e. Labour and Conservative shared major overlaps in policy in the post-war period. Conservatives were of the view that there should be individual liberty with low taxation while Labour party wanted collectivist solutions, therefore, they were happier to advocate major role for government.

In the post-war period, there was an uncertain public policy which played a major role in the decline of the British economy which specifically pronounced in manufacturing. In the 1970s, it contributed to a sense of malaise which was coupled with the higher rate of inflation and there was a sense that the economy has become ungovernable as coal miners boycotted government for the failure of wage policies of the government. A decline in the manufacturing

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sector was seen with a rise in service sector leading to a change in work experience for many. The rise was associated with growth in consumerism and spending became a major expression of identity and a significant activity in leisure time (Stanbury, 2003). This increase in consumerism resulted in more private organizations to offer goods and services to consumers to meet their demands and less of public organizations.

Role of prime minister and cabinet is an important part while studying the change in Westminster government since 1945. According to O'Malley (2007: 12), the British prime minister has become more powerful than the US president. The British system has changed to incline towards prime minister as compared to the president, however; this does not mean that power to prime minister goes unchecked. A system of checks and balances ensures that the responsibility of the positions is fulfilled.

As explained earlier, the Westminster system can be defined as the parliamentary system of government developed and practised in the United Kingdom. With an aim to examine the changes in the Westminster system within the United Kingdom since 1945, it is integral to highlight the changing roles of institutions, government, and opposition in the Westminster system. To start with, it remains critical to examine that the Westminster system is a reflection of a series of procedures for the operations of legislatures.

According to Paun (2011: 448), one of the major characteristics of the Westminster system in the United Kingdom is related to the contrasting approach to government. The role of institutions, government and opposition seem to be more elaborative and prominent in the Westminster system as compared to the presidential system of the United States.

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A lot of prominent changes can be witnessed in the Westminster system of the United Kingdom since 1945 (Saalfeld, 2003: 626). During the introduction of the Westminster system in the United Kingdom, it was never expected that the system will receive immense support and popularity. However, the Westminster system made the institutions so strong that the system still prevails even in post-colonial regions. According to Heeg (2012: 10), the model of parliamentary democracy has been changing with the passage of time. There would not be an exaggeration if it is claimed that the Westminster style of government is popular and has been adopted by various countries as it strengthens the institutions, governments, and oppositions. With the passage of time, the role of institutions, government, and opposition have been changing in the Westminster system as more power and sovereignty has been given to all players.

The institutions as per the Westminster system changes in the United Kingdom since 1945 in a manner that executive branch has not been entirely separated from the legislative branch to the core (Russell and Gover, 2017). Essentially, the single largest institution that has the majority of the powers in Britain and is seen as a leading committee of the Parliament is the cabinet. One of the major changes in the role of government is also depicted in the powers and jurisdiction of the prime minister of the state. For instance, during 1945, the prime minister of Britain, the head of the government, used to have a choice to either reside in the House of Lords or the House of Commons (Birch, 2013: 29). However, the current conventions bind the prime minister as the serving member of the House of Commons. However, the cabinet ministers can belong to either of the houses as of today.

The essential role of institutions and government in the Westminster system in the United Kingdom has also changed in the manner that previously it was not necessary for the prime minister to make sure that this serving cabinet is a part of House of Commons whereas if the prime minister intends to see someone in the cabinet now, he needs to look for vacancies in the House of Commons. The beginning of the twentieth century made it necessary for the Westminster system to bring about changes in the institutions of government through conducting general elections at large (Heeg, 2012: 9).

The Parliament under the Westminster system in the United Kingdom provides complete responsibilities to the prime minister and the cabinet. The major role of the government is to ensure that legislation is prepared through parliament and the country's budgets are taken care of.

Additionally, another role of the government is to make sure that the interests of the House of Commons and the cabinet remain fully aligned. The government must pave the way for transferring the powers to the next government in an efficient manner (Flinders, Gamble, and Hay, 2009). While examining the changes in the Westminster system in the United Kingdom since 1945, it is also important to note that the devolution of the United Kingdom resulted in the creation of Scotland's parliament, and national assembly in Wales and Northern Ireland (Birch, 2013: 42). As a result, the majority of the powers were transferred to the nations of the United Kingdom. Interestingly, the Parliament used to control the devolved powers previously, however, the changes in the system empowered the separate bodies for decision making like Scottish Parliament. However, the reserved powers are still with the Parliament in the Westminster.

As far as the role of the opposition in the Westminster system of the United Kingdom is concerned, it is related to keeping a check and balance on the activities of the government. With the passage of time, the role of opposition has become integral and crucial for the success of the Westminster system. The legislation is essentially scrutinized by the oppositions (Paun, 2011: 456). There would not be an exaggeration if it is claimed that the role of opposition has become highly crucial in today's Westminster system as compared to that of 1945. This is mainly because of the fact that challenges for running the countries have increased and therefore, the role of opposition has become far more critical in terms of criticising the legislation that could create a negative impact on the country's sustainability.

Historically Britain has fostered its political system to progress in majorly in an organic direction creating a unique structure. The Westminster system in the United Kingdom is considered as one of the best governmental approaches as compared to other systems like presidential, monarchy and others. The purpose of this paper was to examine how the Westminster system in the United Kingdom has changed since 1945. A brief introduction to the Westminster system of government was given in this paper to examine the legislative process of the system. Additionally, the role of cabinet and prime minister, factors that changed the system and the role of institutions, government and opposition was also explored in the paper. In order to conclude, it can be suggested that every government system has several strengths and weaknesses. However, the Westminster system in the United Kingdom has been changing for betterment since 1945.

## References

- Bagehot, W. (1867), *The English Constitution* , London, p. 175.
- Birch, A. H. (2013), *The British system of government* . Routledge: London.
- Bogdanor, V. (2011), Imprisoned by a Doctrine: The Modern Defence of Parliamentary Sovereignty, *Oxford Journal of Legal Studies* , 32(1), p. 186.
- Bulmer, S., Burch, M., Carter, C., Hogwood, P. and Scott, A., (2002), British Devolution and European policy-making. *Transforming Britain into Multi-Level Governance, Palgrave Macmillan: London* .
- Dewan, T. and Spirling, A., (2011). Strategic opposition and government cohesion in Westminster democracies. *American Political Science Review* , 105 (2), pp. 337-358.
- Dicey, A. V, (1889), Introduction to the study of the law of the constitution, London: Macmillan, p. 3, 4.
- Esaiasson, P. and Heidar, K. eds., (2000). *Beyond Westminster and Congress: The Nordic Experience* . Columbus: Ohio State University Press, 183-209.
- Flinders, M., Gamble, A. and Hay, C. eds., (2009). *The Oxford handbook of British politics* . Oxford: Oxford Handbooks.
- Kaiser, A., (2008). Parliamentary Opposition in Westminster Democracies: Britain, Canada, Australia and New Zealand. *The Journal of Legislative Studies* , 14 (1-2), pp. 20-45.
- Kavanagh, D., Richards, D., Geddes, A. and Smith, M., (2006). *British politics* . Oxford: Oxford University Press.

- Lijphart, A. (1999), *Patterns of Democracy: Government Forms and Performance in Thirty-Six Countries*, New Haven: Yale University Press, p. 10.
- Marsh, D., (2008). Understanding the British government: Analysing competing models. *The British Journal of Politics & International Relations* , 10 (2), pp. 251-268.
- Norris, P., (2001). The twilight of Westminster? Electoral reform and its consequences. *Political Studies* , 49 (5), pp. 877-900.
- O'Malley, E., (2007). The power of prime ministers: Results of an expert survey. *International Political Science Review* , 28 (1), pp. 7-27.
- Paun, A., (2011). After the age of majority? Multi-party governance and the Westminster model. *Commonwealth & Comparative Politics* , 49 (4), pp. 440-456.
- Rhodes, R. A., (2002). *Beyond Westminster & Whitehall* . London: Routledge.
- Russell, M. and Gover, D., (2017). *Legislation at Westminster: Parliamentary actors and influence in the making of British law* . Oxford: Oxford University Press.
- Russell, M. and Sciarra, M., (2007). Why does the government get defeated in the House of Lords?: The Lords, the party system, and British politics. *British Politics* , 2 (3), pp. 299-322.
- Saalfeld, T., (2003). *The United Kingdom: still a single "chain of command"? The hollowing out of the "Westminster model"* (pp. 620-646). Oxford: Oxford University Press.
- Spolaore, E., (2004). Adjustments in different government systems. *Economics & Politics* , 16 (2), pp. 117-146.

- Stanbury, W. T., (2003). *Accountability to Citizens in the Westminster Model of Government: More Myth Than Reality* . Fraser Institute.
- Wilks-Heeg, S., (2012). How Democratic is the UK? The 2012 audit. *Political Insight* , 3 (2), pp. 8-11.