

Book Review: The British Constitution: Continuity and Change: A Festschrift for Vernon Bogdanor

blogs.lse.ac.uk/lse-views-of-books/2013/12/17/book-review-the-british-constitution-continuity-and-change-a-festschrift-for-vernon-bogdanor-2/

Blog Admin

*Despite the efforts of the Liberal Democrats in Government, the movement for constitutional reform is at a nadir in the wake of the defeat of the AV referendum and the abandonment of democratisation of the House of Lords. As a result, awareness of the constitution has never been higher, making **Matt Qvortrup's** timely Festschrift for Professor Vernon Bogdanor particularly timely. **Louise Thompson** argues that this collection, despite structural weaknesses, is an essential contribution to the constitutional debate, and will be of interest and use to constitutional novice and expert alike.*



The British Constitution: Continuity and Change: A Festschrift for Vernon Bogdanor.
Edited by **Matt Qvortrup**. Hart Publishing. August 2013.

Find this book:

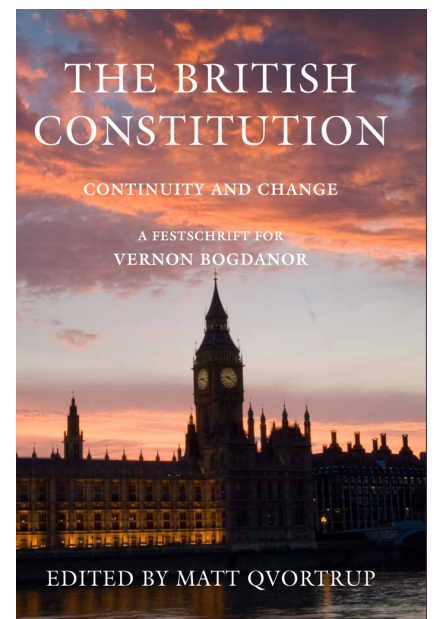
The British Constitution has never been on the public's radar more so than now. The formation of the Coalition government in 2010 was a momentous constitutional event, spurning an array of constitutional reforms including fixed term parliaments, a referendum on the voting system and ultimately unsuccessful plans for a substantially elected House of Lords. This edited collection, neatly put together by [Matt Qvortrup](#), is thus very timely.

One might express surprise that [Vernon Bogdanor](#) is strangely absent from the weighty collection of academics and practitioners contributing to the collection. The book is intended as a festschrift (a book honouring a respected person) for the constitutional authority who has for decades been the principal explorer and commentator on the constitutional jungle of British politics.

In essence the book does what it says on the tin, providing a 'comprehensive compendium' of constitutional analysis by 12 experts giving a political, historical and legal perspective. As such, it is a fitting tribute to Bogdanor's lifelong work in this area, covering areas such as constitutional conventions, the Scottish independence referendum, parliamentary sovereignty and the monarchy. The authors' indebtedness to Bogdanor's work is abundantly clear throughout and he receives no fewer than 25 page references in the index.

Its real value is that it places longstanding constitutional questions in a contemporary context. We learn how the formation of the Coalition Government changed existing constitutional conventions with coalition negotiations taking place prior to the General Election and the Fixed Term Parliaments Act narrowing the applicability of the Monarch's prerogative powers. It leaves no stone unturned, highlighting even the more minor aspects of the Coalition such as how the publication of the structure and membership of Cabinet Committees goes against traditional Prime Ministerial conventions.

Richard Gordon's chapter on constitutional change and parliamentary sovereignty is particularly illuminating, focusing on how the concept of parliamentary sovereignty means that there is no obvious means by which to distinguish constitutional legislation from other primary legislation. He argues that a codified constitution (or at least a new set of constitutional doctrines) may be necessary in order to improve the mechanisms and processes by which we see constitutional change, but that this 'principled constitutional change' (p.154) would in practice require the removal of the principle of parliamentary sovereignty. Discussing the difficulties we would face if we sought to create a 'legislative framework for constitutional change', he notes that we have already begun to see the introduction of more fixed constitutional processes, with the 'super majority' requirement for early parliamentary elections following the Fixed Term Parliaments Act. His conclusion that we should bear in mind the longstanding historical compromise of our constitutional foundations between Parliament, Government and the Judiciary and so not 'leave our constitutional development in the hands of a policy-driven and politically-minded executive' (p.163) is worthy of further thought.



Of particular interest however is the chapter on the public's relationship with the constitution, expertly put together by Peter Riddell who makes a strong case for constitutional complacency. He rebuts the view that this is because the constitution doesn't 'exist' in any tangible form. Instead, his principal explanation for public complacency is the way that constitutional reform has been discussed by both politicians and the media in a piecemeal and fragmented fashion throughout the post-war era. Even where reform has been high on the political agenda, such as during the years of Labour Government from 1997, reforms have been disconnected rather than being part of an overall strategy for reforming Britain's constitutional position. Ultimately he argues, we continue to lack an overall framework for constitutional debate. It remains in a state of flux.



The great constitutional scholar, Walter Bagehot's house (Credit: [Gwynhafyr](#), CC by ND 2.0)

Herein lies the book's structural weakness. Although each of its individual chapters are intellectually sound, probing specific sections of the constitutional jigsaw in great detail, it fails to bring all of the elements of the jigsaw together and so discusses the constitution in the fragmented fashion that Riddell himself criticises. Admittedly, Qvortrup does say in his introduction that the contributions 'present different comments on the same event' (pg.1) and are not intended to follow an overall theme. However, he offers no substantive conclusion and the sixteen line epilogue leaves the reader somewhat stranded with little idea of how the individual components fit together. What parallels are there across the chapters? And just what does the future hold for the British constitution? The answer appears to be that only time will tell just how great the impact of constitutional change has been on the political landscape.

This should not detract though from the contributions themselves. They include some of the finest legal and constitutional experts, each providing their own unique interpretation of our constitution. As such it is a must read and deserves a place on the bookshelf of any novice or experienced constitutional explorer.

Dr Louise Thompson is a Lecturer in Politics at the University of Surrey. She has a PhD from the Centre for Legislative Studies at the University of Hull under an ESRC Scholarship. She has previously worked for a Member of Parliament, for the Smith Institute and for the Labour Party. She is currently the Managing Editor of the Political Studies Association's blog. [Read more reviews by Louise.](#)