

Reports of Parliament's decline much exaggerated

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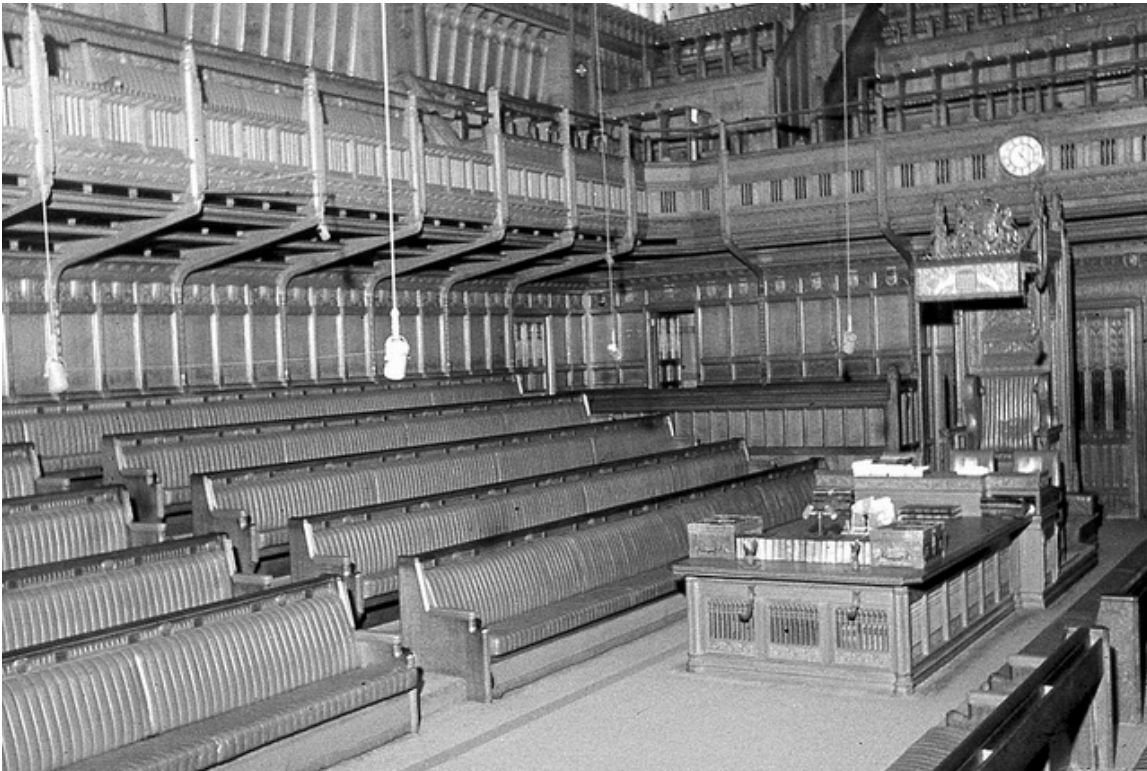
By democraticaudit

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Andrew Blick, 31st May 2011

The last decade has seen a series of significant innovations in the way [Parliament](#) holds government to account, mostly involving the House of Commons, but in some cases the House of Lords as well. They include:

- More resources for select committees;
- The introduction of 'core tasks' for select committees in the Commons setting out their work objectives;
- More select committees in both houses, holding more inquiries and producing more reports;
- The Prime Minister holding twice-annual oral evidence sessions with the House of Commons Liaison Committee, which comprises the chairs of the various Commons select committees;
- The introduction of public bill committees for more effective legislative scrutiny in the Commons;
- Greater transparency for executive financial accountability to Parliament;
- A Commons backbench business committee, to some extent loosening the grip of the executive, via the whips, on the Commons timetable;
- Elections for Commons committee members and chairs, again lessening the influence of the whips;
- Pre-appointment hearings by Commons committees for preferred candidates for major public appointments; and
- The placing of powers previously exercised under the extra-parliamentary Royal Prerogative on a statutory basis, making Parliament the ultimate authority. Most notably, the Civil Service is now regulated by an Act of Parliament.



The House of Commons in 1961 (Credit: Roger 4336, CC BY-SA 2.0)

This significant series of changes has not disrupted a powerful and longstanding public narrative of an ever-weaker Commons and Parliament, populated by pliable executive stooges. However, in an important article in the latest edition of the [British Journal of Politics and International Relations](#), [1] Professor Matthew Flinders (University of Sheffield) and Dr Alexandra Kelso (University of Southampton) challenge this widely-held 'Parliamentary Decline Thesis' (PDT).

Flinders and Kelso argue that part of the responsibility for this failure to recognise genuine change lies with the academic community, although there are some notable exceptions, as they rightly points out. (The dissenters from the PDT include Professor Phil Cowley, of the University of Nottingham, whose work charts the [long-term rise of rebelliousness amongst MPs](#), and Dr Meg Russell, of the Constitution Unit, who has demonstrated the [growing assertiveness and effectiveness of the Lords](#) in recent years).

Flinders and Kelso deploy the concepts of the 'expectations gap' and the 'perception gap' to explain this phenomenon. Scholarly studies throughout the twentieth century have encouraged the public to expect more of Parliament as an autonomous institution than it has been able, or realistically ever could be able, to provide. At the same time, consequent levels of cynicism mean that there is an unwillingness to accept genuine enhancements to the practice and effectiveness of parliamentary accountability when they have occurred.

A key point here – brought out well by Flinders and Kelso – is that the parliamentary system in the UK is configured in such a way as to create a systemic disposition towards strong government. If we judge our arrangements for executive-legislative interactions using the principle of 'separation of powers' (a flawed concept anyway), they will inevitably appear wanting; and would have done at any point in history, contrary to the PDT notion of some kind of lost 'golden age' of parliamentary government.

In the UK, government has no direct democratic mandate (except over the small number of issues on which it holds referendums) and is founded in the confidence of the House of Commons, from which most ministers are drawn. Consequently, the government of the day normally has an inbuilt majority in the senior House of Parliament. (Indeed a majority of at least 20 MPs is virtually a pre-requisite for a UK government to function over a full Parliamentary

term. And, in practice, government majorities are usually significantly larger).

In this context, reforms – such as those listed above – are only ever likely to lead to marginal increases in accountability. Often they involve enhancements to the practices of select committees on which the governing party or parties possess a majority. Most of the time they will lead to gentle prodding of the government, rather than outright warfare.

And we should also note – as Flinders and Kelso remind us to – Professor Anthony King's observation of the importance of 'intra-party and intra-parliamentary relationships', not focusing exclusively on 'executive-legislative relations'. Many of the most important negotiations, deals and concessions involving backbenchers and government take place in party groups, away from public, formal parliamentary processes. They may not be noticed, but they are important.

These kinds of engagements are even more complex – and probably even more important – in the circumstances of a Coalition, with two different sets of ministers and backbenchers involved. Often, ministers will not even attempt to bring forward proposals if they feel they will prove too controversial with their own parliamentary followers. Tony Blair, for instance, would probably have tried to be more radical than he was over public service reform, if he had thought his party would wear it. Of course such impacts are hard to measure, probably another reason why they are not taken into account in the simplistic PDT.

If the UK wants a system which it has never had, in which executive and legislature have separate mandates and more overt clashes over policy which Parliament is seen often to win, then that is a deliberate – and substantial – constitutional reform decision to be taken. In the meantime, we need to consider the performance of Parliament within its own constitutional framework.

Looked at in this way, the improvements which have been made in recent years become more apparent, and there is greater chance for a more realistic approach to solving the difficulties Parliament undoubtedly faces (which range from the long-term growth in the quantity of secondary legislation that Parliament must process to the increasing size of the ministerial 'payroll vote'). The problems are real; the PDT risks being little more than an unhelpful distraction from them.

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[1] Matthew Flinders and Alexandra Kelso 'Mind the gap: political analysis, public expectations and the parliamentary decline thesis', *The British Journal of Politics and International Relations*, 13 (2), pp.249-268.