

UNITED KINGDOM CONSTITUTION AND GOVERNMENT

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United Kingdom

Constitution and Government

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1 Part I: Political History

1.1 William I

The course of English political, legal and cultural history was changed in 1066, when William, Duke of Normandy (also called William the Conqueror) successfully invaded the nation and displaced the Saxon king, Harold II.

In 1066 King Edward, also called St Edward the Confessor, died. His cousin, the Duke of Normandy, claimed that the childless King had named him heir during a visit to France, and that the other claimant to the throne, Harold Godwinson, had pledged to support William when he was shipwrecked in Normandy. The veracity of this tale, however, is doubtful, and Harold took the crown upon King Edward's death. William, however, invaded England in September, and defeated (and killed) Harold at the famous Battle of Hastings in October.

1.2 William II

In 1087, King William I died, and divided his lands and riches between his three sons. The eldest, Robert, became Duke of Normandy; the second, William, became King of England; the youngest, Henry, received silver. Henry, however, eventually came to possess all of his father's dominions. William II died without children, so Henry became King. Henry later invaded Normandy, imprisoned his brother, and took over the Duchy of Normandy.

1.3 Henry I, Stephen and Matilda

Henry, whose sons had predeceased him, took an unprecedented step: naming a woman as his heir. He declared that his daughter Matilda would be the next Queen. However, Matilda's claim was disputed by Stephen, a grandson of William I in the female line. After Henry I died in 1135, Stephen usurped the throne, but he was defeated and imprisoned by Matilda in 1141. Later, however, Matilda was defeated, and Stephen took the throne.

Matilda, however, was not completely defeated. She escaped from Stephen's army, and her own son, Henry Plantagenet, led a military expedition against Stephen. Stephen was forced to agree to name Henry as his heir, and when Stephen died in 1154, Henry took the throne, commencing the Plantagenet dynasty.

ms:Perlembagaan dan Kerajaan United Kingdom: Dinasti Normandy¹

¹ <http://ms.wikibooks.org/wiki/Perlembagaan%20dan%20Kerajaan%20United%20Kingdom%3A%20Dinasti%20Normandy>

1.4 Henry II

With the death of King Stephen, Henry Plantagenet took the throne as King Henry II. He already had control over the duchy of Normandy; he had also inherited Anjou from his father Geoffrey. Furthermore, he acquired many territories from his wife, Eleanor of Aquitaine. Henry thus had a vast territory when he came to the throne; as King of England, he took over Ireland.

Henry II made other remarkable achievements in England. He established courts throughout England and introduced trial by jury. Furthermore, he reduced the power of ecclesiastical courts. The Archbishop of Canterbury and Lord High Chancellor, Thomas à Becket, opposed the King's attempt to take power from the Church. At a confrontation between the two in 1170, Henry II famously said, "Who will rid me of this turbulent priest?" Four of his knights took him literally, and in December murdered Becket.

Henry, however, did not have good relations with his sons. In 1170, his eldest son Henry was crowned, and is known as Henry the Young King. In 1173, the Young King and his brothers revolted against Henry II, planning to dethrone him and leave the Young King as the sole ruler in England. In 1174, the revolt failed, and all of the brothers surrendered. Later, in 1189, Henry II's third son, Richard, attacked and defeated him. Henry II died days after his defeat, and Richard, nicknamed "the Lionheart," became King.

1.5 Richard I

Richard the Lionheart is often portrayed as a hero, but he did not do much for England. In fact, he spent almost all of his time outside the nation, and did not even find it necessary to learn English. He is most famous for his fighting in the Crusades, a holy war seeking to assert Christian dominance over Jerusalem.

1.6 John

Richard's successor was his brother, John. Henry II had granted John the lands of Ireland, so when John came to the throne, the titles Lord of Ireland and King of England were united. However, though Ireland became a dominion of the Crown, several lands on the Continent, including most of Normandy, were lost during John's reign.

King John was very unpopular with the nation's magnates, the barons, whom he taxed. A particularly resented tax was the scutage, a penalty paid by barons who failed to supply the King with military resources. In 1215, after John had been defeated in France, several barons rebelled. Later in that year, John compromised and signed the *Magna Carta*, or Great Charter. It guaranteed political liberties and provided for a church free from domination by the monarchy. These liberties and privileges, however, were not extended to the common man; rather, they were granted to the barons. Nonetheless, the document is immensely significant in English constitutional history as it is a major indication of a limitation on the power of the Crown.

King John, however, broke the provisions of the Charter later, claiming that he agreed to it under duress. In the next year, when he was retreating from a French invasion, John lost England's most valuable treasures - the Crown Jewels - in a marsh known as The Wash. His mental and physical health deteriorated, and he later died from dysentery.

1.7 Henry III

John was succeeded by his son, Henry, who was only nine years old. Henry III, despite a reign that lasted over half a century, is not a particularly memorable or noteworthy monarch. Nonetheless, a very significant political development occurred during Henry III's reign. In 1258, one of Henry's opponents, Simon de Montfort, called a Parliament, the forerunner of the modern institution. It, however, bears little resemblance to the modern body, as it had little power.

Simon de Montfort, who was married to Henry III's sister, defeated and imprisoned his brother-in-law in 1264. He was originally supported by Henry's son Edward, but the latter later returned to his father's side. Edward defeated de Montfort in 1265 at the Battle of Evesham and restored Henry III. In 1270, the ageing Henry gave up most of power to his son; two years later, he died, and Edward succeeded to the throne.

1.8 Edward I

Edward I was the monarch who brought the entire British Isles under English domination. In order to raise money in the war against the rebellious Wales, Edward instituted a tax on Jewish moneylenders. The tax, however, was too high for the moneylenders, who eventually became too poor to pay. Edward accused them of disloyalty and abolished the right of Jews to lend money. He also ordered that all Jews wear a yellow star on their clothing; that idea was later adopted by Adolf Hitler in Germany. Edward also executed hundreds of Jews, and in 1290 banished all of them from England.

In 1291, the Scottish nobility agreed to submit to Edward. When Queen Margaret I died, the nobles allowed Edward to choose between the rival claimants to the throne. Edward installed the weak John Balliol as monarch, and easily dominated Scotland. The Scots, however, rebelled. Edward I executed the chief dissenter, William Wallace, further antagonising Scotland.

1.9 Edward II

When Edward I died in 1307, his son Edward became King. Edward II abandoned his father's ambitions to conquer Scotland. Furthermore, he recalled several men his father had banished. The barons, however, rebelled against Edward. In 1312, Edward agreed to hand over power to a committee of barons known as "ordainers." These ordainers removed the power of representatives of commoners to advise the monarch on new laws, and concentrated all power in the nobility. Meanwhile, Robert the Bruce was slowly reconquering Scotland.

In 1314, Robert's forces defeated England's in battle, and Robert gained control over most of Scotland.

In 1321, the ordainers banished a baron allied with the King, Hugh le Despencer, along with his son. In 1322, Edward reacted by recalling them and attacking the barons. He executed the leader of the ordainers, the Earl of Lancaster, and permitted the Despenchers to rule England. The Despenchers declared that all statutes created by the ordainers were invalid, and that thereafter, no law would be valid unless it had received the assent of the Commons, representatives of the commoners of England. However, the Despenchers became corrupt, causing them to be very unpopular, even with Edward's own wife, Isabella. In 1325, Isabella went to France, and in 1326, she returned, allied with Roger Mortimer, one of the barons Edward had defeated. The two killed the Despenchers and forced Edward to resign his crown to his son, also named Edward. Edward II was imprisoned and later killed.

1.10 Edward III

Since Edward III was a child, Isabella and Roger Mortimer ruled England in his stead. When Edward III became eighteen, however, he had Mortimer executed and banished his mother from court. In 1328, when Charles IV, Isabella's father and King of France, died, Edward claimed France, suggesting that the kingdom should pass to him through his mother. His claim was opposed by Philip VI, who claimed that the throne could only pass in the male line. Edward declared war on Philip, setting off the Hundred Years' War. The British claim to the French throne was not abandoned until the nineteenth century.

1.11 Richard II

Richard II succeeded his grandfather, Edward III, in 1377. Richard II was only about ten years old when coming to the throne. Even as an adult, Richard II was a rather weak king. In 1399, he was deposed by his cousin, Henry of Bolingbroke, and probably murdered the next year.

1.12 Henry IV

Henry of Bolingbroke deposed his weak cousin, Richard II, in 1399. Henry IV's reign was marked by widespread rebellion. These were put down thanks to the great military skill of the Henry IV's son, the future King Henry V. Henry IV died in 1413 while plagued by a severe skin disease (possibly leprosy).

1.13 Henry V

Henry V's reign was markedly different from his father's in that it involved little domestic turmoil. Overseas, Henry V's armies won several important victories in France. In 1415, the

English defeated the French King Charles VI decisively at the Battle of Agincourt. About 100 English soldiers were killed, along with about 5000 Frenchmen.

For the next two years, Henry V conducted delicate diplomacy to improve England's chances of conquering France. He negotiated with the Holy Roman Emperor Sigismund, who agreed to end the German alliance with France. In 1417, the war was renewed; by 1419, English troops were about to take Paris. The parties agreed to a treaty whereby Henry V was named heir of France. Henry V, however, died before he could succeed to the French throne, which therefore remained in the hands of the Frenchmen.

1.14 Henry VI and Edward IV



Figure 1 Figure 3-1: Edward IV (left) and the future Edward V (centre)

Henry VI succeeded to the throne while still an infant. His uncles, the Dukes of Bedford and Gloucester, both functioned as Regents. During his reign, many French territories won during the Hundred Years War were lost.

Henry VI's reign was interrupted by Edward IV's due to the War of the Roses. Henry VI was a member of the House of Lancaster, while Edward IV was from the House of York. The former House descended from Henry of Bolingbroke, the fourth son of King Edward III; the latter House descended from Edmund of Langley, Edward III's fifth son.

In 1461, the Lancastrians lost to the Yorkists at the Battle of Towton. The Yorkist claimant, Edward IV, ascended to the throne, with the support of the powerful nobleman Richard Neville, 16th Earl of Warwick, known by the nickname *Warwick the Kingmaker*. In 1464, Lancastrian revolts were put down. In 1469, however, Warwick the Kingmaker switched his allegiance, and in 1470, Henry VI was restored to the throne. The exiled Edward, however, soon returned and defeated Henry's forces. At the Battle of Tewkesbury, the remaining Lancastrians were defeated; Henry VI was also murdered.

1.15 Edward V and Richard III

Edward IV was succeeded by his twelve year-old son in 1483. Edward IV's brother, Richard, was made guardian of Edward V and his brother, also named Richard. The young King's uncle usurped the throne and had Parliament declare the two brothers illegitimate. The two princes were then imprisoned in the Tower of London, where they might have been killed (their fate, however, is not certain).

In 1485, Richard III faced Henry Tudor, the Lancastrian claimant, at the Battle of Bosworth Field, during which Richard became the last English monarch to be killed during battle. Henry came to power as Henry VII, establishing the Tudor Dynasty.

ms:Perlembagaan dan Kerajaan United Kingdom: Dewan Lancaster dan York²

1.16 Henry VII

Henry VII was one of the most successful monarchs in British history. He was the Lancastrian claimant to the throne and lived in France so as to remain safe from the designs of the Yorkist Kings. At the Battle of Bosworth Field in 1485, he defeated and killed the Yorkist Richard III. His claim was weak due to questions relating to the legitimacy of certain births, but he was nonetheless awarded the throne.

Henry reformed the nation's taxation system and refilled the nation's treasury, which had been bankrupted by the fiscal irresponsibility of his predecessors. He also made peace with France so that the resources of the nation would not be spent trying to regain territories won during the Hundred Years' War. Henry also created marital alliances with Spain and Scotland. Henry's son, Arthur, married Catherine of Aragon, daughter of Ferdinand II of Aragon and Isabella I of Castile. Furthermore, Henry's daughter Margaret married James IV, King of Scots.

When Henry's son Arthur died, he wished to protect the Anglo-Spanish alliance. Therefore, he obtained a dispensation from Pope Julius II allowing Henry's son, also named Henry, to marry Catherine. (Papal permission was necessary since Henry was marrying his brother's widow.) Upon Henry VII's death, Henry took the throne as Henry VIII.

² <http://ms.wikibooks.org/wiki/Perlembagaan%20dan%20Kerajaan%20United%20Kingdom%3A%20Dewan%20Lancaster%20dan%20York>

1.17 Henry VIII

King Henry VIII is often remembered for his multiple marriages. In his quest to obtain a male heir to the throne, Henry married six different times. His first marriage, as noted above, was to his brother's widow, Catherine of Aragon. That marriage occurred in 1509 and was scarred by several tragedies involving their children. The couple's first child was stillborn, their second lived for just 52 days, the third pregnancy ended as a miscarriage and the product of the fourth pregnancy died soon after birth. In 1516, the couple had a daughter, named Mary, followed by another miscarriage. Henry was growing impatient with his wife and eagerly sought a male heir.

Henry sought to annul his marriage to Catherine. Ecclesiastic law permitted a man to marry his brother's widow only if the previous marriage had not been consummated. Catherine had informed the Pope that her marriage was non-consummated, so the Pope agreed to grant a dispensation allowing her to marry Henry. Now, however, Henry alleged that Catherine had lied, thereby rendering her marriage to him invalid. In 1533, an Act of Parliament annulled his marriage to Catherine, enabling him to marry Anne Boleyn. It was felt by many, however, that the Church, and not Parliament, could govern marriages. Henry had asked Pope Clement VII to issue a divorce several times. Under pressure from Catherine's nephew, Holy Roman Emperor Charles V, the Pope refused. Parliament therefore passed an Act denying appeals to Rome from certain decisions of English Archbishops. The Archbishop of Canterbury, Thomas Cranmer, annulled Henry's marriage to Catherine. In response, the Pope excommunicated Henry. Soon, the Church of England separated from the Roman Catholic Church. In 1534, all appeals to Rome from the decisions of the English clergy were stopped. An Act of Parliament passed in 1536 confirmed the King's position as *Supreme Head of the Church of England*, thereby ending any ceremonial influence that the Pope still had.

Anne Boleyn, meanwhile, was Henry's Queen, and the only surviving child from the marriage to Catherine, Mary, was declared illegitimate. Anne's first child, Elizabeth, was born in 1533. The next three pregnancies, however, all resulted in stillbirth or miscarriage. A dissatisfied Henry accused Anne of using witchcraft to entice him to marry her and to have five men enter into adulterous affairs with her. Furthermore, Anne was accused of treason because she had supposedly committed adultery while she was Queen. Anne's marriage to Henry VIII was annulled and she was executed at the Tower of London in 1536.

Within two weeks of Anne's death, Henry married Jane Seymour. In 1537, Jane produced the male heir that Henry had long desired. The boy was named Edward and would later succeed Henry to the throne. Meanwhile, his half-sister Elizabeth was declared illegitimate. Shortly after the birth of the child, Jane died. Jane was followed as Queen by Anne of Cleves, whom Henry married in 1540. Anne was the daughter of John III, Duke of Cleves. Henry did not actually see Anne until shortly before their marriage; the relationship was contracted to establish an alliance between Henry and the Duke of Cleves, a major Protestant leader. After Anne married him, Henry found her physically displeasing and unattractive. Shortly thereafter, the marriage was annulled on the grounds that Anne had previously been engaged to the Duke of Lorraine. After her divorce, Anne was treated well. She was given the title of Princess and allowed to live in Hever Castle, the former home of Anne Boleyn's family.

Henry VIII's next marriage was to Catherine Howard, an Englishwoman of noble birth. In 1542, she was charged and convicted of high treason after having admitted to being engaged in an adulterous affair. In 1543, Henry contracted his final marriage, wedding Catherine Parr. The marriage lasted for the remainder of Henry's life, which ended in 1547.

1.18 Edward VI and Lady Jane Grey

When Edward VI, son of Henry VIII and Jane Seymour, came to the throne, he was just ten years old. His uncle, Edward Seymour, Duke of Somerset served as Lord Protector while the King was a minor. Several nobles attempted to take over Somerset's role. John Dudley, 1st Earl of Warwick was successful; he was later created Duke of Northumberland.

Edward VI was the first Protestant King of England. His father had broken away from the Roman Catholic Church but had not yet embraced Protestantism. Edward, however, was brought up Protestant. He sought to exclude his Catholic half-sister Mary from the line of succession. As he was dying at the age of fifteen, he made a document barring his half-sisters Mary and Elizabeth from the throne. He named the Lady Jane Grey, daughter-in-law of the Duke of Northumberland, his successor. Her claim to the throne was through her mother, who was a granddaughter of King Henry VII. Jane was proclaimed Queen upon Edward's death in 1553, but she served for only nine days before being deposed by Mary. Mary enjoyed far more popular support; the public also sympathised with the way her mother, Catherine of Aragon, had been treated. Jane was soon executed; she was seventeen years old at the time.

1.19 Mary I

Mary was deeply opposed to her father's break from the Church in Rome. She sought to reverse reforms instituted by her Protestant half-brother. Mary even resorted to violence in her attempt to restore Catholicism, earning her the nickname *Bloody Mary*. She executed several Protestants, including the former Archbishop of Canterbury Thomas Cranmer, on charges of heresy.

In 1554, Mary married the Catholic King of Spain, Philip II. The marriage was unpopular in England, even with Catholic subjects. The couple were unable to produce a child before Mary's death from cancer in 1558.

1.20 Elizabeth I

Mary's successor, her half-sister Elizabeth, was one of the most successful and popular British monarchs. The Elizabethan era was associated with cultural development and the expansion of English territory through colonialism.

After coming to power, Elizabeth quickly reversed many of Mary's policies. Elizabeth reinstated the Church of England and had Parliament pass the Act of Supremacy, which confirmed the Sovereign's position as Supreme Governor of the Church of England. The

Act also forced public and clerical officers to take the Oath of Supremacy recognising the Sovereign's position. Elizabeth, however, did practice limited toleration towards Catholics.

After Pope Pius V excommunicated Elizabeth in 1570, Elizabeth ended her policy of religious toleration. One of Elizabeth's chief Catholic enemies was the Queen of Scotland, Mary. Since Elizabeth neither married nor bore any children, her cousin Mary was a possible heir to the English throne. Another possible heir was Lady Jane Grey's sister, Catherine. However, when Lady Catherine Grey died in 1568, Elizabeth was forced to consider that Catholic Mary was the most likely heir. Mary, however, had earlier been deposed by Scottish nobles, putting her infant son James on the throne. Mary had fled to England, hoping Elizabeth would aid her efforts to regain the Scottish throne, but Elizabeth reconsidered after learning of the "Ridolfi Plot", a scheme to assassinate Elizabeth and put the Roman Catholic Mary on the English throne. In 1572, Parliament passed a bill to exclude Mary from the line of succession, but Elizabeth refused to grant Royal Assent to it. Eventually, however, Mary proved to be too much of a liability due to her constant involvement in plots to murder Elizabeth. In 1587, she was executed after having been convicted of being involved in one such plot.

Following Mary's execution, Philip II (widower of Mary I of England) sent a fleet of Spanish ships known as the *Armada* to invade England. England had supported a Protestant rebellion in the Netherlands and was seen as a threat to Catholicism. Furthermore, England had interfered with Spanish shipping and trade. Using Mary's execution as an excuse, Philip II obtained the Pope's authority to depose Elizabeth. In 1588, the Spanish Armada set sail for England. Harmed by bad weather, the Armada was defeated by Elizabeth's naval leaders, including Sir Francis Drake and the Lord Howard of Effingham.

Towards the end of her life, Elizabeth still failed to name an heir. When she died, she was ironically succeeded by the son of Mary, Queen of Scots, James. James was already James VI, King of Scots; he became James I of England in 1603 and established the rule of the Stuart dynasty.

1.21 James I



Figure 2 James I of England

With the death of Elizabeth in 1603, the Crowns of England and Scotland united under James I. In 1567, when he was just a year old, James' mother Mary was forced to abdicate, and James became King James VI. Despite his mother's Catholicism, James was brought up as a Protestant.

One of James' first acts as King was to conclude English involvement in the Eighty Years' War, also called the Dutch Revolt. Elizabeth had supported the Protestant Dutch rebels,

providing one cause for Philip II's attack. In 1604, James signed the Treaty of London, thereby making peace with Spain.

James had significant difficulty with the English Parliamentary structure. As King of Scots, he had not been accustomed to criticism from the Parliament. James firmly believed in the *Divine Right of Kings*—the right of Kings to rule that supposedly came from God—so he did not easily react to critics in Parliament. Under English law, however, it was impossible for the King to levy taxes without Parliament's consent, so he had to tolerate Parliament for some time.

King James died in 1625 and was succeeded by his son Charles.

1.22 Charles I

King Charles ruled at a time when Europe was moving toward domination by absolute monarchs. The French ruler, Louis XIV, epitomised this absolutism. Charles, sharing his father's belief in the Divine Right of Kings, also moved toward absolutist policies.

Charles conflicted with Parliament over the issue of the Huguenots, French Protestants. Louis XIV had begun a persecution of the Huguenots; Charles sent an expedition to La Rochelle to provide aid to the Protestant residents. The effort, however, was disastrous, prompting Parliament to further criticise him. In 1628, the House of Commons issued the Petition of Right, which demanded that Charles cease his use of arbitrary power. Charles had persecuted individuals using the Court of the Star Chamber, a secret court that could impose any penalty, even torture, except for death. Charles had also imprisoned individuals without a trial and denied them the right to the writ of *habeas corpus*. The Petition of Right, however, was not successful; in 1629, Charles dissolved Parliament. He ruled alone for the next eleven years, which is sometimes referred to as the *eleven years of tyranny or personal rule*. Since Parliamentary approval was required to impose taxes, Charles had grave difficulty in keeping the government functional. Charles imposed several taxes himself; these were widely seen as unlawful.

During these eleven years, Charles began instituting religious reforms in Scotland, moving it towards the English model. He attempted to impose the Anglican Prayer Book on Scottish churches, leading to riots and violence. In 1638, the General Assembly of the Church of Scotland abolished the office of bishop and established Presbyterianism (an ecclesiastic system without clerical officers such as bishops and archbishops). Charles sent his armies to Scotland, but was quickly forced to end the conflict, known as the First Bishops' War, because of a lack of funding. Charles granted Scotland certain parliamentary and ecclesiastic freedoms in 1639.

In 1640, Charles finally called a Parliament to authorise additional taxation. Since the Parliament was dissolved within weeks of its summoning, it was known as the *Short Parliament*. Charles then sent a new military expedition to Scotland to fight the Second Bishops' War. Again, the Royal forces were defeated. Charles then summoned Parliament again, this Parliament becoming known as the *Long Parliament*, in order to raise funds for making reparations to the Scots.

Tension between Charles and Parliament increased dramatically. Charles agreed to abolish the hated Star Chamber, but he refused to give up control of the army. In 1641, Charles entered the House of Commons with armed guards in order to arrest his Parliamentary enemies. They had already fled, however, and Parliament took the breach of their premises very seriously. (Since Charles, no English monarch has sought to set foot in the House of Commons.)

The unsafe monarch moved the Royal court to Oxford. Royal forces controlled north and west England, while Parliament controlled south and east England. A Civil War broke out, but was indecisive until 1644, when Parliamentary forces clearly gained the upper hand. In 1646, Charles was forced to escape to Scotland, but the Scottish army delivered him to Parliament in 1647. Charles was then imprisoned. Charles negotiated with the Scottish army, declaring that if it restored him to power, he would implement the Scottish Presbyterian ecclesiastic model in England. In 1648, the Scots invaded England, but were defeated.

The House of Commons began to pass laws without the consent of either the Sovereign or the House of Lords, but many MPs still wished to come to terms with the king. Members of the army, however, felt that Charles had gone too far by siding with the Scots against England and were determined to have him brought to trial. In December 1648 an army regiment, Colonel Pride's, used force to bar entry into the House of Commons, only allowing MPs who would support the army to remain. These MPs, the *Rump Parliament*, established a commission of 135 to try Charles for treason. Charles, an ardent believer in the Divine Right of Kings, refused to accept the jurisdiction of any court over him. Therefore, he was by default considered guilty of high treason and was executed on January 30, 1649.

1.23 Oliver and Richard Cromwell

At first, Oliver Cromwell ruled along with the republican Parliament, the state being known as the *Commonwealth of England*. After Charles' execution, however, Parliament became disunited. In 1653, he suspended Parliament, and as Charles had done earlier, began several years of rule as a dictator. Later, Parliament was recalled, and in 1657 offered to make Cromwell the King. Since he faced opposition from his own senior military officers, Cromwell declined. Instead, he was made a *Lord Protector*, even being installed on the former King's throne. He was a King in all but name.

Cromwell died in 1658 and was succeeded by his son Richard, an extremely poor politician. Richard Cromwell was not interested in his position and abdicated quickly. The Protectorate was ended and the Commonwealth restored. Anarchy was the result. Quickly, Parliament chose to reestablish the monarchy by inviting Charles I's son to take the throne as Charles II.

1.24 Charles II

During the rule of Oliver Cromwell, Charles II remained King in Scotland. After an unsuccessful challenge to Cromwell's rule, Charles escaped to Europe. In 1660, when England was in anarchy, Charles issued the Declaration of Breda, outlining his conditions

for returning to the Throne. The Long Parliament, which had been convened in 1640, finally dissolved itself. A new Parliament, called the *Convention Parliament*, was elected; it was far more favourable to the Royalty than the Long Parliament. In May 1660, the Convention Parliament that Charles had been the lawful King of England since the death of his father in 1649. Charles soon arrived in London and was restored to actual power. Charles granted a general pardon to most of Cromwell's supporters. Those who had directly participated in his father's execution, however, were either executed or imprisoned for life. Cromwell himself suffered a posthumous execution: his body was exhumed, hung, drawn and quartered, his head cut off and displayed from a pole and the remainder of his body thrown into a common pit. The posthumous execution took place on the anniversary of Charles I's death.

Charles also dissolved the Convention Parliament. The next Parliament, called the *Cavalier Parliament* was soon elected. The Cavalier Parliament lasted for seventeen years without an election before being dissolved. During its long tenure, the Cavalier Parliament enacted several important laws, including many that suppressed religious dissent. The Act of Uniformity required the use of the Church of England's *Book of Common Prayer* in all Church services. The Conventicle Act prohibited religious assemblies of more than five members except under the Church of England. The Five Mile Act banned non-members of the Church of England from living in towns with a Royal Charter, instead forcing them into the country. In 1672, Charles mitigated these laws with the Royal Declaration of Indulgence, which provided for religious toleration. Parliament, however, suspected him of Catholicism and forced him to withdraw the Declaration. In 1673, Parliament passed the Test Act, which required civil servants to swear an oath against Catholicism.

Parliament's suspicions did turn out to be accurate. As Charles II lay dying in 1685, he converted to Catholicism. Charles did not have a single legitimate child, though he did have, while living in Europe, several illegitimate ones (over 300 by some estimates). He was succeeded, therefore, by his younger brother James, an open Catholic.

1.25 James II

James II (James VII in Scotland) was an extremely controversial monarch due to his Catholicism. Soon after he took power, a Protestant illegitimate son of Charles II, James Scott, Duke of Monmouth, proclaimed himself King. James II defeated him within a few days and had him executed.

James made himself highly unpopular by appointing Catholic officials, especially in Ireland. Later, he established a standing army in peacetime, alarming many Protestants. Rebellion, however, did not occur because people trusted James' daughter Mary, a Protestant. In 1688, however, James produced a son, who was brought up Catholic. Since Mary's place in the line of succession was lowered, and a Catholic Dynasty in England seemed inevitable, the "Immortal Seven"—the Duke of Devonshire, the Earl of Danby, the Earl of Shrewsbury, the Viscount Lumley, the Bishop of London, Edward Russell and Henry Sidney—conspired to replace James and his son with Mary and her Dutch husband William of Orange. In 1688, William and Mary invaded England and James fled the country. The revolution was hailed as the *Glorious Revolution* or the *Bloodless Revolution*. Though the latter term was inaccurate, the revolution was not as violent as the War of the Roses or the English Civil War.

1.26 William and Mary

Parliament wished then to make Mary the sole Queen. She, however, refused and demanded that she be made co-Sovereign with her husband. In 1689, the Parliament of England declared in the English Bill of Rights, one of the most significant constitutional documents in British history, that James' flight constituted an abdication of the throne and that the throne should go jointly to William (William III) and Mary (Mary II). The Bill of Rights also required that the Sovereign cannot deny certain rights, such as freedom of speech in Parliament, freedom from taxation without Parliament's consent and freedom from cruel and unusual punishment. In Scotland, the Estates General passed a similar Act, called the Claim of Right, which also made William and Mary joint rulers. In Ireland, power had to be won in battle. In 1690, the English won the Battle of the Boyne, thereby establishing William and Mary's rule over the entire British Isles.

For the early part of the reign, Mary administered the Government while William controlled the military. Unpopularly, William appointed people from his native Holland as officers in the English army and Royal Navy. Furthermore, he used English military resources to protect the Netherlands. In 1694, after the death of Queen Mary from smallpox, William continued to rule as the sole Sovereign.

Since William and Mary did not have children, William's heir was Anne, who had seventeen pregnancies, most of which ended in stillbirth. In 1700, Anne's last surviving child, William, died at the age of eleven. Parliament was faced with a succession crisis, because after Anne, many in the line of succession were Catholic. Therefore, in 1701, the Act of Settlement was passed, allowing Sophia, Electress and Duchess Dowager of Hanover (a German state), and her Protestant heirs, to succeed if Anne had no further children. Sophia's claim stemmed from her great-grandfather, James I. Several lines that were more senior to Sophia's were bypassed under the act. Some of these had questionable legitimacy, while others were Catholic. The Act of Settlement also banned non-Protestants and those who married Catholics from the throne.

In 1702, William died, and his sister-in-law Anne became Queen.

1.27 Anne

Even following the passage of the Act of Settlement, Protestant succession to the throne was insecure in Scotland. In 1703, the Scottish Parliament, the Estates, passed a bill that required that, if Anne died without children, the Estates could appoint any Protestant descendant of Scottish monarchs as the King. The individual appointed could not be the same person who would, under the Act of Settlement, succeed to the English crown unless several economic conditions were met. The Queen's Commissioner refused Royal Assent on her behalf. The Scottish Estates then threatened to withdraw Scottish troops from the Queen's armies, which were then engaged in the War of the Spanish Succession in Europe and Queen Anne's War in North America. The Estates also threatened to refuse to levy taxes, so Anne relented and agreed to grant Royal Assent to the bill, which became the Act of Security.

The English Parliament feared the separation of the Crowns which had been united since the death of Elizabeth I. They therefore attempted to coerce Scotland, passing the Alien Act in 1705. The Alien Act provided for cutting off trade between England and Scotland. Scotland was already suffering from the failure of the Darién Scheme, a disastrous and expensive attempt to establish Scottish colonies in America. Scotland quickly began to negotiate union with England. In 1707, the Act of Union was passed, despite mass protest in Scotland, by Parliament and the Scottish Estates. The Act combined England and Scotland into one Kingdom of Great Britain, terminated the Parliament and Estates, and replaced them with one Parliament of Great Britain. Scotland was entitled to elect a certain number of members of the House of Commons. Furthermore, it was permitted to send sixteen of its peers to sit along with all English peers in the House of Lords. The Act guaranteed Scotland the right to retain its distinct legal system. The Church of Scotland was also guaranteed independence from political interference. Ireland remained a separate country, though still governed by the British Sovereign.

Anne is often remembered as the last British monarch to deny Royal Assent to a bill, which she did in 1707 to a militia bill. Due to her poor health, made worse by her failed pregnancies, her government was run through her ministers. She died in 1714, to be succeeded by George, Elector of Hanover, whose mother Sophia had died a few weeks earlier.

1.28 George I



Figure 3 King George I

George, Duke and Elector of Hanover became King George I in 1714. His claim was opposed by the Jacobites, supporters of the deposed King James II. Since James II had died, his claim was taken over by his son, James Francis Edward Stewart, the "Old Pretender." In 1715, there was a Jacobite rebellion, but an ill James could not lead it. By the time he recovered, it was too late, and the rebellion was suppressed.

King George was not deeply involved in British politics; instead, he concentrated on matters in his home, Germany. The King could not even speak English, earning the ridicule of

many of his subjects. George, furthermore, spent much time in his native land of Hanover. Meanwhile, a ministerial system developed in Great Britain. George appointed Sir Robert Walpole as *First Lord of the Treasury*. Walpole was George's most powerful minister, but he was not termed "Prime Minister"; that term came into use in later years. Walpole's tenure began in 1721; other ministers held office at his, rather than the King's, pleasure. George's lack of involvement in politics contributed greatly to the development of the modern British political system.

George died in 1727 from a stroke while in Germany. He was succeeded by his son, who ruled as George II.

1.29 George II

George II was naturalised as a British citizen in 1705; his reign began in 1727. Like his father, George transferred political power to Sir Robert Walpole, who served until 1742. Walpole was succeeded by Spencer Compton, 1st Earl of Wilmington, who served until 1743, and then by Henry Pelham, who served until his death in 1754. During Pelham's service, the nation experienced a second Jacobite Rebellion, which was almost successful in putting Bonnie Prince Charlie—son of the Old Pretender, himself called the Young Pretender—on the throne. The rebellion began in 1745 and was ended in 1746 when the King's forces defeated the Jacobites at the Battle of Culloden, the last battle ever to be fought on British soil.

Before George II's death in 1760, he was served by two other Prime Ministers: Henry Pelham's elder brother the Duke of Newcastle, and the Duke of Devonshire. George II's eldest son, Frederick, had predeceased him, so George was succeeded by his grandson, also named George.

1.30 George III

George III attempted to reverse the trend that his Hanoverian predecessors had set by reducing the influence of the Prime Minister. He appointed a variety of different people as his Prime Minister, on the basis of favouritism rather than ability. The Whig Party of Robert Walpole declared George an autocrat and compared him to Charles I.

George III's reign is notable for many important international events. In 1763, Great Britain defeated France in the Seven Years' War, a global war that also involved Spain, Portugal and the Netherlands and was fought in Europe, America and India. As a result of the Treaty of Paris, New France (the French territory in North America, including Quebec and land east of the Mississippi) was ceded to Britain, as was Spanish Florida. Spain, however, took New Orleans and Louisiana, the vast French territory on the west of the Mississippi. Great Britain came to be recognised as the world's pre-eminent colonial power, displacing France. The nation, however, was left deeply in debt. To overcome it, British colonies in America were taxed, much to their distaste. Eventually, Britain lost its American colonies during the American War of Independence, which lasted from 1776 to 1783. Elsewhere, however, the British Empire continued to expand. In India, the British East India Company took control

of many small nation-states nominally headed by their own princes. The island of Australia was also occupied, and Canada's population increased with the number of British Loyalists who left the newly formed United States of America.

In 1801, Parliament passed the Act of Union, uniting Great Britain and Ireland into the United Kingdom. Ireland was allowed to elect 100 Members of Parliament to the House of Commons and 22 representative peers to the House of Lords. The Act originally provided for the removal of restrictions from Roman Catholics, but George III refused to agree to the proposal, arguing that doing so would violate his oath to maintain Protestantism.

George was the last British monarch to claim the Kingdom of France. He was persuaded to abandon the meaningless claim dating to the Plantagenet days in 1801 by the French ruler Napoleon.

In 1811, George III, who had previously suffered bouts of madness, went permanently insane. His son George ruled the country as *Prince Regent*, and became George IV when the King died in 1820.

1.31 George IV

George IV is often remembered as an unwise and extravagant monarch. During his Regency, London was redesigned, and funding for the arts was increased. As King, George was unable to govern effectively; he was overweight, possibly addicted to a form of opium and showing signs of his father's mental disease. While he ruled, George's ministers were once again able to regain the power that they had lost during his father's reign.

George opposed several popular social reforms. As his father, he refused to lift several restrictions on Roman Catholics. Upon his death in 1830, his younger brother began to reign as William IV.

1.32 William IV

Early in William's reign, British politics was reformed by the Reform Act of 1832. At the time, the House of Commons was a disorganised and undemocratic body, unlike the modern House. The nation included several *rotten boroughs*, which historically had the right to elect members of Parliament, but actually had very few residents. The rotten borough of Old Sarum, for instance, had seven voters, but could elect two MPs. An even more extreme example is of Dunwich, which could also elect two MPs despite having no residents, the entire borough having been eroded away into the North Sea. Other boroughs were called *pocket boroughs* because they were "in the pocket" of a wealthy landowner, whose son was normally elected to the seat. At the same time, entire cities such as Westminster (with about 20,000 voters) still had just two MPs.

The House of Commons agreed to the Reform Bill, but it was rejected by the House of Lords, whose members controlled several pocket boroughs. The Tory Party, furthermore, opposed the bill actively. William IV agreed with his Prime Minister, the Earl Grey, to flood the House of Lords with pro-reform members by creating fifty new peerages; when the time

came, he backed down. The Earl Grey and his Whig Party government then resigned, but returned to power when William finally agreed to co-operate. The Reform Act of 1832 gave urban areas increased political power, but allowed aristocrats to retain effective control of the rural areas. Over fifty rotten boroughs were abolished, while the representation of some other boroughs was reduced from two MPs to one. Though members of the middle class were granted the right to vote, the Reform Act did not do much to expand the electorate, which amounted after passage to just three percent of the population.

In 1834, William became the last British monarch to appoint a Prime Minister who did not have the confidence of Parliament. He replaced the Whig Prime Minister, the Viscount Melbourne, with a Tory, Sir Robert Peel. Peel, however, had a minority in the House of Commons, so he resigned in 1835, and Melbourne returned to power.

In 1837, William died and was succeeded on the British throne by his niece Victoria, who was just eighteen years old at the time. The union of the Crowns of Britain and Hanover was then dissolved, since Salic Law, which applied in Hanover, only allowed males to rule. Therefore, Hanover passed to William's brother Ernest.

1.33 Victoria



Figure 4 Queen Victoria

A few years after taking power, Victoria married a German Prince, Albert of Saxe-Coburg-Gotha, who was given the title of *Prince Consort*. Albert originally wished to actively govern the United Kingdom, but he acquiesced to his wife's requests to the contrary. The extremely happy marriage ended with Albert's death in 1861, following which Victoria entered a period of semi-mourning that would last for the rest of her reign. She was often called *the Widow of Windsor*, after Windsor Castle, a Royal home.

In 1867, Parliament passed another Reform Act. Like its predecessor, the Reform Act of 1832, true electoral reform was not achieved; the property qualifications limited the electorate to about eight percent of the population. Therafter, power was held by two Prime Ministers—Benjamin Disraeli (a Tory and a favourite of Victoria) and William Ewart Gladstone (a Liberal whom Victoria disliked)—from 1868 to 1885. In 1876, Disraeli convinced Victoria to take the title of Empress of India.

Many of Victoria's daughters married into European Royal Houses, giving her the nickname *Grandmother of Europe*. All of the current European monarchs descend from Victoria.

Victoria died in 1901, holding the record for longest serving British Sovereign. She was succeeded by her son Edward, who became King Edward VII. Edward was deemed to belong not to his mother's House of Hanover, but instead to his father's dynasty, Saxe-Coburg-Gotha.

1.34 Edward VII

Edward VII was the oldest person in British history to become King, beginning his reign at the age of fifty-nine. He participated actively in foreign affairs, visiting France in 1903. The visit led to the *Entente Cordiale* (Friendly Understanding), an informal agreement between France and the United Kingdom marking the end of centuries of Anglo-French rivalry. In the case of Germany, however, Edward VII exacerbated rivalry through his bad relations with his nephew, Kaiser Wilhelm II.

Towards the end of his life, Edward was faced with a constitutional crisis when the Liberal Government, led by Herbert Henry Asquith, proposed the *People's Budget*. The Budget reformed the tax system by creating a land tax, which would adversely affect the aristocratic class. The Conservative landowning majority in the House of Lords broke convention by rejecting the budget. They argued that the Commons themselves had broken a convention by attacking the wealth of the Lords. Before the problem could be resolved, Edward VII died in 1910, allowing his son, George, to ascend to the throne.

1.35 George V

After George became King, the constitutional crisis was resolved after the Liberal Government resigned and Parliament was dissolved. The Liberals were reelected, in part due to the unpopularity of the House of Lords, and used the election as a mandate to force their Budget through, almost too late to save the nation's financial system from ruin.

The Lords paid a price for their opposition to the Liberals, who in the commons passed the Parliament Bill, which provided that a bill could be submitted for the King's Assent if the Commons passed it in three consecutive sessions, even if the Lords rejected it. The time would later be reduced to two sessions in 1949. When the House of Lords refused to pass the Parliament Bill, Prime Minister Asquith asked George V to create 250 new Liberal peers to erase the Conservative majority. George agreed, but the Lords acquiesced and passed the bill quickly.

World War I occurred during George's reign. Due to the family's German connections, the Royalty began to become unpopular; George's cousin, Wilhelm II, was especially despised. In 1917, to appease the public, George changed the Royal House's name from the German-sounding *Saxe-Coburg-Gotha* to the more English *Windsor*.

In 1922, most of Ireland left the United Kingdom to form the Irish Free State following the Irish Civil War. The Irish Free State retained the British monarch as a Sovereign, but functioned as a Dominion of the Crown, with its own Government and Legislature. Six counties in the Irish province of Ulster remained in the United Kingdom as Northern Ireland. In 1927, the name of the country was changed from *the United Kingdom of Great Britain and Ireland* to *the United Kingdom of Great Britain and Northern Ireland*.

George V died in 1936 and was succeeded by his son, who ruled as Edward VIII.

1.36 Edward VIII

Edward VIII became King in January of 1936 and abdicated in December. His reign was controversial because of his desire to marry the American Wallis Simpson. Simpson was already divorced once; she divorced her second husband so she could marry King Edward. A problem, however, existed because Edward was the Supreme Governor of the Church of England, which prohibited remarriage after divorce. The Government advised him that he could not marry while he was King, so he indicated a desire to abdicate and marry Simpson. The abdication was not unilateral, as the Act of Settlement provided that the Crown go to the heir of Sophia, Electress of Hanover, regardless of that person's willingness to rule. Therefore, Parliament had to pass a special Act in order to permit Edward to abdicate, which he did.

Edward's brother, Albert Frederick Arthur George, became King. He chose to rule as George VI to create a link in the public's mind between him and the previous Kings of the same name during a time of crisis. Edward, meanwhile, was made Duke of Windsor and the issue of his marriage to Simpson were excluded from the line of succession.

1.37 George VI

When George took power in 1936, the popularity of the Royal Family had been damaged by the abdication crisis. It was, however, restored when George and his wife, Queen Elizabeth, led the nation and boosted morale during World War II. During the war, Britain was led by one of its most famous Prime Ministers, Sir Winston Churchill.

Following the War, the United Kingdom began to lose several of its overseas possessions. In 1947, India became independent and George lost the title of Emperor of India. Until 1950, however, he remained King of India while a constitution was being written. George was also the last King of Ireland; the Irish established a republic in 1949.

George died in 1952 from lung cancer. His daughter Elizabeth succeeded him.

1.38 Elizabeth II

During Elizabeth's reign, there have been several important constitutional developments. A notable one occurred in 1963, when Conservative Prime Minister Harold Macmillan resigned. There was no clear leader of the Conservative Party, but many favoured Richard Austen Butler, the Deputy Prime Minister. Harold Macmillan advised the Queen, however, that senior politicians in the party preferred Alec Douglas-Home, 14th Earl of Home. Elizabeth accepted the advice and appointed the Earl of Home to the office of Prime Minister, marking the last time a member of the House of Lords would be so appointed. Home, taking advantage of the Peerage Act passed in 1963, "disclaimed" his peerage. A Conservative member of the House of Commons vacated his seat, allowing Home to contest the by-election for that constituency and become a member of the House of Commons.

There have also been many recent constitutional developments in the nation. The office of Prime Minister increased greatly in power under the Conservative Prime Minister Margaret Thatcher (the "Iron Lady") and the Labour Prime Minister Tony Blair. Under Blair, many of Parliament's lawmaking functions were devolved to local administrations in Scotland, Wales and Northern Ireland. In 1999, the House of Lords Act was passed, removing the automatic right of hereditary peers to sit in the House.

Elizabeth II continues to reign; her heir is Charles, Prince of Wales.

2 Part II: Present System

Unlike most other sovereign states, the United Kingdom does not possess a document expressing itself to be the nation's fundamental or highest law. Instead, the British constitution is found in a number of sources. Because of this, the British constitution is often said to be an *unwritten constitution*; however, many parts of the constitution are indeed in written form, so it would be more accurate to refer to the body of the British constitution as an *uncodified constitution*.

The British constitution is spread across a number of sources:

1. Statute law¹
2. Royal prerogative (executive powers usually exercised by Ministers of the Crown)²
3. Constitutional conventions (accepted norms of political behaviour)³
4. Common law (decisions by senior courts that are binding on lower courts)⁴
5. EU Treaties⁵
6. Statements made in books considered to have particular authority⁶

Note that not all of these sources form part of the law of the land, and so the British constitution encompasses a wider variety of rules, etc. than that of (say) the United States.

Many important elements of the British constitution are to be found in Acts of Parliament. In contrast with many other countries, legislation affecting the constitution is not subject to any special procedure, and is passed using the same procedures as for ordinary legislation.

The most important statute law still in force and affecting the constitution includes the following:

- The *Habeas Corpus Act 1679*

1 Chapter 2.5 on page 29

2 Chapter 2.1 on page 28

3 Chapter 2.2 on page 28

4 Chapter 2.3 on page 29

5 Chapter 2.4 on page 29

6 Chapter 2.5 on page 29

- The *Bill of Rights* (1689)
- The *Claim of Right* (1689)
- The *Act of Settlement* (1701)
- The *Acts of Union* (1707)
- The *Septennial Act 1715*
- The *Acts of Union* (1800)
- The *Parliament Acts* (1911 and 1949)
- The *Regency Act 1953*
- The *Life Peerages Act 1958*
- The *Peerage Act 1963*
- The *European Communities Act 1972*
- The *British Nationality Act 1981*
- The *Representation of the People Act 1983*
- The *Parliamentary Constituencies Act 1986*
- The *Human Rights Act 1998*
- The *Scotland Act 1998*
- The *Northern Ireland Act 1998*
- The *House of Lords Act 1999*
- The *Civil Contingencies Act 2004*
- The *Constitutional Reform Act 2005*
- The *Government of Wales Act 2006*

2.1 2. Royal prerogative

Certain powers pre-dating the establishment of the present parliamentary system are still formally retained by the Queen. In practice almost all of these powers are exercised only on the decision of Ministers of the Crown (the Cabinet). These powers, known as the *royal prerogative*, include the following:

- The appointment and dismissal of government ministers
- The summoning, opening, prorogation, and dissolution of Parliament
- The assenting to legislation
- The power to declare war, and to deploy the armed forces
- The power to conduct relations with foreign states, including the recognition of states or governments, and the making of treaties
- The issuing of passports

2.2 3. Constitutional conventions

Conventions are customs that operate as rules considered to bind the actions of the Queen or the Government. Conventions are not part of the law, but nevertheless are often considered to be just as fundamental to the structure and working of the constitution as the contents of any statute. Indeed, statute law affecting the constitution is often written in such a way that the existence of certain conventions is taken for granted, and some conventions are so fundamental that many people are unaware that they are in fact "unwritten" rules.

Examples of the more important constitutional conventions include:

- The Queen does not direct government policy, and leaves all decision-making to her Cabinet
- Cabinet members are bound by the principle of *collective responsibility*; ministers who feel themselves unable to publicly support or defend the policy of the Government are expected to resign
- The Government is headed by a Prime Minister, appointed by the Queen from the House of Commons
- The Prime Minister is usually expected to be the leader of the political party with the most MPs (members of the House of Commons)
- When a Prime Minister's political party loses a general election (i.e. obtains less seats in the House of Commons than a rival party), he or she is expected to resign
- Government ministers are usually expected to be drawn entirely from the two Houses of Parliament, and most important office-holders are expected to be MPs
- A government that is unable to obtain the passage through Parliament of important legislation, including the annual Appropriation and Finance Acts, is expected to resign
- The (unelected) House of Lords does not obstruct the passage of legislation stated in the government party's election manifesto to be fundamental policy
- The Speaker of the House of Commons is expected to be impartial, even though originally elected as the representative of a political party

2.3 4. Common law

The common law is that part of the law which does not rest on statute. Instead, it is the accumulation of specific judicial decisions set by senior courts as precedents binding on lesser courts.

Certain parts of the common law are also what is known as *trite law*: examples of this include the fact that the United Kingdom is a monarchy, and the fact that brothers take precedence over sisters in the succession to the throne.

2.4 5. EU Treaties

The UK is no longer a part of European Union.

2.5 6. Authoritative statements

Certain published works are usually considered to have particular authority. In the first half of the twentieth century this was the case with A V Dicey's *Law of the Constitution*, being cited with approval in judicial decisions. A particularly important work is *Erskine May*, which sets out the procedures and customs of the House of Commons. Other important sources include certain ministerial statements.

However, none of these works have **legal** authority; at best, they are merely *persuasive*.

2.6 The Sovereign

The role of head of state in the United Kingdom is held by the Sovereign; the present Sovereign is Queen Elizabeth II.

2.6.1 Succession to the throne

As a hereditary monarchy, the rules for succession to the throne are established by common law, as modified by statute.

In accordance with the *Act of Settlement* (1701), on the death of the Sovereign he or she is succeeded by his or her "heir of the body"; this operates in accordance with the principle of *male-preference primogeniture*. If the Sovereign has only one child, that child succeeds. If there are more than one children, then the order of succession is determined first by sex, and then by age. The oldest son always succeeds, even if he has a sister who is older than him.

If the Sovereign dies childless ("without issue") then the order of succession is applied to their siblings: the oldest surviving brother then succeeds, even if he has a sister who is older than him. If the Sovereign's siblings have died before he or she died, then the order of succession works through the sons and daughters of the next oldest deceased brother, and so on.

Only legitimate children are able to succeed. The *Royal Marriages Act 1772* operates to restrict the capacity for a potential heir to marry without the Sovereign's approval: all descendants of King George II, other than women who have married into foreign families, are required to obtain the Sovereign's consent before marrying, unless they can otherwise obtain approval from both Houses of Parliament.

The *Bill of Rights* (1689) and *Act of Settlement* require all heirs to be descendants of Sophia, Electress of Hanover (d. 1714), and impose further requirements that an heir be a Protestant, that they may never have married a Roman Catholic, and that they be in full communion with the Church of England. Heirs not meeting these conditions are skipped over as if "naturally dead".

2.6.2 The role of the Sovereign beyond the United Kingdom

As Sovereign in right of the United Kingdom, the Sovereign is also head of state in the "Crown dependencies" of Jersey, Guernsey (and its dependencies), and the Isle of Man. While the external relations of these islands is dealt with by the United Kingdom, however, they do not form part of the United Kingdom itself, and have their own constitutional arrangements.

Similarly, the United Kingdom has sovereignty over various territories around the world, known as the *British overseas territories*. As such, the Sovereign is also head of state in these territories, although again these do not form part of the United Kingdom itself, and have their own constitutional arrangements.

The British Sovereign is also the Sovereign of certain other *Commonwealth Realms*: Antigua and Barbuda, Australia, the Bahamas, Barbados, Belize, Canada, Grenada, Jamaica, New Zealand, Papua New Guinea, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the

Grenadines, the Solomon Islands and Tuvalu. Each of these nations is a separate monarchy; the Sovereign therefore holds sixteen different crowns. In each nation, the Sovereign is represented by a Governor-General, who generally stands in relation to the local government in the same relation as the Sovereign does to the British government.

Finally, the Sovereign has the title *Head of the Commonwealth*. The Commonwealth is a body of nations mostly made up of former colonial dependencies of the United Kingdom. The role of Head of the Commonwealth is a personal role of the present Queen, Elizabeth II, and is not formally attached to the monarchy itself (although the present Queen's father, King George VI, also held the title). The role is purely a ceremonial one.

2.6.3 Royal Family

While the members of the Sovereign's family do not have any role in government, they do exercise ceremonial functions on his or her behalf.

A male Sovereign has the title "King", while a female Sovereign is the "Queen". The wife of a King is also known as a Queen; however, the husband of a female Sovereign has no specific title.

By convention, the Sovereign's eldest son is created "Prince of Wales" and "Earl of Chester" while still a boy; he also automatically gains the title of "Duke of Cornwall". Also by convention, the Sovereign's sons receive a peerage either upon reaching the age of twenty-one, or upon marrying.

The style of *Prince* or *Princess* extends to the children of the Sovereign, the children of the sons of the Sovereign, and the eldest son of the eldest son of the Prince of Wales. Furthermore, wives of Princes are styled Princesses, though husbands of Princesses do not automatically become Princes.

2.7 Parliament

Parliament is the supreme law-making body in the United Kingdom. It is made up of two *Houses of Parliament*, namely the *House of Commons* and the *House of Lords*, as well as the Sovereign. The Sovereign's involvement in the life and working of Parliament is purely formal.

In constitutional theory, Parliament in its strictest sense is sometimes referred to as the *Queen-in-Parliament*; this contrasts with the more ordinary use of the term "Parliament", meaning just the two Houses of Parliament. Within the British constitutional framework, the Queen-in-Parliament is supreme ("sovereign"), able to make, alter, or repeal any law at will.

Both Houses of Parliament meet at the *Palace of Westminster*.

2.8 Parliaments and Sessions

As with most legislatures, Parliament does not continue in perpetual existence. Typically, the "life" of a Parliament is around four years.

Parliament is initially *summoned* by the Sovereign. This now always occurs after there has been a general election. Once assembled, and a Speaker has been chosen by the House of Commons, Parliament is formally *opened* by the Sovereign. The business of the two Houses is arranged into *sessions*, which usually last a year (running from around October or November each calendar year). However, there is usually a long *recess* during the summer months, when business is temporarily suspended.

The opening of each parliamentary session is conducted in accordance with a great deal of traditional ceremony. The Sovereign takes his or her seat on the throne situated in the chamber of the House of Lords, and the Gentleman Usher of the Black Rod (one of that House's officers) is commanded to summon the House of Commons. When Black Rod reaches the door of the Commons, it is slammed shut in his face, to symbolise the right of the Commons to debate without royal interference. Black Rod then solemnly knocks on the door with his staff of office; on the third knock, the door is opened, and he is permitted to enter and deliver his message. MPs then proceed from the Commons to the House of Lords, to hear the *Speech from the Throne*, more commonly known as the *Queen's Speech*. The Speech outlines the Government's legislative proposals for the session; while worded as if it's the Sovereign's own policy, the Speech is in fact entirely drafted by Government ministers.

Each session is ended by a *prorogation*. The Commons are formally summoned to the House of Lords, where another formal Speech is read out, summing up the work of the two Houses of Parliament over the course of the session. In practice the Sovereign no longer attends for the prorogation; *Lords Commissioners* are appointed to perform the task, and one of their number also reads out the Speech.

By law, each Parliament must come to an end no later than five years from its commencement; this is known as *dissolution*. The dissolution is made by royal proclamation. The summoning, proroguing, and dissolving of Parliament are powers exercised by the Sovereign under the royal prerogative. They are exercised in accordance with the "advice" of the Prime Minister. Because a dissolution is necessary in order to trigger a general election, the Prime Minister is effectively able to choose to hold elections at a time that seems the most advantageous to his or her political party.

Although the duration of Parliament has been restricted to five years since 1911, legislation was passed during both World Wars to extend the life of the existing Parliament; this meant that the Parliament summoned in 1935 eventually continued in existence for around ten years, until 1945.

2.9 House of Commons

2.9.1 Composition

While sometimes described as the "lower house", the House of Commons is by far the most important of the two Houses of Parliament. Members of the House of Commons are known as *Members of Parliament*, or *MPs*.

The entire United Kingdom is subdivided into *constituencies*, each of which returns one MP to sit in the House of Commons. There are presently 650 constituencies, however the exact number fluctuates over time as the boundaries of constituencies are periodically reviewed by Boundaries Commissions set up for each part of the UK. Constituencies are intended to have roughly equal numbers of voters, but in practice the smallest and largest constituencies can have a significant difference in size.

At each *general election* all seats in the House of Commons become vacant. If a seat becomes vacant during the life of a Parliament (i.e. between general elections), then a *by-election* is held for that constituency. The election for each constituency is by secret ballot conducted according to the *First-Past-the-Post* system: the candidate with the most votes is *returned* as MP.

Qualifications of voters

A person must be aged at least eighteen in order to vote.

The following nationalities are entitled to vote at parliamentary elections:

- British citizens
- citizens of the Republic of Ireland
- citizens of Commonwealth countries

Irish and Commonwealth citizens must have been resident in the United Kingdom. British citizens who are resident abroad are only able to vote if they had been resident in the United Kingdom within the previous 15 years.

Certain categories of people are unable to vote:

- the Sovereign
- members of the House of Lords
- people serving prison sentences
- persons convicted of "corrupt practices" (electoral malpractice) within the previous five years
- the insane

By convention, close relatives of the Sovereign also do not vote.

Qualifications of MPs

Anyone who is not disqualified to vote is also qualified to be an MP, except the following:

- undischarged bankrupts
- persons convicted of treason
- members of legislatures outside of the United Kingdom that are not in Commonwealth countries
- civil servants
- members of certain specific public bodies, and holders of certain specific statutory offices
- members of the armed forces
- judges

Resignation as an MP

Since the 17th century, the House of Commons has asserted that MPs may not resign. However, in practice members are able to resign by the legal fiction of appointment as *Crown Steward and Bailiff of the three Chiltern Hundreds of Stoke, Desborough, and Burnham*, or as *Crown Steward and Bailiff of the Manor of Northstead*. Neither of these offices carries any duties, but have been preserved in force so that those appointed to them automatically lose their seats in the House of Commons as having accepted an *office of profit under the Crown*.

2.9.2 Speakership and procedure

The House of Commons is presided over by the *Speaker*. There are also three Deputy Speakers, with the titles of *Chairman of Ways and Means*, *First Deputy Chairman of Ways and Means*, and *Second Chairman of Ways and Means*.

The Speaker and his or her deputies are elected at the commencement of a Parliament, and serve until its dissolution. Following a general election, the *Father of the House* (the member with the longest unbroken service in the House, who is not also a Minister of the Crown) takes the chair. If the Speaker from the previous Parliament has been returned as a member of the new Parliament, and intends to continue in office, then the House votes on a motion that the member take the chair as Speaker. Otherwise, or if the motion for his or her re-election fails, then members vote by secret ballot in several rounds; after each round, the candidate with the fewest votes is eliminated. The election ends when one member secures a majority of votes in a particular round. Thereafter, the Speaker-elect leads the House of Commons to the House of Lords, where the Lords Commissioners (five Lords representing the Sovereign) officially declare the Royal Approbation (approval) of the Speaker, who immediately takes office. The Speaker traditionally lays claim to all of the House's privileges, including freedom of speech in debate, which the Lords Commissioners then confirm on behalf of the Sovereign.

If a Speaker should choose to resign from his post during the course of Parliament, then he must preside over the election of his successor. The new election is otherwise conducted in the same manner as at the beginning of a Parliament. The new Speaker-elect receives the Royal Approbation from Lords Commissioners; however, the ceremonial assertion of the rights of the Commons is not repeated.

The Speaker is expected to act impartially. He or she is an important figure within the House of Commons, controlling the flow of debate by selecting which members get to speak

in debates, and by ensuring that the customs and procedures of the House are complied with. The Speaker and his deputies do not generally speak during debates, nor vote at divisions.

The Speaker also exercises disciplinary powers. He or she may order any member to resume his or her seat if they consistently contribute irrelevant or repetitive remarks during a debate. An individual who has disregarded the Speaker's call to sit down may be requested to leave the House; if the request is declined, then the Speaker may "name" the member. The House then votes on whether to suspend the member in question for a certain number of days, or even, in the case of repeated breaches, for the remainder of the session. In the most serious cases, the House may vote to expel a member. In the case of grave disorder, the Speaker may adjourn the House without a vote.

The House votes on all questions by voice first. The Speaker asks all those in favour of the proposition to say "Aye," and those opposed to say "No". The Speaker then assesses the result, saying "I think the Ayes have it" or "I think the Noes have it", as appropriate. Only if a member challenges the Speaker's opinion is a *division*, or formal count, called. During a division, members file into two separate lobbies on either side of the Commons chamber. As they exit each lobby, clerks and tellers count the votes and record the names. The result is then announced by the Speaker. In the event of a tied vote, the Speaker (or other occupant of the Chair) has a *casting vote*; however, conventions exist restricting the way in which this vote is actually cast.

2.10 House of Lords

2.10.1 Composition

Generally speaking, membership of the House of Lords is by appointment for life. However, up until 1999, hereditary peers were also members of the Lords; when this right was abolished, a compromise measure allowed them to elect ninety of their number to continue as members.

Certain office-holders are also *ex officio* members of the House of Lords:

- the Earl Marshal
- the Lord Great Chamberlain
- the Archbishop of Canterbury
- the Archbishop of York
- the Bishops of London, Durham, and Winchester

The Earl Marshal and Lord Great Chamberlain are mostly ceremonial offices. In addition to the three *ex officio* bishops, the 21 longest-serving diocesan bishops also sit in the Lords.

The general qualifications for sitting and voting in the Lords are:

- to have reached the age of 21
- to be a British citizen, or a citizen of the Republic of Ireland, or a citizen of a Commonwealth country
- to not have been convicted of treason
- to not have been declared insane

2.10.2 Speakership and procedure

The *Lord Speaker* is elected by the House. Until recently his or her duties were carried out by the Lord Chancellor, a Minister of the Crown.

In contrast with the Speaker of the House of Commons, the Lord Speaker has a relatively minor role, since the House of Lords is generally self-governing: the House itself decides upon points of order and other such matters. The seat used by the Lord Speaker is known as *the Woolsack*.

Similar to the House of Commons, the Lords also vote by voice first. The Lord Speaker (or whoever else is presiding) puts the question, with those in favour saying "Content," and those opposed saying "Not-Content." If the Lord Speaker's assessment of the result is challenged, a division follows, with members voting in the appropriate lobby just as is done in the Commons. The officer presiding may vote from his or her place in the chamber rather than from a lobby. In the case of a tie, the result depends on what type of motion is before the House. A motion that a bill be advanced to the next stage or passed is always decided in the positive, while amendments to bills or other motions are decided in the negative, if there is an equality of votes.

2.11 Acts of Parliament

Legislation passed by Parliament is in the form of an *Act of Parliament*.

A draft law is known as a *Bill*. A bill passes into law provided that it has either been passed by both Houses of Parliament, or the provisions of the Parliament Acts have been complied with; and provided it has received the Royal Assent.

A bill must pass through several stages in both of the two Houses. A bill is "read" three times in each House. The First Reading for Public Bills is almost always a formality. The Second Reading is a debate on the merits of the general principles behind the bill. Next follow the Committee and Report stages. The Third Reading is a vote upon the bill as a whole, as amended during the Committee and Report stages. Once the House into which the bill was first introduced has finished with it, the bill is then introduced into the other House. Any amendments by the second House then have to be agreed to by the first before the bill can proceed.

Bills are classified as either *Government Bills* or as *Private Members' Bills*. Ministers of the Crown introduce Government Bills; private members introduce Private Members' Bills.

Bills are also classified as *Public*, *Private*, *Personal* or *Hybrid*. Public bills create laws applied generally (for instance, reforming the nation's electoral system). Private bills affect a specific named company, person or other entity (for instance, authorising major constructions on specific named public lands). Personal bills are private bills that confer specific rights to specific named individuals (for example by granting the right to marry a person one would not normally be allowed to wed). Hybrid bills are public bills that directly and specially affect private interests.

2.11.1 Public Bills

A Public Bill's First Reading is usually a mere formality, allowing its title to be entered in the Journals and for its text to be printed by the House's authority.

After two weeks, one of the bill's supporters moves "that the bill be now read a second time". At the second reading debate, the bill's general characteristics and underlying principles, rather than the particulars, are discussed. If the vote on the Second Reading fails, the bill dies. It is, however, very rare for a Government bill to be defeated at the Second Reading; such a defeat signifies a major loss.

In the House of Commons, following the Second Reading, various procedural resolutions may need to be passed. If the bill seeks to levy or increase a tax or charge, then a *Ways and Means Resolution* has to be passed. If it involves significant expenditure of public funds, then a *Money Resolution* is necessary. Finally, the government may proceed with a *Programme Motion* or an *Allocation of Time Motion*. A Programme Motion outlines a timetable for further debate on the bill and is normally passed without debate. An Allocation of Time Motion, commonly called the *Guillotine*, limits time available for debate. Normally, a Programme motion is agreed to by both parties while an Allocation of Time Motion becomes necessary if the Opposition does not wish to cooperate with the Government. In the House of Lords, there are no Guillotines or other motions that limit the time available for debate.

Next, the bill can be committed to a committee. In the House of Commons, the bill may be sent to the *Committee of the Whole House*, a *Standing Committee*, a *Special Standing Committee* or a *Select Committee*. The Committee of the Whole House is a committee that includes all members of the House and meets in the regular chamber. The Speaker is normally not present during the meetings; a Deputy Speaker normally takes the chair. The procedure is used for parts of the annual Finance Bill and for bills of major constitutional importance. More often, the bill is committed to a Standing Committee. Though the name may suggest otherwise, the membership of Standing Committees is temporary. There can be from sixteen to fifty members; the strength of parties in the committee is proportional to their strengths in the whole House. It is possible for a bill to go to a Special Standing Committee, which is like a Standing Committee except that it may take evidence and conduct hearings; the procedure has not been used in several years. Finally, the bill may be sent to a Select Committee. Select Committees are permanent bodies charged with the oversight of a particular Government department. This last procedure is rarely used; the quinquennial Armed Forces Bill, however, is always referred to the Defence Select Committee.

In the House of Lords, the Bill is committed to the *Committee of the Whole House*, a *Public Bill Committee*, a *Special Public Bill Committee*, a *Select Committee* or a *Grand Committee*. The most common committee used is the Committee of the Whole House. Sometimes, the bill is sent to a Public Bill Committee of twelve to sixteen members (plus the Chairman of Committees) or to a Special Public Bill Committee of nine or ten members. These committees correspond in function to the Commons Standing and Special Standing Committees, but are less often utilised. Select Committees may also be used, like in the Commons, though it is rare for this to be done. The Grand Committee procedure is the only one unique to the House of Lords. The procedure is reserved for non-controversial bills that must be passed quickly; a proposal to amend the bill is defeated if a single member votes against it.

In both Houses, the committee used considers the bill clause-by-clause and may make amendments. Thereafter, the bill proceeds to the *Consideration* or *Report Stage*. This stage occurs on the Floor of the House and offers it an opportunity to further amend the bill. While the committee is bound to consider every single clause of the bill, the House need only debate those clauses which members seek to amend.

Following the Report Stage, the motion *that the bill be now read a third time* is considered. In the House of Commons, there is a short debate followed by a vote; no further amendments are permitted. If the motion passes, then the Bill is considered passed. In the Lords, however, amendments may be moved. Following the vote on the third reading, there must be a separate vote on passage.

After one House has passed a bill, it is sent to the other for its consideration. Assuming both Houses have passed a bill, differences between their separate versions must be reconciled. Each House may accept or reject amendments made by the other House, or offer other amendments in lieu. If one House has rejected an amendment, the other House may nevertheless insist upon it. If a House insists upon an amendment that the other rejects, then the bill is lost unless the procedure set out in the Parliament Acts is complied with.

Once a bill has passed by both Houses, or has been certified by the Speaker of the Commons as having passed the House of Commons in conformity with the Parliament Acts, the bill is finally submitted to the Sovereign for *Royal Assent*. Since 1708, no Sovereign has failed to grant Royal Assent to a bill. Assent may be given by the Sovereign in person, but is usually given in the form of letters patent read out in each of the Houses; in the House of Lords the Clerk announces the Norman French formula "La Reyne le Veult", and the Bill thereupon becomes an Act of Parliament. In 1708 the formula used for the Scottish Militia Bill was "La Reyne s'avisera" (however, this was on ministerial advice).

In theory the Sovereign has the right to either *withhold* or *reserve* the assent, however this right is not exercised. If assent were withheld, then the bill would fail. If assent were reserved, then formally a final decision on the bill has been put off until a later time; if Assent were not given before prorogation of the session, then the bill would fail.

2.11.2 Private, Personal and Hybrid Bills

In the nineteenth century several hundred private Acts were passed each year, dealing with such matters as the alteration of local authority powers, the setting up or alteration of turnpike trusts, etc. A series of reforms has eliminated the necessity for much of this legislation, meaning that only a handful of private Acts are now passed each year.

A private bill is initiated when an individual petitions Parliament for its passage. After the petition is received, it is officially gazetted so that other interested parties may support or contest it. Counter-petitions objecting to the passage of the bill may also be received. To be able to file such a petition, the bill must "directly and specially" affect the individual. If those supporting the bill disagree that such an effect exist, then the matter is resolved by the *Court of Referees*, a group of senior Members of Parliament.

The bill then proceeds through the same stages as public bills. Generally, no debate is held on the Floor during the Second Reading unless a Member of Parliament files a "blocking motion". It is possible for a party whose petition was denied by the Court of Referees to

instead lobby a Member to object to the bill on the Floor. After the bill is read a second time, it is sent to one of two committees: the *Opposed Bill Committee* if there are petitions against the bill, or the *Unopposed Bill Committee* if there aren't. After taking evidence, the committee may return a finding of *Case Proved* or *Case Not Proved*. In the latter case, the bill is considered rejected, but in the former case, amendments to the bill may be considered. After consideration, third reading and passage, the bill is sent to the other House, which follows the same procedure. If necessary, the bill may have to face two different Opposed Bill Committees. After differences between the Houses are resolved, the bill is submitted for Royal Assent.

Personal bills relate to the "estate, property, status, or style" or other personal affairs of an individual. By convention, these bills are brought first in the House of Lords, where it is referred to a Personal Bill Committee before being read a "first" time. The Committee may make amendments or even reject the bill outright. If the bill is reported to the House, then it follows the same procedure as any other private bill, including going through an Unopposed or Opposed Bill Committee in both Houses. A special case involves bills that seek to enable marriages between those who are within a "prohibited degree of affinity or consanguinity". In those cases, the bill is not discussed on the Floor and is sent at the committee stage to a Select Committee that includes the Chairman of Committees, a bishop and two lay members.

Hybrid bills are public bills that have a special effect on a private interest. Prior to the second reading of any public bill, it must be submitted to the Clerk, who determines if any of the House's rules have been violated. If the Clerk finds that the bill does have such an effect on a private interest, then it is sent to the *Examiners*, a body which then may report to the House that the bill does or does not affect private interests. If the latter, then it proceeds just like a public bill, but if the former, then it is treated as hybrid. The first and second readings are just as for public bills, but at the committee stage, if petitions have been filed against the bill, it is sent to a Select Committee, but the Committee does not have the same powers of rejection as Private Bill Committees. After the Committee reports, the bill is recommitted to another committee as if it were a public bill. Thereafter, the stages are the same as for a public bill, though, in the other chamber, the bill may have to be considered once more by a Select Committee.

2.11.3 Supremacy of the House of Commons

Under the Parliament Acts of 1911 and 1949, the House of Commons is essentially the pre-eminent chamber in Parliament. If the Lords fail to pass a bill (by rejecting it outright, insisting on amendments disagreed to by the Commons, or by failing to vote on it), and the bill has been passed by the Commons in two consecutive sessions, then the bill may be presented for Royal Assent unless the House of Commons otherwise directs, and provided that the bill was introduced in the Lords at least one month before the end of each session. However, twelve months must have passed between the Second Reading in the first session, and the final vote on passage in the second one. Also, the bill passed by the Commons in each session must be identical, except to take into account the passage of time since the bill was first proposed.

The effect of the procedure set out in the Parliament Acts is that the House of Lords may delay a bill for at least thirteen months, but would ultimately be unable to overturn the concerted will of the House of Commons. However, this procedure does not apply in the case of private or personal bills, nor to bills seeking to extend the life of Parliament beyond five years.

Under the Parliament Acts, a special procedure applies to "money bills". A bill is considered a money bill if the Speaker certifies that it relates solely to national taxation or to the expenditure of public funds. The Speaker's decision is final and cannot be overturned. Following passage by the House of Commons, the bill can be considered by the House of Lords for not longer than one month. If the Lords have not passed the bill within that time, it is submitted for Royal Assent regardless. Any amendments made by the House of Lords are ignored unless accepted by the House of Commons.

In addition to the Parliament Acts, tradition and conventions limit the House of Lords. It is the privilege of the House of Commons to levy taxes and authorise expenditure of public funds. The House of Lords cannot introduce bills to do either; furthermore, they are barred from amending supply bills (bills appropriating money to expenditure). In some cases, however, the House of Lords can circumvent the rule by inserting a *Privilege Amendment* into a bill they have originated. The Amendment reads:

Nothing in this Act shall impose any charge on the people or on public funds, or vary the amount or incidence of or otherwise alter any such charge in any manner, or affect the assessment, levying, administration or application of any money raised by any such charge.

The House of Commons then amend the bill by removing the above clause. Therefore, the privilege of the Commons is not violated as they, not the Lords, have approved the tax or public expenditure.

2.12 Delegated legislation

Many Acts of Parliament authorise the use of Statutory Instruments (SIs) as a more flexible method of setting out and amending the precise details for new arrangements, such as rules and regulations. This delegated power is given either to the Queen in Council, a Minister of the Crown, or to other named office holders. An Act may empower the Government to make a Statutory Instrument and lay it before both Houses, the SI to take legal effect if approved by a simple vote in each House; or in other cases, if neither House objects within a set time. In theory, Parliament does not lose control over such statutory instruments when delegating the power to make them, while being saved the necessity to debate and vote upon even quite trivial changes, unless members wish to raise objections.

2.13 Privilege

Each House has a body of rights that it asserts, or which are conferred by statute, with the aim of being allowed to carry out its duties without interference. For example, members of both Houses have freedom of speech during parliamentary debates; what they have said

cannot be questioned in any place outside Parliament, and so a speech made in Parliament cannot constitute slander. These rights are collectively referred to as *Parliamentary Privilege*.

Both Houses claim to determine their own privileges, and are acknowledged by the courts as having the authority to control their own proceedings, as well as to discipline members abusing the rules. Furthermore, each House is the sole judge of the qualifications of its members. Collectively, each House has the right of access to the Sovereign. Individually, members must be left free to attend Parliament. Therefore, the police are regularly ordered to maintain free access in the neighbouring streets, and members cannot be called on to serve on a jury or be subpoenaed as a witness while Parliament is in session. (Arrest for crime is still possible, but the relevant House must be notified of the same.) Parliament has the power to punish *contempt of Parliament*, that is, violation of the privileges and rules of a House. Any decisions made in this regard are final and are cannot be appealed to any court. The usual modern penalty for contempt is a reprimand, or brief imprisonment in the precincts of the House, but historically large fines have been imposed.

2.14 Structure

Her Majesty's Government is the executive political authority for the United Kingdom as a whole. At its heart is the *Cabinet*, a grouping of senior *Ministers of the Crown*, headed by the *Prime Minister*. Members of the Government are political appointees, and are usually drawn from one of the two Houses of Parliament. In addition to the heads of the *Departments of State* (most of whom carry the title of *Secretary of State*), the Government also includes *junior ministers* (who bear the title of *Under Secretary of State*, *Minister of State*, or *Parliamentary Secretary*), *whips* (responsible for enforcing party discipline within the two Houses), and *Parliamentary Private Secretaries* (political assistants to ministers).

When the Sovereign is the King, the Government is referred to as *His Majesty's Government*; likewise, when there are joint Sovereigns, the Government is known as *Their Majesties Government*.

2.15 Prime Minister

The Prime Minister (or "PM") is the head of the Government. Since the early twentieth century the Prime Minister has held the office of *First Lord of the Treasury*, and in recent decades has also held the office of *Minister for the Civil Service*.

The Prime Minister is *asked to form a Government* by the Sovereign. Usually this occurs after a general election has altered the balance of party political power within the House of Commons. The Prime Minister is expected to *have the confidence* of the House of Commons; this usually means that he or she is the leader of the political party holding the majority of the seats in the Commons. Since at least the 1920s the Prime Minister himself is also expected to be a Member of Parliament (i.e. member of the House of Commons). The Prime Minister retains office until he or she dies or resigns, or until someone else is appointed; this means that even when expecting to be defeated at a general election, the Prime Minister

remains formally in power until his or her rival is returned as an MP and asked in turn to form a Government.

By convention, the Prime Minister and his or her Government is expected to resign if losing a vote in the House of Commons that has been asserted in advance by the Government as a matter of confidence; for example, if major legislation is rejected. The same applies if the Government is defeated by an actual Commons vote of "no confidence". An alternative option for the Prime Minister in either of these circumstances is to ask the Sovereign for a dissolution of Parliament, in effect allowing the electorate itself to approve or disapprove of the Prime Minister's policy. A request for dissolution is usually granted; however, in certain circumstances the request may be refused, in which case the Prime Minister would again be expected to resign.

The existence and basis of appointment of the office is a matter of constitutional convention rather than of law. Because of this, there are no formal qualifications for the office. However, a small number of Acts of Parliament do make reference to the Prime Minister, and since the 1930s office has carried a salary in its own right.

The Prime Minister is often an extremely powerful figure within the political system; the office has been said by some to be an "elected dictatorship", and some Prime Ministers have been accused of being "presidential". A weak Prime Minister may be forced out of office (i.e. forced to resign) by his or her own party, particularly if there is an alternative figure within the party seen as a better choice.

2.16 Cabinet and other ministers

Membership of the Cabinet is not defined by law, and is only loosely bound by convention. The Prime Minister and (if there is one) the Deputy Prime Minister are always members, as are the three most senior ministerial heads of Departments of State: the *Secretary of State for Foreign and Commonwealth Affairs* (commonly known as the *Foreign Secretary*), the *Chancellor of the Exchequer* (i.e. the minister responsible for finance), and the *Secretary of State for the Home Department* (commonly known as the *Home Secretary*). Most of the other heads of departments are usually members of the Cabinet, as well as a small number of junior ministers.

Ministers of the Crown are formally appointed by the Sovereign upon the "advice" of the Prime Minister. Ministers are bound by the convention of *collective responsibility*, by which they are expected to publicly support or defend the policy of the Government, or else resign. They are also bound by the less clearly defined convention of *individual responsibility*, by which they are responsible to Parliament for the acts of their department. Ministers are often called upon to resign who either by their own actions, or by those of their department, are perceived in some manner to have failed in their duty; however, it usually takes sustained criticism over a period of time for both a minister to feel compelled to resign, and for the Prime Minister to accept that resignation. Occasionally a minister offers his or her resignation, but the Prime Minister retains them in office.

Parliamentary Private Secretaries are also bound by the principle of *collective responsibility*, even though they hold no ministerial responsibility and take no part in the formation of

policy; the position is seen as an initial stepping-stone towards being offered ministerial office.

2.17 Privy Council

Her Majesty's Most Honourable Privy Council is a ceremonial body of advisors to the Sovereign. The Privy Council is used as a mechanism for maintaining ministerial responsibility for the actions of the Crown; for example, royal proclamations are approved by the Privy Council before they are issued. All senior members of the Government are appointed to be Privy Counsellors, as well as certain senior members of the Royal Family, leaders of the main political parties, the archbishops and senior bishops of the Church of England, and certain senior judges.

The Privy Council is headed by the *Lord President of the Council*, a ministerial office usually held by a member of the Cabinet. By convention the Lord President is also either the *Leader of the House of Commons*, or the *Leader of the House of Lords*, with responsibility for directing and negotiating the course of business in the respective House.

Meetings of the Privy Council are usually extremely short, and are rarely attended by more than a bare minimum of Privy Counsellors.

2.18 Structure

The United Kingdom is made up of three separate legal jurisdictions, each with a separate laws and hierarchy of courts: *England and Wales*, *Scotland*, and *Northern Ireland*.

2.19 England and Wales

England and Wales is a *common law* jurisdiction.

2.19.1 Lower courts

The lowest court in England and Wales is the *Magistrates' Court*. Magistrates, also known as Justices of the Peace, are laypersons appointed by the Sovereign. The court hears "summary" offences (punishable by six months or less in prison). When hearing such cases, three magistrates sit together as a panel without a jury. In some metropolitan areas, such as London, there are no magistrates; instead, summary cases are tried by a single District Judge who is trained in law.

Serious criminal cases are tried before a *Crown Court* with a judge and a jury of twelve. The accused may also choose to have certain summary offences referred from the magistrates' court to the Crown Court, in order for their case to be tried before a jury; the Crown Court also hears appeals from magistrates' courts. Though the Crown Court is constituted as

a single body for the whole of England and Wales, it sits permanently at multiple places throughout its area of jurisdiction.

The counterpart to the Crown and Magistrates' Courts in the civil justice system is the *County Court*. There are over 200 County Courts throughout England and Wales.

2.19.2 High Court

The *High Court of England and Wales* takes appeals from the County Court, and also has an original jurisdiction in certain matters.

The High Court is constituted into three *divisions*: the *Family Division*, the *Chancery Division*, and the *Queen's Bench Division*.

The Family Division is presided over by the *President of the Family Division*, and hears cases involving family matters such as matrimonial breakdown, child custody and welfare, and adoption.

The Chancery Division is presided over by the *Chancellor of the High Court* (formerly known as the *Vice-Chancellor*), and hears cases involving land, companies, bankruptcy, and probate.

The Queen's Bench Division is presided over by the *President of the Queen's Bench Division*, and hears cases involving torts (civil wrongs). The Queen's Bench Division also includes four subordinate courts: the *Admiralty Court* (dealing with shipping), the *Commercial Court* (dealing with insurance, banking, and commerce), the *Technology and Construction Court* (dealing with complex technological matters), and the *Administrative Court* (exercising judicial review over the actions of local government). The Queen's Bench Division also has oversight of the lower courts.

2.20 Court of Appeal

Above the High Court in civil cases, and the Crown Court in criminal cases, is the Court of Appeal, headed by the *Master of the Rolls*, and including 35 *Lords Justices of Appeal* as well as other judges.

The Court of Appeal is divided into a *Civil Division* (presided over by the Master of the Rolls) and a *Criminal Division* (presided over by the Lord Chief Justice). Generally speaking, appeals may only be heard "by leave"; that is, with the permission of either the Court of Appeal or the judge whose decision is being contested. In some cases, it is possible to "leapfrog" the High Court and bring a case directly from a County Court.

Together, the Crown Court, the High Court, and Court of Appeal constitute the *Senior Courts* (formerly known as the *Supreme Court of Judicature*). Thus, since they are theoretically one body, it is possible for judges of one court to sit in other courts. Appeals from the Senior Courts go to the Supreme Court; it is also possible to leapfrog from the High Court, but not from the Crown Court. Normally, leave to appeal to the Supreme Court is not granted unless the case is of great legal or constitutional importance.

2.21 Northern Ireland

Northern Ireland's system is based on that used in England and Wales, with a similar hierarchy of magistrates' court, the Crown Court (for criminal trials), county courts (for civil trials), the High Court, and the Court of Appeal.

Appeals from Northern Ireland lie to the Supreme Court.

2.22 Scotland

In contrast with the rest of the United Kingdom, Scotland uses a mixture of common law and civil law. Its court system was developed independently of that in England. The *Act of Union* (1707) guarantees the continuance of Scotland's different legal system.

2.22.1 Lower courts

Summary jurisdiction is exercised by *Justice of the Peace Courts*, held either by three *Justices of the Peace* (lay magistrates) sitting together, or by a Justice of the Peace sitting with a legally qualified clerk. As in England and Wales, professional judges may sit in certain metropolitan areas.

Above the Justice of the Peace Courts are the *Sheriff Courts*, of which there are around 50. Sheriff Courts hear both criminal and civil cases, and are held before a judge known as a Sheriff, and have a jury of fifteen people. Sheriff Courts are grouped into six different Sheriffdoms, headed by a Sheriff Principal who hears appeals from cases not decided by a jury.

2.22.2 High Court of Justiciary

The highest criminal court in Scotland is the *High Court of Justiciary*. The judges of the court are also the judges of the Court of Session (see below); as High Court judges they are known as *Lords Commissioners of Justiciary*. The head of the court is the *Lord Justice-General* (also the Lord President of the Court of Session), with a deputy known as the *Lord Justice Clerk* (who holds the same office in the Court of Session). Altogether the High Court has up to 32 individual judges.

The High Court has exclusive jurisdiction in serious crimes, such as murder or drug trafficking, in which case a single judge sits with a jury of fifteen. The High Court also hears appeals from Justice of the Peace Courts, and hears appeals in criminal cases from Sheriff Courts.

Appeals against decisions by a High Court judge in criminal cases are heard by either two (in appeals against sentences) or three (in appeals against conviction) High Court judges. No appeal lies beyond the High Court.

2.22.3 Court of Session

The highest civil court in Scotland is the *Court of Session*. Its judges also sit as judges of the High Court of Justiciary (see above); as Court of Session judges they are known as *Lords and Ladies of Council and Session*, or *Senators of the College of Justice*. The Court is headed by the *Lord President*, with a *Lord Justice Clerk* as deputy. Altogether the Court of Session has up to 32 individual judges.

The Court of Session is divided into the *Outer House* (made up of nineteen judges), and the *Inner House* (made up of the remaining judges). The Outer House has original jurisdiction, while the Inner House has appellate jurisdiction. The Inner House is further divided into the First and Second Divisions, headed by the Lord President and Lord Justice Clerk respectively. Sometimes, when many cases are before the court, an Extra Division may be appointed. Each Division may sit as a panel hearing an appeal from the Sheriff Court or from the Outer House.

Appeals from the Court of Session lie to the Supreme Court.

2.23 Supreme Court

The *Supreme Court of the United Kingdom* is the ultimate court of appeal in all civil matters, as well as in criminal cases (other than from Scotland), and also has original jurisdiction in devolution cases.

The Supreme Court has replaced the jurisdiction previously exercised by the House of Lords in the latter's now-abolished judicial capacity. The Supreme Court of the United Kingdom is not to be confused with the Supreme Court of Judicature, the name formerly held by (a) the Senior Courts, in England and Wales, and (b) the Court of Judicature, in Northern Ireland.

The Supreme Court is headed by a President, who has a Deputy President. There are a further ten *puisne* judges.

2.24 Judicial Committee of the Privy Council

The *Judicial Committee of the Privy Council* formerly held original jurisdiction in the United Kingdom in devolution cases, and continues to hold appellate jurisdiction over the ecclesiastical courts of the Church of England. Appeals to the Privy Council as a court of last resort also lie from the Crown dependencies, the British overseas territories, and from certain Commonwealth countries.

Membership of the Judicial Committee is made up of Justices of the Supreme Court, Privy Counsellors who are or were Lord Justices of Appeal in either England and Wales or Northern Ireland, members of the Inner House of Scotland's Court of Session, and selected senior judges from certain other Commonwealth countries. Members retire at the age of 75.

Appeals to *Her Majesty in Council* are referred to the Judicial Committee, which formally reports to the Queen in Council, who in turn formally confirms the report. By agreement, appeals from certain Commonwealth countries lie directly to the Judicial Committee itself.

The Queen-in-Council also considers appeals from the disciplinary committees of certain medical bodies such as the Royal College of Surgeons. Also, cases against the Church Commissioners (who administer the Church of England's property estates) may be considered. Appeals may be heard from certain ecclesiastic courts (the Court of Arches in Canterbury, and the Chancery Court in York) in cases that do not involve Church doctrine. Appeals may also be heard from certain dormant courts, including Prize Courts (which hear cases relating to the capture of enemy ships at sea, and the ownership of property seized from captured ships) and the Court of Admiralty of the Cinque Ports. Finally, the Queen-in-Council determines if an individual is qualified to be elected to the House of Commons under the House of Commons Disqualification Act.

2.25 ECHR and ECJ

In addition to the above domestic courts, there are two further courts which can be said to exercise a jurisdiction over the United Kingdom.

The *European Court of Human Rights* deals with cases concerning alleged infringements of the *European Convention on Human Rights*.

The *European Court of Justice* deals with cases concerning alleged infringements of European Union law.

2.26 Devolution

Devolution refers to the transfer of administrative, executive, or legislative authority to new institutions operating only within a defined part of the United Kingdom. Devolved institutions have been created for Scotland, Northern Ireland, and Wales.

Devolution differs from federalism in formally being a unilateral process that can be reversed at will; formal sovereignty is still retained at the centre. Thus, while the US Congress cannot reduce the powers of a state legislature, Parliament has the legal capacity to even go so far as to abolish the devolved legislatures.

Devolution in Wales was originally restricted to the executive/administrative sphere, whereas in Scotland and Northern Ireland devolution extended to wide powers to pass laws.

2.27 Scotland

The Scottish legislative authority is the Scottish Parliament. The Scottish Parliament is a unicameral body composed of 129 members (called Members of Scottish Parliament, or MSPs) elected for fixed four-year terms. Each of 73 members is elected by a constituency. The remaining are elected by eight regions, with each region electing seven members. Each

voter has one constituency vote—cast for a single individual—and one regional vote—cast either for a party or for an independent candidate. Regional members are allocated in such a way as to permit a party's share of the regional vote to be proportional to its share of seats in the Scottish Parliament.

The Scottish Government is the executive authority of Scotland; it is led by the First Minister. Other members of the Scottish Cabinet are generally given the title of Minister. The First Minister must retain the confidence of the Scottish Parliament to remain in power.

Scotland has responsibility over several major areas, including taxation, criminal justice, health, education, transport, the environment, sport, culture and local government. The Parliament at Westminster, however, retains authority over a certain number of *reserved matters*. Reserved matters include foreign affairs, defence, immigration, social security and welfare, employment, and general economic and fiscal policy.

2.28 Wales

The National Assembly for Wales is the Welsh legislative authority. It is, like the Scottish Parliament, a unicameral body; it also uses a similar electoral system. Forty of its sixty members are chosen from single-member constituencies, while the remaining twenty are regional members. (There are five regions.) The Welsh Government is led by the First Minister and includes other Ministers, who must retain the confidence of the Assembly.

The third Welsh Assembly can legislate using a system called "Assembly Measures". This system is a lower form of Primary Legislation similar to Acts of Parliament. They can be used to repeal laws, create provision and amend laws. The difference with "Assembly Measures" and "Acts of the Assembly" is that Measures do not have a bulk of powers with them, each Measure will come with a LCO, or Legislative Competency Order, which transfers powers from the UK Parliament to the Welsh Assembly Government. Devolution in Wales has changed a lot since 1999.

In order for the National Assembly to have full legislative powers, they will need to trigger a referendum through both the Assembly and both houses of the United Kingdom parliament. Once done, Wales will for the first time ever, will be able to legislate and make their own Acts. (To be known as Acts of the Assembly, or Acts of the National Assembly for Wales). In early 2011, a referendum held in Wales approved the transfer of full legislative competence to the National Assembly in all devolved matters.

2.29 Northern Ireland

Northern Ireland was the first part of the United Kingdom to gain devolution, in 1921. However, it has had a troubled history since then, caused by conflict between the main *Unionist* and *Nationalist* communities. Because of this historical background, the present system of devolution requires power to be shared between political parties representing the different communities, and there are complex procedural checks in place to ensure cross-community support for legislation and executive action.

The Northern Ireland Assembly comprises 108 members elected to represent 18 six-member constituencies.

The Executive (government) is made up of members from the largest parties in the Assembly, with ministerial portfolios allocated in proportion to party strengths. The Executive is headed jointly by a First Minister and Deputy First Minister, who are jointly elected by the Assembly.

The Assembly's legislative powers are broad, and are similar to those of the Scottish Parliament (with the notable exception of taxation). The transfer from the United Kingdom's central government of responsibility for the criminal justice system has been highly contentious, and has only recently been carried out.

2.30 General Elections

Members of the House of Commons are elected in General Elections. General Elections are called by the Prime Minister. General Elections are held at least once every five years. The maximum term that a parliament can exist before a new election interrupts it is defined by parliament. Currently, the Parliament Act⁷ states that five years is the maximum length.

2.31 Local Elections

From 2007 Scotland will use Single Transferable Vote to elect all of its local councillors. England and Wales use first past the post or multiple-member first past the post for local elections. Northern Ireland uses STV for its local elections.

2.32 European Elections

No longer applicable

7 <http://en.wikipedia.org/wiki/Parliament%20Act>

8 <http://es.wikibooks.org/wiki/Sistema%20pol%EDtico%20del%20Reino%20Unido%2FElecciones>

9 <http://ms.wikibooks.org/wiki/Perlembagaan%20dan%20Kerajaan%20United%20Kingdom%3A%20Pilihan%20Raya>

3 Part III: Appendices

Monarchs of England

Name	Reign	Notes
The Saxons		
Alfred the Great ¹	878-899	
Edward the Elder ²	899-924	Alfred's son
Ethelweard ³	924	Edward's son
Athelstan ⁴	925-940	Edward's son
Edmund I ⁵	939-946	Edward's son
Edred ⁶	946-955	Edward's son
Edwy ⁷	955-959	Edmund's son
Edgar the Peaceful ⁸	959-975	Edmund's son
St Edward the Martyr ⁹	975-978	Edgar's son
Ethelred II ¹⁰	978-1013	Edgar's son
	1014-1016	
Edmund II ¹¹	1016	Ethelred II's son

The Danelaw

For a period of time, both the Saxons and the Danish claimed the English throne.

Sweyn Forkbeard ¹²	1013-1014	
Canute the Great ¹³	1016-1035	Sweyn's son

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- <http://en.wikibooks.org/wiki/%2FAlfred%20the%20Great>
 - <http://en.wikibooks.org/wiki/%2FEdward%20the%20Elder>
 - <http://en.wikibooks.org/wiki/%2FEthelweard>
 - <http://en.wikibooks.org/wiki/%2FAthelstan>
 - <http://en.wikibooks.org/wiki/%2FEdmund%20I%20of%20England>
 - <http://en.wikibooks.org/wiki/%2FEdred%20of%20England>
 - <http://en.wikibooks.org/wiki/%2FEdwy%20of%20England>
 - <http://en.wikibooks.org/wiki/%2FEdgar%20of%20England>
 - <http://en.wikibooks.org/wiki/%2FEdward%20the%20Martyr>
 - <http://en.wikibooks.org/wiki/%2FEthelred%20II%20of%20England>
 - <http://en.wikibooks.org/wiki/%2FEdmund%20II%20of%20England>
 - <http://en.wikibooks.org/wiki/%2FSweyn%20I%20of%20Denmark>
 - <http://en.wikibooks.org/wiki/%2FCanute%20the%20Great>

Monarchs of England

Name	Reign	Notes
Harold I ¹⁴	1035-1040	Canute's illegitimate son
Harthacanute ¹⁵	1040-1042	Canute's son

The Saxon Restoration

St Edward the Confessor ¹⁶	1042-1066	Ethelred II's son
Harold II ¹⁷	1066	Edward the Confessor's brother-in-law

The Normans

After the Norman Conquest in 1066, numbering of kings (a French tradition applied to the Saxons only by historians) begins anew, although this affects only the Edwards.

William I ¹⁸	1066-1087	
William II ¹⁹	1087-1100	William I's son
Henry I ²⁰	1100-1135	William I's son
Stephen ²¹	1135-1154	William I's grandson

The Plantagenets

The Royal House name changed to reflect Matilda's marriage to Geoffrey Plantagenet.

Matilda (Empress Maud) ²²	1141	Henry I's daughter
Henry II ²³	1154-1189	Matilda's son
Richard I ²⁴	1189-1199	Henry II's son
John ²⁵	1199-1216	Henry II's son

14 <http://en.wikibooks.org/wiki/%2FHarold%20Harefoot>

15 <http://en.wikibooks.org/wiki/%2FHarthacanute>

16 <http://en.wikibooks.org/wiki/%2FEdward%20the%20Confessor>

17 <http://en.wikibooks.org/wiki/%2FHarold%20II%20of%20England>

18 <http://en.wikibooks.org/wiki/%2FWilliam%20I%20of%20England>

19 <http://en.wikibooks.org/wiki/%2FWilliam%20II%20of%20England>

20 <http://en.wikibooks.org/wiki/%2FHenry%20I%20of%20England>

21 <http://en.wikibooks.org/wiki/%2FStephen%20of%20England>

22 <http://en.wikibooks.org/wiki/%2FEmpress%20Maud>

23 <http://en.wikibooks.org/wiki/%2FHenry%20II%20of%20England>

24 <http://en.wikibooks.org/wiki/%2FRichard%20I%20of%20England>

25 <http://en.wikibooks.org/wiki/%2FJohn%20of%20England>

Monarchs of England

Name	Reign	Notes
Henry III ²⁶	1216-1272	John's son
Edward I ²⁷	1272-1307	Henry III's son
Edward II ²⁸	1307-1327	Edward I's son
Edward III ²⁹	1327-1377	Edward II's son
Richard II ³⁰	1377-1399	Edward III's grandson

The House of Lancaster

Henry Bolingbroke deposed Richard II, and the Royal House name came to reflect Henry's father's title, Duke of Lancaste.

Henry IV ³¹	1399-1413	Edward III's grandson
Henry V ³²	1413-1422	Henry IV's son
Henry VI ³³	1422-1461	Henry V's son

The House of York

The Houses of Lancaster and York had fought the War of the Roses, and the Yorkists took the throne.

Edward IV ³⁴	1461-1483	Edward III's great-great-grandson
Edward V ³⁵	1483	Edward IV's son
Richard III ³⁶	1483-1485	Edward IV's brother

The House of Tudor

The Lancastrian Henry Tudor reclaimed the throne from the Yorkists.

26 <http://en.wikibooks.org/wiki/%2FHenry%20III%20of%20England>

27 <http://en.wikibooks.org/wiki/%2FEdward%20I%20of%20England>

28 <http://en.wikibooks.org/wiki/%2FEdward%20II%20of%20England>

29 <http://en.wikibooks.org/wiki/%2FEdward%20III%20of%20England>

30 <http://en.wikibooks.org/wiki/%2FRichard%20II%20of%20England>

31 <http://en.wikibooks.org/wiki/%2FHenry%20IV%20of%20England>

32 <http://en.wikibooks.org/wiki/%2FHenry%20V%20of%20England>

33 <http://en.wikibooks.org/wiki/%2FHenry%20VI%20of%20England>

34 <http://en.wikibooks.org/wiki/%2FEdward%20IV%20of%20England>

35 <http://en.wikibooks.org/wiki/%2FEdward%20V%20of%20England>

36 <http://en.wikibooks.org/wiki/%2FRichard%20III%20of%20England>

Monarchs of England

Name	Reign	Notes
Henry VII ³⁷	1485-1509	Edward III's great-great-grandson
Henry VIII ³⁸	1509-1547	Henry VII's son
Edward VI ³⁹	1547-1553	Henry VIII's son
Lady Jane Grey ⁴⁰	1553	Henry VII's great-granddaughter
Mary I ⁴¹	1553-1558	Henry VIII's daughter
Elizabeth I ⁴²	1558-1603	Henry VIII's daughter

Monarchs of Scotland

Name	Reign	Notes
The House of Alpin		
Kenneth I ⁴³	843-858	
Donald I ⁴⁴	858-862	Kenneth I's brother
Constantine I ⁴⁵	862-877	Kenneth I's son
Aedh ⁴⁶	877-878	Kenneth I's son
Eochaid ⁴⁷	878-889	Aedh's nephew
Giric ⁴⁸	878-889	Jointly with Giric Aedh's first cousin
Donald II ⁴⁹	889-900	Constantine I's son
Constantine II ⁵⁰	900-943	Aedh's son
Malcolm I ⁵¹	943-954	Donald II's son
Indulf ⁵²	954-962	Constantine II's son

37 <http://en.wikibooks.org/wiki/%2FHenry%20VII%20of%20England>

38 <http://en.wikibooks.org/wiki/%2FHenry%20VIII%20of%20England>

39 <http://en.wikibooks.org/wiki/%2FEdward%20VI%20of%20England>

40 <http://en.wikibooks.org/wiki/%2FJane%20Grey>

41 <http://en.wikibooks.org/wiki/%2FMary%20of%20England>

42 <http://en.wikibooks.org/wiki/%2FElizabeth%20I%20of%20England>

43 <http://en.wikibooks.org/wiki/%2FKenneth%20I%20of%20Scotland>

44 <http://en.wikibooks.org/wiki/%2FDonald%20I%20of%20Scotland>

45 <http://en.wikibooks.org/wiki/%2FConstantine%20I%20of%20Scotland>

46 <http://en.wikibooks.org/wiki/%2FAedh%20of%20Scotland>

47 <http://en.wikibooks.org/wiki/%2FEochaid%20of%20Scotland>

48 <http://en.wikibooks.org/wiki/%2FGiric%20of%20Scotland>

49 <http://en.wikibooks.org/wiki/%2FDonald%20II%20of%20Scotland>

50 <http://en.wikibooks.org/wiki/%2FConstantine%20II%20of%20Scotland>

51 <http://en.wikibooks.org/wiki/%2FMalcolm%20I%20of%20Scotland>

52 <http://en.wikibooks.org/wiki/%2FIndulf%20of%20Scotland>

Monarchs of Scotland

Name	Reign	Notes
Dubh ⁵³	962-966	Malcolm I's son
Culen ⁵⁴	966-971	Indulf's son
Kenneth II ⁵⁵	971-995	Malcolm I's son
Constantine III ⁵⁶	995-997	Culen's son
Kenneth III ⁵⁷	997-1005	Dubh's son
Malcolm II ⁵⁸	1005-1034	Kenneth II's son
Duncan I ⁵⁹	1034-1040	Malcolm II's grandson
Macbeth ⁶⁰	1040-1057	Malcolm II's grandson
Lulach ⁶¹	1057-1058	Kenneth III's grandson

The House of Dunkeld

Malcolm III ⁶²	1058-1093	Duncan I's son
Donald III ⁶³	1093-1094	Duncan I's son
	1094-1097	
Duncan II ⁶⁴	1094	Malcolm III's son
Edgar ⁶⁵	1097-1107	Malcolm III's son
Alexander I ⁶⁶	1107-1124	Malcolm III's son
David I ⁶⁷	1124-1153	Malcolm III's son
Malcolm IV ⁶⁸	1153-1165	David I's grandson
William I ⁶⁹	1165-1214	David I's grandson
Alexander II ⁷⁰	1214-1249	William I's son
Alexander III ⁷¹	1249-1286	Alexander II's son
Margaret ⁷²	1286-1290	Alexander III's granddaugh- ter

53 <http://en.wikibooks.org/wiki/%2FDubh%20of%20Scotland>

54 <http://en.wikibooks.org/wiki/%2FCulen%20of%20Scotland>

55 <http://en.wikibooks.org/wiki/%2FKenneth%20II%20of%20Scotland>

56 <http://en.wikibooks.org/wiki/%2FConstantine%20III%20of%20Scotland>

57 <http://en.wikibooks.org/wiki/%2FKenneth%20III%20of%20Scotland>

58 <http://en.wikibooks.org/wiki/%2FMalcolm%20II%20of%20Scotland>

59 <http://en.wikibooks.org/wiki/%2FDuncan%20I%20of%20Scotland>

60 <http://en.wikibooks.org/wiki/%2FMacbeth%20of%20Scotland>

61 <http://en.wikibooks.org/wiki/%2FLulach%20of%20Scotland>

62 <http://en.wikibooks.org/wiki/%2FMalcolm%20III%20of%20Scotland>

63 <http://en.wikibooks.org/wiki/%2FDonald%20III%20of%20Scotland>

64 <http://en.wikibooks.org/wiki/%2FDuncan%20II%20of%20Scotland>

65 <http://en.wikibooks.org/wiki/%2FEdgar%20of%20Scotland>

66 <http://en.wikibooks.org/wiki/%2FAlexander%20I%20of%20Scotland>

67 <http://en.wikibooks.org/wiki/%2FDavid%20I%20of%20Scotland>

68 <http://en.wikibooks.org/wiki/%2FMalcolm%20IV%20of%20Scotland>

69 <http://en.wikibooks.org/wiki/%2FWilliam%20I%20of%20Scotland>

70 <http://en.wikibooks.org/wiki/%2FAlexander%20II%20of%20Scotland>

71 <http://en.wikibooks.org/wiki/%2FAlexander%20III%20of%20Scotland>

72 <http://en.wikibooks.org/wiki/%2FMargaret%20I%20of%20Scotland>

Monarchs of Scotland

Name	Reign	Notes
The House of Balliol		
When Margaret died, there was no clear heir. King Edward I of England took over and installed a puppet, John Balliol.		
John Balliol ⁷³	1292-1296	David I's great-great-great-grandson
The House of Bruce		
When John Balliol rebelled, the Wars of Scottish Independence commenced, during which Robert the Bruce became King.		
Robert I ⁷⁴	1306-1329	David I's great-great-great-great-grandson
David II ⁷⁵	1329-1371	Robert I's son
The House of Balliol		
For a period of time, both Edward Balliol and David II claimed the throne.		
Edward Balliol ⁷⁶	1332-1338	John Balliol's son
The House of Stuart		
When Robert Stewart took over, the Royal House name was changed to Stuart (the French spelling of Stewart).		
Robert II ⁷⁷	1371-1390	Robert I's grandson
Robert III ⁷⁸	1390-1406	Robert II's son

73 <http://en.wikibooks.org/wiki/%2FJohn%20Balliol>

74 <http://en.wikibooks.org/wiki/%2FRobert%20I%20of%20Scotland>

75 <http://en.wikibooks.org/wiki/%2FDavid%20II%20of%20Scotland>

76 <http://en.wikibooks.org/wiki/%2FEdward%20Ballio>

77 <http://en.wikibooks.org/wiki/%2FRobert%20II%20of%20Scotland>

78 <http://en.wikibooks.org/wiki/%2FRobert%20III%20of%20Scotland>

Monarchs of Scotland

Name	Reign	Notes
James I ⁷⁹	1406-1437	Robert III's son
James II ⁸⁰	1437-1460	James I's son
James III ⁸¹	1460-1488	James II's son
James IV ⁸²	1488-1513	James III's son
James V ⁸³	1513-1542	James IV's son
Mary I ⁸⁴	1542-1567	James V's daughter
James VI ⁸⁵	1567-1625	Mary I's son

79 <http://en.wikibooks.org/wiki/%2FJames%20I%20of%20Scotland>

80 <http://en.wikibooks.org/wiki/%2FJames%20II%20of%20Scotland>

81 <http://en.wikibooks.org/wiki/%2FJames%20III%20of%20Scotland>

82 <http://en.wikibooks.org/wiki/%2FJames%20IV%20of%20Scotland>

83 <http://en.wikibooks.org/wiki/%2FJames%20V%20of%20Scotland>

84 <http://en.wikibooks.org/wiki/%2FMary%20I%20of%20Scotland>

85 <http://en.wikibooks.org/wiki/%2FJames%20I%20of%20England>



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