

What is government?

Before we attempt definitions of government and the state, it may be useful to consider a number of concepts that are related to such institutions. In particular, it is important to understand the principles that lie behind the activity of governing. These are legitimacy, power, authority and sovereignty.

Legitimacy

Here we are asking the question: what gives any government the *right* to rule? This refers both to the *system* of government — for example, monarchy, single-party rule, parliamentary democracy etc. — and to the individuals who hold office within the government. It is a difficult question to resolve because it has a number of answers, all of which are plausible.

There are several possible ways in which legitimacy can be claimed.

- **Tradition** is the first option. It suggests that a system of rule is legitimate if it has existed for a long period of time. This is a form of legitimacy often claimed by hereditary monarchies. Such monarchies still flourish in the Gulf States in the Middle East.
- **Force** is a more controversial basis for rule. The argument here is that *any* government, no matter how it is constituted, could be seen as legitimate if it is able to maintain peace and security within a country. This is sometimes described as ‘might is right’. In the democratic world, however, this kind of legitimacy is not normally acceptable.
- **Consent** has become the most important criterion for legitimacy. Indeed, where power is exercised with the broad consent of the people, expressed specifically through elections, we can describe it as **democratic legitimacy**. The principle itself is simple: if a regime enjoys the broad consent of its people, it can be considered to be legitimate. Consent can be shown by widespread peaceful participation in politics as well as by a lack of open dissidence.

Power

In a general sense, *power* can mean the ability to make other people or groups do what one wants them to do, even if this is against their will. But this is too simple a definition. We use the term ‘power’ to signify a whole variety of means by which one individual or institution is able to exert its will over others. In particular, we need to consider different *levels* of power. These are set out below.

- **Coercive power** is the strongest form. This can also be described as *force*. Coercion involves the use of physical force, or at least the threat of physical force. In extreme cases, coercion can involve the use of execution, torture, terror and imprisonment of opponents, as has occurred in many totalitarian regimes. Of course, most states do not need to go to such extremes. It is sufficient to reserve the use of force against those who refuse to conform to the laws or who threaten the security of the state itself.
- **Political power** is perhaps how we generally understand the concept of power. This is the power exercised by members of the political community, including parties, their leaders and other institutions. Political power includes the ability to persuade, but it normally involves the use of rewards and sanctions. Thus prime ministers in the UK have power because of their use of patronage. Since a prime minister controls the appointment of all ministers and many other senior positions

Key terms

Consent In democratic politics consent means that government is founded upon the authority of the people. Normally consent is demonstrated in free elections. However, it can also be indicated by widespread support for the institutions of government.

Democratic legitimacy A key principle in modern democratic life — government may be considered legitimate if, first, it is elected and, second, it is accountable to the electorate. In this way the consent of the people is implied.

Synoptic link

This section on power should be revisited when you read Chapter 7, where the sources of prime ministerial power are explored.

in the apparatus of the state, such as top civil servants and judges, he or she is able to exercise power. This is particularly true when we consider the way in which the party whips in Parliament are able to control MPs. By making it clear that loyalty to the party line may improve an individual's career prospects, power is effectively being exercised.

The strongest form of political power, however, is that which is granted by Parliament — the ultimate source of all political power in the UK. Thus, government departments, their ministers, devolved governments in Scotland and Wales, local authorities and other public bodies have all been granted powers by Acts of Parliament. The powers of the prime minister, meanwhile, have been established largely by tradition or *convention*, as such traditions are often known. This means that a prime minister exercises power simply because everybody in the political community accepts that he or she has the traditional right to do so.

- **Influence** is the weakest form of power. We often use the word 'power' when we really mean influence. Thus it is said that the newspapers have power, or that public opinion is powerful, or that trade unions have power within the Labour Party. In each of these cases it is *influence* that is being referred to. In such examples, the press, the people and the unions may have some influence over what government and Parliament do, but they cannot enforce their wishes. In 1974 Steven Lukes also identified three forms of political power which mirror these distinctions. The first is power is exercised *openly* (through cabinet and parliament, for example); the second is *secretive* power (behind closed doors in negotiations among ministers, officials and outside parties); and the third is *manipulative* power (which involved persuasion and the use of incentives). Both secretive and manipulative power may involve links between decision makers and the media, as described in Chapter 4 of this book.

Key term

Authority Authority is the right to exercise power. It is closely associated with the idea of legitimacy. In a democracy, authority is normally granted by the electorate or by the legislature.

Authority

Authority is a more difficult term than power. Often the terms 'power' and 'authority' are used interchangeably, but in politics it is essential to distinguish between them. Put simply, authority is the *right* to exercise power, it is not power itself. When we say a teacher has authority, for example, we mean that he or she has been granted power over the students by the head teacher and, more indirectly, by the parents and the wider community. Thus, the source of the authority allows the teacher to exercise power.

In pure democracies all political authority has its source in the people. The situation in the UK, however, is more complex. While it is true that many of those working in the political system exercise power because they have been directly or indirectly elected by the people, this cannot be said of either the prime minister or the monarch. Their sources of authority have been described as *charismatic* or *traditional*. The ruling party, meanwhile, rules because it has won a general election. This is known as *elective* or *rational* authority. The German sociologist Max Weber (1864–1920) clarified the nature of political authority by identifying its nature in three ways:

- **Traditional authority** The right to govern exists because authority has existed over a long period of time. This applies particularly to hereditary monarchies, such as the sheikhdoms of the Middle East. It can be assumed that if the people have allowed such monarchies to exercise power over a long period of time, they are, by implication, consenting to such rule.
- **Charismatic authority** The term 'charisma' refers to an individual's ability to inspire and persuade, and attract a following, by the force of their personality.



Members of the Saudi Royal family enjoy traditional political authority

Here authority is granted by acclaim, because the people wish to be governed by a particular leader. Charismatic authority is typically combined with other forms and so increases the quantity of authority, allowing more power to be exercised. We can say, for example, that President John F. Kennedy in the USA enjoyed charismatic authority in addition to his elective authority (US presidents are directly elected, so enjoy direct elective authority). Donald Trump was elected US president in 2016 to some extent because, to his supporters at least, he was a charismatic figure.

- **Legal-rational authority** This refers to any rational way of granting authority. In practice, in modern democracies, this is always by election and so is best described as ‘elective authority’. In current politics, elective authority is the most powerful justification for the exercise of power.

Table 3 shows the relevant sources of authority of four UK governing institutions.

Table 3 Sources of authority in the UK

Parliament	The authority (which is limited) of the House of Lords is traditional. The Commons’ main source of authority is by election and, therefore, the people. However, the fact that Parliament as a whole is sovereign has its origins in tradition.
The government	Clearly the government’s authority is elective.
The monarch	Though the power of the monarchy is very limited, the Crown enjoys considerable traditional authority.
The prime minister	Much of the PM’s authority is traditional, but he or she also enjoys indirect elective authority in terms of being the leader of the ruling party. Some prime ministers, such as Winston Churchill and Margaret Thatcher, were also said to enjoy charismatic authority to reinforce the other two sources.

Key term

Sovereignty Ultimate power that cannot be overruled. Sovereignty can be either legal or political, depending on whether it is legally enforceable or whether it is a political reality.

Sovereignty

Before we examine the meaning of **sovereignty**, it is important to note and avoid a point of potential confusion. The monarch of the UK is sometimes described as the ‘Sovereign’ or even the ‘Sovereign Lord’. This appears to indicate that the monarch holds supreme power. While in the past, historically, the monarch was indeed the sovereign power, a situation which held true up to the seventeenth century, it is no longer the case. However, although the term is no longer valid, it is often still used out of tradition. We must, therefore, ignore this anomaly.

It is useful to divide sovereignty into three main types — legal, political and popular:

- **Legal sovereignty** means the ultimate source of all legal authority. In practice, it amounts to the ultimate source of all laws and of all legal power.
- **Political sovereignty** refers to the location of real political power. Instead of thinking only about where legal power lies in theory (*de jure*), political sovereignty allows us to consider who ultimately makes political decisions *in reality* (*de facto*). Thus, at elections, the people are politically sovereign because they decide who will form the next government. Between elections it is more realistic to think of the prime minister and the government as being politically sovereign.
- **Popular sovereignty** is a form of political sovereignty. It relates to those occasions when the people themselves seem to be making ultimate decisions. At elections, the people become sovereign for a day, when they choose governments and representatives, and grant a mandate to a government. Referendums are another obvious example. With the increasing use of internet polls and petitions, it could be argued that a new form of popular sovereignty is in the early stages of development. The UK’s momentous decision to leave the EU in the 2016 referendum was a perfect example of popular sovereignty at work.

Synoptic link

The concept of sovereignty is explored in Chapter 8.

A note on the role of the monarchy

We cannot leave government without referring to the position of the monarchy in the UK. Historically, of course the monarch *was* government in England and indeed Scotland. This was the case until the seventeenth century. Since then, gradually but inexorably, the monarch has ceased to be the government and has ceased to have any political role at all. Yes, the monarchy and all that goes with it *seems* to be important, but, in a political sense, it is not. How does this come about?

The answer is that everybody in the political system pays lip service to the authority of the monarch out of traditional respect, but everybody also understands that this does not really mean anything. The monarch exercises no power and is not permitted to involve herself in politics at all. She is a figurehead who represents the *idea* of the United Kingdom, but not the substance, a symbol of unity and strength, but not of political direction.

The state and the government

As with many political concepts, the terms ‘state’ and ‘government’ can be misunderstood and used as if they have the same meaning. In reality they are very different and should be employed with great care.

The state

If we refer to ‘a state’ or ‘the state’ we mean different things. A state is a country, a territory within which sovereignty can be identified and is widely recognised both within the country and abroad. There is no doubt that France, Italy, the USA and Nigeria are ‘states’. Other countries recognise them as states and understand who represents their government.

When we say ‘the state’, however, we are referring to institutions within the country. The state normally refers to the permanent collection of institutions that administers a territory. Normally we would include the following within the state:

- The armed forces and the security and intelligence establishment
- Law enforcement agencies, including judges, courts, the police and the prison service
- The bureaucracy or civil service — politically neutral bodies which may stay in office even when political governments change
- Other institutions that may or may not be parts of the permanent apparatus of the state, depending on the arrangements within the country (in the UK, the National Health Service, most educational organisations, the BBC and the Benefits Agency are all parts of the state; in the USA, healthcare is largely in the private sector and there is no state-run broadcasting; in France, the railways are part of the state, while in the UK they are not)
- Bodies that exist at sub-central level, such as local authorities and devolved administrations

So, we can make two assertions about the state: first, it is normally politically neutral and, second, it is permanent.

Government

The government is a collection of individuals and bodies that are political in nature and that are not permanent. In the UK the government consists of the prime minister, cabinet, junior ministers and political advisers. Should the governing party lose power, all these individuals will cease to be the government and will be replaced by a new team. Normally we expect the government to give political direction to the state. Indeed, the senior members of the state are usually appointed by members of the government.

MPs, peers and Parliament in general do not fit neatly into either the ‘state’ or the ‘government’. Instead they form the legislature (see below), whose role is to provide consent and accountability to government.

Branches of government

It is customary to divide the activity of government into three branches.

Legislature

In broad terms the legislature means the law-making body. However, this can be misleading, especially in the UK. Parliament, the UK’s legislature (known as Congress in the USA, the *Chambre de Députés* in France and the *Bundestag* in Germany), does not normally make law. This is the responsibility of the government. In the UK, the legislature is primarily concerned with providing formal consent to

Synoptic link

Parliament, the UK legislature, is described and analysed in Chapter 6.

proposed laws — an activity known as ‘promulgation’. Parliament also has limited powers to amend proposals and may, on rare occasions, reject proposed legislation. Legislatures in other countries sometimes *do* develop their own laws, notably the US Congress, but governments are usually more significant than legislatures in this law-making role.

Executive

The executive branch has three main roles.

- The first is to develop new legislation and present it before the legislature for approval (this includes identifying the need for new legislation and drafting the laws themselves).
- The second is to arrange for the implementation of the laws.
- Finally, the executive runs the state and so administers the country, making decisions when they are needed and organising state-run services.

Synoptic link

The UK executive branch is described and analysed in Chapter 7.

Synoptic link

The UK judiciary is described and analysed in Chapter 8.

Activity

Research Magna Carta. Identify any rights referred to in it that are still relevant today.

Key term

Bill of rights A general name given to any codified set of citizens’ rights. Many countries have a bill of rights attached to their constitution. The most famous bill of rights is made up of the first ten amendments to the US Constitution. The UK Parliament passed a bill of rights in 1689, but this was mostly concerned with the rule of law together with the sovereignty of Parliament and freedom of speech for its members.

Judiciary

The judiciary refers to the legal system and the judges in particular. Most of the judiciary is not concerned with politics but rather with criminal matters and disputes between individuals and organisations. But at the high levels of the judiciary — in the UK this includes the High Court, the Court of Appeal and the Supreme Court — some legal cases involve politics. When there are disputes about the meaning of laws, when citizens’ rights are in jeopardy, or when there are disputes concerning the behaviour of the government or the state, the judiciary has political significance. Nevertheless, as we shall see below, judges are expected to adopt a neutral stance, even though they are concerned with political matters.

The evolution of the UK political system

Magna Carta, 1215

Though Magna Carta is an ancient document it was an important landmark in the development of the political culture and constitution of the UK. This was the establishment of the rule of law — in particular, the principle that the monarch (the government in modern times) cannot act above the law. Though often abused in the centuries since 1215, the rule of law still persists as a cornerstone of UK democracy.

The Glorious Revolution and the Bill of Rights, 1688–89

In 1688 the unpopular Catholic king, James II, was removed from the English throne. He was replaced by the Dutch Protestant prince, William of Orange, and his wife Mary. It was known as the ‘Glorious Revolution’ though it was largely peaceful. Part of the price to be paid by William and Mary for the throne was a number of restrictions on their power. These were contained in the **Bill of Rights** of 1689.

Five terms of the bill, which was an Act of Parliament, were especially important:

- that the king would rule alongside a *permanent* Parliament
- that Parliament would be the result of *regular, free elections*
- that members of Parliament would enjoy *freedom of speech*