

The Evolution of the British Executive: Cabinet, Prime Minister and Core Executive Model

İngiliz Yürütmesinin Gelişimi: Kabine, Başbakan ve Core Yürütme Modeli

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ABSTRACT

With the resignation of three prime ministers in the United Kingdom since 2019, the executive organ in the UK has become a topic of controversial discussion in the literature. The longstanding debate regarding who wields significant influence within the Executive branch and how executive power is exercised has reignited. It has been underscored that historically, the executive functioned either through the cabinet system, characterized by a collective decision-making structure, or the prime ministerial system, where the prime minister held primary decision-making authority. This article argues that neither the cabinet nor the prime ministerial system adequately explains the contemporary British executive. By analyzing the institutions of the cabinet and the prime minister's office from both historical and contemporary perspectives, this article seeks to explain this point. Ultimately, it examines the core executive model, positing that multiple actors and various factors such as resources, structure, strategy, and tactics collectively determine the functioning of the British executive today.

Keywords: British Executive, Core executive, United Kingdom, Cabinet, Prime Minister.

ÖZ

Birleşik Krallık'ta 2019 yılından itibaren üç başbakanın istifa etmesiyle birlikte Birleşik Krallık'ta yürütme organı literatürde yoğun bir şekilde tartışılmaya başlandı. Yürütmede kimin aktif olduğu ve yürütme yetkisinin nasıl kullanılacağı konusunda uzun süredir devam eden tartışma yeniden alevlendi. Uzun bir süre yürütmenin ya kolektif bir yapıya sahip olan kabine sistemi ya da başbakanın asıl karar verici olduğu başbakanlık sistemi tarafından yönetildiği vurgulandı. Bu makale, ne kabine ne de başbakanlık sisteminin günümüz İngiliz yürütme organını açıklamaya yeterli olmadığını savunmaktadır. Makale, kabine ve başbakanlık kurumlarını hem tarihsel hem de çağdaş açılardan analiz ederek bunu açıklamaya çalışıyor. Son olarak makale, günümüz Birleşik Krallık yürütme organının nasıl çalıştığını anlamak için birden fazla aktörün olduğu ve kaynaklar, yapı, strateji ve taktikler gibi belirli faktörlerin yürütmeyi belirlediği iddiasına dayanan the core executive modelini ele alır.

Anahtar Kelimeler: İngiliz yürütme organı, the core executive, Birleşik Krallık, Kabine, Başbakan.

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Geliş Tarihi/Received: 13.03.2024

Kabul Tarihi/Accepted: 26.05.2024

INTRODUCTION

The term ‘Executive’ refers to the political centers of authority responsible for making policy choices¹. In recent years, the position of the Executive organ in the UK has become a subject of intense debate, particularly amidst developments such as the formation of coalition governments, Brexit, prime minister resignations, and tensions between the Executive and the courts.

This article aims to explain the main actors holding and exercising executive power in the UK amid these developments. It will delve into discussions on the Cabinet, the Head of Government, ministers, the Head of State, political parties, and their interrelationships. Additionally, it will examine other actors and instruments that shape the position of the UK Executive today. To comprehend the roles of these actors, the article will analyze historical developments that have shaped the current position of the Executive. It will explore how the center of power has shifted from the Head of State (the monarch) to the Cabinet, and subsequently to the prime minister over time. Furthermore, it will be argued that today, neither the Cabinet nor the prime minister solely holds the decision-making power. Instead, a multitude of factors determine the position of the Executive, introducing the core executive model. In addition to political actors within the Executive, this article will also address the roles of other institutions such as Parliament, the public, media, and international organizations in shaping the executive.

For a considerable period, two theories have dominated discussions about the exercise of executive power in the UK: prime ministerial power and cabinet government. The prime ministerial power theory posits that the prime minister holds more influence than the cabinet, citing reasons such as their role as party leader, authority to appoint and dismiss ministers, chairing cabinet meetings, controlling the agenda, and ability to garner significant public popularity through effective media utilization². Supporters of the cabinet government thesis challenge these arguments by underscoring the constraints imposed on the prime minister. They argue that the cabinet collectively holds more importance than the prime minister alone. For example, the party’s views must be acknowledged and considered, ministers maintain their own support networks within the party and the country, and constitutional conventions mandate collective government action³. Moreover, various models have been proposed to understand the functioning of the executive. For instance, Rhodes identifies six models in the discussion of prime ministerial power, each offering an explanation of how things function and prescribing how they should work. These models include ‘prime ministerial government,’ ‘prime ministerial cliques,’ ‘cabinet government,’ ‘ministerial government,’ ‘segmented decision-making,’ and ‘bureaucratic coordination’⁴.

1 Rod AW Rhodes, ‘From Prime Ministerial Power to Core Executive’ in Patrick Dunleavy and RAW Rhodes (eds), *Prime Minister, Cabinet and Core Executive* (Macmillan Education, Limited 1995) 12.

2 Tony Benn, ‘The Case for a Constitutional Premiership’ (1980) 3 *Parliamentary Affairs* 7; RHS Crossman, ‘Introduction’ in Walter Bagehot, *The English Constitution* (Fontana 1963); John P Mackintosh, *The British Cabinet* (2nd edn, London: Stevens 1968).

3 Rhodes (n 1) 13.

4 *ibid* 15.

To comprehend the UK executive, we will first address the concept of cabinet government within the traditional parliamentary system of government and its associated actors. However, navigating the British government system poses certain challenges due to the absence of a written constitution. For instance, until 1916, there was no cabinet secretariat, resulting in a lack of documentation regarding cabinet meetings⁵. Similarly, there are no explicit documents outlining the duties and powers of the monarch, the prime minister, and ministers. Consequently, conventions play a significant role alongside the law in understanding the cabinet government and will be referred to throughout this article. Subsequently, we will explore the transition from cabinet government to prime ministerial government in the UK. This discussion will focus on analyzing the position and role of the prime minister to comprehend the concept of ‘the prime ministerial government’ in the UK. Finally, we will introduce the Core Executive Model to illustrate how the current UK executive functions.

I. THE EMERGENCE OF THE CABINET GOVERNMENT

At present, the cabinet system is widely adopted, with nearly a quarter of countries governed by this system⁶. Its emergence is rooted in the desire to limit the power of the monarch and establish a constitutional framework, evolving over time.

In the UK, the cabinet historically referred to ‘such of Her/His Majesty’s confidential servants as are of the Privy Council’⁷ or ‘Her/His Majesty’s senior ministers collected together’⁸. It consists of ministers heading fundamental departments and those without departments⁹. The cabinet serves as the executive body where final decisions on state policy are made and subsequently sent to Parliament for approval. Additionally, it coordinates various state departments through ministers¹⁰.

Cabinet government denotes a parliamentary executive system where the executive branch is accountable to Parliament. Ministers, who are also members of Parliament, operate independently from the head of state, highlighting the distinct role of the chief minister within this system¹¹. Thus, the term ‘cabinet government’ remains relevant in defining the UK executive. Alternatively, the cabinet government system signifies that the cabinet is the primary body exercising executive power, making collective decisions. However, this model contrasts with prime ministerial government, where decisions are made individually by the prime minister.

5 Anthony Seldon, ‘The Cabinet System’ in Vernon Bogdanor (ed), *The British Constitution in the Twentieth Century* (1st edn, British Academy 2004) 100 <<https://academic.oup.com/british-academy-scholarship-online/book/21447>> accessed 8 March 2024.

6 Simon James, *British Cabinet Government* (2nd edn, Routledge 1999) 1.

7 Ivor Jennings, *Cabinet Government* (3 edition, Cambridge University Press 1969) 228.

8 David Pollard, Neil Parpworth and David Hughes, *Constitutional and Administrative Law: Text with Materials* (4 edition, OUP Oxford 2007) 140.

9 Martin Burch, ‘The United Kingdom’ in Jean Blondel and Ferdinand Müller-Rommel (eds), *Cabinets in Western Europe* (2nd edition edition, Palgrave Macmillan 1997) 22.

10 Pollard, Parpworth and Hughes (n 8) 140.

11 James (n 6) 1.

A. THE HISTORICAL BACKGROUND

Prior to 1688, the term ‘cabinet’ referred to a small and elite group of counselors. The Glorious Revolution marked a significant turning point in the power transition from monarchy to parliament, which also served to strengthen the role of ministers in the executive branch. Following the abdication of James II, the vacant throne was offered jointly to William and Mary, contingent upon the Declaration of Right (the Bill of Rights). In the aftermath of the Glorious Revolution, William III, often regarded as a restricted monarch, relied on the cabinet to govern England as he sought to reinforce his powers and gain the support of Parliament. The cabinet’s importance increased as it played a crucial mediating role between the monarch and parliament, particularly in determining which policies and proposals would garner acceptance from Parliament¹².

Monarchs such as George I and George II, both of whom were non-native English speakers, relied heavily on a small group of trusted advisors. Owing to practical and constitutional factors, a select group of advisors capable of effectively representing the monarchy in Parliament gradually supplanted the Privy Council. This collective of ‘ministers’ eventually evolved into the Cabinet¹³. Over time, as the power of Parliament increased, the authority of the monarch gradually diminished, aligning with the transformation from absolute monarchy to constitutional monarchy. This shift saw the monarch’s role weaken not only in the legislature but also in the executive. As Bagehot famously remarked, ‘The Queen is only at the head of the dignified part of the Constitution’¹⁴, symbolizing the monarch’s transition from an active and effective role in the executive to a symbolic and passive one.

The reliance on ministers to carry out executive functions and handle parliamentary proceedings grew stronger¹⁵, particularly under the Hanoverian period (1714-1901), where monarchs struggled to comprehend the complexities of internal and foreign affairs. In the eighteenth century, ministers began convening without the monarch’s presence, leading to the emergence of the first, or ‘prime,’ minister in the latter half of the century. Consequently, the terms ‘head of state’ and ‘head of government’ became distinct, although some ambiguity persisted between the two roles. Ultimately, the cabinet emerged as the primary decision-maker in the executive, albeit with some influence retained by the monarch.

The reforms of the 19th century, including the Reform Acts of 1832, 1867, and 1884-5, expanded the electorate and gave rise to modern political parties. This resulted in increased influence of the House of Commons in the selection of cabinet members, diminishing the monarch’s power to appoint them. Instead, cabinet appointments came to be determined by the party or party leaders¹⁶, allowing for more independent decision-making within the cabinet. As a result, the role of the monarch in the

12 Stephen Buckley, *The Prime Minister and Cabinet* (Edinburgh University Press 2006) 26.

13 Roger Masterman and Colin Murray, *Constitutional and Administrative Law* (Second edition, Pearson 2018) 257.

14 Walter Bagehot, ‘The English Constitution’ 61 <<https://socialsciences.mcmaster.ca/econ/ugcm/3ll3/bagehot/constitution.pdf>> accessed 23 April 2019.

15 Philip Norton, ‘The Glorious Revolution of 1688 Its Continuing Relevance’ (1989) 42 *Parliamentary Affairs* 135.

16 Buckley (n 12) 27–28.

executive branch declined over time, with the cabinet, collectively led by ministers, assuming the role of the main decision-maker.

B. EARLY CABINET GOVERNMENT SYSTEM

For a significant period, the British system of government was referred to as cabinet government, as the cabinet held the most effective and central role in administration and legislation, including legislative proposals¹⁷. According to Seldon, writing in the early 1900s, ‘The cabinet was clearly the core decision-making body’¹⁸. Essentially, nearly all important decisions were handled by the cabinet, making it the heart of the British government system. Amery also emphasized the cabinet’s pivotal role: ‘The central directing instrument of government, in legislation as well as in administration, is the Cabinet. It is in Cabinet that administrative action is co-ordinated and legislative proposals are sanctioned. It is the Cabinet which controls Parliament and governs the country’¹⁹.

Prior to the 1850s, the central government functioned in an improvised and unplanned manner. The Cabinet operated informally, lacking central coordination and bureaucratic structure within the administration²⁰. The notable advancement occurred with the implementation of the Northcote-Trevelyan reforms in 1854, establishing the basis for a modern and specialized civil service. During this period, the cabinet underwent a process of formalization, resulting in significant shifts in power dynamics. Starting in the mid-nineteenth century, government duties were organized and placed under the direct authority of ministers. To facilitate collaboration among ministers, the cabinet expanded and adopted a more formal organizational framework²¹. As Mackintosh noted, the cabinet had become ‘the center of power,’ where decisions were made and disputes were settled²².

The cabinet played a crucial role in maintaining balance among different groups and political parties within the government. In the nineteenth century, party discipline was less robust, leading the prime minister to rely heavily on senior personalities to uphold governing coalitions. Consequently, the prime minister had limited authority to dismiss ministers at will²³, solidifying the cabinet’s status as a main decision-maker.

However, over time, the cabinet’s influence has waned in favor of the prime minister. As the prime minister’s role and power have increased, emphasis has shifted towards a system centered around the prime minister rather than the cabinet itself²⁴. Factors such as 19th-century reforms, the flexible constitutional structure of the UK, and the government’s expansion have contributed to changes

17 AW Bradley, KD Ewing and CJS Knight, *Constitutional and Administrative Law* (17th edn, Pearson 2018) 275.

18 Seldon (n 5) 105.

19 LS Amery, *Thoughts on the Constitution* (Oxford University Press 1953) 70.

20 Martin J Smith, *The Core Executive in Britain* (Macmillan Education UK 1999) 53 <<http://link.springer.com/10.1007/978-1-349-27237-2>> accessed 8 March 2024.

21 *ibid* 53–55.

22 Mackintosh (n 2); Smith (n 20) 55.

23 Smith (n 20) 55; Mackintosh (n 2).

24 Bradley, Ewing and Knight (n 17) 275.

in the cabinet's features and functions. It is argued that the cabinet has significantly lost its ability to determine government policies, leading to a distinction between the concepts of 'cabinet' and 'government.' The current cabinet is now viewed as merely a small component of a wider and more complex government structure²⁵.

C. THE FEATURES OF CABINET GOVERNMENT

To understand how cabinet government operates in the UK, it is essential to consider its features. Some features contribute to the cabinet being the main decision-maker collectively, while others have led to an increased role for the prime minister in controlling other ministers within the cabinet over time.

Firstly, the principles of cabinet government are not enshrined in written statute but in conventions. However, in 2011, The Cabinet Manual was published, which 'sets out the main laws, rules, and conventions affecting the conduct and operation of government'²⁶. The Manual serves as a comprehensive handbook for Cabinet members, other ministers, and officials to effectively carry out government affairs. Additionally, it aims to codify numerous previously unwritten constitutional conventions governing the functioning of the British government.

The manual is classified as a 'guidance document or work of reference' rather than a statute, as it does not impose specific behavioral requirements on ministers or officials beyond what is already mandated by other codes or laws. Consequently, it lacks means for enforcement²⁷. In the past, the absence of a written document increased the power of ministers, who were not strictly bound by it. However, over time, this has also been utilized by the prime minister to consolidate power.

The second feature is collective ministerial responsibility, which mandates that all ministers are accountable for the government's policies, decisions, and actions to Parliament. Despite potential disagreements, ministers must collectively support and defend government policies both in Parliament and in public. This unanimity forms the basis of collective responsibility, with ministers either defending decisions they may not agree with or resigning from the cabinet²⁸.

While it may seem undemocratic, a strong and united cabinet necessitates collective responsibility. Without ministers' participation in cabinet decisions, government unity and harmony would quickly erode. Public criticism among ministers undermines the authority and credibility of the government²⁹. Additionally, since the late 18th century, the government has been accountable to Parliament. A stable and consistent policy accepted by all ministers enables Parliament to properly

25 Buckley (n 12) 30–31.

26 'The Cabinet Manual A Guide to Laws, Conventions and Rules on the Operation of Government' (2011) <<https://assets.publishing.service.gov.uk/media/5a79d5d7e5274a18ba50f2b6/cabinet-manual.pdf>> accessed 22 December 2022.

27 Nicole Winchester, 'Revision of the Cabinet Manual: House of Lords Constitution Committee Report' <<https://lordslibrary.parliament.uk/revision-of-the-cabinet-manual-house-of-lords-constitution-committee-report/>> accessed 10 March 2024.

28 Adam Tomkins, *Public Law* (Oxford University Press, USA 2003) 135.

29 James (n 6) 6–7.

assess government actions. Contradictory statements or divergent policies among ministers make it challenging for Parliament to hold the cabinet accountable³⁰. Consequently, collective responsibility is deemed necessary for the proper functioning and effectiveness of the cabinet government.

Collective responsibility has several consequences. Cabinet meetings must be confidential to ensure the effectiveness of final decisions. This confidentiality prevents the perception of discord among ministers and allows the prime minister to dictate policy over time. Ministers who dissent must still adhere to collective responsibility or risk exclusion from the government. Moreover, the distribution of duties and cooperation among ministries is crucial. Consequently, the prime minister plays a vital role in ensuring collective responsibility, coordinating inter-ministerial work distribution, and fostering cooperation among ministers.

The third feature of the British cabinet government is its unitary nature. Typically, governments are formed by a single party, given the dominance of the two-party system in the UK.³¹ Since the end of WWII, the UK has mostly seen single-party governments, with only one coalition government between 2010 and 2015, and several minority governments in 1974 and 2017. As a consequence, the appointment and dismissal of ministers, the merging of ministerial departments, and the establishment of committees are typically carried out by the prime minister, who, as the leader of the majority party, monopolizes power over time. The single-party cabinet allows ministers, particularly the prime minister, more freedom in forming policies due to the absence of coalition partners³².

Another feature is the limited role of the party machine in internal cabinet affairs. While parties play a role in the formation and continuation of the cabinet, they do not directly interfere in its internal workings. The majority party leader, typically elected as the prime minister, must secure a vote of confidence during their term in office. However, beyond this, the party has little direct influence on government affairs³³.

These are some of the basic features of the cabinet, but there are also other aspects to consider, such as challenges and breaches within the cabinet (e.g., agreements to differ, free votes, leaks) and their causes and consequences³⁴. For this article, understanding these features is crucial for tracing the

30 Tomkins (n 28) 36.

Before the 18th century, the government was accountable to the monarch. The monarch could easily dismiss any minister they did not want. Collective responsibility was imposed to prevent these arbitrary dismissals. Thus, even if the monarch was dissatisfied with a minister, they had to dismiss the entire cabinet rather than just the individual. Collective responsibility served as a safeguard against arbitrary practices by the monarch.

31 It should be noted that when we use the term 'two-party system', it does not mean that there are no other political parties in the UK. It means there are two major parties (Conservative Party and Labour Party) which usually dominate elections and form the government alone. In fact, there have sometimes been periods when these two parties could not win the majority in the elections on their own. In such cases, a third party (Liberal Democrat Party) usually forms a coalition government (such as the Conservative–Liberal Democrat coalition government between 2010 and 2015) with one of these two parties. This is also known as the 'two-and-a-half' party system.

32 James (n 6) 5.

33 *ibid* 10–11.

34 Buckley (n 12) 29.

transition of power from the absolute monarch to the cabinet in the past, as well as the transition from cabinet government to prime ministerial government.

II. THE TRANSITION OF POWER: FROM CABINET GOVERNMENT TO PRIME MINISTERIAL GOVERNMENT

Throughout time, the UK constitution has been shaped by various political and historical events. In the nineteenth century, the state expanded to address the challenges posed by urbanization and industrialization. From the 1920s to the 1940s, this expansion was primarily driven by the demands of war. In the aftermath of the war, state growth was predominantly influenced by class tensions, societal transformations, and economic turmoil. The transformation of the state into a contemporary entity equipped with the necessary abilities and systems to address the challenges of the twentieth century, such as all-out warfare, swift economic and social transformations, and the establishment of transitional economies and growing international relationships, became paramount³⁵. This transformation also affected the executive structure, particularly the cabinet government.

According to Anthony Seldon, the Cabinet system has undergone five distinct phases between the years 1900 and 2000:

1. The cabinet was the exclusive authority for making decisions. This was the situation prevailing from 1900 to the outbreak of the First World War.
2. The cabinet served as the primary body responsible for making decisions. This depiction remained accurate throughout the duration of both the First and Second World Wars.
3. The Cabinet served as the primary authority for ratifying decisions. This was the situation that prevailed from the Second World War until the late 1970s.
4. The cabinet served as the ultimate forum for discussion and dissemination of information. This persisted in various forms from the late 1970s until 1997.
5. An individualized system, during Tony Blair's tenure as prime minister from 1997 to 2002³⁶.

He also explained why the Cabinet system has changed, citing 11 reasons: 1. The need to involve expert opinions from outside the body of Cabinet ministers. 2. Drafting legislation to be presented to Parliament. 3. Britain's emergence from isolation and its entry into an interdependent world of international diplomacy in the twentieth century. 4. The increasing involvement of the government in social and economic issues from the early twentieth century. 5. The rise of the Treasury as the dominant Whitehall department in the 1910s. 6. Personalities within the government. 7. Time

35 Smith (n 20) 70.

36 Seldon (n 5) 129–131.

constraints. 8. Media influence. 9. Leaking by Cabinet ministers and their aides. 10. Growing departmental interdependence. 11. Changes to the doctrine of collective Cabinet responsibility³⁷.

The cabinet played a key role in the executive, determining government policy for a long time. It can be said that not only the executive but also parliament was dominated by the cabinet³⁸. However, this changed. Accordingly, the cabinet can be divided into two periods: before and after 1945.

Before 1945, the scope of activity of the cabinet was limited, allowing it to consider issues in depth and properly. Cabinet meetings were held once or twice a week informally, with an average of fourteen members. After the First World War, the cabinet's scope slightly expanded, and the cabinet secretariat was formed, increasing the number and importance of committees³⁹. Before the establishment of the cabinet secretariat, discussions within the cabinet were often leaked. The secretariat's primary function was to guarantee the documentation and coordination of decisions under the leadership of the prime minister⁴⁰, who appointed the cabinet secretary to work closely with them for their benefit⁴¹. Additionally, the importance of the office of the prime minister began to increase. Towards the end of this period, bilateral and trilateral meetings were held by the prime minister and some ministers to determine government policy.

The Second World War can be seen as a transition period from a traditional and small cabinet to the prime minister and senior ministers coming to the fore over time⁴². After WWII, the small cabinet was no longer sufficient due to various reasons including the effects of war, post-war structural changes, and shifts in economic management and welfare policies. Consequently, the structure of the cabinet changed to meet these expectations. The scope of activity expanded considerably, necessitating more frequent meetings⁴³. Moreover, there was an increase in the number of departments, whose tasks grew in line with socio-economic needs. The level of civil service also increased considerably⁴⁴. In 1919, several civil service departments were consolidated and placed under the authority of the prime minister, who was granted the authority to nominate the most senior civil service officials, known as departmental permanent secretaries and their deputies. These modifications enhanced the authority of the prime minister over the civil service itself⁴⁵.

Another reason for the growing cabinet is the emergence and prevalence of interest groups⁴⁶. These groups began to exert pressure on the cabinet to demand new rights in various subjects such as

37 *ibid* 131–133.

38 Buckley (n 12) 28.

39 James (n 6) 2.

40 Philip Norton, 'The Core Executive: The Prime Minister and Cabinet' in Bill Jones and Philip Norton (eds), *Politics UK* (8th edn, Pearson 2013) 375.

41 Robert Elgie, *Political Leadership in Liberal Democracies* (1st edn, Bloomsbury Publishing Plc 1995) 35 <<https://www.bloomsburycollections.com/monograph?docid=b-9781350362987>> accessed 8 March 2024.

42 Seldon (n 5) 115–116.

43 Norton (n 40) 380.

44 Buckley (n 12) 35.

45 Elgie (n 41) 37.

46 Buckley (n 12) 35.

education, local government, and health. This led to the cabinet continuing its expansion path to deal with such issues by seeking satisfying solutions⁴⁷. Another result is the emergence of the obligation for departments to work interrelatedly. Due to the extension of working areas, the need for working in detail and coordinated way among ministers, and insufficient working time, it became evident that the cabinet could not function properly if it continued as it did before 1945. To overcome this, ministerial committees began to play an important role by making certain governmental decisions in order to lighten the workload of the cabinet. Thus, the cabinet became a place where only significant issues are discussed, and disputes between ministers were resolved. This also increased the power of the prime minister because he used to chair the most significant of these committees⁴⁸.

In addition, after WWII, additional ministries were established to oversee matters pertaining to food, economic conflict, domestic security, maritime affairs, and supply chain management and manufacturing. The government's economic influence experienced significant and rapid growth⁴⁹. As a result of this growth and the lack of coordination among ministries and departments, and the inability of the cabinet to meet these needs, coordination among ministries and other institutions of the state became a vital issue. To ensure this coordination and act promptly to meet the growing needs of the state, the prime minister office came to the forefront compared to the cabinet. The prime minister gained power by establishing coordination among ministries.

It should be noted that although the committees had expanded their jurisdictions by making various decisions, it does not mean that the cabinet is insignificant. The cabinet was still the center of the British government and the place where some political policies had been determined after WWII⁵⁰.

When it comes to the 1960s, it was difficult to accept the cabinet at the center of the executive. In 1962, John Mackintosh argued that referring to the British government just as 'Cabinet government' was no longer accurate, as the prime minister holds the actual governing power in the country⁵¹. In 1963, Richard Crossman, a minister of the Cabinet, asserted that 'The post-war epoch has seen the final transformation of Cabinet government into prime ministerial government'. He contended that the Cabinet, along with the Crown and the House of Lords, had become one of the 'dignified' components of the constitution⁵². Especially with the emergence of powerful prime ministers, such as Margaret Thatcher and Tony Blair, decisions began to be made either solely by the prime minister or with the involvement of senior ministers. This indicates that cabinet government weakened and was replaced by prime ministerial government⁵³. Likewise, Peter Hennessy focused on the power of

47 *ibid.*

48 Elgie (n 41) 36.

49 Smith (n 20) 62.

50 James (n 6) 15; Seldon (n 5) 109.

51 Colin Turpin and Adam Tomkins, *British Government and the Constitution: Text and Materials* (7th ed, Cambridge University Press 2011) 409.

52 Crossman (n 2) 51–54.

53 Norton (n 40) 381.

the prime ministers by saying that ‘Symbolically enough, the last act a British prime minister would take is not a matter for the Cabinet but one for the prime minister alone’⁵⁴.

As a result, it can be said that the importance of the Cabinet gradually decreased, and the prime minister’s office became the center of the British government system.

III. THE OFFICE OF THE PRIME MINISTER

A. TRADITIONAL APPROACH REGARDING THE OFFICE OF THE PRIME MINISTER

The office of the prime minister was shaped by historical events. Sir Robert Walpole, who served as the First Lord of the Treasury from 1721 to 1742, is considered the first British prime minister⁵⁵. The title of prime minister was first officially used in the Treaty of Berlin by Benjamin Disraeli in 1878. Sir Henry Campbell-Bannerman was the first prime minister to be officially appointed in 1905, but it wasn’t until the Ministers of the Crown Act of 1937 that the prime minister office was legally recognized⁵⁶. During the 18th and 19th centuries, the prime minister could be appointed from the House of Lords. The Third Marquess of Salisbury, who left office in 1902, was the last the prime minister appointed from the House of Lords. After that, a convention stipulated that the prime minister must be a member of the House of Commons⁵⁷.

While the prime minister office had limited power during the 18th century, its importance increased due to the emergence of collective ministerial responsibility, which held ministers accountable for cabinet decisions, and the concentration of power around certain senior ministers. Particularly in the first period of the 20th century, the prime minister office became important with the establishment of the Cabinet Secretariat and the appointment of a Cabinet Secretary in 1916. The purpose of the Secretariat was to record and coordinate decisions of the Cabinet to the prime minister, granting the prime minister considerable powers compared to other cabinet ministers. Additionally, the establishment of a unified civil service in 1919, under a Permanent Secretary as its head, strengthened the prime minister office due to the requirement of the prime minister’s consent to appoint permanent heads and their deputies of civil service departments⁵⁸. While the cabinet was the center of the executive during this time, the office of the prime minister had become one of the significant institutions. In fact, even during the 19th century, the position of the prime minister was highlighted by figures such as Mr. John Morley (1838–1923), who stated that ‘the prime minister is

54 Peter Hennessy, *The Hidden Wiring: Unearthing the British Constitution* (Indigo 1996) 86–90.

55 ‘History of Sir Robert Walpole - GOV.UK’ <<https://www.gov.uk/government/history/past-prime-ministers/robert-walpole>> accessed 10 March 2024.

It should be noted that Walpole himself rejected claims that he was the most significant minister in the government.

56 Vernon Bogdanor, *From New Jerusalem to New Labour: British Prime Ministers from Attlee to Blair* (Palgrave Macmillan 2010) 2.

57 Norton (n 40) 374–375.

58 *ibid* 375.

the keystone of the cabinet arch⁵⁹. Likewise, Jennings (1903–1965) stated that the prime minister is the keystone of the Constitution⁶⁰. The office became more important after WWII while the cabinet lost its supremacy over time.

B. THE ROLES OF THE PRIME MINISTER UNDER TRADITIONAL BRITISH GOVERNMENT

In traditional British government, the prime minister holds several roles, many of which remain valid today. A significant portion of the prime minister's authority comes from prerogative powers, historically held by the Crown. As such, the prime minister plays various essential roles in the British constitution.

Firstly, the prime minister serves as the leader of a political party⁶¹. Typically, the prime minister is the leader of the majority party in the House of Commons. If assuming the role of prime minister without already being the party leader, they are usually elected as the party leader shortly thereafter. The position of prime minister entails both political and personal responsibilities. They must be an active and effective leader, representing not only themselves but also their party and government. Particularly crucial during general elections, the prime minister's personality, leadership qualities, and campaign strategies significantly influence voter decisions. As the face of their party and government, the prime minister must carefully consider their public image, employ effective propaganda techniques, affect the media and navigate public opinion. Over time, these responsibilities have further elevated the role of the prime minister. Secondly, the prime minister serves as the leader of the House of Commons. This position requires managing the internal dynamics of party influence within Parliament. Therefore, the prime minister must pay close attention to party affairs to effectively lead in Parliament. Thirdly, the prime minister acts as the head of the Cabinet and facilitates coordination among ministers⁶². While leading cabinet meetings and making decisions, the prime minister also ensures cooperation and coherence among cabinet members.

These three roles collectively establish the prime minister as the keystone of the constitution within the traditional British system. Coupled with other powers, such as the authority to elect and dismiss ministers, the prime minister's influence and authority have continued to grow over time. As noted by Crossman in the 1960s, 'the Government party controls Parliament, both resignations and dismissals for incompetence have become rare. Indeed, the incompetent minister with a departmental muddle to cover up may be kept in office for years'⁶³. This consolidated the prime minister's power.

It should be noted that under the traditional period, the position of prime minister was limited. According to Mr. Gladstone, 'The Head of the British Government is not a Grand Vizier. He has no

59 John Morley, *Walpole* (Greenwood Press 1971) 157.

60 Jennings (n 7) 173.

61 Peter Leyland, *The Constitution of the United Kingdom: A Contextual Analysis* (Fourth edition, Hart Publishing, an imprint of Bloomsbury Publishing 2021) 147.

62 Jennings (n 7) 176–177.

63 Crossman (n 2) 43–45; Leyland (n 61) 161.

powers, properly so-called, over his colleagues: on the rare occasions when a Cabinet determines its course by the votes of its members, his vote counts only as one of theirs⁶⁴.

According to Bagehot, 'the prime minister is at the head of the efficient part'⁶⁵. He argued that while the monarch held real power in the past, the prime minister and Cabinet now wielded this power⁶⁶. Over time, the prime minister has become increasingly important, although both the Cabinet and the prime minister are considered significant. There are several reasons why the prime minister, as the head of the Cabinet, holds an effective position in the British constitution.

Bagehot stated, 'The Cabinet, in a word, is a board of control chosen by the legislature, out of persons whom trusts and knows, to rule the nation'⁶⁷. However, he also noted that while the prime minister is chosen by Parliament, the members of the Cabinet are not chosen by it; the prime minister has the right to select these members. Bagehot emphasized that while this right of choice is not unlimited, it gives the prime minister considerable power compared to other ministers. Additionally, while theoretically, the monarch has the right to dissolve Parliament, in practice, the prime minister holds this power, providing an advantage over Parliament⁶⁸. However, the prime minister is generally unwilling to use this power as they also lead the majority party.

Bagehot asserted that the prime minister should be powerful and effective, attending debates in the House of Commons and leading Parliament to provide effective governance, intervening in emergency situations. If they prove ineffective, they should resign, as nobody, including the party, Cabinet members, and Parliament, wants a weak prime minister wielding significant power⁶⁹. Bagehot concluded that the British parliamentary system allows for change if the prime minister proves unfit for office, contributing to the prime minister's strengthened position over time.

As mentioned before, after WWII, while the Cabinet weakened in the executive, the role of the prime minister increased. However, this does not diminish the significant roles of previous prime ministers or the effectiveness of the Cabinet in the executive. Before WWII, there were prominent prime ministers who played significant roles, such as William Pitt the Elder, William Pitt the Younger, William Gladstone, Benjamin Disraeli, David Lloyd George, and Winston Churchill. Similarly, after WWII, the Cabinet, consisting of ministers, occasionally played a more active role than some prime ministers or limited the prime minister's role in the executive.

64 Jennings (n 7) 179.

65 Bagehot (n 14) 48.

66 *ibid* 24.

67 *ibid* 49.

68 *ibid* 31.

69 *ibid* 80.

C. THE POWERS OF THE PRIME MINISTER

Since the 1960s, it has been asserted that a transition of power has occurred from the cabinet government to the prime minister's office⁷⁰. The prime minister is often considered the strongest actor in the government, despite the fact that their powers derive from convention and prerogatives rather than statutes, making their functions and powers flexible according to the circumstances of the time and the personalities of the prime minister and other actors⁷¹. Several factors and powers have contributed to the increased role of the prime minister in the executive.

The prime minister holds two titles that confer extensive powers: the head of government and party leader. The formal title enables them to wield executive power by dominating ministers in the cabinet, while the latter allows them to control the legislative organ by leading the majority party in parliament. Consequently, some argue that 'the centralisation of power into die hands of one person has gone too far and amounts to a system of personal rule in die very heart of our parliamentary democracy'⁷². As the leader of a political party with a majority in parliament, the prime minister can control the House of Commons through the principle of the Supremacy of Parliament. Additionally, political parties are generally unwilling to challenge the prime minister to avoid opposing their own elected leader and risking harm to the party⁷³. The prime minister can exploit this dynamic to consolidate their position by dominating both the party and parliament. However, challenges to the prime minister from within the party are not uncommon, as party members may refuse to give a vote of confidence.

It should be noted that the powers of the prime minister have increased not only in the executive but also in the legislative arena. Despite the theoretical acceptance of parliamentary supremacy, the system allows for two bodies to influence and control each other. As Lord Hailsham stated in a speech at the BBC in 1976, 'The sovereignty of Parliament has increasingly become, in practice, the sovereignty of the Commons, and the sovereignty of the Commons has increasingly become the sovereignty of the government, which in addition to its influence in Parliament, controls the party whips, the party machine, and the Civil Service'⁷⁴. Thus, when the prime minister dominates the government, this also leads to control over parliament in practice.

Secondly, when the Cabinet fails to meet expectations, such as being inconvenient and slow to make decisions or lacking coordination among Ministers, the prime minister often takes center stage. In situations requiring rapid, decisive action and confidentiality, the executive must act promptly and efficiently to safeguard national interests. During emergencies, decisions must be made swiftly, and consulting the Cabinet may be time-consuming and problematic. As the most suitable individual, the prime minister assumes the responsibility to manage such processes, thereby acquiring considerable

70 Benn (n 2).

71 James (n 6) 88.

72 Benn (n 2) 7.

73 *ibid* 16.

74 Norton (n 15) 140–141.

power without the need to justify their actions⁷⁵. For example, following the 9/11 terrorist attacks in 2001, prime minister Blair gained significant authority for the war on terror.

Furthermore, the Cabinet is presided over by the prime minister, who determines the timing, topics, and decisions of meetings, allowing them to dominate the Cabinet's proceedings. Cabinet committees, where most policies are shaped, are established by the prime minister. Consequently, the prime minister not only decides the types and numbers of committees to establish but also appoints chairpersons for these committees, thereby increasing their influence within the executive.

Another factor strengthening the prime minister's authority is their relationship with colleagues. The appointment and dismissal of ministers are decided by the prime minister, with the consent of the monarch⁷⁶, granting them broad authority over ministers. Additionally, the prime minister can arrange meetings with ministers to discuss major departmental issues, facilitating coordination. This coordination, along with the power to appoint and dismiss, enhances the prime minister's authority. Moreover, they resolve interdepartmental problems and oversee the Cabinet Secretariat, ensuring effective communication between the Cabinet and the monarch. While there are some restrictions on their appointment powers, such as considering the balance of party functions and the claims of senior party colleagues, the prime minister still wields considerable power over ministers. Furthermore, they have easier access to and control over information compared to other ministers⁷⁷.

The prime minister also commands a significant amount of media and public attention⁷⁸ and often represents the government on the international stage. This spotlight on the prime minister underscores the difference between them and other Cabinet ministers, further enhancing their influence.

Moreover, the prime minister exercises control over Whitehall. They not only appoint ministerial heads of departments but also have the authority to establish, abolish, or merge departments and appoint civil service heads. The prime minister also decides on senior civil service appointments, ensuring that all departments align with the governing party's agenda and that ministers remain focused on overarching objectives⁷⁹. Additionally, the prime minister formally advises the monarch on certain honors and appointments, including those of the heads of security services, armed forces, and the BBC.

Another significant aspect is the prime minister's accountability to Parliament and beyond⁸⁰. In practice, under strong prime ministers, they may evade accountability due to their roles as party leaders, leaders of the majority party, media attention, and international responsibilities. This freedom allows them to act without significant constraints. The prime minister also intervenes in

75 Benn (n 2) 15–16.

76 Norton (n 40) 376.

77 James (n 6) 101–111.

78 Elgie (n 41) 39.

79 James (n 6) 90.

80 Peter Riddell, 'Prime Ministers and Parliament' (2004) 57 *Parliamentary Affairs* 814, 815.

policy areas where they believe their authority or judgment is necessary, with the extent and manner of their involvement left largely to their discretion⁸¹. Furthermore, some of the powers of the head of state are exercised by the prime minister as the head of government, blurring the distinction between state and government⁸² and allowing the prime minister to leverage these powers to their advantage.

Additionally, the prime minister wields military, intelligence, and foreign treaty powers. Finally, certain factors that either no longer exist or have changed have impacted the prime minister's authority, such as the absence of constitutional review of statute law (until the establishment of the Supreme Court in 2009) and the shift from a unitary and centralized state to a weaker central authority compared to the past⁸³. Overall, the powers of the prime minister are comprehensive and effective.

IV. THE PRIME MINISTERIAL GOVERNMENT

With the extensive powers outlined above, it has been argued that under certain prime ministers, the British political system has shifted towards prime ministerial Government, resembling a presidential premiership in some respects. In this model, the Cabinet relinquishes its function as the primary decision-maker, with the prime minister assuming the role of the main decision-maker. More assertively, in a presidential premiership, the prime minister becomes more detached from their Cabinet, party, and Parliament, acting as if they were directly elected by the public⁸⁴. Consequently, the prime minister represents the national will and intervenes with the government to ensure the achievement of specific goals⁸⁵. Two well-known leaders often cited in support of this argument are Tony Blair and Margaret Thatcher.

To understand how prime ministers exercise their powers without full Cabinet involvement, concepts such as the “inner cabinet” or “kitchen cabinet” are often employed. Inner cabinets are political entities that operate discreetly behind the scenes of the Cabinet. Typically consisting of four or five key ministers who enjoy close proximity to the prime minister, these ministers convene separately from the entire Cabinet to discuss and make decisions on crucial matters⁸⁶. On the other hand, kitchen cabinets differ from inner cabinets in that they recruit members from a broader and more personal circle of trusted advisors to the prime minister, rather than from the predominantly political composition of the inner Cabinet⁸⁷.

81 James (n 6) 90–91.

82 Buckley (n 12) 103.

83 Elgie (n 41) 26–29.

84 Norton (n 40) 382; Michael Foley, *The Rise of the British Presidency* (Manchester University Press ; Distributed exclusively in the USA and Canada by St Martin's Press 1993).

85 Graham P Thomas, *Prime Minister and Cabinet Today* (Manchester University Press ; Distributed exclusively in the USA by St Martin's Press 1998) 79.

86 Buckley (n 12) 37.

87 *ibid* 38.

For instance, Mrs. Thatcher, who assumed office as prime minister in 1979, initially felt compelled to reconcile and compromise within a Cabinet where those who shared her political views were in the minority. However, in 1981, she reorganized her team of ministers to significantly alter the distribution of power within the Cabinet, favoring her own benefit⁸⁸. Mrs. Thatcher believed that the Cabinet system was exaggerated and excessively bureaucratic, feeling that too many matters were brought before the Cabinet and its committees. Consequently, from 1979-80 onwards, she began making decisions with small groups of ministers, either individually or in a multilateral setting⁸⁹. Additionally, she reduced the authority of the Cabinet by delegating significant decision-making tasks to informal groups of ministers that she personally convened. Furthermore, she involved herself more frequently and confidently in the affairs of departmental ministers and in the selection of high-ranking government officials⁹⁰. Michael Foley asserted that ‘it would be no exaggeration to assert that what this country has witnessed over the last generation has been the growing emergence of a British presidency’⁹¹. It is crucial to note that while the view of a shift towards prime ministerial Government during Thatcher’s premiership is often highlighted, it doesn’t necessarily apply universally to all periods or prime ministers⁹².

Similarly, Tony Blair, like his predecessor Mrs. Thatcher, established a kitchen Cabinet consisting of a select group of handpicked advisors and close friends. This group remained intact following the general election triumph in 1997⁹³. Blair was also accused of exercising executive power alone, often without consulting the Cabinet or other actors. According to J. Naughtie, “No prime minister since the nineteenth century has spent more time avoiding formal meetings with cabinet colleagues than Tony Blair”⁹⁴. Likewise, Norton stated, “He was seen as distancing himself not only from Cabinet, but from the civil service and Parliament”⁹⁵. Blair’s style of governance, often termed “sofa government,” involved informal gatherings with senior ministers and influential advisors⁹⁶.

Concerns frequently arose regarding the Cabinet’s role, with suggestions that it merely served as a symbolic endorsement of decisions made elsewhere, given the increasing influence of the prime minister. For example, Tony Blair consistently made significant determinations in consultation with a select group of advisors before convening Cabinet meetings⁹⁷.

88 Turpin and Tomkins (n 51) 410.

89 Seldon (n 5) 123.

90 Turpin and Tomkins (n 51) 410.

91 Foley (n 84) 263.

92 James (n 6) 93.

93 Buckley (n 12) 38.

94 James Naughtie, *The Rivals: The Intimate Story of a Political Marriage* (Fourth Estate 2001) 104.

95 Norton (n 40) 382.

96 *ibid* 383.

97 Christopher Foster, ‘Cabinet Government in the Twentieth Century’ (2004) 67 *The Modern Law Review* 753, 766; Mark Elliott and Robert Thomas, *Public Law* (4th edn, Oxford University Press 2020) 142.

As a result, it was argued that the system had transitioned from a Cabinet system to prime ministerial Government in the UK. However, such assertions are subject to criticism and debate, and the extent of this transformation may vary across different prime ministers and historical contexts.

A. THE CHALLENGES OF THE PRIME MINISTERIAL GOVERNMENT

The prime minister has been considered quite strong in recent times, powerful enough to be compared to the president under a presidential system. It is claimed that the specific responsibilities and roles of the prime minister, derived from convention and prerogatives, might vary depending on current circumstances and the abilities of key individuals within the system⁹⁸. Therefore, there is also a country-thesis which focuses on the many factors that limit the power of the prime minister's office. Accordingly, constraints for the prime minister can arise both within and outside the government⁹⁹.

The first constraint can arise from the government itself. As mentioned above, the prime minister could have substantial powers in the government and control over the members of the Cabinet because their appointment and tenure depend on him. However, ministers, particularly senior ones, still can challenge the prime minister. In fact, ministers can wield considerable power because they formulate policies for their departments and possess more time and expertise regarding their areas. It should also be noted that the prime minister must work with ministers, and if they disagree with certain decisions or acts of the prime minister considered extreme by them, the prime minister may find themselves in a weak position against united ministers who are willing to challenge those proposals. For instance, Ministers Robin Cook and Claire Short resigned from Tony Blair's cabinet in 2003 due to their disagreement with the strategy of supporting the American invasion of Iraq. This indicates that his authority can be questioned, placing him in a weaker position.

In particular, two constraints on the prime minister in relation to ministers and other actors are important: Firstly, the prime minister has limited time to address only a few subjects because of the hectic nature of his life, which involves many issues but not enough time. Secondly, the political power of other ministers, both individually and collectively, counterbalances his impact. Here, both ministers and the prime minister are important in shaping their relationship, particularly the personalities of the ministers. Ministers can have three different personalities: weak ministers, strong ministers who usually do not agree, and strong ministers who are easy-going¹⁰⁰. Additionally, it can be said that the Cabinet committee system, previously secretive and contentious, is now open and essential, especially after the introduction of the Ministerial Code. This also reduces the authority of the prime minister because it limits the actions of the prime minister over the ministers.

The second restriction is Parliament.¹⁰¹ As is known, the party with a majority in Parliament is the main factor in determining the cabinet, including the prime minister. Although the thesis of the

98 James (n 6) 88.

99 Norton (n 40) 383.

100 James (n 6) 118–123.

101 The official opposition plays a crucial role in the parliamentary system in the UK. The primary function of the opposition is to challenge and resist the current administration by presenting well-founded objections to its legislative proposals

prime minister's dominance over Parliament has been addressed recently, this is not always the case. Parliament members, including those from the same party as the prime minister, could challenge the prime minister's office and end his tenure by issuing a vote of no confidence. For instance, the ousting of Margaret Thatcher in 1990 exemplified the potential for even the most influential prime ministers to lose the backing of their parliamentary party and be compelled to resign from office. Prime minister Thatcher's actions ultimately led to her downfall, despite her more than 11 years in government. She garnered numerous political adversaries within her own party and, disregarding the counsel of colleagues, persistently pursued unpopular measures, including the implementation of the community charge¹⁰².

In particular, the position of the prime minister is weaker when a hung parliament exists, meaning the prime minister's party does not have a majority in Parliament, and a coalition government is formed with cabinet ministers from different parties. This places the prime minister in a weak position against Parliament, as it is more willing to challenge the prime minister's policies if there is a conflict. The prime minister should consider the wishes of other parties in Parliament to maintain confidence from both Parliament and cabinet members.

Likewise, even if the prime minister is the party leader, there are occasions when party members, either in Parliament or the cabinet, challenge his actions. Particularly, senior ministers and party members may consider themselves strong enough to challenge the prime minister's bold decisions or policies. A prime minister may be ousted due to internal party dynamics. In 2019, Theresa May resigned as prime minister due to significant internal disagreements within the Conservative Party on Brexit¹⁰³.

Moreover, Parliament sometimes restricts certain powers of the prime minister. For instance, the prime minister Cameron supported the implementation of the Fixed Term Parliaments Act 2011 (FTPA 2011) to ensure a coalition agreement. This act mandates that general elections occur every five years, thereby eliminating the prime minister's authority to advise the monarch to dissolve Parliament at their own discretion. However, an election can still take place before the scheduled date if the House of Commons votes in favor of a resolution supported by a two-thirds majority of MPs, or if the House of Commons supports a motion (by a simple majority of members) expressing no confidence in the administration. The prime minister's ability to call an election, as established by

and scrutinizing its performance as a governing body. The opposition must also posture itself as a potential governing body (or "government-in-waiting"). In addition to possessing a unique set of policies, it also has an alternative leader and government team referred to as a "Shadow Cabinet." The official opposition and smaller opposition parties are allocated parliamentary time and have representation on all parliamentary committees to fulfill their role. The primary function of the Shadow Cabinet is to scrutinize the activities of each government department and make policies pertaining to their respective domains. The individual who holds the position of the Leader of the Official Opposition is the leader of the opposition party with the highest number of members. This position entails extra remuneration in addition to the legislative income obtained as a Member of Parliament. The Leader of the Official Opposition appoints a Shadow Cabinet to monitor the activities of government agencies.

See more information: Leyland (n 61) 111–112.

102 *ibid* 147.

103 Elliott and Thomas (n 97) 135.

convention, no longer applies until the repeal of the FTPA 2011 with the Dissolution and Calling of Parliament Act 2022¹⁰⁴. As observed, between 2011 and 2022, the prime minister's power to dissolve Parliament was restricted by the Act of Parliament, putting him in a weaker position.

Another constraining factor is public opinion. When the prime minister loses the support of the people, their position is in danger. When this happens, the parliament, cabinet, and other actors are more likely to challenge them because an unpopular the prime minister could lead to losing the next election, which is crucial for them. Particularly in recent times, it can be said that public support shapes the future of the prime minister. Accordingly, a popular prime minister could be considered to act on behalf of the people by justifying their decisions for public approval. However, when they lose it, it becomes a vital problem for the prime minister and their party for future actions because coming to power depends on the people who vote in elections.

Media is considered a new type of constraint that can determine public opinion and popularity. Increasing popularity by being in the media highlights the importance of media in the public's recognition of parties and prime minister candidates, as well as in determining their voting behavior, which forces the prime minister to consider the media as a factor in gaining power by seeking the support of media outlets¹⁰⁵. Prime ministers frequently introduce policies or suggest projects through broadcast or newspaper interviews rather than in Parliament¹⁰⁶. Today, we should also consider social media such as X and Facebook. Although these can be useful tools for the prime minister to exercise and widen their influence, they can also limit the prime minister's authority.

Furthermore, the result of a general election is also important and can be a restriction for the prime minister. For instance, the occurrence of coalition and minority government during the period from 2010 to 2019 establishes the framework for re-examining the extent of prime ministerial authority. Starting in 2010, the government's dominant control over Parliament, which was referred to as 'elective dictatorship', no longer held true. Instead, governments with a strong majority were replaced by a coalition government from 2010 to 2015, followed by a Conservative government with a very slim majority from 2015 to 2017, and finally a minority Conservative government from 2017 to 2019, which relied on an informal 'confidence and supply' agreement with the 10 MPs from Northern Ireland's Democratic Unionist Party¹⁰⁷. Under these circumstances, the prime minister has a weak position compared to previous strong the prime ministers such as Tony Blair or Margaret Thatcher. In fact, the prime minister during this period could not exercise executive power alone, instead considering various factors such as coalition partners, parliament, and ministers to sustain their government. Although the Conservative party came to power alone in the 2019 elections, two prime ministers (Boris Johnson and Liz Truss - the current prime minister is Rishi Sunak) have changed since the election. (Also three prime ministers since 2019, Theresa May resigned in 2019). As seen, it

104 Leyland (n 61) 150.

105 Norton (n 40) 377.

106 Riddell (n 80) 818.

107 Leyland (n 61) 149.

is difficult to say that since 2010, there has been a strong prime minister who is considered to be like a president or established prime minister government.

The personality of the prime minister is also important in determining their position in office. There are different types of political leadership for prime ministers. According to HH Asquith, who served as prime minister from 1908 to 1916, ‘The office of prime minister is what its holder chooses to make it’¹⁰⁸. Different prime ministers exercise their powers differently. Some pursue political office with the aim of implementing a certain agenda of public policy, while others do so out of a sense of civic responsibility or purely out of ambition for political power. According to Norton, a classification system consisting of four distinct categories of prime ministers has been devised. These categories include innovators such as Margaret Thatcher, reformers such as Clement Attlee, egoists such as Tony Blair, and balancers, such as Harold Macmillan¹⁰⁹. Additionally, even the same prime minister can pursue different policies at different times. For instance, Churchill’s role as prime minister during peacetime (balancer between 1951 and 1955) was markedly distinct from his wartime tenure (innovator between 1940-1945). Similarly, Lasswell categorized political leaders into three sorts based on their abilities: the agitator focuses on rallying people, the administrator operates inside systems, and the theorist aims to bring about global change¹¹⁰. Therefore, the personality of the prime minister can also be a limitation for the office.

Another factor is that while political constitutionalism is weakening, legal political constitutionalism is becoming more important. This means that the judiciary has started to limit the powers of the government, particularly the prime minister. In particular, with the establishment of the Supreme Court in 2009, statute law can be reviewed by the court. This decreases the power of the government and parliament, thereby restricting the powers of the prime minister who leads the government and the majority party in parliament.

Lastly, while state policies were historically made by the centralized executive, they are now being made by various organs at sub-national, national, and supranational levels. In Scotland, Northern Ireland, and Wales, some policy-making authority has been devolved to elected authorities. Additionally, some powers have been transferred to national organs such as regulators and courts. This also reduces the powers of the central government led by the prime minister. Particularly, the Supreme Court is empowered to resolve conflicts between UK domestic law and European law or with the European Convention on Human Rights.

108 Elliott and Thomas (n 97) 134.

109 Norton (n 40) 378.

Innovators engage in a competition to become Prime Minister, with the aim of implementing a specific agenda that they have carefully devised.

Reformers aim to obtain authority in order to implement a specific agenda of public policy, which is mostly determined by the party itself.

Egoists pursue power solely for the purpose of possessing power.

Balancers strive to maintain equilibrium within society.

110 Mark Bennister, *Prime Ministers in Power Political Leadership in Britain and Australia* (Palgrave Macmillan UK 2012) 9–10 <<http://link.springer.com/10.1057/9780230378445>> accessed 8 March 2024.

Furthermore, supranational organizations such as the institutions of the European Union, NATO, and the World Trade Organization have acquired some powers over the prime minister's office due to the increasing importance of globalization. Certain international policies have been determined by different organs, and the prime minister is not in a position to dominate or decide global policies¹¹¹. In fact, with multiple players, the prime minister is usually not the most significant actor among equals, so the possibility of a policy that he does not desire is high. However, they still may be in a position where compliance with the policy is necessary. The main reason for this is that the world is shrinking in terms of communication and economic developments. In order to solve global problems, international connections and arrangements have become important, thus increasing the interdependence of states and the tendency to determine common policies¹¹², which has led to a decrease in the power of the prime minister.

It can be said that international institutions have affected the prime minister's office in recent decades, particularly the European Union. Since 1973, British domestic law has fallen under the authority of EU law, and the EU's jurisdiction currently extends to most economic sectors and is expanding into new areas such as foreign affairs, border controls, social policy, and education¹¹³. Even after Brexit, EU laws and rules continue to constrain the executive. It should be noted that EU law is commonly incorporated into domestic law. Additionally, with the increasing emphasis on the rule of law as a guiding principle, the courts, particularly the Supreme Court, are considered significant institutions for limiting the executive, especially in matters relating to EU law.

V. THE CORE EXECUTIVE MODEL

As discussed above, in the 1960s and 1970s, a debate emerged regarding the distribution of power within the executive branch, categorized into 'cabinet government' and 'prime ministerial government' based on which institution wields the most influence in political decision-making¹¹⁴. While the supremacy of cabinet government was commonly accepted before the 1960s, scholars such as Richard Crossman challenged this notion, advocating for the increasing dominance of the prime minister in the executive branch. This debate persisted over time, with varying perceptions during different prime ministers' tenures. For example, the Thatcher era was often associated with prime ministerial government, while John Major's time saw a resurgence of cabinet government. However, Tony Blair's leadership was characterized by a shift of power from the cabinet to the prime minister, as highlighted by the presidentialization thesis¹¹⁵. The presidentialization approach reflects changes

111 Ian Bache and Matthew Flinders, *Multi-Level Governance* (Oxford University Press 2004) <<https://academic.oup.com/book/10675>> accessed 11 March 2024.

112 Richard Rose, *The Prime Minister in a Shrinking World* (Polity 2001); Buckley (n 12) 111–113.

113 James (n 6) 8.

114 Martin J Smith, 'Reconceptualizing the British State: Theoretical and Empirical Challenges to Central Government' (1998) 76 *Public Administration* 45, 47; Rhodes (n 1).

115 Birgit Bujard, *The British Prime Minister in the Core Executive: Political Leadership in British European Policy* (Springer International Publishing 2019) 17 <<http://link.springer.com/10.1007/978-3-319-89953-4>> accessed 8 March 2024; Thomas Poguntke and Paul Webb (eds), *The presidentialization of politics: a comparative study of modern democracies* (Oxford University Press 2005); Foley (n 84).

in political leadership in the UK during the early 2000s, demonstrating how a prime minister, under favorable political circumstances, can exhibit dominant political leadership¹¹⁶. However, these theories alone do not fully elucidate the workings of the executive today. Hence, the core executive model is introduced to address this issue.

As Heffernan noted, understanding the prime minister's position and the broader functioning of the core executive requires addressing three phenomena: 'hierarchies within government, inequalities of power, and the properties of actors and institutions'¹¹⁷. By addressing these aspects, it becomes evident that the prime minister alone is insufficient to explain the executive and its functioning. Therefore, a comprehensive analysis of the core executive is essential to grasp the roles of both the prime minister and other actors within the executive.

According to Rhodes, the term 'core executive' encompasses the various institutions and procedures that facilitate the coordination of central government and serve as ultimate decision-makers in resolving conflicts between different branches of the government apparatus. Essentially, the 'core executive' refers to the central and essential part of the political system, which includes an intricate network of institutions, networks, and practices related to the prime minister, cabinet, cabinet committees, their official counterparts, informal ministerial gatherings, bilateral negotiations, and interdepartmental committees¹¹⁸.

According to Core Executive theory, the prime minister operates within a framework shaped by institutions and external political and economic variables. While the prime minister possesses greater resources compared to other individuals, he relies on other players and resource exchanges to accomplish objectives, as other actors and institutions in the core executive also possess resources. Therefore, the success of the prime minister depends on his strategies and tactics with other players¹¹⁹.

The core executive model can be discussed in different aspects. For instance, Smith developed his analytical framework regarding the core executive on five key elements: resources, power, agency, structure, and context. He stated that the examination of the political leadership of the prime minister is founded on these aspects, and the position of other actors in the executive will be shaped accordingly¹²⁰.

Under the core executive model, there are multiple main actors, as noted by Heffernan. He emphasized that all actors or institutions within these networks do not hold the same level of importance. The 'core executive' itself also has a 'core'. Networks may consist of multiple participants, each with their own roles and levels of influence. These networks are not simply pluralistic but also possess internal

116 Richard Heffernan, 'Prime Ministerial Predominance? Core Executive Politics in the UK' (2003) 5 *The British Journal of Politics and International Relations* 347; Richard Heffernan, 'Exploring (and Explaining) the British Prime Minister' (2005) 7 *The British Journal of Politics and International Relations* 605; Bujard (n 115) 21.

117 Heffernan, 'Exploring (and Explaining) the British Prime Minister' (n 116) 616.

118 Rhodes (n 1) 12.

119 Smith (n 20) 71.

120 *ibid* 29–36; Bujard (n 115) 18–19.

hierarchies¹²¹. This implies that no single actor or institution will always have absolute power, and the system is subject to change. While some actors may have more opportunities to obtain power, various factors will always affect the sharing or use of power. These factors include parliamentary arithmetic, the type of government in place, and the popularity of the leaders.

It is evident that resources play a significant role in the core executive, as certain actors possess different resources that influence how the executive functions. Therefore, it is essential to discuss resources in detail when analyzing the core executive model.

The prime minister possesses certain resources, which are derived partly from their personal style and authority, and partly from the institutional aspects of their office. Accordingly, it can be said that the prime minister has two kinds of sources: formal and informal.

The prime minister's formal resources originate from the office itself. They can be exemplified as follows: the power to appoint; partial control over the cabinet's agenda; selection of the chairs and members of cabinet committees; and the prime minister's office, which offers administrative assistance and the capacity to develop strategic supervision. Informal resources encompass a comprehensive understanding of government, which means the prime minister usually shapes government policy, the capacity to intervene in several policy domains, and the exercise of authority¹²². It should be noted that although these resources provide an advantage for the prime minister, their effectiveness depends on the circumstances and the actors involved. For instance, ministers also have their own resources such as their departmental powers, so the prime minister should consider this. In fact, the executive would be shaped according to the relationship between the prime minister and other actors, particularly ministers, making the use of their sources significant.

In particular, Heffernan focused on the resources of the prime minister. Accordingly, a prime minister can have various institutional and personal resources. To dominate, the prime minister should accumulate and utilize personal resources while fully utilizing available institutional resources. He stated that personal resources include "reputation, skill and ability; association with actual or anticipated political success; public popularity; and high standing in his or her party."¹²³ He also identified four crucial institutional resources. Firstly, the prime minister is the legal head of the government. Secondly, they may determine the government's policy agenda through their control of the cabinet system and their influence in Whitehall. Thirdly, they can create a de facto prime minister's Department by utilizing No. 10 Downing Street and the Cabinet Office. Lastly, they can engage in political agenda-setting by effectively managing the media¹²⁴. With these sources, the prime minister has an advantage to gain power in the executive.

Additionally, the prime minister has abundant resources within the executive and enjoys easier access to resources compared to other actors and institutions, making them more powerful within

121 Heffernan, 'Prime Ministerial Predominance?' (n 116) 369.

122 Smith (n 20) 76.

123 Heffernan, 'Prime Ministerial Predominance?' (n 116) 351.

124 *ibid* 347–357.

executive networks. The prime minister's predominance allows them to lead the executive, drive policy creation, and manage the legislature without exercising complete control or domination. Although no prime minister possesses ultimate, unconditional power, they can wield enormous, conditional power¹²⁵, which puts them in an advantageous position compared to other actors in the executive.

However, resources alone are inadequate for attaining objectives. Hence, the prime minister engages in exchanges, often with ministers, as well as officials, advisors, and to a certain extent, MPs¹²⁶. For instance, the prime minister usually needs the support of the cabinet. Additionally, a prime minister's personal resources are influenced by institutional, political, electoral, ideational, and socioeconomic circumstances in which they operate¹²⁷. For instance, if the political conditions are favorable for the prime minister, they may rely less on the ministers¹²⁸. Therefore, it is impossible to say that the prime minister is always the main decision-maker in the executive or exercises executive power alone. On the contrary, while they have advantages, they always need to consider other actors, political circumstances, and relevant factors.

Another important element that explains the core executive is the structure. The structure of institutions also determines the position of the prime minister and other actors within the executive. Within the central state, different actors and departments encounter varying levels of structure. Civil workers are limited by regulations that dictate their conduct, power, and scope of impact. Ministers are limited by their position and duties, while the state can also be constrained by financial markets, international agreements, and the characteristics of its military. However, it should be noted that these structures are created by humans and are therefore capable of being altered¹²⁹.

The use of resources by the prime minister depends on the structure, which is divided into two ways: internally and externally. Internally, within the central state, the prime minister's resources and their connection with other actors are influenced by the laws and institutions of the core executive. Externally, the office of the prime minister is influenced by various constraints, such as global financial markets, the boundaries of state action, the limitations on taxable income, and the public's support for the prime minister's actions¹³⁰. Therefore, the position of the prime minister and other actors depends on such changes.

Regarding agency, actors possess resources that may or may not be dictated by structure, but the exertion of power relies on intention: the utilization of resources and accomplishment of objectives¹³¹. These actors use certain strategies and tactics to achieve their goals. In particular, the strategies and tactics of the prime minister are important here. It can be said that there are some strategies

125 Heffernan, 'Prime Ministerial Predominance?' (n 116) 350.

126 Smith (n 20) 74.

127 Heffernan, 'Exploring (and Explaining) the British Prime Minister' (n 116) 618.

128 Smith (n 20) 74.

129 *ibid* 30.

130 *ibid* 79–80.

131 *ibid* 32.

which the prime minister could follow according to their wishes and circumstances. Interventionist (Thatcher), collectivist (Major), and directive (Blair) are the most common strategies. The prime minister's strategies and tactics affect their roles and their relationship with others. For instance, Thatcher employed the strategy of forming small ministerial groupings to gain backing for her objectives by holding bilateral meetings with ministers. Prime minister Major collaborated with the cabinet to establish agreement and postponed decisions until support was obtained. Blair utilized the resources of the prime minister's Office and Cabinet Office to formulate a clear and purposeful strategic direction. The prime minister ensured that ministers adhered to directives¹³². As seen, each prime minister used a different strategy and tactics according to their sources and purposes. It should be noted that the ministers and other actors also have their own strategies and tactics which could challenge the prime minister's agenda, making it a kind of political game among actors.

It can be said that the prime minister holds an advantageous position to gain power, but there are certain factors that determine it. As Heffernan stated, 'Predominance grants the prime minister the 'potential' for leadership within government, but only when personal power resources are married with institutional power resources, and when the prime minister is able to use both wisely and well'¹³³. Likewise, prime ministerial predominance will increase prime ministerial autonomy, but it cannot render a prime minister completely autonomous. No prime minister can control every aspect of government due to its complexity and intricacy. When they do get involved, they must collaborate with other actors and organizations to exert influence. prime ministers possess substantial personal and institutional resources that can influence results, while other ministers and their departments also have resources that they can utilize in a similar manner¹³⁴.

Moreover, the core executive clearly emphasizes that one element would not be sufficient to understand the executive, particularly the position of the prime minister. For instance, as mentioned before, the personality of the prime minister is also important to understand how he gains and exercises power. It is claimed that strong prime ministers could dominate the executive by dominating the cabinet. However, it is clear that the power of the prime minister does not only depend on the personality of the prime minister, as seen in the example of the dismissal of Thatcher. Certain resources, other actors, context, and circumstances have a significant effect on shaping power in the executive. While the prime minister can use the most suitable tactics and strategies to achieve his aims, other actors can also follow tactics and strategies for different reasons. Therefore, there will be no clear answer saying the prime minister or any other actor is powerful without considering other factors and actors, but the prime minister has more chance to gain power in the executive compared to other actors due to having the most useful resources.

As a result, the core executive explains the UK executive, and the prime minister's position depends on these sources and other actors. It should be noted that although the possibility of conditions that the prime minister could control the executive alone has increased, the prime minister could not

132 *ibid* 88.

133 Heffernan, 'Prime Ministerial Predominance?' (n 116) 350.

134 *ibid* 364.

be considered the only actor in the executive. In fact, both the prime minister and Cabinet could still be the core executive, and which one will be more effective in the executive depends on certain elements as mentioned above. Therefore, it can be said that despite the prime minister's position being emphasized, the Cabinet, its members, and other actors and elements, and their relationships with each other are the main factors that determine the core executive in the UK.

CONCLUSION

In conclusion, the British executive has evolved through various stages, influenced by constitutional developments over a long historical process. Initially, the monarch held all state powers, including executive authority, but eventually ceded executive power to the cabinet during the transition to constitutional monarchy. At this stage, although the roles of prominent ministers or leaders were significant to a certain extent, the cabinet, consisting of ministers working collectively, remained the real authority in the executive. However, the cabinet's dominance in executive power waned since the 20th century, particularly after the Second World War, sparking discussions on the transition from cabinet government to prime ministerial government. Since the 1960s, the thesis that the prime minister is the most important actor in the executive has been widely discussed, with some suggesting a shift towards a presidential system. Yet, it has long been understood that the office of the prime minister has not always been the sole center of power in the executive. The relations and conflicts between the cabinet system and the prime ministerial system have been subjects of intense scrutiny in literature. Through explanations of the characteristics, roles, and historical development of both the cabinet system and the prime minister's office, the article attempts to explain their current positions within the executive.

In reality, neither the cabinet government system nor the prime ministerial system suffices to explain today's British executive. This article argues that the best method to explain the British executive today is the core executive model. According to this model, there is no single method or theory that always works to explain how the executive functions. The core model suggests that executive power usage and effectiveness depend on factors such as the existence of actors in the executive, the resources that determine the powers and behaviors of these actors, structural elements, tactics and methods employed, and the personalities of the actors. Thus, although the prime minister may have an advantage over other actors, the functioning of the executive will vary according to the aforementioned factors. Sometimes, the executive may be centered around the prime minister, while at other times, it may revolve around actors such as the cabinet or political party. Therefore, the claim that this can be determined in advance is unrealistic under today's conditions.

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