Democracy and Security in the UK: Why parliament matters

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Abstract

This paper makes the case for taking parliament seriously as a site for the construction and contestation of UK security policy. It first argues that legislatures always affect how states pursue international security by shaping two-level bargaining and facilitating role conception. It then offers an initial discussion of some of the specific mechanisms parliament has used in the past to affect UK security.
Introduction

I’m interested in UK security policy. I’m interested in the UK’s alliances and enmities. I’m interested in how it identifies threats, pursues opportunities, allocates resources and deploys its tools. I’m interested in how and why it does the things it does to keep itself secure.

So why am I interested in parliament? What does parliament have to do with any of this? Surely all of these things are really the business of government – of the executive, not the legislature, to use comparative terms. Isn’t the UK parliament merely a creature of the Crown – summoned, prorogued and dissolved on royal authority? Aren’t most of the most important powers – to declare war, direct the armed forces and make peace, to forge and break alliances, to appoint ministers and ambassadors and generals – part of the royal prerogative, the remnants of medieval absolutism that still underpin the UK constitutional order in the 21st century?

Well, yes. Much of that is true. The Crown retains considerable power under the law, including key powers over appointments, agreements and deployments. But it isn’t a complete picture. As ever, when considering the UK’s uncodified constitution, focusing narrowly on legality can lead you to neglect reality. And the reality is that the monarch – the individual human being temporarily cast by fate into the role of physically embodying the Crown – wields none of these powers in their own right. All have passed into the hands of ministers – appointed on the monarch’s authority on the basis of their ability to command the support of the elected House of Commons.

Moreover, this narrow focus on critical moments – declarations, deployments and détentes – disguises much of what is really going on. Yes, the Crown directs the armed forces. But it does so only – and always – on the advice of a democratically (if indirectly) elected prime minister. And in order to possess armed forces in the first place, the Crown relies on parliament to confirm, at frequent intervals, its legal right to do so, and to provide funding. The government may decide whether to deploy the military, but the House of Commons decides who gets to sit in government, and whether there is a military to deploy.

In this paper, I do two things. First, I discuss in general terms the roles parliaments play in security policy, drawing links along the way to the specific situation in the UK. My goal here is to show that parliaments always matter, albeit in varying manner and to varying degree.
Second, I talk about the various ways in which the UK parliament – and the House of Commons in particular – influences security policy. Here, my goal is to describe the idiosyncratic mechanisms UK Members of Parliament (MPs) use to shape government action. The UK’s constitution is unusual, though not unique, in the extent to which it depends on consensus and custom over codified rules. That distinction inevitably makes studying a seemingly straightforward question – like the relationship between executive and legislative branches of government in the field of security – harder than you might expect.

Running through everything I talk about here is a single core argument. The UK’s House of Commons possesses considerable security powers. Those powers have hard limits. They also have softer limits that are difficult to pin down. But they are significant. Understanding both the extent of parliamentary influence over UK security, and its weaknesses, helps us understand the kind of country the UK is, the ways it can and will behave in the international realm, and the nature of democratic control over security more broadly.

**Bargaining and Arguing: Why Parliaments always matter**

*Security policymaking as a two-level game*

My question – what power does the UK parliament wield over security policy? – raises in the first instance the logically prior question of what power parliaments in general wield over security policy. And that question, in turn, speaks to the question of whether any domestic level factors really shape how a state engages with the international arena – or whether in fact it is the international security environment that dictates to states. In this section, I argue that, even amongst theories that most stress the primacy of the international, the domestic environment is never irrelevant – and for the most compelling theories, it is a co-equal influence. Depending on the specific rules governing domestic politics in a state, the legislature can play the role of veto player over certain aspects of security policy. Even those legislatures that lack specific veto powers still hold some form of general influence over executives – in democracies, at least – that can affect the kinds of decisions policymakers take, the positions they adopt internationally and the bargains they feel able to strike. And legislatures always facilitate the social construction of what kinds of security policy are possible – and, indeed, in the fact of security itself – through their role as forums for debate.
The concept of *primat die Außenpolitik* – the primacy of foreign policy – in the development of modern states has a long history in political theory and a central role in many theories of international security. Yet even the most hardline structural theorists maintain that domestic factors affect how states ‘do’ security. Yes, they often argue that those domestic factors respond to – even directly reflect – international-level pressures. In some cases, that might mean recognising that domestic political structures often reflect international environments (Kissinger 1969, Gourevitch 1978). It can also mean suggesting that the balance of power between political parties can depend on the international context (Colaresi 2004), and pointing out that leaders who succeed in war generally benefit politically (Eichenberg 2005). Some, like Kenneth Waltz (1979), see the decisions states make and the things they do as logically dependent on – and therefore theoretically much less interesting than – the international distribution of material power. Desch, for example, concluded that “regime type hardly matters for explaining who wins and loses wars” (Desch 2002). But as soon as they move beyond Waltz’s very abstract, somewhat pointlessly long-term model of structural feedback loops, they quickly begin to take the domestic level seriously.

Nowhere is this shift more visible than in the development of neoclassical realism. Neoclassical realists maintain the structural realist position that the international system sets the scene for state policymaking. They relax the assumption that that is where our understanding of security should end. For neoclassical realists, domestic and individual-level variables intervene between international-level pressures and the things states do (Schweller 2004, 2006; Taliaferro 2006; Lobell, Ripsman and Taliaferro 2009). As Christensen (1996, 24) puts it, “state leaders design ideal strategies and then adjust them according to the domestic political constraints on implementation”. From a neoclassical realist perspective, however, it is “only in extreme cases” that the domestic trumps the international (Ripsman, Taliaferro and Lobell 2016, 3). It also appears in poliheuristic theory. Mintz (2005), for example, frames international imperatives as the initial driver of foreign policy action, before noting that leaders sometimes disregard viable international-level strategies for domestic reasons. And it comes up in discussions of alliance politics. Kreps (2010), for example, shows how the pressures leaders face as participants in international-level networks inoculate them from domestic opposition. Haesebrouck and van Immerseel (2020), similarly, show how states adjust the *types* of international-level security commitments they make in order to escape domestic difficulty.
The problem with this otherwise sensible theoretical adjustment – setting aside structural theorists’ complaints of reductivism – is that it undermines itself. If domestic-level variables affect how states respond to international pressures, and state actions collectively shape what those pressures are, at a certain point the international system must stop exerting not just the primary pull over security, but any real influence at all. Once you concede that domestic factors can matter, and can do so decisively, it becomes much harder to sustain the argument that the international level is always the first mover.

For this reason, I’ve always preferred theories that stress the primat die Innenpolitik – the primacy of domestic politics – in the development of modern states. Theorists working in this tradition agree with their internationally-minded colleagues that war is an international-level phenomenon. They disagree about where it comes from. From an Innenpolitik perspective, the ways states relate to each other – the ways in which they collaborate and clash – derive from their internal structures, power balances, decision mechanisms and personalities. Just as the Außenpolitik school has Waltz’s Theory of International Politics as its lodestar and Thucydides as its ancient, so too the Innenpolitikers can call on a grand theory of international security – the theory of democratic politics – and a foundational thinker in the form of Immanuel Kant.

In its purest form, Democratic Peace Theory holds that democracies fight fewer wars than non-democracies. More recent work has refined this basic precept to fit the empirical record better. Established democracies fight fewer wars than non-democracies, but transitional democracies fight more wars than both (Mansfield and Snyder 1995). Democracies hardly ever fight other democracies. But they fight non-democracies constantly (Doyle 1986). Exactly why these precepts hold is the cause of considerable debate (Moaz and Russett 1993). Some argue that democracy itself conditions leaders to prefer compromise over conflict, and trains statespeople to the art of successful negotiation. Democracies tend also to be more transparent about their preferences, capabilities and intentions, making them easier to predict (Hayes 2011; Leblang and Chan 2003). Others treat democracy as a limiting factor preventing overly aggressive statecraft, arguing that voters will not long sustain a government determined to spend their treasure and blood unnecessarily. It has even been suggested that democratic leaders – mindful of their vulnerability to peaceful replacement – choose their targets more wisely and pursue them more aggressively than their autocratic counterparts (Bueno de Mesquita and Siverson 1995; Bueno de Mesquita, Morrow, et al. 1999).
Democracies also behave differently as allies (Peters and Wagner 2011). This makes sense; the period peaceful transfer of power between individual leaders (if not necessarily between rival parties) is characteristic of democracy, and every time the personnel responsible for a state’s security policies change, the possibility arises that the new leadership will calculate what the national interest requires differently. Not only that; democracies frequently share foreign and security policy power between branches of government. These factors can be helpful, creating affinities and understanding between democratic states that helps secure their alliances (Snyder 1984). They can also be problematic (Gartzke and Skrede Gleditsch 2004). International commitments can take second stage to more apparently pressing domestic concerns (Putnam 1988; Nincic 1992; Hagan 1993), or fall victim to inter-party or inter-branch competition (Cowhey 1993; Gourevitch 1996; Auerswald 1999; Strong 2015).

Both approaches – Außenpolitik and Innenpolitik – suffer from complementary shortcomings. The former takes too little account of the ways in which domestic-level differences affect how states ‘do’ security, while the latter overstates how free states are to behave as they see fit. For this reason, the most effective way of understanding security policy involves Putnam’s (1988) concept of the “two-level game”. In Putnam’s account, both international-level and domestic-level factors affect how states behave. Neither takes precedence – a claim unsurprisingly rejected by advocates of privileging one or the other (Knopf 1993). Instead, leaders engage in a complex process of trading off the demands of the two arenas, constantly satisficing in both to minimise losses in either (Putnam 1993). Moves made at one level can reverberate at the other. This sets up a “feedback loop” between the two levels (Nincic 1992, 15), with international-level agreements shifting domestic political possibilities, and vice-versa (Evans 1993). Moves made at the international level can help identify novel policy options (Schopppa 1993) and reveal otherwise unrevealed policy preferences (Iida 1996). Domestic-level forces can increase or decrease a state’s credibility (Partell 1997) and make some policy options harder and others easier (Wagner 2018; Haesebrouck 2018).

Leaders can use this reverberation. Pleading domestic constraints can enable them to drive a harder bargain at the international level (Fearon 1994). As AJP Taylor (1957, 15) put it with specific reference to the UK context, “time and again a Foreign Secretary has had to plead the Dissenters, usually as a convenient excuse. Foreign governments have been told that the British would gladly co-operate were it not for the impractical Radicals in the House of Commons…If Dissent did not exist, the Foreign Office would have to invent it”. All else being equal, less
domestically-constrained leaders will have more freedom to compromise in international negotiations and confrontations than those required to secure domestic approval for whatever they decide (Putnam 1988; Mo 1994; Baum 2004a). Those whose domestic win-set is larger are less able to set credible limits on the international-level compromises they will accept. Those whose domestic win-set is smaller are less able to ratify international-level agreements (Milner 1992) – and may, for example, be forced into violence against their preferences (Bueno de Mesquita and Lalman 1990; Stasavage 2004; Kisangani and Pickering 2011).

Leaders must therefore strike a balance in terms of how much publicity they permit their negotiating positions. They can only use domestic constraints to strengthen their bargaining hand if those constraints are publicly established (Iida 1993). But making public commitments ties their hands in ways that may ultimately prove undesirable (Baum 2004b; Stasavage 2004). And even a clearly-stated public commitment may not establish credibility if it is unclear whether domestic audiences actually will extract costs for failing to carry it out. Citizens do care about their state’s international reputation (Tomz 2007). But that concern can be trumped by the specifics of an issue. Domestic audiences do not punish leaders for failing to carry out what they consider to be unwise threats, or for failing to meet what they consider to be unwise commitments (Clare 2007). Domestic political actors can and will undermine a leader’s commitments if they disagree with the leader’s goals (Strong 2018).

For this reason, leaders try to influence their counterparts’ domestic environment, either creating constraints that push them towards certain types of international agreement, or reducing constraints to facilitate compromise (Putnam 1988; Schoppa 1993). Doing so is challenging, involving careful and often fraught public diplomacy alongside outright propaganda. More powerful states find it easier than less powerful states (Partell and Palmer 1999; Strong 2017). Foreign voices have more of an effect when domestic elites are united than when they themselves disagree, and lack those domestic actors’ credibility with public audiences (Murray 2014).

For this reason, too, leaders try to manipulate their own domestic environment (Jacobsen 2008). Generally this means taking steps to narrow their own domestic win-set, binding their hands in terms of what they can possibly concede at the international level by making unbreakable promises to key audiences at home (Fearon 1997). As Schelling (1960, 22) put it, “in bargaining, weakness is often strength, freedom may be freedom to capitulate, and to burn
bridges behind one may suffice to undo an opponent”. The extent to which this actually happens – and to which it actually works – is disputed (Evans 1993). But it does seem likely that making public commitments transmits information to international counterparts (Mo 1995), while also reducing the risk that a future change of power might lead to a change of policy (Hillmer and Lagassé 2016).

This sort of self-binding has a dual effect. Not only does it make it harder for the leadership to concede things it does not want to concede to its international counterparts, it also protects it from challenge at home. It is much harder for opposition politicians to attempt to block – or to run against come election time – an agreement they signed up to in advance. It is much harder for one branch of government to obstruct a course of action it previously supported. In this way, what looks purely like a domestic political measure has international political implications. The two levels constantly interact.

*The role of the legislature*

This is where legislatures specifically come in. Just as the precise strategies leaders use to play the two-level game of international politics vary depending on issues, institutions and circumstances, so too the role that legislatures play in security policy varies depending on the system of government within a state, the constitutional powers reserved to legislators, the balance of power between and within political parties, and the nature of the issues at stake.

It is reasonably obvious that legislatures exert different levels of influence over security policy depending on the system of government within their respective states, since this determines which actors exist, and which are “veto players” (Tsebelis 1995, 289). In autocracies, the executive either directly controls the legislature or can ignore it at will, making it less relevant (Schweller 1992; Choi 2010) – though this absolutely does not mean that autocracies face no domestic constraints whatsoever (Hagan 1993). Democracies differ primarily in terms of whether they are parliamentary or presidential in form (Prins and Sprecher 1999), as well as whether their system is majoritarian or nonmajoritarian in practice (Elman 2000; Dewan and Spirling 2011). In parliamentary democracies, the executive remains in power to the extent – and only so long as – it retains support in the legislature. Divided government is impossible (Pahre 1997). That makes policymaking a constant dance between leaders and legislators, with each knowing that a fundamental breakdown in relations could collapse the government and
potentially trigger elections (Huber 1996; Diermeir and Feddersen 1998; Russett 2009)—though, again, this does not stop legislators pushing for greater power (Neal 2020). In presidential systems, power is divided between theoretically equal executive and legislative branches of government, each taking on distinct roles and responsibilities. Directly-elected presidents have a national constituency distinct from that of any legislator, enabling them to appeal to different audiences in different ways (Tarar 2005). Both presidential and parliamentary systems vary in terms of which actors possess “agenda control” and who is accountable to whom (Auerswald 1999, 470).

Things get more complicated when we consider the specific constitutional rules laid down for the legislature’s involvement in security policy. States vary in the extent to which they reserve critical foreign policy powers to the legislature (Norton 1990) – including powers to devise, amend and approve budgets; to raise, maintain, discipline and deploy armed forces; to approve or veto appointments; to approve or veto international agreements; to declare war (Dieterich, Hummel and Marschall 2015; Ripsman, Taliaferro and Lobell 2016). They also vary in the extent to which they codify the separation of powers between executive and legislature. Some have clearly-defined legal rules, enforceable by constitutional courts, about who can do what, and under what circumstances. Others rely entirely on convention and precedent (Herranz-Surralles 2014). And most strike a balance of sorts between the two. Finally, states vary in terms of how transparent their foreign policy processes are; whether leaders and officials are answerable to legislators, the media or the public; whether the executive routinely consults legislators through formal or informal channels before making major foreign policy decisions (Scott and Carter 2014; Mello and Peters 2018); whether there are established processes for ensuring legislators know about foreign policy issues. Some grant legislators more direct mechanisms to question leaders (Cohen 1995).

Those legislatures best able to mobilise consent for foreign policy typically attract the most influence over it (Beer 1990; Kaarbo and Kenealy 2016). More influential legislatures, in turn, tend to exert a constraining pressure over security policy (Reiter and Tillman 2002; Auerswald 2004) – though, interestingly, this can mean constraining leaders from breaking commitments as much as from meeting them (Tago 2009), and shutting down debate by substituting approval of policy for discussion around it (Lagassé and Mello 2018).
Even amongst states with comparable constitutional rules – or even in different time periods within a single state – the legislature’s influence can vary with shifts in the balance of power between and within the political parties represented within it (Kesgin and Kaarbo 2010; Mello 2012). Indeed, in some contexts the constitutional rules themselves vary with shifts in the balance of power between political parties (Strong 2018; Goet 2021). It matters whether the government possesses the support of a majority of legislators, or governs as a minority (Ireland and Gartner 2001). It matters whether its support base comprises a single party or a coalition of parties. Coalition parties are often more protected from domestic punishment than those governing alone, since their core support base tends to be more reliable and to translate more directly into seats in the legislature come election time (Prins and Sprecher 1999; Leblang and Chan 2003), and are more likely to represent more extreme views (Beasley and Kaarbo 2014) – though neither effect automatically affects how a state behaves (Reiter and Tillman 2002). It matters what sort of party is in government (Palmer, London and Regan 2004). More left-leaning parties typically prefer security through development and diplomacy over security through the use of force, and encourage greater democratic oversight of security power, policy and institutions. More right-leaning parties typically take the opposite view (Williams 2014; Wagner, et al. 2017). It matters how united or divided the parties are (Hagan 1993; Huber 1996; Strong 2015). A government backed by a large majority but a divided party might well prove less constant and less secure than one with a smaller but more cohesive majority – a factor exacerbated by the fact that larger parties are generally, by definition, less cohesive than smaller parties (Dewan and Spirling 2011), and governing parties less cohesive than those in opposition (Slapin, et al. 2018). It also matters, finally, how much time is left before the next election, and what the likely fates of the parties are, as well as how much time has passed since the governing party came to power. Legislators who believe they might benefit from patronage or promotion in future tend to be more loyal than those who do not (Benedetto and Hix 2007; Eggers and Spirling 2014).

The extent to which the legislature matters depends on the nature of the issues at stake. Specifically, it depends on how salient the issues are to actors within the legislature (Kesgin and Kaarbo 2010; Mello 2017). This can be a function of how salient they are to actors beyond the legislature – public opinion, the media or pressure groups – which can in turn be related to electoral politics (Cohen 1973; Risse-Kappen 1991; Nincic 1992; Aldrich, et al. 2006; Tomz, Weeks and Yarhi-Milo 2020) as well as to the substance of the issues – and specifically whether the public considers its security threatened (Howell and Pevehouse 2005; Lai and Reiter 2005;
Haesebrouck 2019). The fact legislators are contesting a policy issue can trigger wider public interest, in turn raising its salience (Evans 1993; Schoppa 1993; Trumbore 1998; Berinsky 2007; Baum and Groeling 2008). It also depends on the party-political distribution of attitudes towards the issues at stake – again both across and within parties (Elman 2000; Leblang and Chan 2003; Schuster and Maier 2006; Clare 2010). Cohesive parties sometimes split over questions of foreign and security policy – questions that, thanks to their generally low electoral salience, often go unresolved through normal party mechanisms. Right-leaning parties can sustain their core support during protracted conflicts, since their voters tend to approve of the use of force, pricing in its likely costs (Stevens 2015) – though this effect does not hold when force is used for humanitarian purposes (Haesebrouck 2017). At the same time, those parties suffer more heavy costs if they fail (Koch and Sullivan 2010).

Finally, the extent to which all of these factors – the whole panoply of potential domestic influences, and the legislature in particular – affect security policy depends on how key decision-makers anticipate, attempt to influence and respond to them (Putnam and Bayne 1987; Evans 1993; Auerswald and Cowhey 1997). Leaders vary in ability, experience and knowledge. They make misjudgements, especially when dealing with the formlessness of public opinion (Cohen 1995; Iida 1996). And they have to maintain a constant balancing act. The more transparent they are with legislators, and the more transparent legislators are with them, the harder it is to conceal their domestic position from their international counterparts – which makes driving the best bargain possible more difficult.

Conceiving and contesting roles

So far we’ve only looked at the roles parliaments play as veto players within the two-level game of international relations. We can, however, go further in exploring and explaining why legislatures matter. If we are to understand security policy, we need to go beyond simply showing why certain things happen, to consider how some things are made possible, and others impossible, discursively (Doty 1993). Once we start down this road, we see immediately that legislatures play a critical role as sites for debate, argument, construction and contestation.

<this section will go on to discuss how parliaments affect national role conceptions and their contestation, while also noting that parliamentary competition can have implications for a state’s roles even if it does not directly concern roles>
The House of Commons

The House of Commons has historically exerted at least five distinct forms of influence over the government’s ability to use force (Joseph 2013). These comprise, in no particular order, powers to control expenditure, to debate policy, to inquire into the government’s conduct, to withdraw confidence from the government, and actively to support the government.

Expenditure

In law, the right of MPs to oversee the government’s expenditure on the armed forces arises from the Bill of Rights (1688), which states that ‘the raising or keeping of a standing Army within the Kingdome in time of Peace unlesse it be with Consent of Parlyament is against Law’ and that ‘levying Money for or to the Use of the Crowne by pretence of Prerogative without Grant of Parlyament for longer time or in other manner then the same is or shall be granted is Illegall’. This provision came about as a direct result of clashes over the Crown’s right to raise and maintain an army during the Stuart era. Part of the cause of the Civil War lay in Charles I’s use of Royal Prerogative power to raise money for the navy without parliamentary approval. In May 1677 parliament refused to grant Charles II funds for a war with the United Provinces. Charles responded that ‘you have entrenched upon so undoubted a Right of the Crown, that I am confident it will appear in no Age (when the Sword was not drawn) that the Prerogative of making Peace and War hath been so dangerously invaded’, and ordered parliament adjourned until July (House of Commons 1677, 426). These disputes reflected earlier conceptions of parliament’s proper role. Arguably, approving funding for the military is what parliament was originally for. Up until the seventeenth century, English constitutional theory held that the King should bear the ordinary costs of government from his own private means. Parliaments would be called to make extraordinary grants in response to security threats (Maitland 1948; Keir 1969). The rising cost of ordinary government, and the declining willingness of parliament to grant taxes for policies it did not influence, helped drive the constitutional upheavals of that century (Coolidge and Sharrow 1970). It is what ensured parliament’s establishment as a permanent institution (Tomkins 2005).

Since 1955 the House of Commons has periodically passed legislation approving the continued existence of the armed forces; the most recent Armed Forces Act passed in 2016. It has also
maintained control over the government’s ability to raise money – including to fund the armed
forces – through the annual budget process, and the approval of departmental Estimates,
including those presented by the Ministry of Defence. MPs are not empowered to increase the
Defence Estimates, but can reject or reduce the proposals put by government (Muthumala
2018).

On 12 December 1781, Sir James Lowther attempted to block the Estimates entirely, by
moving that ‘all further attempts to reduce the revolted colonies to obedience are contrary to
the true interests of this kingdom’ (Debrett 1781, 118). Insisting ‘it certainly was not the
intention of ministers to pursue the war in future in America as it had been last campaign, by
marching armies through the colonies’, Lord North responded by arguing that the Estimates
offered no room for further offensive operations (Debrett 1781, 127). Sir Fletcher Norton hit
back, arguing that MPs ‘could not trust His Majesty’s ministers’ (Debrett 1781, 128), while
Colonel Barre pointed out that the Estimates allowed for the increase of forces in the Indies,
and that ‘though these men should be voted for India, the executive power had an undoubted
right to change their destination’ (Debrett 1781, 140). In the end, the government prevailed by
220 to 179 votes, helped in part by North’s assurances, despite his critics’ distrust. Lowther’s
move may not have actually reduced the funds granted to the government for the maintenance
of the military, but it did force North to commit, publicly, to ending the American War – a step
that directly contradicted George III’s speech on the opening of parliament on 27 November,
in which he maintained his desire, despite the defeat at Yorktown (news of which having
reached London just days before), to ‘restore to my deluded subjects in America that happy
and prosperous condition which they formerly derived from a due obedience to the laws’
(Cobbett 1781, 636). Although the government survived this test, the question of whether the
Estimates did indeed provide sufficient room for further offensive operations continued to
haunt debates in the Commons. In the first debate on Conway’s motion, on 22 February 1782,
for example, Lord John Cavendish warned that the American War had never cost as much as
ministers assumed it would in any given year, and suggested that ‘the test given by ministers
from the numbers voted this year might be fallacious, and probably it was so’ (Debrett 1782,
262). Welbore Ellis repeated North’s claim – that the Estimates did not permit further offensive
operations – but seemed not to get the same traction that the Prime Minister obtained the
previous December (Debrett 1782, 265-266).
In the end, events overwhelmed the 1781 Estimates debate, with MPs finding other ways to constrain the government. A different outcome awaited the Earl of Rosebery’s Liberal government in 1895. Following a scandal over the supply of cordite to the army, MPs voted to censure War Secretary Henry Campbell-Bannerman by symbolically reducing the portion of the Defence Estimates earmarked to pay his salary by £100 (Hansard 1895, 1673-1713). Although the measure targeted Campbell-Bannerman personally, and very few MPs actually participated in the vote (the government lost by 132 to 125), the government chose to resign en masse (Hansard 1895, 1746). Contemporary commentators regarded the vote as ‘rather the excuse for the resignation of the Rosebery Cabinet than the cause of it’ (Low 1895, 508). Nevertheless, it did illustrate the power MPs held to influence the government’s direction of the military through their control of supply – though questions remain about how useful this tool might be today (Fraser 1960; Blick 2005; White 2010).

Debate

The right to debate the government’s approach to the use of force is both the most fundamental and potentially least powerful tool MPs possess (Wallace 1977). It is fundamental because debate is the essence of a parliament (Marshall 1965). If not to debate, why do MPs gather in a single place? The very name ‘parliament’ implies deliberation (Pollard 1920). At least until the early Twentieth Century, parliament was considered “the grand inquest of the nation” (Fraser 1960, 444). Debate is potentially parliament’s least powerful tool because it can only directly effect change through persuasion, and governments rarely look to MPs for advice – not least because they lack information (Hennessy 2005).

Parliament’s power to debate the use of force nevertheless matters, for several reasons. First, because it is the one right that governments rarely challenge (Towle 2009). Even critics of parliamentary involvement in military deployment decisions accept MPs should have the chance to discuss new operations. Although both the formal structure of debates, and the government’s ability to influence them, shifted over time, this rule generally applied from at least the eighteenth century onwards. On several occasions, MPs directly discussed the proper role the House should play at the outbreak of war. In April 1802 MPs considered establishing a committee of inquiry into the government’s conduct of war with France – the Treaty of Amiens having just been signed, ending the War of the Second Coalition. Although they rejected Sir Francis Burdett’s motion by 246 to 39, MPs spent several hours discussing whether
they had the right to make the inquiries he proposed (Debrett 1802, 1-34). In February 1854 the House spent three days debating the outbreak of the Crimean War, again reflecting on the constitutionality of the government’s efforts to minimise discussion on the objects of the war (Hansard 1854a, 831-1041). In 1857 both the House of Lords and the House of Commons criticised Lord Palmerston’s government for making war in Persia without informing parliament (Hansard 1857a, 14-86, 1857b, 1577-1652). In 1880, following reports of fighting in Egypt, Sir Wilfrid Lawson asked ‘that the Government would not take any active steps in the direction of a policy of coercion without giving the House an opportunity of expressing an opinion on the subject’. Prime Minister Gladstone outright rejected the idea (Hansard 1880, 1313, 1326). In October 1899 MPs discussed the challenge of scrutinizing the looming Boer War without undermining the war effort itself (Hansard 1899, 60-483). A similar pattern arises throughout the twentieth century. MPs debated the outbreak of the First and Second World Wars (as well as key moments within them), the Korean War, the Suez Crisis, the Falklands War (the House met in a special Saturday sitting on that occasion), the Gulf War (following a recall of parliament during the Summer recess), and military actions in Kosovo, Sierra Leone, and Afghanistan (Hansard 1914, 1809ff, 1939, 125ff, 1950, 2291ff, 1956, 1602ff, 1982, 633ff, 1990, 734ff, 1999, 536ff, 2000, 23ff, 2001, 671-902).

With the exception of the Korean War, on each of these more recent occasions MPs formally considered a motion to adjourn the House. Such motions allow for debate on a subject without necessarily implying that the government will act on what results. The second reason why such debates nonetheless matter is that simply permitting MPs the chance to discuss the government’s approach can improve the deliberative legitimacy of whatever outcome emerges. It creates an opportunity for MPs to ask questions, air concerns, and listen to each other’s views before deciding how to proceed. The content of a debate can sway how individuals subsequently vote. Several commentators observed how Tony Blair’s performance in the final debate before the 2003 invasion of Iraq swayed wavering Labour MPs to his side (Hoggart 2003). Others criticized Deputy Prime Minister Nick Clegg for failing to rally government backbenchers in the 2013 Syria vote (Seldon 2018).

The third reason why debates matter is that they enable MPs to communicate both specific concerns and a more general mood to ministers. Neville Chamberlain’s government won the adjournment vote at the end of two days of debate on its handling of British operations in Norway in May 1940. But the speeches made showed Chamberlain that he was losing the
confidence of the House. At one point the veteran Conservative MP Leo Amery pointed at the Prime Minister and quoted Oliver Cromwell; ‘You have sat too long here for any good you have been doing. Depart, I say, and let us have done with you. In the name of God, go’ (Hansard 1940, 1150). Chamberlain resigned.

Inquiry

MPs are able to inquire into the government’s preparedness for and conduct of military operations through several different routes. Since the establishment of formal departmental Select Committees in 1979, MPs have used their regular inquiries to investigate different aspects of government policy. In 2015, for example, the House of Commons Defence Committee (2015, 4-5) criticized the government’s ‘strikingly modest’ contribution to the fight against Da’esh. Both the House of Commons Political and Constitutional Reform Committee (2014) and the House of Lords Constitution Committee (2013) have considered parliament’s role in military deployment decisions in recent years. The Public Accounts Committee publishes regular reports on the government’s handling of military procurement and expenditure matters. Academic studies show that these inquiries really do matter; they force governments to respond, and to anticipate needing to defend their decisions in front of a committee even as they make them (Benton and Russell 2012).

Before the establishment of Select Committees, MPs occasionally proposed ad hoc inquiries into aspects of the government’s conduct. Most famously, in January 1855 the House approved a motion put by John Roebuck for a committee of inquiry into the government’s conduct of the Crimean War. Having failed to persuade the Cabinet to change course in response to clear evidence of military mismanagement in the camp at Sebastopol, former Prime Minister Lord John Russell (1855) had resigned as Leader of the House of Commons just days before – noting in the process that ‘enquiry is the proper duty and function of the House of Commons’ and regretting that he felt unable to resist Roebuck’s motion on the government’s behalf. War Secretary the Duke of Newcastle (1855) warned Lord Raglan before the vote that ‘it is almost certain that the government will be beaten’ and that ‘if so, we shall of course all resign’. Newcastle was right; after three days of debate, Roebuck’s motion carried by 305 to 148 (Hansard 1855, 1232). Both Newcastle and Prime Minister the Duke of Aberdeen resigned.
Beyond the power to establish an inquiry, MPs possess the additional right to make inquiries, to ask questions of ministers both orally and in writing, and to expect a reply. For the most part, questions asked in the House of Commons itself involves enacting a political ritual rather than actually holding ministers to account (Lovenduski 2012). The existence of the power is significant nonetheless (Russell and Cowley 2016). It has in the past forced governments to explain their conduct in parliament. In May 1803 Henry Addington’s government published papers about the looming war with Napoleonic France in order to boost parliamentary support (House of Commons 1803, 422ff). In March 1854 MPs heard an explanation of the war with Russia read from the Throne in order to explain the outbreak of fighting in Crimea (Hansard 1854b, 1352ff). In September 2002 Prime Minister Blair recalled parliament during the summer recess for a debate on the government’s intelligence about Iraq’s Weapons of Mass Destruction. Knowing they will have to answer questions about different aspects of policy, in a public forum, forces ministers to keep abreast of developments relevant to their brief (which, in the Prime Minister’s case, runs across the full remit of government). Knowing they will have to defend their decisions gives ministers an incentive to make better decisions; it is easier to defend a good decision than a bad one.

MPs have in the past used the device of a humble address to the throne to request that the government uses prerogative powers in a particular way. In the twenty-first century this mechanism has been used to demand the publication of government papers relating to the process of leaving the EU. Former Clerk of the House of Commons Sir David Natzler told the Exiting the EU Committee that no other use of the humble address could be considered orderly; ‘you can get papers with a humble address…You cannot order the Government to do stuff” (Natzler 2018, 3118). That power is, nevertheless, potentially significant in light of recent debates. Successive governments have refused to publish advice from the Law Officers about the legality of military deployments in international law. This refusal poses particular problems in the aftermath of the Iraq War. The Chilcot Report described the Blair government’s approach to legal advice on that occasion as “far from satisfactory” (Chilcot 2016, 2). When the Attorney-General’s legal advice leaked during the 2005 general election campaign, many MPs considered its nuanced discussion of the shortcomings of the government’s position inconsistent with the categorical summary statement published ahead of the invasion in March 2003. The convention that governments do not publish their legal advice suffered a blow on 4 December 2018 when the House voted by 311 to 293 to censure ministers for failing to publish the Attorney-General’s advice on the implications of leaving the EU under the terms negotiated
in the draft Withdrawal Agreement, as demanded in an humble address agreed by the House on 13 November (Hansard 2018, 731). The government complied the following day. Similar use could thus be made of a humble address to demand the publication of legal advice relating to the use of force in future – provided, as ever, that a majority of MPs supported the demand. That prospect might, in turn, lead ministers to be more forthcoming about the legal grounds for military action in future – though doing so would make giving the sort of categorical assurances about legality that MPs typically demand hard.

In the eighteenth century, however, the humble address played a more expansive role – and private conversations the author has had with House of Commons clerks suggest some believe that Natzler’s blanket judgement was too narrow. MPs approved both the outbreak and the conclusion of the American War through a humble address. On 2 February 1775 they voted by 296 to 106 ‘humbly to beseech his Majesty, that his Majesty will take the most effectual measures to enforce due obedience to the laws and authority of the supreme legislature’ in Massachusetts (Cobbett 1775, 297). On 27 February 1782 they approved by acclamation an address calling on George III to bring the conflict to a close (Debrett 1782, 310ff).

Confidence

It is a simple fact of parliamentary government that the executive’s survival in office depends on its ability to maintain support from MPs (Heffernan 2003; Tomkins 2005; O’Malley 2007).

Prior to Prime Minister Cameron’s defeat over Syria in August 2013, each of the occasions on which MPs successfully overrode the government on a question of military action involved a loss of confidence. Following Conway’s motion in 1782, George III vowed to continue the war regardless. Although the government survived a confidence vote on 15 March by 236 to 227, it looked set to lose a second vote on 20 March. Lord North, having finally persuaded the King to accept his resignation, announced that he was stepping down before that debate got under way. Although George III himself considered abdication – the Royal Archives holds a draft statement in the King’s own hand announcing his retirement to Hanover – in the end he changed his mind (George III 1782). As we have already seen, the Duke of Aberdeen and the Earl of Rosebery considered the votes against their governments in 1855 and 1895 reflected their having lost the confidence of the House, and resigned. Aberdeen may well have been right, it seems Rosebery probably was not. Neville Chamberlain won the vote at the end of the
Norway debate in May 1940, but saw his majority reduced from over two hundred to just eighty-one. Between that loss of support, and the statements made in the debate, he concluded he lacked the support necessary to go on. A similar claim could be made about Prime Minister Anthony Eden in 1956. Despite the government winning a confidence vote on 8 November, Eden resigned on 9 January 1957, citing his poor health; his Cabinet colleagues’ responses made clear they understood Suez was at least part of the cause (Brook 1957). By contrast to these examples, the Cameron government survived defeat over Syria because it had not lost the general confidence of the House.

Since the mid-nineteenth century, British governments have lived less often in fear of no-confidence votes (Flinders 2002, 24-25). Prime Minister James Callaghan’s Labour government was the last defeated in this fashion, in 1979. In part, this reflects the fact that effective governments anticipate their back-benchers’ views and do not risk defeat in an open vote (Nicol 2006; Russell and Cowley 2018). In part it reflects the impact of changing rules. Even after suffering a series of extraordinary parliamentary reverses on matters related to its efforts to take the UK out of the EU in early 2019, Prime Minister May’s government still survived a no-confidence vote on 16 January. Part of the reason for May’s survival lay in the passage of the Fixed-term Parliaments Act 2011. By stipulating the precise wording that a no-confidence vote must use, the Act disrupted the relationship between parliament and government. Prior to the Act, MPs could withdraw confidence through explicit, implicit, and designated confidence motions, and governments could interpret inconclusive outcomes as they saw fit. Under the Act, the Prime Minister retains the right to resign should they consider that they have lost the confidence of the House, but they are only able to do so if they can recommend a successor to the Queen. Unless the House has demonstrated a loss of confidence using the Act’s precise wording, the Prime Minister cannot ask the Queen to dissolve parliament and call a fresh election, the other way governments historically resolved such situations (Norton 2015). North, Aberdeen and Rosebery all handed power to parliamentary rivals when they resigned (though in Aberdeen’s case he was already leading a government mostly comprising his nominal political opponents). Chamberlain and Eden, however, stood aside in favour of members of their own Cabinets. The difference appears to be, again, the rise of centrally organised parties in the late nineteenth century, and the concomitant collapse in the number of independent MPs. It was possible in earlier eras for sufficient numbers of MPs to switch allegiance from one faction to another to effect a change of governing party without an election (Low 1895; Brailsford 1909). That scenario became far less plausible in the latter
half of the twentieth century (Heffernan 2005). This, in turn, makes it far less likely that any future government will resign if defeated on a question of military action (Gladstone 1998).

Support

Despite its considerable historical importance, MPs’ power to express their active support of a government decision to use force has garnered relatively little attention in recent debates. Put simply, a government supported by the main opposition party or parties can make much more credible commitments to allies and threats to enemies than can one reliant on its own backbenchers alone (Flournoy 1927; Richards 1967). The reason for this is simple. Securing opposition support for a given military deployment sends a signal at the international level that even a change in government will not produce a change in policy course. At the domestic level, meanwhile, it neutralizes the action as a potential future electoral issue. When Tony Blair won MPs’ support for the invasion of Iraq, he also secured the opposition Conservative Party’s backing. While that did not prevent the Conservatives criticizing Blair’s conduct before and during the war, it did limit how effective their criticisms were. It is hard to base an election campaign around a war you previously voted strongly to support; Senator John Kerry experienced a similar challenge in running against President George W. Bush in 2004.

MPs have tended in recent years to regard the House of Commons role in purely negative terms; it is there to scrutinize, to hold to account, and in extremis to prevent action. At the outbreak of the Korean War in 1950, however, Winston Churchill saw things somewhat differently. Having already made clear, as Leader of the Opposition, that he had ‘confidence that His Majesty’s Government will act up to their supreme international obligations’ (Hansard 1950, 2292), he sought to introduce a motion supporting the government in taking action. As Prime Minister Clement Attlee told Cabinet on 4 July, ‘[the] Tories will table [a] Motion if we don’t. We’d better do it’ (Brook 1950). The resulting motion passed by acclamation – as the Cabinet hoped it would (National Archives 1950).

This power – to express active support for the government in using force abroad – remains available, and potentially significant. Its absence from recent debates arguably reflects a failure on the part of MPs to learn from history.
Conclusion

We have, in sum, a wide range of good reasons for taking parliament seriously as a central influence on UK security policy. Whether or not it has the power to veto certain military deployments – and I think it does (Strong 2021) – it still matters both as an example of a legislature and because of the specific historical roles it has played.

All democratic legislatures affect the two-level game of international politics; they act as veto players in specific negotiations, they influence who holds executive power and with what degree of tenure, and they influence public opinion. They also serve as forums for national role conception and contestation, influencing not just what happens but how certain policy options are made discursively possible and others impossible.

Parliament itself – or, more specifically, the House of Commons – has historically influenced the government’s ability to spend money on security, has inquired into its conduct, has debated its policies and decisions, has withdrawn or threatened to withdraw confidence from it and has selectively offered its support. Though less dramatic than ex ante veto powers, these mechanisms are significant. No UK government can afford to ignore what MPs think about its security policies.
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