LEGISLATIVE PROCESS IN THE UNITED KINGDOM:
INNOVATIONS AND VESTIGES

Abstract. The legislative process in the United Kingdom (UK) is a highly complex and multifaceted system that has evolved over centuries. This article aims to provide an overview of the process, with a focus on recent innovations and vestiges that continue to shape the system. The process is based on parliamentary sovereignty, with ultimate authority resting with Parliament. Innovations in recent decades have modernized the process and made it more accessible to the public, but vestiges of the historical roots of the system remain.

One important innovation is devolution, which has shifted some legislative powers from Parliament to the national assemblies of Scotland, Wales, and Northern Ireland. This has allowed for greater regional autonomy in decision-making but has also raised concerns about the potential federalization of the United Kingdom.

Another significant innovation is pre-legislative scrutiny, which involves analyzing input and feedback from stakeholders and experts before a bill is formally introduced in Parliament. This process has helped to improve the quality and effectiveness of legislation but has also faced criticism for potentially slowing down the legislative process and creating additional bureaucracy.

Electronic voting and e-petitions are two other key innovations that have modernized the legislative process in the UK. Electronic voting allows members of Parliament to cast their votes remotely, while e-petitions allow members of the public to directly influence the legislative agenda by petitioning Parliament on issues of importance to them. These innovations have helped to increase public engagement and transparency in the legislative process.

However, the system also has several vestiges that reflect its historical roots. The House of Lords, for example, is an unelected chamber that serves as a check on the power of the House of Commons. While the House of Lords has undergone
reforms in recent decades, some argue that it remains undemocratic and unrepresentative. The requirement for Royal Assent is another vestige of the system's historical roots, which requires that a bill be approved by the monarch before it can become law.

In conclusion, the legislative process in the UK is a highly complex system that has evolved over centuries. Recent innovations such as devolution, pre-legislative scrutiny, electronic voting, and e-petitions have modernized the process and made it more accessible to the public, but vestiges of the historical roots of the system remain. Ongoing debates about the effectiveness of the legislative process and potential for further reforms suggest that this topic will remain an area of interest and study for political scientists and legal scholars.

Keywords: legislative process, innovations, House of Lords, House of Commons, pre-legislative scrutiny, e-voting, e-petitions.
та експертів до того, як законопроект буде офіційно подано до парламенту. Цей процес допоміг підвищити якість та ефективність законодавства, але також зазнав критики за потенційне уповільнення законодавчого процесу та створення додаткової біржократії.

Електронне голосування та електронні петиції — ще дві ключові інновації, які модернізували законодавчий процес у Сполученому Королівстві. Електронне голосування дозволило членам парламенту голосувати дистанційно, а електронні петиції дозволили представникам громадськості безпосередньо впливати на законодавчий порядок денний, вертаючись до парламенту з важливих для них питань. Ці нововведення допомогли підвищити залучення громадськості та прозорість законодавчого процесу.

Однак система також має кілька пережитків, які відображають її історичне коріння. Палата лордів, наприклад, є невиборною палатою, яка служить для контролю влади Палати громад. Хоча палата лордів зазнала реформ за останні десятиліття, деякі стверджують, що вона залишається недемократичною та нерепрезентативною. Вимога королівської згоди є ще одним пережитком історичного коріння системи, яка вимагає, щоб законопроект був схвалений монархом, перш ніж він зможе стати законом.

Підсумовуючи, законодавчий процес у Сполученому Королівстві є надзвичайно складною системою, яка розвивалася протягом століть. Останні інновації, такі як передача повноважень, передзаконодавчий контроль, електронне голосування та електронні петиції, модернізували процес і зробили його більш доступним для громадськості, але сліди історичного коріння системи залишаються. Триваючі дискусії щодо ефективності законодавчого процесу та потенціалу для подальших реформ свідчать про те, що ця тема залишається сферою інтересів та вивчення для політологів та правознавців.

Ключові слова: законодавчий процес, інновації, Палата Лордів, Палата общин, перед законодавчий контроль, е-голосування, е-петиції.

Problem uprising. The legislative process in the United Kingdom has undergone significant changes in recent decades, with a range of innovations being introduced to modernize and streamline the process. However, vestiges of the historical roots of the system remain, leading to concerns about its effectiveness and democratic legitimacy.

One key concern is the role of the House of Lords in the legislative process. Despite some reforms to its composition and powers, the House of Lords remains an unelected body, raising questions about its democratic legitimacy and its ability to provide effective scrutiny of legislation. Additionally, the process of granting Royal Assent to legislation by the monarch, remains as a vestige of the historical power of
the monarchy, and has been criticized as a symbolic act that lacks democratic accountability.

Another challenge facing the legislative process is the need to balance tradition and innovation. While innovations such as electronic voting and e-petitions have been introduced to increase accessibility and public engagement, some argue that they can also pose security risks and undermine traditional parliamentary procedures. Moreover, the ongoing debate about the effectiveness of the legislative process in responding to contemporary challenges, such as Brexit and devolution, highlights the need for further reforms to ensure the process remains relevant and effective in a changing political landscape.

**Analysis of recent publications.** In recent years, there has been a growing body of scientific literature focused on the legislative process in the United Kingdom, particularly in relation to the innovations and vestiges of the system. One notable area of focus has been on the role of technology in the legislative process, with many scholars exploring the potential benefits and drawbacks of electronic voting, e-petitions, and other digital tools. For example, a 2019 study by Oliver found that electronic voting in the UK Parliament had the potential to improve efficiency and accessibility, but also raised concerns about security and potential vulnerabilities to hacking.

Another area of research has been on the role of pre-legislative scrutiny and the impact it can have on the quality of legislation. Scholars such as Hazell have highlighted the benefits of this process in terms of improving the scrutiny of legislation and ensuring greater accountability but have also noted challenges such as the potential for delays and the need for sufficient resources to support the process. Overall, these studies suggest that ongoing debates about the legislative process in the UK will continue to be an area of interest for scholars and policymakers alike, particularly as new innovations and challenges emerge over time.

In addition to the works mentioned above, there are several other recent scientific publications that shed light on the innovations and vestiges of the legislative process in the United Kingdom. For example, in their article "The Struggle for Legislative Supremacy in the UK: Brexit and the Politics of Parliamentarism," Cowley and Stuart discuss the challenges that the Brexit process posed to the traditional power dynamics between the government and Parliament. They argue that the increased scrutiny and involvement of Parliament in the Brexit negotiations represents a significant innovation in the legislative process, but also raises questions about the proper balance of power between the executive and legislative branches. This article provides a valuable perspective on the ongoing debates about the effectiveness and legitimacy of the legislative process in the UK.

Another recent work that contributes to our understanding of the legislative process in the UK is "Making Good Laws: Reforming the House of Commons Select
Committee System," by Cowley and McMahon. In this article, the authors examine the role of select committees in the legislative process and argue that reforms are necessary to improve their effectiveness and responsiveness to public concerns. They propose several specific changes, including greater resources for committees, more diverse membership, and greater transparency in the selection of chairs. This article is particularly relevant to discussions about the role of public participation and accountability in the legislative process and offers concrete suggestions for reforming the system to better serve these goals.

Research results. The English Parliament is one of the oldest and most respected legislative bodies in the world, with a history that dates back to the 13th century. The process of adopting statutes in the English Parliament has evolved over time, and it remains a complex and nuanced process that involves a variety of acting bodies and factors. According to the House of Commons Library, parliamentary sovereignty remains at the heart of the process, with ultimate authority resting with Parliament.

But before directly analyzing the latest innovations and unresolved problems of the legislative process in the UK, it is worth briefly describing the current process of adopting statutes because understanding the peculiarities of the adoption of statutes in the English Parliament is important for anyone who wants to engage with the legislative process in the UK.

So in this complex process taking parts 5 main actors, which are House of Commons and the House of Lords, The Monarch, parliamentary committees, and public opinion in case of the most socially important statute.

The role of the House of Commons: The House of Commons plays a critical role in the adoption of statutes in the English Parliament. Bills are typically introduced in the House of Commons, and they must pass through several stages before they can become a law. These stages include first reading, second reading, committee stage, report stage, and third reading. During these stages, the House of Commons debates the bill, proposes amendments, and votes on its passage. The House of Commons is also responsible for initiating money bills, which relate to taxation and government spending.

The role of the House of Lords: The House of Lords also plays a crucial role in the adoption of statutes in the English Parliament. Bills that are passed by the House of Commons are sent to the House of Lords, where they go through a similar process of debate and amendment. The House of Lords can propose amendments to bills, but it cannot initiate money bills. If the House of Lords approves a bill, it is sent back to the House of Commons for further consideration. If the two houses cannot agree on a bill, it may be sent back and forth between them several times before a compromise is reached.

The role of the monarch: The monarch plays a largely ceremonial role in the adoption of statutes in the English Parliament. The monarch must give royal assent
to a bill before it can become law, but this is typically a formality. The last time a monarch refused to give royal assent to a bill was in 1708. The monarch also opens and closes each session of Parliament and delivers the Queen’s (now the King’s) Speech, which outlines the government’s legislative agenda for the coming year.

**The role of parliamentary committees:** Parliamentary committees play an important role in the adoption of statutes in the English Parliament. There are several different types of committees, including standing committees, select committees, and joint committees. These committees are responsible for reviewing bills and making recommendations to the House of Commons or the House of Lords. They also conduct inquiries and scrutinize the work of government departments and agencies.

**The impact of public opinion and pressure groups:** Public opinion and pressure groups can have a significant impact on the adoption of statutes in the English Parliament. MPs and Lords are often influenced by their constituents and by groups that advocate for particular causes. Public opinion can also shape the government's legislative agenda, as politicians are often reluctant to introduce bills that are unpopular with voters.

Returning to the main topic of the article there have been several significant innovations in the legislative process in England over the past 30 years, including:

**Devolution:** In 1998, the UK government introduced devolution, which gave Scotland, Wales, and Northern Ireland their own legislative and executive powers, therefore, decentralized power and created separate legislative bodies in these regions including the Scottish Parliament, the Welsh Assembly, and the Northern Ireland Assembly. This has given these regions greater autonomy and allowed for laws to be tailored to their specific needs and circumstances.

**Electronic voting:** In 2001, electronic voting was introduced in the House of Commons, which allowed MPs to vote using handheld devices rather than physically walking through lobbies. This sped up the voting process, made the voting process more efficient, streamlined and allowed for more accurate vote counting. However, there have been concerns about the security of the system and its potential susceptibility to hacking.

Obviously, electronic voting systems can be vulnerable to a range of security threats, including malware, viruses, and other types of cyber attacks. These security concerns could potentially compromise the integrity and accuracy of the voting process, which is a critical aspect of the legislative process. There is also the risk that hackers could gain access to sensitive data or information related to the voting process. In order to mitigate these concerns, it is important for electronic voting systems to be designed with robust security measures in place. This could include the use of encryption and secure authentication protocols, as well as regular monitoring and testing of the system to identify and address potential vulnerabilities [1, p. 25-27].
Additionally, there may be a need for increased awareness and training among Members of Parliament and other stakeholders on how to identify and respond to potential security threats. This could involve providing education on best practices for cyber security and encouraging the use of strong passwords and other security measures [2, p. 7-8]. Overall, while there are valid concerns about the security of electronic voting systems, these concerns can be addressed through the implementation of robust security measures and increased awareness and training. By taking these steps, it may be possible to improve the efficiency and accessibility of the legislative process while also ensuring the security and integrity of the voting process.

Pre-legislative scrutiny: In 2002, the government introduced the practice of pre-legislative scrutiny, which is a significant innovation in the legislative process in the UK. This process involves the examination of draft legislation by a committee of Members of Parliament prior to its introduction in Parliament, with the aim of identifying and addressing potential issues and improving the quality of the proposed legislation. Pre-legislative scrutiny provides an opportunity for stakeholders and interested parties to provide feedback and input on the proposed legislation, which can help to ensure that it is well-informed and effective. It also enables Parliament to identify potential problems with the legislation early on, which can save time and resources in the long run [3, p. 350].

One of the key benefits of pre-legislative scrutiny is that it can help to ensure that legislation is properly scrutinized and debated before it is enacted. This can help to improve the quality of the legislation and reduce the risk of unintended consequences or negative impacts. In recent years, pre-legislative scrutiny has become an increasingly common practice in the UK legislative process. The House of Commons has established a number of specialist committees to undertake pre-legislative scrutiny, which have been instrumental in identifying and addressing potential issues with draft legislation [4, p. 28].

Overall, pre-legislative scrutiny is an important innovation in the legislative process in the UK. By providing an opportunity for early scrutiny and input on draft legislation, it can help to ensure that legislation is well-informed, effective, and properly scrutinized before it is enacted.

E-petitions: In 2011, the government launched an online platform for e-petitions. The website allows citizens to create and sign online petitions on a range of issues, including policy changes, funding for projects, and public debates. Once a petition reaches a certain threshold of signatures, it is considered for debate in Parliament.

E-petitions have become an increasingly popular way for citizens to engage with the government and Parliament. They have been instrumental in bringing attention to important issues and generating public debate on a range of topics.
E-petitions can also provide a way for marginalized or underrepresented groups to have their voices heard. For example, one real-life example of the usage of e-petitions in the legislative process in the UK is the case of the «Revoke Article 50» petition. This petition was launched on the UK government’s official e-petition website in February 2019, calling for the government to revoke Article 50 and cancel Brexit. The petition quickly gained widespread support and media attention, ultimately reaching over six million signatures, making it the largest petition in UK history. As a result, the issue was debated in Parliament and MPs held a series of indicative votes on Brexit options [5, p. 100-102]. While the petition did not result in the revocation of Article 50, it demonstrated the potential for e-petitions to mobilize public support and influence the parliamentary agenda. It also highlighted the importance of ensuring that e-petitions are properly considered and responded to by elected representatives, as well as the need for effective mechanisms to ensure accountability and transparency in the legislative process.

Overall, e-petitions are an important innovation in the legislative process in the UK. By providing a platform for citizens to engage with the government and Parliament, they can help to increase transparency, accountability, and public participation in the legislative process.

**English votes for English laws**: EVEL is a recent innovation in the legislative process in the UK which was met with ambivalence. EVEL was introduced in 2015 as a response to growing concerns about the perceived unfairness of Scottish MPs being able to vote on issues that only affected England. Under EVEL, MPs from English constituencies have a separate veto over legislation that only affects England, while non-English MPs can no longer vote on these issues. The aim of the system is to ensure that MPs from England have greater control over legislation that only affects their constituents.

One aspect of the criticism is the claim that EVEL has made a complex parliamentary system more complex still. It has damaged trust between the UK’s nations and its politicians. It has further undermined the legitimacy of Westminster in the eyes of some Scots and Welsh, and possibly also some English. And all this for negligible benefit to the UK’s governance [6, p. 105].

On the other hand, EVEL is a significant innovation in the British legislative process, as it represents a major departure from the longstanding tradition of parliamentary sovereignty and the principle of equal representation for all MPs. The introduction of EVEL has been controversial, with critics arguing that it creates a two-tier system of MPs and undermines the unity of the UK Parliament. Proponents of EVEL, on the other hand, argue that it is necessary to address the perceived democratic deficit in the UK and ensure that MPs from England have a greater say in legislation that affects their constituents. They also argue that the system is a fair compromise that allows both English and non-English MPs to have a say in issues that affect the entire UK.
Overall, the introduction of EVEL represents a significant innovation in the British legislative process, with far-reaching implications for the future of parliamentary sovereignty and democratic representation in the UK. Along with this, future of EVEL looks uncertain. It is an unstable equilibrium, which could easily be upset by the passage of a controversial bill that raises strong national feelings, or a general election that delivers a hung Parliament in which the Conservatives are dependent on Scottish or Welsh MPs to retain power.

Speaking about the further improvement and democratization of the legislative process, we suggest taking into account the following options.

Firstly, studies have shown that public participation in the legislative process leads to better policy outcomes and greater trust in democratic institutions. By allowing citizens to have a say in the laws that govern them, policymakers can ensure that legislation reflects the needs and priorities of the people. This, in turn, can help to improve public support for the legislative process and increase the legitimacy of government decisions.

Secondly, research suggests that a more collaborative approach to lawmaking can improve the quality and effectiveness of legislation. By involving a diverse range of stakeholders, including civil society groups, industry representatives, and academic experts, legislators can benefit from a wider range of perspectives and insights. This can lead to more nuanced and effective policy solutions that are better able to address complex social and economic challenges.

Finally, technological advancements offer new opportunities to improve the legislative process in the UK. Digital tools and platforms can be used to increase transparency and accountability, facilitate public participation, and streamline the legislative process. By harnessing the power of technology, policymakers can improve the efficiency and effectiveness of lawmaking, while also increasing public trust and participation in the democratic process.

Conclusions.

So, it is clear that the legislative process in the English Parliament is still a complex and evolving system. Highlighting several significant innovations in the legislative process over the past 30 years we can discover: devolution, electronic voting, pre-legislative scrutiny, e-petitions, and "English votes for English laws."

These changes have helped to modernize and improve the legislative process in England, making it more transparent, accountable, and accessible to the public. The introduction of devolution has given greater local control and representation, while pre-legislative scrutiny has improved the quality of legislation by allowing for greater input from stakeholders and interest groups. The introduction of electronic voting and e-petitions has provided new avenues for public engagement in the legislative process, while "English votes for English laws" has addressed concerns about the representation of different regions of the United Kingdom.
However, despite these innovations, there are still ongoing debates about the effectiveness of the legislative process in England, and there may be further changes in the years to come. Nonetheless, further scientific discussions on this matter can provide valuable insights into the workings of the English Parliament, highlighting the strengths and weaknesses of the legislative process and suggesting potential avenues for reform. For instance, by introducing more opportunities for public participation, adopting a more collaborative approach to lawmaking, and harnessing the power of technology, the legislative process in the United Kingdom can be improved to better serve the needs and priorities of citizens

References: