

# **A Proposal for a Constitution of the United Kingdom**

## **Abstract**

This paper proposes a constitutional framework for the United Kingdom grounded in explicit structure rather than inherited convention. It treats the constitution not as a symbolic artefact or moral declaration, but as an operational architecture: a system of roles, constraints, decision pathways, and failure modes designed to endure under changing political conditions. The proposal responds to the erosion of informal norms within the UK's uncoded settlement by making authority, legitimacy, and accountability explicit, parameterised, and governable.

The core principles are: representative legitimacy through proportional legislative chambers; a separately elected but constrained executive; explicit mechanisms of censure and interdict; and a constitutional distinction between fixed systems and adjustable parameters. The aim is not to perfect democracy, but to stabilise it under conditions of fragmentation, low trust, and long-term institutional stress.

## **1. Purpose and Scope**

The United Kingdom operates under an uncoded constitutional order that relies heavily on convention, restraint, and shared understanding. Historically, this arrangement functioned because political actors broadly accepted the provisional nature of their authority. In recent decades, those assumptions have weakened. Powers once moderated by convention are now exercised to

their formal limits, producing instability, legitimacy erosion, and excessive concentration of authority.

This proposal does not seek to restore lost norms through exhortation. Instead, it assumes that:

- Political actors will use the powers available to them.
- Incentives matter more than intentions.
- Informal restraint cannot be relied upon indefinitely.

Accordingly, the constitution must be explicit about structure, limits, and interaction between institutions.

The scope of this proposal is structural rather than symbolic. It does not prescribe policy outcomes, national identity, or moral values beyond those necessary for institutional operation. It explicitly assumes the continued existence of the United Kingdom as a single sovereign state and does not seek to alter, diminish, or pre-empt questions of devolution, federalism, or territorial settlement, which are treated as orthogonal to the constitutional architecture described here.

## **2. Constitutional Design Principles**

The proposed constitution is guided by the following principles.

### **2.1 Architecture over Aspiration**

The constitution is treated as a design for a system, not a statement of ideals. Its success is measured by behaviour over time, not by declared intent.

## **2.2 Explicitness over Convention**

Where the current system relies on tacit understandings, this proposal replaces them with explicit mechanisms. This is not because conventions are undesirable, but because they are no longer sufficient.

## **2.3 Separation of Function, Not Hostility**

Institutional separation is intended to distribute responsibility, not to enforce antagonism. Persistent disagreement between branches is treated as a normal operating condition rather than a failure state.

## **2.4 Fixed Systems, Adjustable Parameters**

Core mechanisms are constitutionally fixed. Variables that require adaptation over time are delegated to legislation or independent commissions within defined bounds.

# **3. The Legislature**

## **3.1 Bicameral Structure**

Legislative authority is vested in two chambers:

- A Lower Chamber, primarily responsible for legislation, supply, and initiation of policy.
- An Upper Chamber, responsible for revision, long-term scrutiny, and representational balancing.

Neither chamber is sovereign alone. Legislative authority arises from their interaction.

## **3.2 The Lower Chamber**

The Lower Chamber represents the electorate directly and forms the primary site of political contestation.

### **Composition**

- Members are elected using the Single Transferable Vote (STV).
- Constituencies are multi-member, with district magnitude defined legislatively within constitutional bounds.

### **Role**

- Initiation of legislation.
- Approval of budgets and taxation.
- Ongoing scrutiny of the executive.

The Lower Chamber does not directly control the survival of the executive.

## **3.3 The Upper Chamber**

The Upper Chamber exists to temper, revise, and stabilise legislation over time.

### **Composition**

- Members are elected using STV in large regional constituencies.
- The chamber is smaller than the Lower Chamber.

### **Representational Basis**

The constitution defines an algorithmic basis for representation derived from published economic and social data. The mapping of data categories to eligibility criteria is determined by legislation and subject to periodic review.

This makes explicit the relationship between material structure and political representation while preserving democratic contestation over interpretation.

## **Role**

- Revision and delay of legislation.
- Long-term scrutiny of constitutional and structural change.
- Participation in censure and interdict mechanisms.

## **4. The Executive**

### **4.1 Form of the Executive**

Executive authority is vested in a Council of State, led by a Prime Minister.

The executive is elected separately from the legislature and does not emerge automatically from legislative majorities.

### **4.2 Election Cycle**

A five-year constitutional cycle is proposed:

- Year 1: Election of both legislative chambers.
- Year 2.5: Election of the executive.
- Year 5: Re-election of both chambers.

This staging separates representational settlement from executive mandate and introduces temporal insulation between elections.

## 4.3 Executive Powers and Limits

The executive:

- Implements and administers law.
- Proposes legislation and budgets.
- Coordinates state functions.

The executive:

- Cannot dissolve the legislature.
- Cannot unilaterally alter its own term.
- Operates within explicit constraints imposed by censure and interdict.

## 5. Legislative Control of the Executive

### 5.1 Censure

Censure is the primary mechanism of executive accountability.

Censure is:

- Graduated rather than existential.
- Capable of imposing operational constraints without dissolving institutions.

Levels of censure include:

- Formal censure (non-binding signal).
- Binding constraint censure (limiting specific powers).

- Structural censure (reconfiguration of executive roles).
- Exceptional removal under narrow, defined conditions.

## **5.2 Interdict**

Interdict is the legislature's power to temporarily prohibit defined classes of executive action prior to execution.

Interdict applies to:

- Use of emergency powers.
- Declaration or escalation of armed conflict.
- Treaty ratification or withdrawal.
- Major fiscal commitments outside authorised budgets.
- Suspension of civil liberties.

Interdict is:

- Time-bounded.
- Action-specific.
- Subject to defined thresholds and renewal rules.

Interdict forces justification, delay, or legislative authorisation without collapsing the executive.

## **6. Courts and Constitutional Review**

Judicial authority remains independent.

Courts:

- Interpret law and constitutional compliance.
- Review the legality of executive and legislative action.

Courts do not:

- Substitute their judgement for political decision-making.
- Act as a permanent veto on governance.

Constitutional review is focused on process, competence, and boundary adherence.

## **7. Amendment and Evolution**

The constitution distinguishes between:

- Structural provisions, amendable only through supermajority procedures.
- Parameter provisions, adjustable through legislation within constitutional limits.

This allows adaptation without constant constitutional crisis.

## **8. Conclusion**

This proposal replaces an uncoded, convention-dependent constitution with an explicit, structured, and resilient system. It accepts political conflict as inevitable and seeks to channel it rather than suppress it. Power is distributed not to prevent action, but to slow, expose, and correct it.

The objective is not perfection, but endurance: a constitutional architecture capable of operating under stress, disagreement, and changing political realities without collapse or concentration of unchecked authority.



