7. Parliamentary Supremacy: the theory

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Titles in the Complete series combine extracts from a wide range of primary materials with clear explanatory text to provide readers with a complete introductory resource. Parliamentary supremacy means that the Westminster Parliament is legally entitled to pass, amend, or repeal any law it wishes. Consequently, if the House of Commons and the House of Lords pass the legislation and the monarch gives her royal assent, then no court or other body has the legal power to declare the legislation invalid. This explains why the term ‘parliamentary supremacy’ has been coined: (the Queen in) Parliament holds the supreme lawmaking power in the UK. This chapter sketches the history leading to parliamentary supremacy. It discusses the theories behind the doctrine of parliamentary supremacy; restrictions on the power of Parliament; how parliamentary supremacy compares with constitutional supremacy; and how parliamentary supremacy fits with the separation of powers and the rule of law.