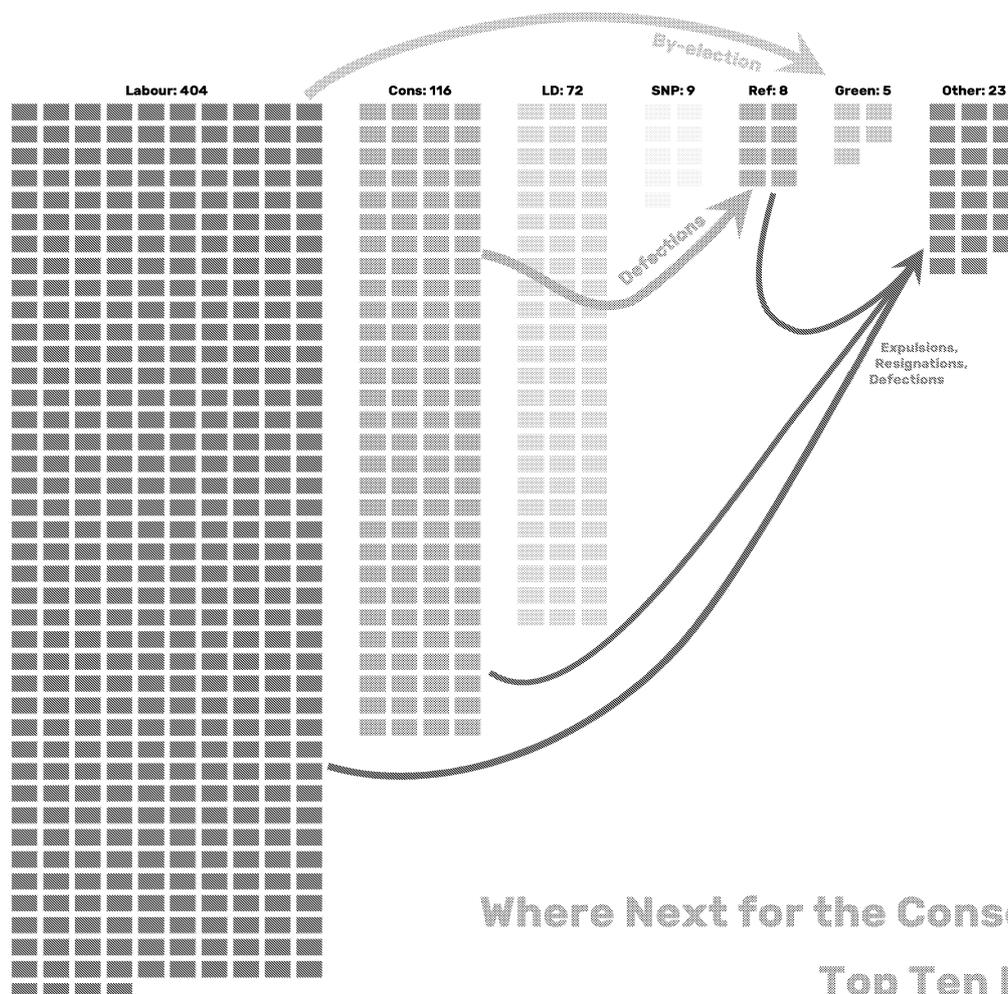


The Think Tank

Up-to-date analysis of exam-relevant issues for A Level Politics

March 2026 | Issue 86

Defections & By-elections



State of the parties in the House of Commons, 2nd March 2026

Where Next for the Conservatives?

Top Ten Defections

Plus!

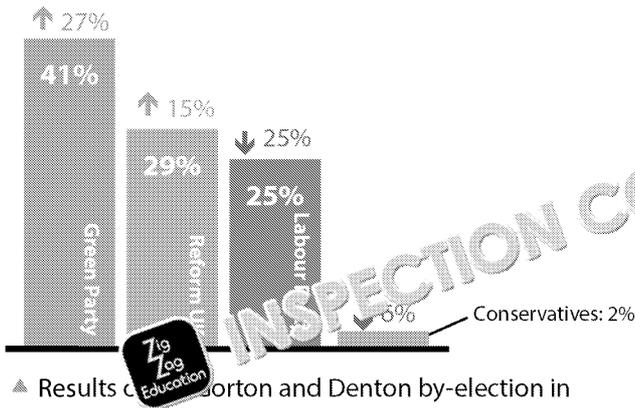
UK Devolution

Prime Minister's Power

Greenland: Not For Sale!

Key Ideas of Beatrice Webb

Springboard



▲ Results of the Horton and Denton by-election in Manchester, held on 26th February 2026. The incumbent (suspended) Labour MP had resigned and opinion polls had shown a three-way race with the Greens slightly ahead in one. Tactical voting organisations had endorsed a Green vote as a way to beat Reform, while Labour and the Greens both campaigned on being the only ones who could do so. In the end, plumber Hannah Spencer won for the Greens with a convincing 4,000-vote lead over Reform, amid a 47.6% turnout (very high for a by-election and comparing favourably to 48% at the general election).

We need change at the top and serious lessons need to be learnt:

- 1) Don't ape Reform...
- 2) Don't put factional interests ahead of anything else. The party blocked a popular candidate in Andy Burnham, who they then have been able to win a seat on even putting himself forward on nakedly factional reasons...
- 3) Don't play dirty. The bizarre claims about the Greens in relation to drugs and sex workers... reflected badly on our party.
- 4) Don't say only Labour can beat Reform if – thanks to the leadership's own self-sabotage – it's not true. Because it will be true in many other seats, and now voters won't believe us.

But fundamentally, this shows why first past the post isn't fit for purpose. If the government doesn't introduce proportional voting, a far right party could win the next general election outright on a minority of the vote.

▲ Analysis of left-wing Labour MP Nadia Whittome

Discussion points

- Do opinion polls impact how people vote?
- Is it right that voters should vote tactically?
- Do you agree with Whittome that this result exposes the risks of the first-past-the-post system?
- What impact do you think this result will have on the forthcoming May elections and on Starmer's leadership?

What?

So, Morgan McSweeney, chief of staff, was an early casualty of the 'scandal', resigning in October 2024. What does his role in the government mean? Was McSweeney's resignation something more political?

In fact, the chief of staff is a very powerful and influential role in government. The chief of staff enjoys a very close relationship with the prime minister.

He or she is responsible for:

- Advising the prime minister on government policy and communication
- Overseeing and coordinating the prime minister's political staff and strategy
- 'Gatekeeping' – ensuring the prime minister cannot see or hear anything that might be damaging to the government
- Accompanying the prime minister on official visits

The role is not a unique one. The president will have a chief of staff. The current chief of staff is in Washington.

Morgan McSweeney, chief of staff, was born in Ireland. He joined the Labour Party under Tony Blair in 2005 and moved to the role in October 2024. His predecessor was Susan Branson, who resigned for Starmer in October 2024.

McSweeney was a deputy director of the Labour Party. Together in 2017, he and another Labour Party member formed a party from the hard left, the 'Labour Electoral Coalition'. The coalition worked to remove Starmer from the position of party leader in the 2024 election of Kier Starmer. McSweeney was originally appointed as deputy director while still in opposition. He became head of political strategy in the government following Starmer's resignation in October 2024.

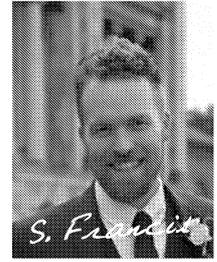
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A Word from the Editor

As we prepared this issue, the assassination of Iran's leadership by a joint US-Israeli strike suddenly jumped to the top of the new agenda. This is one of those moments where we have to remind ourselves that we are not a news magazine, and doggedly cover Greenland and NATO (page 14) which might be tomorrow's big news.



At home, the Gorton and Denton by-election has provided a rebuke to both Reform UK and Labour. The Green candidate bested both of those parties with what their leader Zack Polanski calls a 'message of hope'. This is a pertinent reminder that nothing is simple nor predictable in a first-past-the-post electoral system where up to five parties are viable contenders for many seats.

The by-election links to our '300 Words & an Essay' feature on prime ministerial power (page 6) and changes in party fortunes and representation ('Where Next for the Conservatives?', page 4, and Top Ten Defections, page 19). Meanwhile we continue looking at devolution ahead of the elections in Wales and Scotland in a couple of months' time.

We have a few changes at *The Think Tank* this time. Firstly you'll see a new feature 'What's this all about?', opposite. We hope this is a welcome new fixture to give a short explainer on a term, concept, or in this case a government position. Secondly, if you have the digital subscription (school pack), you'll now be able to download the PDF and Word copies of this magazine. We've moved slowly into the 2020s! Thank you to those of you advocating this improvement – sorry it took so long!

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Images

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- Photo of Kemi Badenoch by House of Commons, p. 2

Open Government License 3

- Photo of Shabana Mahmood by Lauren Hurley / No 10, p. 2

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If you have any ideas for the magazine, or articles you'd like to write, please get in touch!

Washington, Lord Mandelson, and the disgraced financier and sex abuser Jeffrey Epstein. Days later, Badenoch scored another hit in Prime Minister's Questions, exposing Starmer's failure of judgement in appointing his former director of communications, Matthew Doyle, to the Lords, despite his past connection to a convicted sex offender.

Bumps in the road ahead

A sustained Conservative revival is not, however, guaranteed. It depends heavily on the failure of the Labour government, which could be expected over the next three years if the cost-of-living crisis eases, immigration comes under control and public services improve. The Conservative poll ratings have improved but, hovering around 20 per cent, they are still roughly ten points behind Reform. If, as is widely expected, Reform outperforms them in the May local elections in England and the Scottish and Welsh parliamentary contests, talk of a leadership challenge to Badenoch may revive.

The Conservatives also face a fundamental strategic problem. Under Badenoch, they have pivoted to the right in a bid to win back potential Reform voters, for example with a pledge to leave the European Convention on Human Rights and an emphasis on welfare cuts. Meanwhile, a new pressure group within the party, Prosper UK, has laid out an alternative approach. Founded by two moderate Conservatives, ex-Scottish leader Ruth Davidson and former West Midlands mayor Andy Street, it is an attempt to steer the party towards the centre.

Prosper UK's argument is that there are 7 million 'politically homeless' voters, who are not attracted by Labour or Reform, and who could be won over by a middle-of-the-road Conservative Party. They have argued that centrist voters of this kind might otherwise go over to the Liberal Democrats. But, dominated by figures from the Cameron-McDonald era, Prosper is unlikely to appeal to people who feel contented with the traditional political establishment. Badenoch has thus far kept her distance from the new movement.

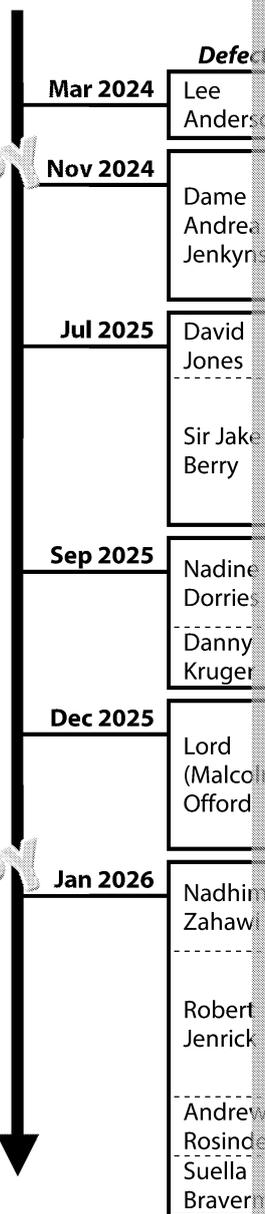
Time will tell whether the Conservatives can reclaim their historic dominance of the centre-right of the British political spectrum. Badenoch has ruled out a pact with Reform, as has Farage. However, as the next general election approaches, it is likely that pressure will increase to conclude some kind of arrangement between the two parties, rather than splitting the right-wing vote, which could let in another Labour government. Deciding which way to go will be a major challenge for whoever leads the Conservative Party in 2028–29. ■

KEY TERMS

Parliamentary private secretary (PPS): an MP who serves as an assistant to a minister (or in the case of the Leader of the Opposition, acting as a channel of communication with backbench members).

Chief of staff: an adviser who manages the Leader of the Opposition's office (or that of another senior politician).

Timeline: Prospective defectors to Reform



Discussion points

1. Do you think that a Conservative leader could form a pact with Reform before the next general election?
2. Are the Conservative defectors signalling an irreversible shift in the party system?

Question in the style of

■ Evaluate the view that the defections are an important factor in the fortunes of political parties. You should also evaluate the alternative to this view.

Question in the style of

■ Explain and analyse the factors influencing the fortunes of political parties in the next general elections.

Dr Graham Goodlad teaches Politics at the University of York and is a co-author of the Pearson textbook.

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300 Words & an Essay

UK Prime Ministers and Sources of Power

An extract from a 2017 exam followed by a strong essay with examples

UK prime ministers are required by long-standing convention to be elected MPs in the Commons. This means that voters and Parliament are not just sources of PM 'power' - the ability to do, or make others do, something based on the capacity to coerce; they are crucially also sources of PMs' 'authority' - rightful, legitimate power based on consent. Also by convention, the monarch appoints as PM whoever can 'command the confidence of the House' - usually the leader of the majority or largest party in the Commons. If PMs lose their parliamentary seat - very unlikely - or more likely lose the support of their party, they will also lose authority and often be forced out of office.

Sources of PM power therefore include voters, Parliament, party, Crown and conventions of the constitution. Aspiring PMs will not succeed without first getting enough votes to get into the Commons; they won't get their bills passed without majority support in the Commons; and perhaps crucially, they won't last long in office without the support of their party. While in office, their powers derive from the royal prerogative entirely by convention, which can make them potentially very extensive. They have powers of patronage (hire and fire), control of the cabinet committee system, the ultimate say over government policies and much else. They are - or should be - sustained by the Prime Minister's Office of aides and advisers in Number 10 and by the impartial Civil Service. However, advisers may be perceived as giving the PM bad advice and may themselves become controversial or unpopular; and PMs have often viewed civil servants as ideologically obstructive, leaky or simply inept. Finally, of course, if PMs misuse or abuse their substantial powers, they may face a vote of no confidence, or occasionally simply jump before they are pushed, usually by their party.

An original commentary written for The Think Tank

Using the source, evaluate the view that Parliament is the main source of prime ministerial power, and also its main constraint. (300 words, 30 marks)

UK prime ministers have multiple sources of power. One of the most significant is Parliament, but this essay will argue that, as the extract implies, a PM's party is both the main source of prime ministerial power and its main constraint.

Parliament underpins the 'government' the prime minister stands for, not just by convention in the Commons (since the last peer to be appointed as PM was Arthur Balfour in 1905) but also by the fact that the prime minister must ensure that they can 'command the confidence of the House' - a power - deriving from the royal prerogative - source stresses, the prime minister must to exert that power in the Commons by convention to be answerable to, the prime minister must ensure that the policies which are endorsed by the Commons means that the prime minister's power is not Parliament alone. The prime minister is appointed by the constituents via the Commons as an MP and then appoints as PM whoever can 'command the confidence of the House' - usually the leader of the majority party in the Commons. Labour has a huge majority of seats in the Commons; so, when the prime minister's job being on the line, they are referring frequently to the Commons' mandate to deliver a mandate to deliver a mandate. For example, PM Rishi Sunak's potential candidates for the Commons are anointed rather than elected. The prime minister's party becomes his main source of authority and power, but they will also, at the same time, be constrained by the Commons and hence by the backbenchers. PMs have repeatedly thwarted backbenchers. PMs have both made numerous decisions to avoid possible parliamentary challenges: for example, building and net zero.

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restoring the winter fuel allowance and abolishing the two-child benefit cap. Sources of – or constraints upon – PM power therefore include voters, Parliament, party, Crown and conventions of the constitution – with voters and the party being more important than Parliament (Commons and Lords) as a whole.

The source also refers to institutional supports which should sustain prime ministers in office, notably their Number 10 political aides and advisers (chiefly in PM Starmer's executive). Aides research and advise on policy pros and cons, anticipate political risks, liaise with MPs and peers, manage the media, challenge civil service traditionalism, anticipate new developments such as AI, draft speeches and more. However, aides and advisers can also undermine a PM's authority if, for example, they are perceived as giving bad advice, as Morgan McSweeney was under PM Starmer; or if they themselves are controversial or unpopular, as Dominic Cummings was under PM Johnson. Civil servants, alternatively, are permanent officials tasked with working impartially but loyally to advise and administer a PM's policies. However, as the source says, PMs have often viewed them as ideologically obstructive, leaky or simply inept. Post-war Labour governments often expressed frustration that civil servants were being deliberately obstructive – e.g. of Labour's nationalisation plans – because of their select class and educational backgrounds. It was Labour PM Harold Wilson in 1964 who first appointed special advisers, party political 'special advisers' (spads) as counters to potentially unsympathetic civil servants. Unusually, PM Margaret Thatcher sacked Cabinet Secretary (the head of the Civil Service) Ian Bancroft in 1981 because she perceived bureaucratic attempts to frustrate her radical, neo-liberal economic agenda. PM Starmer also recently forced Cabinet Secretary Chris Wormald out of office, this time over alleged ineptitude. Such institutional supports can therefore augment or undermine a PM's power and authority depending on whether or not they are working well – but they are not a main source of power.

Another possible source of a PM's authority and hence power is his or her personal qualities. Honesty, competence, connections and charisma may sustain political leadership for years despite some unpopular policies; for example, PM Blair survived three terms in office although his support for the 2003 invasion of Iraq was widely criticised. By contrast, PM Johnson was increasingly seen by voters and

ministerial colleagues as lacking the powers of office, and was ousted in July 2022 when he was forced to resign in protest over his involvement in Partygate and the revelation that he had churlishly said of the opposition that 'if they don't move, it moves'. Johnson displayed undue confidence and a misjudgement with respect to the '2022 budget' which triggered a period of political instability. The chair of the 1922 Committee, a group of MPs, conveyed to her the message that she should move more quickly and gracefully. She jumped before she was pushed and served 49 days in office. A key factor in the

In conclusion, the sources of prime ministerial power – voters, Parliament specifically the House of Commons – form the foundation for the modern-day prime minister's authority. You would disagree with the source that Parliament is the main source of PMs' powers, and that the source and constraints on

Examiner's comment: More could have been said about the role of conventions of authority and political culture or 'Prime Ministerial Law' either enshrines or informs the law. Otherwise, however, comprehensively evaluated. The ultimate evaluation is well-justified. mini-conclusions at AO3. The personal 'characters' of PMs from the source are necessary links; and supplied throughout central argument and

AO1: 8

Moyra Grant is an experienced textbook author.

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THE KEY IDEAS

BEATRICE WEBB

Angela Mogridge considers how Webb's key ideas would apply

Beatrice Webb (1858–1943) stands as one of the most influential social theorists and reformers in modern British history. As a co-founder of the Fabian School of Economics, a leading figure in the Fabian Society, and a principal architect of the Labour Party's intellectual foundations, her political ideas helped shape the trajectory of modern social democracy.

WEBB'S KEY IDEAS

THE REJECTION OF LAISSEZ-FAIRE LIBERALISM

Webb's political thought began with a profound dissatisfaction with the dominant Victorian ideology of laissez-faire. Her early work as a social investigator, particularly her involvement in the Charity Organisation Society and her research into poverty in London, convinced her that individual charity and market forces were incapable of addressing structural deprivation.

She rejected the assumption that poverty resulted primarily from personal failings. Instead, she argued that economic conditions, social structures, and institutional failures were the primary determinants of life chances. This insight led her to challenge the moralism of Victorian poor relief and the economic orthodoxy that markets, left alone, would produce optimal outcomes.

For Webb, laissez-faire was not only inefficient; it was unjust. It allowed the strong to dominate the weak, entrenched inequality, and left essential services – education, health, housing – at the mercy of profit motives. Her critique was empirical as much as ideological: she believed that careful observation of social conditions revealed the inadequacy of individualistic solutions.

COLLECTIVISM AND THE 'NATIONAL MINIMUM'

One of Webb's most enduring contributions was her articulation of collectivism as an alternative to laissez-faire. Collectivism, in her usage, did not mean the abolition of private property or the centralisation of all economic activity. Instead, it referred to the deliberate organisation of society through public institutions to secure basic standards of life for all citizens.

The concept of the 'national minimum' was central to this vision. Webb argued that the state had a duty to guarantee a minimum level of income, education, health, and working conditions. This was not charity but a matter of citizenship and social justice. The national minimum would ensure that no individual fell below a threshold of decency, enabling them to participate fully in society.

This idea profoundly influenced later Labour Party policy and the development of the British welfare state. The Beveridge Report, which laid the foundations for post-war social policy, echoed Webb's insistence on universal provision and state responsibility.

THE ROLE OF THE EXPERT ADMINISTRATOR

Webb's collectivism required expert administration to replace market mechanisms and the whims of popular will. Instead of relying on professionals, civil servants could design and manage social services.

Her vision of the state required:

- decisions should be based on science, not ideology;
- administration should be free from corruption;
- public bodies should be staffed with specialised knowledge.

This emphasis on expert administration could be studied scientifically and used for social planning. The London School of Economics, co-founded, embodied this vision of a new class of administrators for the modern welfare state.

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Critics have argued that Webb's technocratic leanings sometimes veered into elitism. She could be dismissive of ordinary political participation and sceptical of the capacity of the general public to make informed decisions. Yet her belief in expert governance was rooted in a desire to overcome the inefficiencies and injustices she observed in Victorian society.

FABIAN SOCIALISM AND GRADUALISM

Webb's political ideas were central to the development of Fabian socialism, a movement that rejected revolutionary change in favour of gradual, pragmatic reform. The Fabians believed that socialism would emerge through the steady accumulation of public ownership, regulation, and welfare reforms – not through class struggle or violent upheaval.

Beatrice Webb helped shape this strategy in several ways:

a) Emphasis on Research and Education

She believed that social change required informed public opinion. The Fabians produced pamphlets, lectures, and research designed to persuade the middle classes and policymakers of the merits of collectivist reform.

b) Permeation

The Fabians sought to 'permeate' existing institutions – political parties, civil service, local government – rather than overthrow them. Webb saw this as a pragmatic way to achieve lasting change.

c) Municipal Socialism

She championed the expansion of local government services, from utilities to education, as a practical demonstration of collectivist principles.

d) The Labour Party

Webb played a key role in drafting the Labour Party's 1918 constitution, including the famous Clause IV, which committed the party to the common ownership of the means of production. Her influence helped give Labour a coherent ideological foundation.

Fabian gradualism reflected Webb's temperament: cautious, empirical, and reformist. She believed that socialism must be built step by step, through legislation and institutional change, rather than through revolutionary rupture.

DEMOCRACY, REPRESENTATION AND THE LIMITS OF POPULAR RULE

Webb's relationship with democracy was complex. She supported democratic institutions and believed in political equality, but she was also wary of what she saw as the irrationality of mass opinion. Her preference for expert administration sometimes led her to question whether elected representatives were always the best decision-makers.

She favoured a model of governance that prioritised popular legitimacy and practical effectiveness. In her view, in practice, this meant:

- elected bodies selected by universal suffrage
- expert administration
- public institutions insulated from political pressure

Her scepticism about mass democracy was criticised, but it reflected her view of local government and bureaucracy. She saw patronage, inefficiency, and corruption in democracy, and believed that a professionalised, meritocratic system was needed for effective governance.

THE POOR LAW AND SOCIAL RESPONSIBILITY

Webb's work on the Royal Commission on the Poor Law (1905–1909) was a turning point in her career. She co-authored the Minority Report, which criticised the existing Poor Law system and proposed a comprehensive reform.

The Minority Report argued that:

- poverty was a social problem, not a moral failing
- different forms of poverty (e.g. old age, disability) required specific solutions
- the state should take responsibility for poverty prevention through a unified system of social insurance

This report laid the intellectual groundwork for welfare state reforms, including old age pensions, health services, and unemployment benefits. Webb's ability to combine practical experience with theoretical analysis was a key factor in her influence.

ECONOMIC PLANNING TOWARDS SOVIET SOCIALISM

One of the most controversial aspects of her later work was her attraction to economic planning. In the 1930s, she visited the USSR and published *Industrial Democracy and the Soviet Civilisation?*, which praised the efficiency of the Soviet system.

Her attraction to Soviet-style planning was influenced by several factors:

- the apparent success of the Soviet Union in industrialising rapidly
- the use of state power to eliminate unemployment and social inequality
- the mobilisation of resources during the Great Depression, which contrasted with the economic stagnation in Britain.

However, her admiration for the Soviet system was often seen as overlooking repression and inefficiency. Her technocratic faith in expert administration and her willingness to accept official propaganda remains a controversial aspect of her political world view.

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LEGACY AND INFLUENCE

Beatrice Webb's political ideas left a profound mark on British society:

- The welfare state drew heavily on her concept of the national minimum.
- The Labour Party's early ideology reflected her collectivist principles.
- The London School of Economics embodied her belief in expert administration.
- Fabian gradualism shaped the strategy of British social democracy for decades.

Her ideas continue to feature in debates about the role of the state, the importance of social research, and the balance between democracy and expertise.

APPLYING WEBB'S IDEAS

CASE STUDY 1: THE CRISIS IN SOCIAL CARE PROVISION IN THE UK

The UK's current social care crisis – marked by underfunding, workforce shortages and fragmented provision – echoes the problems Webb identified in the early twentieth century when she advocated for a national, publicly funded system of care.

WHAT WOULD WEBB SAY?

Webb would argue that the inefficiency within social care has been caused by inconsistent standards, ever-reducing local authority budgets and the devolution of provision to multiple private providers. She would emphasise that social care is not a private consumer service but a collective social duty.

CASE STUDY 2: FOOD EMERGENCY WELFARE

Food banks seem to have become a central pillar of the UK's welfare system, like the Trussell Trust's emergency food parcels.

WHAT WOULD WEBB SAY?

Webb believed that food banks were stigmatising, incapable and inefficient. Provision should be spread widely across regions, involving social workers, and targeting causes (low income, in

Discussion points

1. Can you apply Webb's ideas to modern-day events?
2. To what extent do food banks still be seen in the light of Webb's ideas?

Exam-style questions

- To what extent do food banks reflect the principles of social democracy?
- To what extent do food banks reflect the principles of social justice?

Angela Mogridge is a retired teacher in the East Midlands. She has written *Government and Politics* and *Politics*. She is also a long-standing member of the British Political Body for A Level Politics.

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Profile: Shabana Mahmood

Ideology: Labour

Nationality: British

Career: Home Secretary

Personal Profile

Born in Birmingham in 1980 to parents of Pakistani origins, Mahmood lived in Saudi Arabia from 1981 to 1986 where her father worked as a civil engineer. Once they returned to England, her family bought a convenience shop where her mother began working, and her father became the chair of their local Labour party. Despite her family's political background, Mahmood's ambition was to be a barrister, and she went on to study law at the University of Oxford. She later trained in London and spent time on professional indemnity.

At the age of 29, Mahmood was elected MP for her home of Birmingham and became one of Britain's first female Muslim MPs. Mahmood has focused her practice as a devout Muslim and how it shapes her values and public service.

Mahmood held several shadow cabinet positions under Ed Miliband described as 'blue Labour'. She rejected Jeremy Corbyn's offer for a position in 2015, retreating to the backbenches and telling him that 'I'll make you miserable as well'. On 5th July 2024, Mahmood was appointed Home Secretary and Lord Chancellor. She revealed plans for an early prison review in efforts to release pressure on prison overcrowding, Mahmood announced that 1,000 inmates to be released. However, it later emerged that 37 of those were eligible and she was forced to apologise. After becoming Home Secretary in 2025, she has endorsed tougher immigration laws and has been criticised by activists for her proposed plans to overhaul the asylum system.



'My faith is the centre point of my life, it drives me to public service, it drives the way that I live my life and I see my life'

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ICE and the CONSTITUTIONAL RIGHTS

As immigration enforcement in the US takes a draconian turn, how is this justified by the Constitution and the courts? Angela Mogridge



Immigration enforcement has long been one of the most contested areas of American law and public policy. At the centre of this debate stands Immigration and Customs Enforcement (ICE), the federal agency responsible for enforcing immigration laws within the interior of the United States.

Since its creation in 2003 under the Department of Homeland Security (DHS), ICE has become a symbol of the nation's struggle to balance border security, public safety, and the constitutional protections afforded to all people within US territory.

Non-citizens also enjoy First Amendment protections

The Legal Foundation of ICE's Authority

ICE operates under federal immigration statutes, primarily the Immigration and Nationality Act (INA). The INA grants the federal government broad authority to regulate immigration, including the power to arrest, detain and remove individuals who violate immigration law. Unlike criminal law enforcement, immigration enforcement is considered a civil regulatory system. This distinction is crucial because it determines the constitutional rights available to individuals during encounters with ICE.

The Supreme Court has repeatedly affirmed that the federal government has 'plenary power' over immigration – meaning Congress and the executive branch have wide latitude to regulate who may enter or remain in the country. However, plenary power does not eliminate constitutional constraints. Even though immigration enforcement is civil, not criminal, the Constitution still applies. The key question is how far those protections extend and how they operate in practice.

Constitutional Rights in the Immigration Context Fourth Amendment: Searches, Seizures, and ICE Enforcement

The Fourth Amendment protects against unreasonable searches and seizures. For ICE, this means:

- Agents generally need probable cause or a warrant to enter a private home.
- They may not detain individuals without reasonable suspicion or probable cause.
- They cannot rely on racial or ethnic appearance to justify stops.

However, immigration enforcement has unique features. ICE officers often operate with administrative warrants, which are not signed by judges but by DHS officials. These warrants authorise arrest for civil immigration violations, not criminal offences. Because administrative warrants lack judicial oversight, they do **not** permit entry into private

homes without consent. ICE officers must first request entry, and if refused, they must knock and wait before opening the door.

Courts have held that the Fourth Amendment applies in the immigration context. While ICE is more often viewed as a civil agency, not a law enforcement agency, individuals often feel protected by the Fourth Amendment in encounters with ICE.

enforcement practice raises civil liberties concerns.

Fifth Amendment: Due Process
The Fifth Amendment guarantees the right to due process against self-incrimination. This protection applies to the immigration process, but not to criminal cases.

Key protections include:

- The right to counsel
- The right to remain silent
- The right to stop questioning at any time
- The right to a lawyer before any questioning
- The right to stop answering questions at any time
- The right to stop answering questions at any time

Because immigration proceedings are civil, individuals do not receive public defenders. This creates an imbalance: the government has attorneys, while many individuals – must navigate the process on their own.

The Fifth Amendment's protection against self-incrimination also applies to immigration proceedings. Statements made to ICE officers can be used in proceedings even if the individual was not given warnings, because the civil nature of immigration proceedings often bypasses the constitutional protections of the Fifth Amendment.

Fourteenth Amendment: Equal Protection
The Fourteenth Amendment guarantees equal protection of the laws to 'any person born or naturalized in the United States'. Courts have interpreted this to mean that ICE enforcement must be applied equally to all individuals, regardless of immigration status.

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Equal protection issues arise in several contexts:

- Claims of racial profiling by ICE.
- Disparate treatment of immigrants based on nationality.
- State and local laws targeting undocumented immigrants.

While the federal government has broad authority over immigration, it cannot enact policies that explicitly discriminate without a compelling justification. However, courts often defer to the executive branch in immigration matters, making equal protection challenges difficult to win.

First Amendment: Speech, Religion, and Retaliation

Non-citizens also enjoy First Amendment protections. They may speak, assemble, organise, and associate freely. In recent years, several individuals have alleged that ICE targeted activists for deportation in retaliation for their political speech. Courts have generally held that retaliatory enforcement violates the First Amendment, even in the immigration context.

This area of law continues to evolve, but the principle is clear: immigration status does not strip individuals of their right to speak out.

ICE Detainers and the Tenth Amendment

One of the most controversial aspects of ICE's operations involves detainers – requests sent to local law enforcement asking them to hold individuals for up to 48 hours beyond their release date so ICE can take custody.

Detainers raise constitutional issues:

- They are requests, not mandates.
- Holding someone without probable cause or a judicial warrant can violate the Fourth Amendment.
- Forcing local agencies to enforce federal immigration law may violate the Tenth Amendment's anti-commandeering principle.

Several federal courts have ruled that local jurisdictions cannot be compelled to honour detainers. This has fuelled the rise of 'sanctuary cities', which limit cooperation with ICE to avoid constitutional liability.

Detention Centres and Due Process Concerns

ICE operates the largest civil detention system in the United States. Conditions in detention centres have been widely criticised, raising questions about due process, inhumane treatment, and access to legal representation.

Key constitutional issues include:

- Prolonged detention without a bond hearing.
- Inadequate medical care, which may violate the Fifth Amendment's due process clause.
- Conditions of confinement that resemble criminal punishment, despite the civil nature of immigration detention.

The Supreme Court has held that prolonged detention without individualised review poses serious constitutional concerns, but it has not established a clear limit. As a result, individuals are often detained for months or even years while their cases progress.

Border Enforcement vs Interior Enforcement

ICE operates primarily in the interior of the country, while Customs and Border Protection (CBP) handles border enforcement. However, the Constitution applies differently near the border.

Within 100 miles of any most major cities – CBP stops and searches. All statutory powers as CBP blur the lines of constitutionality.

Interior enforcement, which character Fourth Amendment rights. Individuals do not know their respective authorities and rights violations.

The Role of States and Localities
Immigration enforcement and localities play a significant role. Some jurisdictions operate. Some jurisdictions while others limit constitutional rights and enforcement.

The Supreme Court has ruled:

- States cannot enforce immigration enforcement schemes.
- The federal government cannot force states to enforce federal immigration law.

This balance reflects federalism. It also means enforcement is widely depending on local jurisdiction.

The Ongoing Debate

The central tension in the debate is the balance between national security and liberties. Supporters argue immigration laws, remain maintaining the integrity of the system. They contend that ICE's practices violate civil rights, disproportionate enforcement, and undermine trust in the government.

This debate is not merely legal and social. It reflects broader tensions in the United States, how far the government can go in enforcing immigration law.

Discussion points

1. What constitutional rights are at stake in the US regardless of citizenship?
2. Do non-citizens receive the same level of protection in immigration proceedings?
3. Is it constitutional to investigate and detain individuals who are not suspected of criminal activity?

Exam-style question

- Evaluate the view that ICE poses a significant constitutional challenge in the United States.
- The activities of ICE are subject to constitutional protection. Analyse and evaluate the extent to which this is the case.

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GREENLAND



The Sovereignty Debate Behind Trump's Bid for Greenland

In January 2026, the world watched on with a mixture of shock and concern as the President of the United States declared he would obtain Greenland 'one way or the other'. What was initially billed as political theatre soon escalated into a full-blown diplomatic crisis, straining transatlantic relations and forcing the uncomfortable question: has sovereignty lost its status? In order to make sense of Trump's recent behaviour, which appears reminiscent of a realist world view, it is important to go back to the very beginning.

America's Greenland Dream

The United States' interest in Greenland dates back to 1867, a period when territorial expansion was the norm and the idea of Manifest Destiny remained influential after the American Civil War (1861–65). Secretary of State William H. Seward had just purchased Alaska from Russia and soon began pondering the acquisition of Greenland; a territory seemingly well-suited to further American expansion. Yet, despite Seward's interest, the exploratory notion quietly faded without a formal offer.

Nearly 80 years later in 1946, the first serious bid was presented. President Truman was entering a new landscape that laid the groundwork for the Cold War, and Greenland's strategic location was especially attractive. In efforts to gain an early tactical advantage, the US secretly offered Denmark \$100 million for the control of Greenland. Shocked by the offensive offer, the Danish government denied the sale, but not without agreeing on other ways to incorporate Greenland into America's defences.

Thus, a mutually acceptable middle ground was reached: Greenland would remain an autonomous territory of Denmark while the United States emerged as its key defence partner, later formalised in a 1951 NATO agreement that allowed the US to have military bases on the island. For decades, under the NATO framework, the US operated and capitalised on that right, mainly at the Thule Air Base (renamed the Pituffik Space Base in 2023).

So why, exactly, would Trump risk shattering a close-knit, mutually beneficial, 80-year-long alliance? That seems to be the question everyone is asking as they seek to understand the reasoning behind Trump's threat to take Greenland.

Initially, Trump raised the idea of purchasing Greenland in 2019, a remark many took as an outlandish bluster, but one they soon had to take at face value. By his second term (2025–), Trump escalated the rhetoric considerably, openly stating that the US *should* acquire Greenland for the sake of strategic security. He threatened up to a 25% tariff against Denmark and seven other European countries, even suggesting the possible use of military force if Europe did not comply with his demands.

Who Gets to Decide Greenland's Destiny

Trump's increased pressure has raised the question of presidential control of Greenland, given that it is a territory within a sovereign state. Does a sovereign state hold such

Sovereignty is defined as the supreme authority over a territory. It was formalised in the Treaty of Westphalia and holds the right to regulate in the international system. It has external dimensions to internal jurisdiction, covering domestic affairs, the right to be free from external interference – and norms in international law.

Greenlanders themselves have long sought self-determination that predates the current dispute for self-government. They achieved limited self-rule in 1979, and full independence in foreign affairs and financial matters followed in 2009. Crucially, the vast Inuit population is recognised as a distinct people under international law, with the right to self-determination. Any formal transfer of sovereignty would therefore require the consent of Greenlandic people, because Greenland is a self-determining people. However, the US has no formal claim over the region without opposition.

Despite these obvious complexities, Trump's geopolitical move has become the prime example of unilateralism over established norms for international relations in the name of national interest. In any case, such a move would take years to materialise, potentially straining EU relations and undermining the importance of

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Why Greenland?

Driving Trump's strong interest in Greenland lies its size and location. The island is six times the size of Germany and strategically located between North America and the Arctic. The United States claims that it requires a more permanent presence in the Arctic to ensure national and global security. They have maintained that their reason to seek control would be to prevent the desirable territory from falling under Russian or Chinese influence. However, many suppose Trump's underlying rationale could be because he wishes to exploit its natural mineral resources. Through a realist lens, this behaviour is entirely predictable. Gaining control of Greenland would represent a significant amount of hard power capability, and in an anarchic world, great powers are expected to increase their influence in any way they can.

The Erosion of Alliance Trust?

The World Economic Forum's 56th annual meeting in Davos was held earlier this year and brought together world leaders to discuss critical global concerns. However, the US President's threats to take over Greenland certainly cast a large shadow over the conference. In a lengthy speech, Trump criticised US allies while withdrawing his earlier threats of force; albeit hinting that significant consequences could follow if his ambitions were derailed. Afterwards, Trump met with NATO Secretary General Mark Rutte and declared that he had landed the framework of a future deal regarding Greenland, though what that may entail remains unknown.

In response to Trump's pressures following the Davos meeting, NATO launched a new operation in the Arctic, Arctic Sentry, affirming that the defence of the Arctic was a strategic imperative. While the rationale for this decision was made to placate a meddling President or to address a genuine threat from external powers is unclear. What is clear is that Trump's sweeping statements regarding Greenland heightened the EU's sense of urgency and prompted member states to present a unified front in rebuking the President. An effort that proved effective as Trump ultimately retreated his initial tariff threats. Even with this small triumph, Trump's claims have demonstrated the extent to which US coercion can reach and the risks it carries. While it may seem alarming, realist theory would argue that such behaviour is predictable, it's exactly how powerful states act when alliances no longer serve their interests.

Moreover, by pressuring a fellow ally, Trump's actions have exposed a dangerous grey area to the famous Article 5. The concept defines that an armed attack against one member is an attack against all members. However, when one NATO member threatens or pressures the territory of another, it poses a unique challenge to apply this principle. The perceived threat is limited to protecting against attacks against the collective defence system, but it does not clarify how the alliance should respond if the attack comes from within. Therefore, if Trump were to ever go ahead with his threats to take over Greenland, it may prove especially difficult for *how* NATO should respond if Article 5 could not be enforced.

This reality, coupled with the US's military force against European powers, suggests that they cannot rely on the traditional international signal a deeper global

The Great Power

Many critics would consider this a clear expression of a willingness to threaten European leaders publicly, precisely reflecting self-interest is of paramount importance. Realists tend to have a hard time believing them to be vulnerable to national security interests. Trump's NATO scepticism episode is not an anomalous example of how great powers challenge established rules no longer

Conclusion: The

The recent events have challenged the established unipolar world to a significant extent. America's dominance is being abandoned power. Rather than to have forsaken all the gains that once came with global leadership, a harsher, more coercive approach has demonstrated how easily challenged by great powers. The EU to fortify their

However, it has also shown that when banded in a unified front, sovereignty becomes a more powerful states like the EU. Events may mark the beginning of a new realist phase in international relations highlighted the importance of international law, sovereignty and territorial integrity.

Discussion question

1. To what extent does the US represent a realist pursuit of national interest?
2. Does the Greenland situation represent a weakening or does it represent a continued strengthening of the international system?

Essay-style question

Evaluate the extent to which the international system is based on the principle of

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semblance of federalism is visible – a US-style federal system where a central power (Washington) shares power with the state-level governance. Swap out Washington for Westminster and states for devolved nations and the comparison and validity of the comparison is clear.

While in reality devolution would never be reversed, Parliament does retain the right to do so and therefore quasi-federal rather than outright federal has merit in the term. The journey of devolution in Northern Ireland and on many occasions where power-sharing devolution has collapsed and power returned to the centre, and the limited nature of devolution in England, also negates outright federalism. Wales would not envisage, in comparison, one of the states having its state-level governance removed and direct power from Washington, nor would it be the case that areas of substantive jurisdiction would be removed from states in an asymmetrical way. The UK now looks a bit more federal and devolution is decentralisation, just as US federalism is decentralisation.

4. Devolution is asymmetrical

Devolution, since the very beginning, was asymmetrical and remains so to this day. The amount of power and areas of jurisdiction are different across the three contexts and indeed in relation to England as well. Scotland has had by far the most devolved power, closely followed now by Wales, whose journey to more has been most rapid. Northern Ireland had a very different starting point via the Good Friday Agreement and subsequent power-sharing devolution, and the road has been bumpier along the way with frequent periods of collapse and return to direct control. If we add England into the mix for a moment then the absence of an English Parliament completes a picture of divergence. The asymmetrical nature was largely intentional and to some extent common sense. The Northern Ireland story is quite unique in the Union and devolution in relation to Scotland and Wales reflected the extent of the appetite for it in the first place. When referendums were held ahead of its introduction, the Scottish result was well over 70% for devolution and over 60% to have tax-varying powers. The Welsh result was just over the 50% mark and partly as a result began life as an Assembly rather than Parliament and with less power than its Scottish counterpart. The 2011 referendum bolstered devolution in Wales due to its more convincing support for more power with over 60% and 21 of 22 areas voting in favour.

A direct outcome of the asymmetry is the inevitable policy divergence. Politics across the UK – both in terms of outcomes in relation to substantive areas like health and education and in relation to responses to crises (like during the pandemic) – can be really different. Some would suggest this is a good thing to the next point.

5. Devolution has weakened the Union

The asymmetrical nature of devolution has the capacity to cause resentment. When a person in England is unfortunate enough to require a prescription, unless specifically exempt, they pay while their Scottish counterparts do not. Some students in England may agonise over university partly due to the associated costs

and fear of debt while Scotland, do not. This is the feeling of imbalance. The West Lothian question is a good example. The EVEL (English Votes for Devolution) was a failed attempt to bring the issue to the legislative stage in England where only England has attempted solution in

Beyond this, the weak support for independence in Scotland and the appeal of a referendum on Scottish independence has not happened had devolution been a significant distance. The strong case for the future without it. It is a rule in Scotland and a mandate to allow the desire for independence and therefore the 'Union' Scotland's 'Remain' vote being dragged out of debate and Nicola Sturgeon attempt to initiate a second referendum only when it was ruled the power to do so by

Devolution for Scotland has thoughts of independence lower within the Union to some extent but only for the Scotland's future in the the latter all devolution more than capable of

6. Devolution means described as a

The question of how the system has changed as a result was accepted that the system overall – other Labour and Conservative for power. The only many parties are given simple existence of some representation of three decades of devolution genuine contenders notably the SNP in Scotland period with Labour and Ymru has shared power Sinn Féin are absent devolution in Northern contenders for powers achieved and used has system for now, the UK

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7. Devolution has added to the constitutional conventions list

Devolution has solidified existing conventions. If there is to be a significant constitutional change in the UK then that this is put to the people has become the convention alongside accepting the answer without exception – this is well demonstrated by devolution, as referred to in point 1 (page 16). Every devolution-related referendum outcome has been accepted, both the yes and the no.

Beyond this, devolution has also inspired the development of a new one, the consent convention. This applies when the UK Parliament wants to legislate on a matter with the devolved competence of Scotland, Wales or Northern Ireland. Under the terms of the Convention, Westminster will 'not normally' legislate without the relevant devolved institution having passed a consent motion. The 'not normally' is, though, a reminder once again that Parliament ultimately is sovereign. ■

Discussion questions

1. Should England have a referendum? What are the pros and cons?
2. Are independence referendums a good idea? Should we have them again in future? Could we have a referendum on independence given the current political climate?

Exam-style questions

1. Explain and analyse the impact of devolution since 1999.
2. Explain and analyse the role of the devolved parliamentary systems. (Devolution could be used as a case study.)

Richard Lawton is a teacher.

20 Questions

Twenty questions to test your knowledge or to play 'twenty questions' with a classmate. (Answer at the back.)

1. I am British.
2. I attended the University of Cambridge.
3. I am the grandson of a former deputy PM.
4. I briefly flirted with communism while in university, only to later join the Labour Party in my 20s.
5. I am married to a Brazilian translator.
6. I was elected to Lambeth Borough Council in 1979 but resigned in 1982.
7. I have worked in media and political communications.
8. I was appointed Labour's director of communications by Neil Kinnock.
9. In 1987 the *News of the World* tried to out me as gay.
10. In 1992 I was elected MP for Hartlepool.
11. I was appointed trade and industry secretary in 1998 but resigned the same year.
12. Tony Blair reappointed me in 1999 as Northern Ireland Secretary.
13. I resigned again in 2001 after improving the security of British passports to two wealthy Americans.
14. In 2008, I returned to Cabinet as Business Secretary and was made a peer in the House of Lords.
15. I have published a book called *The Third Man*.
16. In December 2010, the new Prime Minister, David Cameron, appointed me to serve as ambassador to the United States.
17. In 2011 I was sacked as ambassador to the US for association with a prominent convicted sex offender.
18. In January 2026 it was revealed I had sent internal government information to the press.
19. Later that month I resigned from the House of Lords.
20. I am now under investigation by Scotland Yard for 'misconduct in public office'.

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TOP 10 UK Party Defections

In the wake of some high-profile side-switching, Moyra Grant gives us her ten most impactful defections.

Defections occur when a politician – an MP, councillor or peer – changes allegiance from one party to another while in office. There have been significant collective defections in the past: for example, in 1981 when the ‘Gang of Four’ leading Labour moderates quit the then more left-leaning party to form the Social Democratic Party and go into alliance with the Liberal Party. They failed badly in the 1983 general election in terms of seats if not votes, but together went on to form the Liberal Democrats who are now the third-largest party in the Commons. Also, in 2019 seven Labour MPs and three Conservative MPs resigned their parties to form the centrist, pro-EU Change UK in opposition to Brexit. However, they failed to win any seats at all in the December 2019 general election. The first-past-the-post electoral system is rarely kind to small parties, and voters are rarely kind to defectors.

This Top Ten countdown will focus specifically on individual MPs, starting with the most recent (though not necessarily the most surprising or significant), because we have seen an unusually large number of defections in recent months and they are currently a hot topic.

10. At the time of writing, **Suella Braverman** in January 2026 is the latest Conservative MP to defect to Reform UK after 30 years as a Conservative. The former Home Secretary cited ‘Tory betrayal’ and immigration issues, saying ‘Loyalty is a two-way street’. She was on the right of the Conservative Party – a strong advocate of leaving the ECHR and of the controversial Rwanda plan to send ‘small boat’ asylum seekers to Africa – and her defection was unsurprising to most observers.

9. Also in January, Conservative leader Kemi Badenoch sacked **Robert Jenrick** – formerly her main rival as a future party leader – from his front-bench role as shadow justice secretary and from the party, over ‘irrefutable evidence’ (said to include a leaked defection letter and a draft resignation speech) that he was about to defect to Reform. He promptly did so, in the same week as Braverman. He said that the Conservative Party had ‘lost its way’ and – although he had criticised the immigration minister 2022-23 – that the Rwanda plan ‘hadn’t gone far enough’. Badenoch, meanwhile, won plaudits for her swift and strong action, with one Tory MP describing her as the ‘Iron Lady with a titanium overlay’.

8. **Danny Kruger** is significant because he was the first MP to defect to Reform after the 2024 election for work and pensions. He was also a national political figure, having been a minister for migration, taxes and welfare, and a target for Farage to help Reform.

7. **Lee Anderson’s** defection is significant because he became the first MP to be technically a defector. He was a former Conservative MP who was suspended from the party in 2022 for comments about Lord Kinnock. He has since had to have got control of his own party.

Another 2026 Conservative MP, **Andrew Rosindell**, brought his seat in the Commons from the Conservatives to Reform. 27 former Conservative MPs have since defected but most of them had already done so in the known 2024 departure. **John Jenkins** and **Nadhim Zahawi** were opponents to caution. **John Healey**, a Conservative, ‘Vote Reform’ and ‘Vote Reform’ irritates Farage, who in

6. Many defections have occurred in different directions. Just before the 2024 election, Conservative MP **Natasha Sturt** defected to Labour. She was a ‘backbench’ MP on the floor of the house’, was a member of the new party just ahead of the election. It is rare for an MP to defect directly to the main Opposition party by her new party by her supporters because he was taking a hard line on immigration. She seemed very different from the party she would be standing for, so she did not put her name down for the Conservative health minister. She then stood down from the Labour at around the time of the election. These two moves were more of a tactical move rather than genuine ideological change.

5. In September 2024, **John Healey** defected to the Liberal Democrats. He was a Conservative MP of pursuing a policy that involved a very public statement in the Commons. His move was particularly significant because Johnson of his own party sustained by the DUP. He then withdrew the whip from the party. Perhaps the day when he decided to deal and to call the DUP. He won an 80-seat

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4 Former Labour leader **Jeremy Corbyn** – together with former Labour MP Zara Sultana and four independent pro-Gaza MPs – in November 2025 formed a new, radical left-wing group called Your Party. Again, these moves were not strictly defections because rebel Sultana had already been suspended from Labour and Corbyn had been permanently expelled by Starmer. However, this new group could be a significant development if it proves to be a challenge to Labour government from the left. To date, the group has been beset by disputes, divisions and resignations, and its future is unclear.

Not one of the 10 MPs submitted themselves to a by-election. It is not required by UK electoral law because the theory goes that we are voting for the person, not the party label. As Danny Kruger put it, 'You vote for an MP and then they are trusted – left alone – to use their own judgement in the interests of their constituents'. Very Burkean. However, in a recent YouGov poll (prompted by Kruger's defection), two-thirds of respondents said that MPs who defect should be required to resign and fight a by-election. Most voters do usually vote for a party label and manifesto of party policy promises, and say that they feel betrayed when their MP changes allegiance without their authorisation. (Moreover, an Ipsos poll last May found that 40% of respondents thought it was unacceptable for an MP to defect to another party at all.) There have been two attempts via private members' bills to require by-elections in law, but both failed. A current petition to Parliament requesting 'by-elections to be called automatically when MPs defect to another party' has won over 100,000 signatures and is scheduled to be debated by MPs on 17th May. However, this does not guarantee a by-election, and the government has already responded. There are no plans to make changes to the current constitutional arrangements, whereby voters elect individual candidates, and not the political party they represent'.

3 & 2 To find exceptions to this pattern of refusing by-elections, we have to go back to 2014 when MPs **Douglas Carswell** and **Mark Reckless** defected from the Conservatives to UKIP in order to push for a Brexit referendum. Both chose to fight by-elections and both won. Carswell held his seat at the 2015 general election and co-founded the Vote Leave referendum movement in 2016, in competition with UKIP leader Farage's Leave.EU campaign. This provoked clashes between Farage and Carswell, who quit UKIP, sat briefly as an independent MP and decided not to stand in the 2017 general election. He had, after all, achieved his big Brexit goal. Reckless, meanwhile, lost his seat in the 2015 general election (and has since changed party not four times). They both deserve an honourable mention here for submitting to the democratic process.

1 **Winston Churchill** defector in UK politics the Liberals in 1904 because who opposed the Tories immigration policies. with the Conservative deflection that year and of the Exchequer by himself famously said certain amount of ing



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