PARLIAMENTARY GOVERNMENT - CABINET AND THE PRIME-MINISTER
INTRODUCTION

• The Parliamentary form of government, which is also known as cabinet form of government and responsible government is an important salient feature of the British Government. The British parliamentary system is the oldest in the world, therefore, it is also known as Mother Parliamentary Government.
MEANING AND DEFINITION OF PARLIAMENTARY

• On the basis of the relationship, the two organs of Government viz; Legislature and Executive, there are two forms of governments-Parliamentary and Presidential. In the countries where there are close relationship between the Legislature and Executive, the form of Government is Parliamentary.

• Acc to Gettell, “Cabinet Government is that system in which the real executive, consisting of Prime Minister and Cabinet is legally responsible to the legislature for its acts.”

• Acc to C.F. Strong, “The essence of this executive system is that in the last analysis the cabinet is the committee of the Parliament.”
SALIENT FEATURE OF THE BRITISH CABINET SYSTEM

• 1. King is nominal Executive Head.
• 2. The king does not take part in the meeting of the Cabinet.
• 3. Cabinet is the real Executive.
• 4. Leadership of the Prime-Minister.
• 5. Close relationship between the Cabinet and the Parliament.
• 6. Tenure of the Cabinet is not Fixed.
• 7. Collective Responsibility
• 8. Political Homogeneity
• 9. The proceedings of all the meetings of the cabinet are kept secret.
THE BRITISH CABINET

• In England, Cabinet is the pivot around which the whole administration revolves. It exercises all the powers vested in the Crown and carries on administration of the state in the real sense. Sometimes ago, it came into existence as an advisory council of the king and gradually became the real ruler of the country. Today, the King is its advisor and it is upto the Cabinet to accept or not to accept his advice.
MEANING AND ORGANISATION OF THE CABINET

The literal meaning of the word ‘Cabinet’ is small Private Room. In the old times, Kings used to hold meetings of the cabinet in their private and secret room and from this, the advisory committee of the King holding meetings in that private and secret room came to be known as ‘Cabinet’. However, today various scholars have expressed the following views to clarify its meaning:

Acc to Walter Bagehot, “Cabinet is the committee of the Legislature.”

Acc to Hearn, “Cabinet is the committee of the Privy Council.”
• **APPOINTMENTS OF MINISTERS**: - Prime Minister is the focal point of the cabinet who is appointed by the King. King appoints only that person as PM who enjoys the confidence of majority in the House of Commons.

• **DISTRIBUTION OF PORTFOLIOS AMONG MINISTERS**: - Prime Minister distributes portfolios among ministers and the King just gives consent to it.

• **SIZE OF THE CABINET**: - The size of the cabinet depends upon the wishes of the Prime Minister.

• **QUALIFICATIONS OF CABINET MEMBERS**: - (I) A British citizen.
  (ii) Must possess all the qualifications necessary for becoming member of either house of Parliament.
  (iii) If a person is not a member of any house, even then he can be included in the cabinet, however, it would be essential for him to become member of the Parliament.

• **Tenure**: - The tenure of the cabinet is not fixed because it has to resign on forfeiting the confidence of the majority in the House of Commons.
• **CHAIRMAN OF THE CABINET**: Prime Minister is the Chairman of the Cabinet, who presides over its meetings.

• **MEETINGS OF THE CABINET**: Cabinet meets once or twice in a week in the Cabinet Room of 10-Dowing Street.

• **CABINET SECRETARIATE**: Today, the cabinet Secretariat, in fact, has become Secretariat of Prime Minister. It includes a ‘Central Policy Review Staff’ consisting of 20-22 members which have expertise in the field of economics, science and trade etc.
• **COMMITTEE OF THE CABINET**: Cabinet functions through various committees and sub-committee and the main committees are-
  • (i) Committee on Civil Defence
  • (ii) Defence Committee
  • (iii) Economic Planning Committee
  • (iv) Commonwealth Affairs Committee
  • (v) Legislation Committee.
• **CATEGORIES OF MINISTERS**: (I) Cabinet Ministers
  • (ii) Ministers of Cabinet Rank. (iii) Ministers of State.
  • (iv) Parliamentary Secretaries.
DIFFERENCE BETWEEN COUNCIL OF MINISTERS AND THE CABINET

- Difference in size
- Differences in influence
- Differences about their function
- Differences in their salaries
- Continuous meetings of the cabinet
- Conventions of Inner Cabinet or Kitchen Cabinet
POWERS AND FUNCTIONS OF THE CABINET

- According to the recommendations of the Haldane Committee established in 1918, the main functions of the Cabinet are:
  - (i) To formulate policies to be presented before Parliament for approval.
  - (ii) To carry on the executive actions according to the policies approved by Parliament.
  - (iii) To bring about coordination in the functions performed by various departments.
- According to Ramsay Muir, following are the functions of the cabinet:
  - (i) Control over National Executive.
  - (ii) To decide about the policy to be submitted to the Parliament.
  - (iii) Making major appointments.
  - (iv) To coordinate the working of different state departments.
  - (v) Responsibility regarding law making.
  - (vi) To decide about issue to be placed before the Parliament and to fix the time limit for discussion.
OTHERS FUNCTIONS ARE-
1. To maintain Peace and Security.
2. Formulation of national Policy.
3. Formulation of Foreign Policy.
4. Legislative Functions
5. Financial Functions
6. Function of Co-ordination
7. Control over appointments
8. As an advisor to King
9. Cabinet performs judicial functions also.
FACTORS RESPONSIBLE FOR THE GROWTH OF THE POWERS OF THE CABINET

• 2. Supreme Powers vest into the hands of people.
• 3. The control of the cabinet over legislation.
• 4. Power to get the House of Commons Dissolved.
• 5. Principle of Collective Responsibility
• 6. Bi-Party system and Political Stability
• 7. Cabinet’s control over National Finance.
• 8. Growth of the Practice of Administrative Justice.
• 9. Cabinet’s right to give titles and Honours
• 10. Supremacy of Parliament.
IS THE CABINET DICTATOR IN REAL SENSE

• Public Opinion
• Organized Opposition
• Regular Election
• Control of the Parliament
• Uncertain tenure of the Cabinet
• Public Interests
• British Political Culture
• Democratic feeling of the British
MUTUAL RELATIONSHIP BETWEEN CABINET AND THE PARLIAMENT

• CONSTITUTIONAL POSITION

1. Collective responsibility before Parliament
2. It is essential for the members of the cabinet to be the members of the Parliament
3. Salaries and Allowances of the Ministers are fixed by the Parliament
4. Laws are passed by the Parliament
5. Approval of Parliament over Policies
• ACTUAL POSITION
1. Majority confidence with cabinet in the House of Commons
2. Control over the programme of the Parliament
3. Control over Legislation
4. Control over the sessions of Parliament
5. Right to get the House of Commons Dissolved
6. Control of Cabinet over Finance
RELATIONS BETWEEN THE CABINET AND THE KING

• CONSTITUTIONAL POSITION

1. King has all the executive Powers
2. He constitutes the Cabinet
3. Cabinet is an advisory Committee
4. King dismisses the Cabinet
5. King’s right to know
• ACTUAL POSITION

1. King is not independent in the formation of the Cabinet
2. King can not dismiss the Cabinet at his Discretion
3. King accepts the advice of the Cabinet
4. Cabinet is responsible for administration, not the king
5. Cabinet makes appointment, King gives approval
PRIME MINISTER

• In England, actually the executive powers are exercised by the cabinet. Prime Minister is the leader of the cabinet and thus he is that pivot around whom the whole administration revolves. No action concerning administration can be performed against the wishes of the Prime Minister.

• **APPOINTMENT OF PRIME MINISTER**: In England, the Prime Minister is appointed by the King. However, the King appoints only that person Prime Minister who enjoys confidence of the majority in the House of Commons.

• **DISCRETION OF KING IN THE APPOINTMENT OF PRIME MINISTER**: King can use his limited discretion in the appointment of the Prime Minister in the following situations: (i) If no party gets absolute majority in the House of Commons. (ii) Prime Minister dies suddenly during his tenure, or if he resigns from his office.
POWERS AND FUNCTIONS OF THE PRIME MINISTER

• 1. Formation of the Cabinet
• 2. Distribution of portfolios among ministers
• 3. Reorganization of the Cabinet
• 4. Dismissal of Ministers
• 5. To preside over the meetings of the Cabinet
• 6. Leadership of the cabinet
• 7. Co-ordination among different Departments.
• 8. Prime Minister is chief advisor of the King
• 9. Powers to get the House of Commons Dissolved.
• 10. Control over Legislation
• 11. Director of foreign Policy.
• 12. To maintain relations with Commonwealth Countries.
• 13. To participate in International Conferences
• 14. Right to grant Honour
• 15. Control over Finance
• 16. Control over Appointments
• 17. Leader of the Party
• 18. Leader of the Nation
• 19. Link between King and the Cabinet
• 20. Leadership of the Parliament
POSITION OF PRIME MINISTER

• After seeing the powers and functions of the Prime Minister, it seems that Prime Minister is omnipotent in every sphere relating to administration. He is the master of the Cabinet and can dismiss any minister he wants from the Cabinet. He is the leader of the Parliament, nation and party and in times of crisis, everybody looks towards the Prime Minister. However, there are some factors which limit the powers of Prime Minister viz; Press, periodic Elections, Prime Minister’s dependence on Bureaucracy and public opinion etc.
PRIVY COUNCIL

• The powers of the crown are actually exercised by the Cabinet which is the ‘real executive’. However, the cabinet is the mighty offspring of an older body, the Privy council.

• COMPOSITION OF PRIVY COUNCIL: Around 350 members.

• MEETINGS OF PRIVY COUNCIL: meets after 15 days.

• CHAIRMAN: King/queen

• QUORUM: is only three.
FUNCTIONS OF THE PRIVY COUNCIL

• Oath taken by ministers
• To issue orders in council
• Judicial functions
• Miscellaneous Functions
REFERENCES