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Cabinet Form of Government

DORMIN J. ETTRUDE, Compiler

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INTRODUCTION

The relation of the executive and legislative, and, more remotely, the judicial, functions of government to one another has always been one of the problems of democratic government, a problem that increases in importance with the increasing age and complexity of governmental institutions. To understand the questions involved it is necessary to distinguish between the two main forms of democratic and representative government. One, the parliamentary system, had its origin in England and is in force in England, Canada, South Africa, Australia, France and certain other European countries. The presidential system is found in the United States, and other American countries.

In the parliamentary system, to take its best and most historic example, that of England, the executive and legislative functions are combined and the courts exercise their powers under this combined executive-legislative unit. The Cabinet is the supreme ruling power. Cabinet members have seats in Parliament and it is the duty of each member (1) to direct one of the great departments of government, as an executive and administrative officer, (2) to participate in legislation by

preparing bills and supporting them before the Cabinet and in Parliament and (3) to help formulate national policies and uphold the government. The prime minister is the real executive—he and the Cabinet lead the majority party and for the time being, manage the government in accordance with the principles of the majority party. When the Cabinet is opposed the members resign or go back to the country for a general election. The party sustained by the election then takes the lead.

The presidential system of government, as developed in the United States, was based on Montesquieu's theory of the separation of powers, wherein the executive, legislative and judicial powers reside in separate bodies—the president and his Cabinet, Congress, and the courts. Each is independent of the other and each acts as a check on the other. The Cabinet is an extra-constitutional development. The members of the Cabinet are appointed by the president with the consent of the Senate. Congress determines and defines the powers of the Cabinet and regulates in detail the organization and procedure of the various departments but the Cabinet officers are directly responsible to the president and he must assume responsibility for their acts. On the other hand, he is not obliged to seek their opinions or advice, and is free to accept or reject it when sought. There is no limitation on his power to remove members of the Cabinet.

Cabinet members in the United States have the right to participate indirectly in legislative action but are not members of the legislative body. It has been contended that members of the United States Cabinet should be given seats in Congress and have the power to initiate and guide legislation as do the members of the English Cabinet. It is with this question that the following pages are concerned.

December 23, 1922.

BRIEF

RESOLVED: *That the cabinet form of government should be adopted in the United States.*

INTRODUCTION

I. Definitions.

- A. Cabinet system: That form of national government which has been developed in Great Britain, in which the executive and legislative powers are combined.
- B. Presidential system: That form of government which has been developed in the United States, in which the executive and legislative powers are separate and distinct.

II. Issues of the debate.

- A. Is the cabinet form superior in theory to that of the presidential form?
- B. Will the cabinet form, if applied to the United States, be more successful than the present form?

III. Differences between the two plans, in regard to

A. The executive.

- 1. Cabinet: Executive selected by, and responsible to the legislature.
- 2. Presidential: Executive elected by, and responsible to the people.

B. Legislature.

- 1. Cabinet: The dominating portion of government, with other bodies subordinate.
- 2. Presidential: One of three equal powers of government.

C. Judiciary.

- 1. Cabinet: In practice, subordinate to the legislature.
- 2. Presidential: Independent, with power to check actions of executive and legislature.

- IV. Development of the two systems.
- A. Cabinet form, a growth in Great Britain from a monarchy to a democracy, with representative form of government.
 - B. Presidential form, an adoption by constitutional convention in the United States of new practices in governmental organization.
 - 1. Previous governments had been more of the cabinet type.
 - 2. The principle of separation of powers advocated by Montesquieu had never been put into successful practice.
 - 3. Even delegates to the convention had advocated the cabinet form.
 - C. The cabinet form has spread to Europe, while the presidential form has been adopted in the Americas.
 - D. Following the World War, governments have shown a tendency to adopt the presidential form.

AFFIRMATIVE

- I. A change in our form of government is necessary to remedy certain evils.
 - A. There is lack of cooperation between the legislature and the executive.
 - 1. When different parties control different branches of the government, progress cannot be made.
 - 2. Though the people of country look to the president as the leader, he has no means of bringing direct pressure to bear on the legislature.
 - 3. When the people, through congressional elections, change the party in control, the votes do not change the executive, who is then in opposition to the recorded votes of the electorate.
 - B. A split in the party in power will often put the legislature and the executive on opposite sides of a question, in which case neither side is able to accomplish anything.
 - C. The present form is undemocratic.
 - 1. Rigid terms of office for president and congressmen preclude the possibility of taking an issue directly to the people for their vote.

- II. The cabinet form remedies these evils.
- A. The executive head is responsible directly to the legislature.
 - B. A change in the party in power automatically changes the executive head of the government.
 - C. The premier must be supported by the legislature or he must resign.
 - D. The premier, in case of disagreement, may take the issue to the people for a direct vote.
 - E. Students of government have called the British form the most democratic.
- III. The cabinet form is more adequate to meet the conditions in the United States.
- A. The presidential form was devised to prevent too speedy action on questions before information respecting that action could reach the people.
 - 1. In those days communication was slow.
 - 2. Problems that required quick action were few.
 - B. Rapid means of communication make it possible now for electorate to keep abreast of affairs, and to make decisions rapidly.
 - C. The extended field of government makes greater correlation of legislature and executive imperative.
 - 1. Many problems require quick legislative action to help solve executive problems.
 - D. There is no longer the fear that a strong executive may become a king, a belief that had a strong influence toward the adoption of the presidential form originally.
 - E. The cabinet form has had a marked success in other federated states.
 - 1. Canada.
 - 2. Australia.
 - F. It is being adopted, and suggested, for the minor divisions of government with success.
 - 1. Commission and manager plans of city government.
 - 2. It is being suggested in some form for state governments.
- IV. The cabinet form may be applied to the United States without great change, other than in the selection of the executive.

THE REFERENCE SHELF

- A. The relation of the state governments to the national would not be changed.
 - B. The supreme court may still be the supreme body, with power to declare acts unconstitutional.
 - C. Congress may be elected in same manner as at present, except for added provision for extra elections.
- V. The concentration of power in one body will have a beneficial effect.
- A. The voters cast ballots when officials of real power are to be chosen.
 - B. The electorate can more easily keep trace of the records of a few representatives.
 - C. The ballot is simplified, and voting is made easier.
 - D. Officials give better service when more closely watched.
 - E. More responsible positions attract more capable men.
- VI. The cabinet form of government is more business like.
- A. In business the Board of Directors selects the executive who is responsible to them.
 - B. The premier is in the same position as the executive of a company.
 - 1. He frames policies for the company, and directs the administration of those policies.
 - 2. He is dropped when he fails to hold the support of the majority of the directors.
 - C. The legislature, like the Board of Directors, is responsible to the stockholders, the voters.

NEGATIVE

- I. Our peculiar American conditions demand their own kind of government.
- A. The United States has a great diversity of races and peoples.
 - B. It covers a great territory, with numerous other governments jointly exercising authority therein.
 - C. Its special problems of government demand a strong executive who is responsible to the people only.
 - D. The presidential form was developed in the United States to meet those needs.

- II. The cabinet form requires special conditions for success.
 - A. A long tradition of conservative action.
 - 1. Great Britain is more prone to follow custom than the United States.
 - B. A small population, and a country where problems can be referred directly to the people easily.
 - C. A unicameral legislature, or one house supreme in power.
 - 1. There are great difficulties in the way of selecting either house for such power in the United States.
- III. The theory of the separation of powers cannot be taken from our government without demoralizing the country.
 - A. The electorate has grown up with the idea of the division of powers and would not readjust itself.
 - B. The preparation of policies for the whole country demands that all parts of the country participate in plans.
 - 1. In the cabinet form the premier draws the policies.
 - C. Large administrative business demands a single head who can correlate the various branches of the executive department.
 - D. The idea of checks and balances has proven itself valuable too many times to need illustration.
- IV. Other countries have felt that the presidential form was best.
 - A. It has been adopted in all American countries, except Canada.
 - B. Switzerland, with a diversified population, has taken up the presidential form.
 - C. Since the war, numerous European states have adopted the presidential form.
 - D. It has been said that in the last twenty-seven years, no country has adopted the cabinet form.
- V. The cabinet form of government is not efficient.
 - A. The executive lacks permanency.
 - 1. He cannot carry out far-sighted plans, as he must be ready for a test vote at any time.
 - 2. In France, it is a very common occurrence for the executive to remain in power for less than a year.

- B. Under the ideal plan, administration is carried on by cooperation of all the members of Cabinet, which is poor business policy.
 - C. Secrecy is necessary for good working of the system.
 - 1. Decisions are made by whole Cabinet, acting in secret.
 - D. Bickering and log-rolling is necessary in the legislature to secure support for the premier and his ministers.
 - E. The cabinet system has not proved efficient as was shown by
 - 1. Experience during the war.
 - 2. The difficulties of Lloyd George in keeping support together.
 - 3. The handling of national emergencies, as strikes.
 - F. It permits the worst elements in party control of the government to come to the surface.
 - G. It has a tendency to develop into a one-man power, without gaining the benefits of authority.
 - 1. The Cabinet is more liable to control Parliament than the other way.
 - 2. To receive consideration bills must have the permission of premier, or Cabinet.
 - 3. Such control is held through inaction, rather than through aggressive action.
- VI. There would be grave difficulties in the way of adapting the system to the United States.
- A. The power of the courts to declare acts unconstitutional would be effected.
 - 1. The courts could not hold up their authority in the face of the combined power of the executive and the legislature.
 - B. Either an unicameral legislature, or one supreme body of the legislature would have to be evolved to choose the executive.
 - 1. Equal representation in both houses is only way of keeping the powers of the two houses equal.
 - C. The adoption of the complete British plan would present more difficulties than a modification of the American plan.

VII. Effective means for remedying all evils are available under the presidential form of government.

- A. The President now has great influence over Congress, and can influence legislation to a desirable extent.
- B. If seats were given in Congress to members of the Cabinet, as now constituted, further cooperation would be possible.
- C. Congress is able now to ask the executive for any information that is necessary for the passage of laws.
- D. The referendum and the recall bring measures before the electorate as effectively as an election, without confusion of the issues.

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