
A Note on

The Meaning of Responsible Government

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A recent issue of this review contained articles by two senators who disagreed about the legal and constitutional interpretation of the concept of responsible government as applied to the role of the Senate.¹ This is a healthy debate; the implications of responsible government should be explored in detail in our parliamentary system. This article however reviews the implications of responsible government in a wider context. It suggests that the traditional meaning of responsible government may be too narrow and could benefit by a rethinking.

Senator Roblin, as many others before him have done, defines the principle of responsible government in this way: "that the government as represented in the House of Commons has the right to govern the country ... because ... it still retains within the House of Commons the power to command a majority of those who sit in that chamber".² (He also takes proper care to associate this principle with that of representative government.) His definition is an example of the traditional "elective" meaning of responsible government. A ministry is said to owe its existence to the support of a majority of members in the Commons; the Commons has the right to dismiss a ministry. By enforcing this convention the House of Commons ensures the accountability of the executive to itself and ultimately to the Canadian people.

Many observers have realized that the "elective" definition of responsible government is no longer sufficient. Speaking of Britain, A.H. Birch said:

The maintenance of a united front [by Cabinet] is held in such high esteem by the general public that, significantly, and quite recently, a new linguistic usage has developed. A government is now commonly said to be 'taking responsibility' when it takes a collective action and uses the whips to ensure parliamentary support for it, and to be 'shedding' 'evading responsibility' if it permits a free vote on the matter.³

Speaking of Ontario, and by implication the common Canadian case, Schindeler says, "It is no great concession for a Government to accept responsibility for its deeds of omission and commission because neither the legislature nor the general public had the wherewithal to call it to account."⁴ Furthermore "to use such terms [individual and collective responsibility] with the intent of describing actualities is at best anachronistic and at worst entirely misleading."⁵

Contemporary analysts have tried to fashion a more inclusive definition of responsible government. T.A. Hockin noted that the modern understanding of responsible government is an amalgam of three themes.⁶ There is the 1848 theme, that is, the acceptance of Parliament's power to dismiss sitting governments. There is, secondly, the notion of the government's duty to answer criticisms and furthermore to provide Parliament and the opposition with timely and adequate opportunities to scrutinize, to debate and to make detailed arguments. Thirdly, responsible government means not the interjection of the opposition directly into the decision-making process, as it did previous to 1848, but instead is the myth legitimizing cabinet domination. The opposition seeks the confidence of the electorate, not of the House.⁷ However such insights have not found their way into mainstream textbooks.⁸

Wide as the Hockin definition is, however, perhaps we need to become even more inclusive, and to see responsible government as an organizing principle for executive-legislative relations. Responsible government must imply Cabinet controls on the executive government as well as Cabinet accountability to the House. There must be executive and legislative aspects of responsible government, in other words. Norman Ward, using J.E. Hodgetts as an inspiration, perhaps said it best:

responsible government means more than the political life of the executive depends on the support of a majority of the members of the elected legislature. Behind the executive, government departments must be so organized that ministers can exercise a control for which they can be held responsible.⁹

Ward's insight was the inspiration for the gist of a commissioned research paper which the present author did for the Macdonald Royal Commission in 1984.¹⁰ The paper noted that the term collective responsibility could be used in a narrow and in a broad sense. The narrow sense was the traditional "elective" definition referred to earlier. The broader definition included not only the elective meaning, but executive and legislative aspects as well. The executive aspects were "enhanced executive coordination and control." The legislative aspects were the provision of "instruments to allow legislative influence on, but not direct participation in, public decision-making."¹¹

Some measures that enhance executive coordination and control are those that:

- involve cabinet ministers in each others portfolios in a management or advisory role
- provide for an increase in information sharing among cabinet ministers
- allow cabinet staff to identify issues for collective cabinet decisions in a formal environment

Some measures that allow legislative influence on public decision-making are those that:

- enhance the disclosure of general government plans, priorities and records to the legislature
- strengthen the role of committees of the legislature or that otherwise give the legislature the power to check the freedom of movement of the executive, without checkmating it.

The Macdonald Royal Commission apparently agreed with the notion of a narrow/broad definitional dichotomy, for it adopted one in its main *Report*. The narrow definition was the elective one; the broad definition highlighted measures that enhanced the representative role, rather than the party role of Commons members:

Responsible government is seen as healthy to the extent that Members of Parliament bring to their assessment of the executive's performance an adequate knowledge of the diversity of interests extant in our national politics and an effective capacity to represent that diversity. This in turn, requires some relaxation of party discipline in selected areas so that the representative role of MPs can have public expression. It also requires that Parliament serve as a central forum for the interaction of interests groups and governments.¹²

The Royal Commission as well appeared to adopt the notion of marrying the executive and legislative aspects of responsible government.

Responsible government is the fundamental basis of democracy within a parliamentary system. In Canada, this system has two essential requirements: first, that Cabinet be effectively in control of the federal

government in all its organizational forms, and secondly, that Cabinet be accountable to Parliament for all executive actions, including the management of the administrative state. Logically, the latter requirement depends on the former.¹³

Not all observers agree with restricting responsible government to its elective sense. We conclude with a note on the utility of a broader definition of responsible government in Canada. The traditional elective approach has been to focus on the power of the House to make or break ministries. However it says little of the crucial period between the making and breaking of the *quality* of the relationship between the executive and the legislature, and between the Cabinet and the bureaucracy, and by implication between the state and its citizens. As an organizing principle, responsible government can be used to link many institutional elements. In an era when Senate reform, Commons reform, reorganization of the machinery of government and general constitutional renewal are so high on the public agenda, perhaps we have to go back to first principles. We may even have to notify them if necessary! Reform without an understanding of basic objectives may be futile. Hopefully our analysis may provoke even more discussion of the meaning of responsible government.□

Notes

1. Senator Douglas Everett and Senator Duff Roblin, "A Question of Responsible Government," *Canadian Parliamentary Review*, 11:1 (Spring 1988), pp. 14-17, at pp. 16-17.
2. *Ibid.*, p. 16.
3. A.H. Birch, *Representative and Responsible Government*, University of Toronto Press, Toronto, 1969, p. 138.
4. F.F. Schindler, *Responsible Government in Ontario*, University of Toronto Press, Toronto, 1969, p. 267.
5. *Ibid.*, pp. 268-69.
6. Thomas A. Hockin, "Flexible and Structured Parliamentarianism: From 1848 to Contemporary Party Government," *Journal of Canadian Studies* 14 (Summer 1979):18-17.
7. *Ibid.*
8. An exception to the general pattern is Michael M. Atkinson, "Parliamentary Government in Canada," in Michael S. Whittington and Glen Williams (eds.) *Canadian Politics in the 1980s*, Methuen, Toronto, 1984. Atkinson expertly traces the overshadowing of traditional notions of responsibility, but he then seems to define it as "the government facing the opposition in Parliament and two teams of party leaders struggling for support in the electorate" (p. 337). This is a rather weak substitute.
9. Norman Ward, *The Public Purse: A Study in Canadian Democracy*, University of Toronto Press, Toronto, 1962, p. 22.
10. Christopher Dunn, *Responsible Government and the Budgetary Process in Western Canada*, A Study prepared for the Royal Commission on the Economic Union and Development Prospects for Canada, November, 1984.
11. *Ibid.*, pp. 6-7.
12. Canada, Royal Commission on the Economic Union and Development Prospects for Canada (Macdonald Commission), *Report* (3 volumes), Ottawa, Supply and Services Canada, 1985, Volume III, part V, p. 36.
13. *Ibid.*, p. 36.