

Comparing the US president with the UK prime minister

Sort the following characteristics into two columns:

- Characteristics of the US presidency
- Characteristics of the office of the UK prime minister

- Leadership gained through internal party election
- Elected in an national election
- Powers granted in The Constitution
- Is 'first amongst equals' in the cabinet — *primus inter pares*
- The cabinet operates under the doctrine of 'collective responsibility' — *publicly saying they agree with it in govt in the public eye.*
- The cabinet is drawn from a number of recruitment pools from across civil society
- Not a member either house of Parliament / Congress
- Has a relatively small number of advisers → *few number of advisers*
- Limited number of formal powers — *relies on powers to persuade* → *Constitutionally limited.*
- Has a number of formal powers → *Party system stronger in the UK*
- Heavily reliant on party majority and the party system / discipline for their power
- Large and highly influential secretariat

Characteristics of the US presidency	Characteristics of the office of the UK prime minister
<ul style="list-style-type: none"> - Limited number of formal powers - Not a member of Congress - Recruited from across society - Powers granted in the Constitution - Elected in a national election - Large and influential secretariat → separation of powers 	<ul style="list-style-type: none"> - A number of formal powers → <i>Royal Prerogative</i> - First amongst equals - Elected internally to the party → party leader - Collective responsibility - Party majority + party system - Small number advisers

Cabinet Office
↑
body who administers a govt. organisation

Current Cabinet: March 2012

Portfolio	Minister
Prime Minister First Lord of the Treasury Minister for the Civil Service	The Rt Hon. David Cameron MP *
Deputy Prime Minister Lord President of the Council (special responsibility for political & constitutional reform)	The Rt Hon. Nick Clegg MP *
First Secretary of State Secretary of State for Foreign and Commonwealth Affairs	The Rt Hon. William Hague MP *
Chancellor of the Exchequer	The Rt Hon. George Osborne MP *
Lord Chancellor Secretary of State for Justice	The Rt Hon. Kenneth Clarke QC MP
Secretary of State for the Home Department Minister for Women and Equality	The Rt Hon. Theresa May MP *
Secretary of State for Defence	The Rt Hon. Philip Hammond MP *
Secretary of State for Business, Innovation and Skills	The Rt Hon. Dr Vince Cable MP *
Secretary of State for Work and Pensions	The Rt Hon. Iain Duncan Smith MP *
Secretary of State for Energy and Climate Change	The Rt Hon. Ed Davey MP *
Secretary of State for Health	The Rt Hon. Andrew Lansley CBE MP *
Secretary of State for Education	The Rt Hon. Michael Gove MP *
Secretary of State for Communities and Local Government	The Rt Hon. Eric Pickles MP
Secretary of State for Transport	The Rt Hon. Justine Greening MP
Secretary of State for Environment, Food and Rural Affairs	The Rt Hon. Caroline Spelman MP
Secretary of State for International Development	The Rt Hon. Andrew Mitchell MP
Secretary of State for Northern Ireland	The Rt Hon. Owen Paterson MP
Secretary of State for Scotland (providing ministerial support to the Deputy Prime Minister in the Cabinet Office)	The Rt Hon. Michael Moore MP
Secretary of State for Wales	The Rt Hon. Cheryl Gillan MP
Secretary of State for Culture, Olympics, Media and Sport	The Rt Hon. Jeremy Hunt MP *
Chief Secretary to the Treasury	The Rt Hon. Danny Alexander MP *
Leader of the House of Lords Chancellor of the Duchy of Lancaster	The Rt Hon. The Lord Strathclyde PC
Minister without Portfolio (Minister of State)	The Rt Hon. The Baroness Warsi PC *
Also attending Cabinet meetings	
Minister for the Cabinet Office Paymaster General	The Rt Hon. Francis Maude MP *
Minister of State in the Cabinet Office (providing policy advice to the Prime Minister in the Cabinet Office)	The Rt Hon. Oliver Letwin MP
Minister of State for Universities and Science	The Rt Hon. David Willetts MP
Leader of the House of Commons Lord Privy Seal	The Rt Hon. Sir George Young Bt MP
Chief Whip in the House of Commons Parliamentary Secretary to the Treasury	The Rt Hon. Patrick McLoughlin MP
Also attends Cabinet when ministerial responsibilities are on the agenda	
Attorney General	The Rt Hon. Dominic Grieve QC MP

Profiles can be found at: <http://news.bbc.co.uk/1/hi/8675705.stm>

1 hour a week
-effectiveness?

Key questions:

- a)
 - 1) What is Cabinet Government?
 - 2) What is collective cabinet responsibility?
 - 3) What is ministerial responsibility?
 - 4) When do ministers resign?
 - 5) What factors affect PM-Ministerial relationships?
 - 6) What are the effects of coalition government on cabinet make up?
 - 7) Does Cabinet Government adversely affect parliamentary sovereignty?
 - 8) EXTENSION QUESTION: What factors affect Ministers relationships with senior civil servants?
 - 9) EXTENSION TASK: look up the Ministerial code on Moodle

Cabinet Government: overview

- 1 In some countries, particularly those that use the Westminster system, the cabinet collectively decides the government's policy and tactical direction, especially in regard to legislation passed by the parliament. In countries with a presidential system, such as the United States, the cabinet does not function as a collective legislative influence; rather, their primary role is as an official advisory council to the head of government. In this way, the president gets opinions and advice in upcoming decisions. The second role of cabinet officials is to administer executive branch government agencies or departments (in the United States, these are the federal executive departments).

- 2 In most countries, including those that use the Westminster system, cabinet ministers are appointed from among sitting members of the legislature and remain members of the legislature while serving in the cabinet. In other countries, especially countries with a presidential system, the opposite is true: Cabinet members must not be sitting legislators, and legislators who are offered appointments must resign if they wish to accept.

- 3 In most governments, members of the cabinet are given the title of minister, and each holds a different portfolio of government duties ('Minister for the Environment,' etc). In a few governments, as in the case of the United States, the Philippines and the United Kingdom, the title of secretary is also used for some cabinet members ('Secretary of Education,' etc). Attorneys general also sit in the cabinet. The day-to-day role of most cabinet members is to serve as the head of one segment of the national bureaucracy, as the head civil servant to which all other employees in that department report.

- 4 The size of cabinets varies, although most contain around ten to twenty ministers. Researchers have found an inverse correlation between a country's level of development and cabinet size: on average, the more developed a country is, the smaller is its cabinet.

mother of all parliaments
Westminster cabinets
- Australia
- Canada
- Ireland
- NZ

- 1 Under the Westminster system, members of the cabinet are collectively responsible for all government policy. All ministers, whether senior and in the cabinet or junior ministers, must publicly support the policy of the government, regardless of any private reservations. Although, in theory, all cabinet decisions are taken collectively by the cabinet, in practice many decisions are delegated to the various sub-committees of the cabinet, which report to the full cabinet on their findings and recommendations. As these recommendations have already been agreed upon by those in the cabinet who hold affected ministerial portfolios, the recommendations are usually agreed to by the full cabinet with little further discussion.

collective
cabinet
responsibility

- 5 Cabinet deliberations are secret and documents dealt with in cabinet are confidential. Most of the documentation associated with cabinet deliberations will only be publicly released a considerable period after the particular cabinet disbands; for example, thirty years after they were discussed.

30
year
rule

- 2 In theory the prime minister/premier is first among equals. However, the prime minister is the person whom the monarch or president will ultimately take advice from on the exercise of executive power, which may include the powers to declare war, use nuclear weapons, expel ministers from the cabinet, and to determine their portfolios in a cabinet reshuffle. This position in relation to the executive power means that, in practice, the prime minister has a high degree of control over the cabinet: any spreading of responsibility for the overall direction of the government has usually been done as a matter of preference by the prime minister – either because they are unpopular with their backbenchers, or because they believe that the cabinet should collectively decide things.

reshuffle

PM controls agenda setting

The shadow cabinet consists of the leading members, or frontbenchers, of an opposition party, who generally hold critic portfolios 'shadowing' cabinet ministers, questioning their decisions and proposing policy alternatives.

The Westminster cabinet system is the foundation of cabinets as they are known at the federal and state (or provincial) jurisdictions of Canada, Australia, New Zealand, India, and other Commonwealth of Nations countries whose parliamentary model is closely based on that of the United Kingdom.

Meetings of the cabinet

The Cabinet meets on a regular basis, usually weekly on a Thursday morning notionally to discuss the most important issues of government policy, and to make decisions. Despite the custom of meeting on a Thursday, after the appointment of Gordon Brown as Prime Minister the meeting day was switched to Tuesday. However, since becoming prime minister, David Cameron has held his cabinet meetings on Thursdays again. The length of meetings varies according to the style of the Prime Minister and political conditions, but today meetings can be as little as 30 minutes in length, which suggests announcement or ratification of decisions taken in committee, by informal groups, or in bi-lateral discussions between the Prime Minister and individual colleagues, with discussion

one to one

in Cabinet itself very limited. The Prime Minister normally has a weekly audience with The Queen ²⁰⁰³ thereafter.

The Cabinet has numerous sub-committees which focus on particular policy areas, particularly ones which cut across several ministerial responsibilities, and therefore need coordination. These may be permanent committees or set up for a short duration to look at particular issues ('ad hoc committees'). Junior Ministers are also often members of these committees, in addition to Secretaries of State. The transaction of government business through meetings of the Cabinet and its many committees is administered by a small secretariat within the Cabinet Office. Consequent Orders-in-Council are normally made by the Queen-in-Council with a quorum of the Privy Council, which meets monthly or ad-hoc.

The Institute for Government claims that the reduced number of full Cabinet meetings signify ^{advisors to the Queen} that the role of Cabinet as a formal decision-making body has been in decline since the war.

Most Prime Ministers have had a so-called 'kitchen cabinet' consisting of their own trusted advisers who may be Cabinet members but are often trusted personal advisers on their own staff. In recent governments, generally from Margaret Thatcher, and especially in that of Tony Blair, it has been reported that many or even all major decisions have been made before cabinet meetings. This suggestion has been made by former ministers such as Clare Short and Chris Smith, in the media, and was made clear in the Butler Review, where Blair's style of 'sofa government' was censured.

more difficult to form a coalition
Q: How does coalition government effect the possibility of having a 'kitchen cabinet'?

Parliamentary accountability

There are two key constitutional conventions regarding the accountability of cabinet ministers to the Parliament of the United Kingdom, cabinet collective responsibility, and individual ministerial responsibility.

These are derived from the fact the members of the cabinet are Members of Parliament, and therefore accountable to the House of which they are a member. The Queen will only appoint a Prime Minister whose Government can command the support of the House of Commons, which alone can grant supply to a Government by authorising taxes; and the House of Commons expects all ministers to be personally accountable to Parliament. In practice, Cabinet Ministers will usually have a junior minister to represent their department in the other House.

Cabinet collective responsibility means that members of the cabinet make major decisions collectively, and are therefore collectively responsible for the consequences of these decisions. Therefore, no minister may speak against government decisions, and if a vote of no confidence is passed in Parliament, every minister and government official drawn from Parliament is expected to resign from the executive. So, logically, cabinet ministers who disagree with major decisions are expected to resign as, to take a recent example, Robin Cook did over the decision to attack Iraq in

made in a cabinet committee rather than by the full cabinet.

Individual ministerial responsibility is the convention that in their capacity as head of department, a minister is personally responsible for the actions and failings of their department. Under circumstances of gross failure in their department, a minister is expected to resign (and may readily be forced to do so by the Prime Minister), while their civil servants remain permanent and anonymous. Perhaps surprisingly, this is relatively rare in practice, perhaps because administrative failure is of less interest to populist elements of the media than personal scandal, and less susceptible to unequivocal proof. The closest example in recent years is perhaps Estelle Morris who resigned as Secretary of State for Education and Skills in 2002, following severe problems and inaccuracies in the marking of A-level exams. The circumstances under which this convention is followed are of course not possible to define strictly, and depend on many other factors. If a minister's reputation is seen to be tarnished by a personal scandal (for example when it was luridly revealed that David Mellor had an extramarital affair) they very often resign. This often follows a short period of intense media and opposition pressure for them to do so. In general, despite numerous scandals, in Britain cases of serious corruption (e.g. acceptance of bribes) are relatively rare in comparison with many other democracies. One reason is the strength of the whip system, political parties and the civil service, in comparison to individual politicians. This means MPs and ministers have little capacity to be influenced by improper pressure.

Parliamentary Questions can be tabled for Ministers in either house of Parliament (a process called interpellation in political science, or PQs in practice), either for written or oral reply. These may be 'planted' questions for the advantage of the Government, or antagonistic questions from the Opposition, or may genuinely seek information. Cabinet ministers must respond, either themselves or through a deputy, although the answers do not always fully answer the question. Written answers, which are usually more specific and detailed than oral questions are usually written by a civil servant. Answers to written and oral questions are published in Hansard.

Parliament cannot dismiss individual ministers (though members or a House may call for their resignation, or formally resolve to reduce their salary by a nominal amount), but the House of Commons is able to determine the fate of the entire Government. If a vote of no confidence in the Government passes, then the Queen will seek to restore confidence either by a dissolution of Parliament and the election of a new one, or by the acceptance of the resignation of her entire government.

In the United Kingdom's parliamentary system, the executive is not separate from the legislature, since Cabinet members are drawn from Parliament. Moreover the executive tends to dominate the legislature for several reasons:

- the first-past-the-post voting system (which tends to give a large majority to the governing party)
- the power of the Government Whips (whose role is to ensure party members vote in accordance with the party line)

- the 'payroll vote' (a term which refers to the fact that members of parliament of the governing majority party will wish to be promoted to an executive position, and then be on the government's payroll).
- Collective Ministerial Responsibility requires members of the government to vote with the government on whipped votes, or else resign their position.

The combined effect of the Prime Minister's ability to control Cabinet by circumventing effective discussion in Cabinet and the executive's ability to dominate parliamentary proceedings places the British Prime Minister in a position of great power, that has been likened to an elective dictatorship (a phrase coined by Lord Hailsham in 1976). The relative impotence of Parliament to hold the Government of the day to account is often cited by the UK media as a justification for the vigour with which they question and challenge the Government.

In contemporary times, the nature of the cabinet has been criticised by some, largely because recently Prime Ministers are perceived as acting in a 'presidential' manner. Such an accusation was made at Tony Blair as he was believed to have refrained from using the Cabinet as a collective decision-making body. These actions caused concern as it contravened the convention of the PM being 'first among equals'. In this sense, he was acting like a US President, who (unlike the British PM) is not constitutionally bound to make decisions collectively with a cabinet. Margaret Thatcher was also noted as being 'presidential', in the capacity that she 'forced' her own viewpoints onto her Cabinet. However the power that a Prime Minister has over his or her Cabinet colleagues is directly proportional to the amount of support that they have with their political parties and this is often related to whether the party considers them to be an electoral asset or liability. Further when a party is divided into factions a Prime Minister may be forced to include other powerful party members in the Cabinet for party political or coalition cohesion.

The Cabinet's formal relationship with Parliament, or at least the Prime Minister's hopes for it, are set out in the Ministerial Code (see Moodle)

More on cabinet collective responsibility

Cabinet collective responsibility is constitutional convention in governments using the Westminster System that members of the Cabinet must publicly support all governmental decisions made in Cabinet, even if they do not privately agree with them. This support includes voting for the government in the legislature. In the United Kingdom, the doctrine applies to all members of the government, from members of the cabinet down to Parliamentary Private Secretaries. Some political parties apply the convention to their central committee.

It is related to the fact that, if a vote of no confidence is passed in parliament, the government is responsible collectively, and thus the entire government resigns. The consequence will be that a new government will be formed, or parliament will dissolve and a general election will be called. Cabinet collective responsibility is not the same as individual ministerial responsibility, which states that ministers are responsible and therefore culpable for the running of their departments.

On occasion, this principle has been suspended; most notably in the 1930s when in Britain the National Government allowed its Liberal members to oppose the introduction of protective tariffs; and again in the 1970s, when Harold Wilson allowed Cabinet members to campaign both for and against the referendum on whether the UK should remain in the European Economic Community. In 2003, Tony Blair allowed Clare Short to stay in the cabinet, despite her public opposition to the 2003 Iraq War. However, she later resigned.

More on ministerial responsibility

It is currently unclear what individual action a Minister ought to take when a civil servant within his department is guilty of maladministration.

The formulation of some guidelines took place during the Crichton Down Affair in 1954 in which the Minister of Agriculture, Thomas Dugdale, resigned, despite an inquiry suggesting that all mistakes were made within his department without his knowledge, and in some cases due to deliberate deceit by civil servants; later it appeared that Dugdale in fact supported his civil servants' actions, and disagreed with both the inquiry report and the Government's acceptance of it.

The government announced that ministers must defend civil servants who act properly in accordance with policies set out by the minister. Furthermore, it was stated that 'where an official makes a mistake or causes some delay, but not on an important issue of policy and not where a claim to individual rights is seriously involved, the Minister acknowledges the mistake and he accepts the responsibility although he is not personally involved.'

In 1982, Lord Carrington (then Foreign Secretary) and two other Foreign Office ministers resigned shortly after the invasion of the Falkland Islands. Later official reviews stated that, although there had been misjudgments within the Foreign Office, no responsibility attached to any individual within the government. However, in 1983, when 38 IRA prisoners broke out of the Maze prison, the Secretary of State for Northern Ireland, James Prior did not resign, explaining that the break-out was not caused by any policy initiative originating from him. This latter position has become the general norm in British politics.

A recent exception might be Estelle Morris, who resigned in 2002 saying she had not done well enough after a scandal over A-level marking. See <http://news.bbc.co.uk/1/hi/education/2359695.stm>

Some recent resignations due to personal errors of judgment or impropriety (also under IMR) include the resignation of Ron Davies, the Secretary of State for Wales, for sexual misconduct (in 1998), and the resignation of Peter Mandelson, Secretary of State for Trade and Industry, for failing to disclose a substantial loan by a Cabinet colleague (in 1999).

Recent Ministerial resignations

Name / office	Resignation reason CCR or MR?	Explanation
THATCHER Geoffrey Howe - 1990 Michael Heseltine - 1985 Willie Whitelaw - 1988 ? Cecil Parkinson - 1983 MAJOR Norman Lamont - 1992 ? David Mellor Neil Hamilton - 1986 ? BLAIR Estelle Morris - 2002 Robin Cook - 2003 BROWN David Cairn - 2008 Jacqui Smith - 2009 Caroline Flint - 2009 COALITION Liam Fox - 2011 Chris Heave Huhne - 2012 David Laws - 2010		Policy on EU. Didn't agree with Westland helicopter & leaving-to-go-bust. He had a stroke. Scandal Economic policy. Scandal. Scandal. Poor results in English and maths across the country. Didn't agree with Iraq war. " " Expenses - her husband Didn't agree with person politics + personal reasons. Misconduct - breaking Ministerial Code. Misconduct - speeding ticket. Expenses - shortest serving Minister.