

# Unit 1

## Introduction: Principles of the Westminster Model of Parliamentary Democracy

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### Overview

The main objective of this unit is to outline and discuss the basic principles of the Westminster model of parliamentary democracy. To many casual observers the words 'parliament' and 'democracy' have similar definitions. However, not all parliamentary regimes today are democracies, and parliaments preceded democracy as it is understood today by centuries. One of the earliest parliaments, often described as the 'Mother of Parliaments,' is the Parliament of England. A form of parliamentary democracy known as "The Westminster Model" has evolved from this particular institution, located at Westminster in London. This system has been exported to many different countries and settings; both inside and outside the Commonwealth. Not all governing bodies that describe themselves as parliaments follow the Westminster model. However, developing a new understanding of parliamentary democracy begins with this model.

In this module we examine the Westminster model and parliamentary democracy broadly. We begin by defining 'parliament' and outlining some of its key characteristics. Next we explore the evolutionary development of the Westminster model and look at some other models of democratic government. Following that attention is given to the legal basis of parliament and the characteristics of the executive and legislative branches, and the rights and immunities of members of parliament. The roles of members and the roles of parties are studied next, then the electoral process and, more specifically, electoral systems. The module concludes by looking at some of the challenges ahead for parliamentary systems, including citizen desires for direct democracy, and the impacts of globalisation and technological change.

### Learning Objectives

After you have completed this unit you should be able to achieve the following:

1. List the three units that make up a parliament based on the Westminster model.
2. Give three uses of the term 'Parliament'.
3. Define the term 'Responsible Government'.
4. Outline the assumptions underlying Parliamentary Sovereignty.

# Commentary

## Parliaments and Legislatures

It is critical to launch this discussion by clarifying some of the key terms and concepts that underlie the Westminster model of parliamentary democracy. Parliament is composed of three different units: the Crown, the House of Lords and the House of Commons (also known as the Lower House). Tracing British parliamentary development involves explaining how the House of Commons became the dominant unit. However, the other two units remain part of the Westminster model. The word 'parliament' can be confusing because it is often used in different ways to refer to:

1. The Crown, House of Lords and House of Commons
2. The House of Lords and House of Commons
3. The House of Commons

All three references capture different parts of the parliamentary reality. Nonetheless, for the purposes of this study, the use of the word parliament as it applies to the British model should be understood as a reference to the House of Lords and the House of Commons.

In unicameral parliaments, the term 'legislative assembly' is also used to describe the House of Commons while the term 'legislature' refers to the Legislative Assembly and the Crown.

## Representative Government and Responsible Government

Over time British parliamentary democracy has evolved in ways that have led to its association with the concepts of representative government and responsible government. Representative government is based on the notion that those who serve in government are placed in their positions as a result of citizen selection. Citizens choose people to represent them in the parliament. Some controversy underlies this seemingly simple concept. The word 'represent' means to make present something that, in fact, is not present. Representatives enable an indirect citizen presence in the legislative process. In general representative roles can take three forms: delegate, trustee and party. These forms of representation will be discussed later in more detail.

A representative who performs as a delegate subordinates his or her judgement to the views of the citizens he or she represents. In other words, representatives vote the views of their constituents regardless of their personal views. In contrast, a trustee takes the position that he or she has been elected to exercise his or her best judgement. Accordingly, the positions trustees take are based on their perceptions of what is most appropriate. Finally, the party representative votes as a loyal member of a particular party.

Representative government and approaches to representation are common to all elected legislatures, not just parliaments. Responsible government,

however, is found uniquely in parliamentary systems. Responsible government refers to a system in which there is a fusion of political power rather than the separation of powers that accompanies presidential systems. It signifies the presence of the executive within an elected legislative assembly and the power of that assembly to remove or confirm the executive in their position. A formal legislative vote that expresses a lack of confidence in the executive can remove them from their position or trigger a new election. Under the Westminster model the authority to remove a government from office or call a new election rests with the Crown. In practice the Crown acts on the basis of what has transpired in the House of Commons. Moreover, the executive is collectively responsible for the activities of government.

Parliamentary government is also associated with the presence of a dual executive. There is a ceremonial executive, which possesses some constitutional powers as well as performing symbolic functions, and a political executive, which performs the basic governing functions (see Magstadt and Schotten, 1999; O'Neill, 1999). In the British model, the Crown now serves as the ceremonial executive (or head of state) while the Prime Minister is head of government.

## Shared Power and Parliamentary Sovereignty

The Westminster model is also based on two other important principles; those of shared power and parliamentary sovereignty. Shared power refers to the fact that the elected legislative assembly is not the only parliamentary actor. The Crown and the House of Lords are also part of Parliament and the approval of all three actors is necessary for the final approval of legislation. As we shall see, while the powers of the House of Lords and the Crown have weakened over time, they retain a role in the parliamentary process.

Parliamentary sovereignty is based on the assumption that the powers of Parliament are unlimited. Walter Bagehot, who authored a classic 19th century study of the English constitution, expressed this theory succinctly by noting that "Parliament is a sovereign and constituent assembly. It can make and unmake any and every law, change the form of government, ... interfere with the course of justice, extinguish the most sacred private rights of the citizen." He went on to indicate that in practise this authority had become concentrated in the Commons:

The ultimate authority in the English Constitution is a newly-elected House of Commons. No matter whether the question upon which it decides be administrative or legislative; no matter whether it concerns high matters of the essential constitution or small matters of daily detail ... a new House of Commons can despotically and finally resolve (313).

In theory, there is no higher authority than Parliament (in reality, than the House of Commons) and no external limits on what a Parliament can do. However, in recent years, a number of factors have resulted in new limits being placed on the authority of parliaments.

## Recommended Reading

Dearlove, John and Peter Saunders. *Introduction to British Politics*, Cambridge, UK: Polity Press, 1991, Chapter 1.

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## Study Questions

Based on your readings, see if you can answer the following questions. If not, read the commentary over again to find the answers.

1. What are the three units that make up a parliament based on the Westminster model?
2. What are the three uses of the term 'Parliament'?
3. What does the term 'Responsible Government' mean?
4. What are the underlying assumptions of Parliamentary Sovereignty?

# Internet Resources

## Parliamentary Democracy

Australia. "Palmer's Australian Politics: Overview of Australia's Political System"

<http://members.dingoblue.net.au/~bdpalmer/institutions/overview.htm>

Australia. Parliament of Australia: "The Parliament: An Overview"

<http://www.aph.gov.au/parl.htm>

Australia. The Samuel Griffith Society: "Parliamentary Democracy in Australia"

<http://www.samuelgriffith.org.au/v5chap10.htm>

Parliament of Australia. Parliamentary Library Research Paper 23 1999-2000 "Australian Parliamentary Democracy After a Century: What Gains, What Losses?"

<http://www.aph.gov.au/library/pubs/rp/1999-2000/2000rp23.htm>

Canada. Library of Parliament: "How Canadians Govern Themselves"

<http://www.parl.gc.ca/information/about/process/library/forsey/how-e.htm>

Canada. Public Service Commission Institute on Governance. How Government Works. Chapter 2: "What's Up on the Hill?"

<http://learnnet.gc.ca/eng/lrncentr/online/hgw/how-gov2.htm>

India. "Indian Parliament: Introduction"

<http://parliamentofindia.nic.in/>

New Zealand. The Committee of Former Speakers of the House to the Association of Former Members of Parliament, "Restoring Public Confidence in Parliament"

<http://www.mdl.co.nz/readingroom/parliament/execsum.html>

South Africa. "Parliament of South Africa: How Our Democracy Works"

<http://www.parliament.gov.za/particip/democ.htm>

Suite 101.com. "Labour's Great Britain: Remodeling Westminster"

[http://www.suite101.com/article.cfm/european\\_politics/30521](http://www.suite101.com/article.cfm/european_politics/30521)

United Kingdom. "An Introduction to Parliament"

<http://www.parliament.uk/parliament/guide/parliament.htm>

National parliaments

<http://www.ipu.org/english/parlweb.htm>

<http://www.polisci.umn.edu/information/parliaments/>

“A Concept Paper on Legislatures and Good Governance,” based on a paper prepared by John K. Johnson and Robert T. Nakamura for UNDP, July 1999

<http://magnet.undp.org/Docs/parliaments/Concept%20Paper%20Revised%20MAGNET.htm>

Electric Library Presents Encyclopedia.com. “Parliament”

<http://www.encyclopedia.com/printablenew/09855.html>

Victorian Electoral Commission. Government

[http://www.vec.vic.gov.au/Government/WP\\_ParliamentarySystem.htm](http://www.vec.vic.gov.au/Government/WP_ParliamentarySystem.htm)

The Digital Agora. Parliamentary System

<http://ace.acadiau.ca/polisci/aa/DigAgora/Glossary/glossaryhtml/psystem.html>