

ful royal partisans. Thus, in 1776, Britain itself had a balanced constitution with the executive power, largely personified in the King, at arms length with the House of Commons, the latter relying on its legislative and financial powers. This was indeed a separation of the executive and legislative powers of the state for all purposes — the government of the home island and of the overseas territories.

So far as the home island was concerned, a large body of Englishmen had the vote and exerted a considerable influence on the House of Commons and the King. But the Englishmen in the American colonies did not fare so well. The citizens of the Atlantic colonies wanted to control their own affairs through their own legislatures to the extent that Englishmen in England currently did so for home affairs through the British Parliament. The leaders of the Atlantic colonies were very well informed on exactly how things were done in London. By the latter part of the eighteenth century, the British Atlantic colonies had become communities too mature and complex for detailed control at long distance from London.

Veto power

Yet the old colonial system was predicated on the supremacy overseas of the King, the Parliament and the courts of the mother country. The King and his Privy Council held veto power over the legislation of the colonial assemblies and exercised it freely, either directly or through the colonial governors. The governors were caught in the middle; they could not serve two masters — the King and the Privy Council in London and also their respective colonial legislatures. The veto power of the King over legislation of the British Parliament was rapidly disappearing in London, but not in the American colonies. This was cited in the Declaration of Independence as one of the principal grievances of Englishmen in America. The British could see no way to reconcile the supremacy of the King and the British Parliament overseas with meaningful autonomy for colonial governors and legislative assemblies. The Englishmen in America would not accept this position — that essential parts of the British home constitution were not for export. The American Revolutionary War was the result — and separation from Britain.

How was the new independence used? Consider certain central features of the United States Constitution of 1789 respecting the executive and the legislative powers. We see that the President and the Congress are set at arm's length, each with

autonomous powers. Except for the electoral principle and the fixed term of the President, the relation mirrors that which currently obtained in London between George III and the British Parliament. The exception, of course, is of the highest importance — the requirement that the executive head of state should be elected for a fixed term was a landmark in the history of the development of democratic government. Nevertheless, the point remains that, once the President is elected, his relation to Congress is closely analogous to the separation of powers that existed in the late eighteenth century between King and Parliament in Britain itself for purposes of self-government in the home island.

Let us turn now to developments after the American Revolution, first in Britain and then in the British North American colonies. In Britain, the modern cabinet system did not develop fully until the time of the Great Reform Act of 1832, which extended widely the Parliamentary franchise among the British people. After the loss of the American colonies in 1783, William Pitt and his successors as Prime Minister gradually assumed control of the selection of ministers and the cabinet agenda. It became established that the King was bound to take the advice of his ministers and that they in their turn had to agree on the advice they would give.

Finally, in the decade beginning with 1830, it became established that the Prime Minister and his cabinet had to maintain the confidence of a majority in the House of Commons and to resign or call a new Parliamentary election if they lost that confidence. Very soon after 1832, the precedents for resignation or dissolution on defeat in the House of Commons multiplied and the rule became firm. In contrast to the state of affairs in the late eighteenth century, effective co-ordination and harmony between the executive and legislative powers in the state had been achieved on a systematic basis that held the executive accountable to the elected chamber of the legislature. Thus, compared to the position in 1776, real executive power in Britain had been depersonalized. It was no longer largely in the hands of the monarch (now Queen Victoria). Rather, the Queen was largely the nominal head of state, bound to take the advice of responsible ministers in the conduct of the government of Britain and the overseas empire. Something was now possible that had not been possible in 1776 — the Queen could be required to take advice from different groups of ministers for different territories and for different subjects.

*Establishment
of principle
of majority
in House*