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Parliament is 700 Years Old

FEELING THEIR WAY toward an ideal of self-government, men have invented many sorts of assemblies and parliaments in many countries.

The year 1965 marks the seven hundredth anniversary of the birth of Parliament in England, the ancestor of Parliament as it is practised in Canada. That event took place only fifty years after another landmark in man's struggle for freedom, the sealing of Magna Charta.

Today, the distinguishing monument of the western world is not an arch like those in the Roman Forum, nor a temple on a Greek hill, nor an automated factory, nor a towering skyscraper. It is a little booth made by draping sheets over a clothes-horse in somebody's basement, or by standing blackboards around a school desk, or by putting old advertising placards around the counter in a vacant store: it is the polling booth in which free men and women declare their political will.

The parliament elected by these voters did not blossom overnight, but grew from roots that strike deep into old traditions and old customs, and have survived many storms and many droughts. The "deep speech" of Saxon kings with their wise men finds its counterpart today in the Canadian Parliament's Speech from the Throne, the address in reply, and the debates which follow.

It is usual to speak of the Parliament in Great Britain as "The Mother of Parliaments." It is so in the sense that it has nurtured other parliaments throughout the world. Wherever people from Britain have gone to settle, they have carried with them the conviction that they ought to have a parliament of their own. The pioneer settlers in America brought parliament with them as part of their equipment; the first Charter of Virginia, signed by King James I, provided the pioneers with "all liberties, franchises and immunities, as if they had been abiding and born within this our realm."

For the beginnings of all this, says George Hambleton in *The Parliament of Canada*, we must look back to early England, to its struggles with the Crown, its battles for free speech and all those other "immunities

and privileges" which the Speaker of the Canadian House of Commons still formally claims from the Queen's representative, and which he still formally grants, at the opening of every new Parliament.

So earnestly do we believe in the value of a system which is endorsed so widely that we are distressed to find any country which is not politically democratic. Our fingers itch to give them a parliament and universal suffrage and the secret ballot.

But, as Alfred North Whitehead put it: "This notion that in any part of the earth, no matter how barbarous its previous history or how backward its people, all you need do is give everybody the vote is idiotic." No nation that passes abruptly from subservience under a despot to the completely unfamiliar state of political independence can be said to have a fair chance of making democratic institutions work.

Democracy is a high and difficult enterprise. We ourselves arrived at it by long and laborious development. It was not imposed upon us: we grew into it and built it around us through twenty generations in seven centuries.

Why and how did it come about? The English achieved far earlier than their neighbours the status of a national as distinct from a feudal or parochial existence. Starting in 1265, they gradually extended the power of the people. By the sixteenth century the faint outlines of Parliament began to be discernible, and the House of Commons was mentioned in the dispatches of ambassadors as an institution of importance. In the seventeenth century it had been definitely settled that sovereignty should rest with the king in parliament and not with the king alone or with the king in council.

Government

Government originated in the family life of ancient times. Wherever human beings live together there must be someone in charge, someone to give direction. When several families joined in tribes, a member of the group acted as leader. It was only gradually that men learned that by reasoning together they could solve problems more efficiently than could be done by one person.

Their ideas expanded with their hopes. They began to ask, as voters need to ask today: What do we want of life? How much of what we want of the good life can government give us? What sort of government will be most efficient? What qualities should we demand of those who form the government?

All governments, ancient and modern, have this one thing in common: power. Their power is of three kinds: legislative, which is the power to make laws; executive, which is the power to enforce laws; and judicial, which is the power to try those accused of breaking the law.

The best sort of government is one in which these powers are directed toward providing every citizen with comfortable, safe and peaceful living in secure enjoyment of his property and freedom.

We hear, over the ages, the voice of Plato murmuring that, after all, the best form of government is government by good men. Churchill brought us up to date when he said: "Thus we had arrived at those broad, happy uplands where everything is settled for the greatest good of the greatest number by the common sense of most after the consultation of all."

Democratic liberty

"Democracy" is a word charged with great human hopes. It is based upon the concept of political liberty, in which personal freedom is limited only by the idea of equality, a thought which is the slow fruit of ages.

Democracy means to us a form of government for free and upright people who take pride in governing themselves and who do govern themselves. The wise laws and just restraints decided by their freely-elected government are not chains restricting their freedom.

Writing in praise of the English constitution, the famous French writer Voltaire declared in his *Philosophical Dictionary* after tabulating liberty of person and property, freedom of the press, the right of being tried only according to the strict letter of the law, and freedom of religion: "I will venture to assert that, were the human race solemnly assembled for the purpose of making laws, such are the laws they would make for their security."

It cost much to establish these laws, and they came into being and exist today only under democratic parliamentary government.

It is true that the notion of democracy was born in Athens 2,400 years ago, but it was limited to certain classes of people. During the past 750 years we have developed the system of government under which every mature citizen has the right to a voice in choosing those who shall govern in such a way as to give sound administration and social contentment.

We must believe in democracy, for what is the alternative? We can live happily together in today's world only if we are zealous in protecting our own liberty and solicitous for the liberty of everyone else. Aldous Huxley warned us in his book *Brave New World*

Revisited: "The young people who now think so poorly of democracy may grow up to become fighters for freedom. The cry of 'Give me television and hamburgers, but don't bother me with the responsibilities of liberty' may give place, under altered circumstances, to the cry of 'Give me liberty or give me death.'" Democratic education should aim at producing men and women who will be able to maintain a self-governed state because they are themselves self-governed, self-controlled, self-reliant.

Magna Charta

Half a century before the first parliament, whose advent 700 years ago is celebrated in 1965, the Great Charter was sealed. On a stormy day in 1215, on a marshy islet in the river at Runnymede, a committee of angry nobles extorted from reluctant King John a promise that in future he would adhere to the law of the land.

"Here commences the history of the English nation," said Lord Macaulay. The narrative of preceding events is the recital of wrongs inflicted and sustained by various tribes. Henceforth the nation had a constitution which has ever since, through all vicissitudes, preserved its identity; a constitution of which all other free constitutions in the world are copies.

The Charter, one of the most significant documents in the long history of government, was designed to diminish the power of the king and to guarantee a measure of freedom. It marks the transition from an age of traditional rights, preserved in the nation's memory, to the age of written legislation, of parliaments and statutes.

One copy of the Charter is to be seen in the British Museum, injured by age and fire, but with the royal seal still hanging from its brown, shrivelled parchment. That seal now has the dramatic endorsement of the democratic commonwealths of mankind.

On the memorial cairn at Runnymede is inscribed: "In these meads on 15th June 1215 King John at the instance of deputies from the whole community of the realm granted the Great Charter, the earliest of constitutional documents whereunder ancient and cherished customs were confirmed, abuses redressed, the administration of justice facilitated, new provisions formulated for the preservation of peace, and every individual perpetually secured in the free enjoyment of his life and property."

Parliament

The word "parliament" is found in English from the thirteenth century, first for a debate, then for a formal conference, and then for the great councils of the Plantagenet kings. In French, "parlement" is the name given to a meeting for discussion or debate, but from the latter half of the thirteenth century it was employed to designate the sessions of the royal court, and today it has the same meaning as "parliament" in English.

"Parliament" first appeared in an English statute in 1275, being used to describe the Great Council. It was a gathering of representatives of the kingdom to "talk over" matters of importance.

The origin of parliaments goes back far beyond this. The Anglo-Saxons had assemblies known as the folk-moot, the tribal assembly, and the shire moot, which was an assembly of the freemen of the shire. Superior to these was the witenagemot, or assembly of wise men with whom the king took counsel in legislation and government. By the time William the Conqueror arrived in England in 1066 the principle that the king should govern only with the advice of his counsellors had been firmly established.

However, something was needed to give permanency and solidity to the arrangement. Whereas the Great Charter of 1215 was mainly concerned to define points of law, the Provisions of Oxford in 1258 and Westminster in 1259 sought to deal with the overriding question: by whose advice and through what officials shall the government be carried on?

Six years later Simon de Montfort summoned to the famous Parliament of January 28, 1265 five earls and eighteen barons, a large body of clergy, two knights from each shire, and two citizens from each of twenty-one specified towns. While this did not give de Montfort a clear claim to the title sometimes given him as the "founder of the House of Commons" it was, nonetheless, an important stage in its development. The burgesses, or common people, had never before received direct representation. Here, says the *Harmsworth Encyclopedia*, were "all the essential elements of the parliament of today." By this silent revolution the whole body of freeholders were admitted to a share in the government of the realm.

What de Montfort's motives were is of little account. His act marked the first definite step along the road to representative government. The contests which follow are not conquests which affect the actual fabric of our political institutions. They are simply stages in the rough discipline by which we have learned how best to use and develop the latent powers of our national life and how to adjust the balance of its social and political forces in changing times and conditions.

Representation by selection is a very great thing. A parliament is not a meeting of ambassadors from different and hostile interests, but a deliberative assembly with one interest, that of the whole nation. It is not local purposes or local prejudices that ought to guide, but the general good.

How parliament works

In our parliamentary system the legislative power is controlled by parliament, composed of the Senate and the House of Commons, the executive power by the cabinet, and the judicial power by the courts.

The history of parliament, says Dr. George W. Brown in *Canadian Democracy in Action*, is largely

the story of the way in which the House of Commons gradually gained control over the powers held by kings. Nevertheless, the sovereign is still a part of parliament. The Queen has the right to be informed as to what the cabinet is doing, and to be given all the information which it has, secret and otherwise; and the right to advise and warn the cabinet, even though it may not accept her advice.

With the increasing volume of legislation in the House of Commons, the value of the Senate, with its more deliberate debates, makes its merit seen.

The grievous thing, said the late Senator L. Moraud when replying to those who advocate its dissolution, "would be not the disappearance of the Senate itself but the wiping out of the protection which by its very nature this body ensures to minorities and to the established social system."

The Cabinet, composed of ministers selected from the party which for the time being holds a majority in the House of Commons, is one of the most important features in the parliamentary system. The seventeenth century had proved that government was impossible without the co-operation of the House of Commons; the experience of the eighteenth century had shown that such co-operation could only be maintained by the selection of the king's ministers from the party dominating the House. The first part of the twentieth century has seen a vast increase in the power of the cabinet, shifting to some degree the centre of political forces from the floor of the House.

The official Opposition is an integral part of the parliamentary system. The only way in which a human being can make some approach to knowing the whole of a subject is by hearing what can be said about it by persons of every variety of opinion. Within the unity of those who believe in the parliamentary system there must be diversity of opinion about many things.

Opposition provides a stern criticism of the government's policy and excites public interest in the matters being debated.

The Opposition, however, is not all negative. It has to have a viable alternative to offer to a government proposal. It needs to keep a shrewd sense of the perspective of politics as seen from below Parliament Hill.

Political parties are another essential part of parliamentary government. The *Encyclopedia Britannica* says in an unexpectedly pert paragraph: "Parliament is an engine which seems to require the fuel of party spirit to make it work."

A political party consists of a group of persons united in opinion or action, which seeks to control the personnel and policies of government. When there are two or more parties in the field, this circumstance removes the danger of the permanent surrender of power to a single set of leaders. The rule of the majority is tolerable, because it is at any time a temporary and replaceable majority. The fact that the Opposition, the temporary minority, has almost equal support in the

country gives reality to the function of opposition and is a guarantee of moderation.

Political parties would find themselves attracting more members if they gave constant and intelligent attention to issues rather than to personalities. They could, in fact, enhance their status by adopting precepts not always associated with party politics: tolerance, sensitive intelligence, and logical reasoning.

How different from this is the picture of politicians painted by Princess Victoria in a letter to the King of the Belgians: "I think great violence and striving such a pity, on both sides. They irritate one another so uselessly by calling one another fools, blockheads, liars, and so forth, for no purpose." To this the King replied: "People are far from acting generally according to the dictates of their interests, but oftener in consequence of their passions."

Modern parliament

The contemporary problem is to adapt the methods of parliament to the changing business of government. Parliament cannot, any more than can business, continue unchanged decade after decade. The structure and habits of society have been transformed, the scope of the government's responsibility has been vastly extended, and the circumstances of the country, both domestic and vis-à-vis other nations, have been drastically altered by the scientific revolution.

Whatever changes are made, and they may be as stimulating as any in the past, there are certain essential things that must be preserved. The price of liberty is more certainly than ever political vigilance to keep sound the rights and privileges of the parliamentary way. It would be futile indeed if the garments of royalty plucked from kings in the long history of development of democracy were now dusted off to adorn legislators.

Recalling how ancient empires lost their hard-won freedom by listlessness, George Hambleton wrote in 1951: "To stand still is to retreat. And, if we retreat, weak and irresolute parliaments will again give rise to oligarchic forms of government, little removed from the tyrannies of medieval kings."

Today's outburst of public demonstrations in many countries is an evidence of anti-parliamentarianism. Here are people who care passionately about affairs ranging from the nuclear bomb through racial equality to parish problems who have no confidence in the efficacy of political action. By their parades and displays they are really expressing a profound subconscious defeatism about their own ability to influence events.

The task of parliament is to identify the problems of society, to evolve policies from ideas, and to carry through the necessary action programmes.

To some people, Sir Winston Churchill's presence in the House of Commons up to mid 1964, aged and ailing as he was, has been his final warning against the neglect of the spirit of the Parliament he served for more than

sixty years, and a reminder of the quality of service it demands. His career shows that what gives parliament its life is the will of its members to serve it with their full capacities of mind and energy and passion.

Public participation

Public opinion is the most potent force in the survival of parliamentary democracy. People who have made themselves sovereign must provide themselves with sound knowledge so that they may discharge their sovereign duties with good judgment. They need to be mature, free and intelligent.

The danger that most threatens democracy is the ignorant and indifferent voter. But education in the duties of self-government does not come alone out of books on civics. It requires that people be inspired from youth by love of the free and responsible life that parliamentary government provides, and a sense of obligation to maintain it.

If the citizen does not participate, read, study, and vote, then someone else does it for him and he is a free citizen no longer. Eisenhower said in *Crusade in Europe*: "... individual rights and privileges . . . can be sustained only so long as the citizen accepts his full responsibility for the welfare of the nation that protects him in the exercise of these rights."

How can a citizen honestly discharge his responsibilities? By voting; by paying a visit to Parliament Hill, observing debates at first hand; by reading the official report of Parliament; by reading books about Parliament (a list may be obtained from the Queen's Printer, Ottawa); by paying attention to what political parties are planning and saying.

On their part, the government and the parties owe the citizens a continuous supply of correct information upon public affairs.

Some of this is available in the daily publication of the verbatim reports of speeches in both chambers of Parliament, commonly referred to as *Hansard*. Reports appear regularly in newspapers and magazines and are given on television and radio. It is no exaggeration to say that, so far as information goes, every man and woman in Canada today is in better position to discuss high questions of state policy than was the average member of a seventeenth century parliament.

Besides information and representation, the member of parliament owes the country "his unbiased opinion, his mature judgment, and his enlightened conscience." Edmund Burke said so in 1774, and his affirmation still stands.

The parliamentary system of government built up so laboriously over these seven hundred years will continue strong and flourishing so long as the leaders regard their own interests as best served by pursuing the interests most advantageous to the country, and the citizens respond faithfully and fully by wise selection and just support.