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### *Something About Government*

THE STATE is a community of people whose membership requires them to live under the same code of behaviour. To make this possible, they choose the kind, quality and quantity of government that best serves their needs today and gives them hope for tomorrow.

There should be no mistake about this dual function of government: it must provide what is immediately necessary and at the same time make plans designed to give every citizen the best opportunity to realize in future the things he believes to be most worthwhile.

We live in an age when shabby ideologies promise short cuts. They take the undramatic realities of society and sculpture them into images, then fervently stir up followers. They marry selfishness and ignorance, and breed conflict between races, creeds, individuals and countries.

Those who live under Western democracy must not be complacent about their present felicity. They can retain it only if they are alive to the spirit behind the facade, as much aware of the moral depths as of the material surface features of democracy.

This may be brushed aside by some people as being a too idealistic view of government. But a government is expected to have ideals — as do business, science, education and all the other social facets of life — or it is not living up to its responsibilities.

History is, in the main, the story of man's efforts to attain the best he can imagine life to hold for him, and to maintain order so that enrichment of living may proceed generation after generation. It is the purpose of government to provide the environment in which this advancement will be possible.

Even those who flee from a government must have government. The Pilgrims aboard the *Mayflower* formed themselves into "a civill body politick" before their little ship reached the shores of America. There is no evidence within human history to support the idea that a group of people can exist without government. For an example of anarchy all we need do is stand at a busy street corner when the traffic constable

has left it for a few minutes. Automobiles become tangled as drivers manoeuvre to get through and their horns snarl angrily.

Canadians do not look upon the State as a sort of overlord, but a creature of their own hands, a servant. The government of the state is placed in the hands of men and women believed by citizens to be capable of discharging the duties of care, foresight and protection. The best form of government, they agree, is government by good men, qualified to carry out these obligations.

Democracy is not an easy system to maintain and develop. It must bring together under one roof two different ideas: the idea that the state should provide scope and opportunity for individual enterprise and the idea that the state should be a collection of public services, satisfying people's needs by subsidies, subventions and the like.

It is not possible for a government to rule without curtailing some individual freedoms, but it is contrary to the canons of good administration that it should seek to compensate for restrictions by providing circuses as well as bread.

#### *Aims and principles*

If it is to be effective, a government must have aims that are specific, concrete, and definite. These differ from country to country according to circumstances and environment, but the ultimate criterion is this: are the people preserved and prosperous?

One essential quality in government is integrity. The strength of a government lies in the belief of the people it rules that it is inflexibly open and truthful. There is a saying in the law of equity which might be paraphrased: "He who comes to govern must come with clean hands."

Ideally, once a representative is elected by the people he becomes part of government, not politics. The purpose of a political party is to bring together people who believe alike about certain things so that they may carry their principles into practice. When a

member is elected to parliament it is his duty to form his opinion after hearing all sides in a debate, and to lend his influence toward governing in the interests of all the people.

It has been the experience of Canada in general to have political parties with high principles. They have been made up of men and women of conviction who seek to explain their beliefs in order to win support. They have not descended to huckstering; they have not abandoned their honesty for the sake of partisan expediency. Our great political figures have looked upon government as an art and science to be learned, not merely an office to be won.

In a democratic state the men forming the government are concerned with representing the citizens. They believe in the sovereignty of the people, universal suffrage in which every man and woman counts as a person, and the right of the majority to rule.

We are inclined to take democracy for granted, and to condemn other people for abandoning it. But we should be generous in our judgments and watchful for our own stability. Countries on other continents have lived closer to the margin of survival, economically and politically, than Canada has. We have not been subjected to the test of economic collapse which destroyed the Weimar Republic, or the civic disruption of having a Kenya or Rhodesia or Algeria at our doorstep.

The important question is not whether or not a democratic form of government exists, but whether or not the people of Canada accept and care deeply about the principles upon which democratic government is based. The future of democracy, said a nineteenth century writer, mainly depends on the willingness of the omnipotent people to be led by highly trained and conscientious statesmen, and on the willingness of those statesmen to serve the people upon such terms as democracy will accept.

The Athenian system of "direct democracy" would be impossible in a modern nation. As population grew, it became increasingly difficult for citizens to attend the assembly. Instead of "direct democracy" we now have government by elected representatives.

The voter goes into a compartment where he marks his ballot by putting an "X" opposite the name of the candidate by whom he wishes to be represented. That "X" appoints the representative to a position of great trust and responsibility. He must maintain intimate contact with the opinions of those whom he represents — not alone those who voted for him, but all the people.

Canada is divided geographically, economically and historically into several sections, often with opposing interests, but Parliament is not a congress of ambassadors from different and hostile interests. "Representative government" means that a member of parliament shall be willing to consider the demands of his riding in the light of the greater good of Canada as a whole. Mutual understanding and tolerance are

needed instead of narrow interests. Citizens and their representatives must think as Canadians.

Individually and collectively, members of parliament are part of responsible government. They owe the people they represent not only industry and energy but judgment based on wide views. This is the essence of statesmanship.

### *Under the law*

If we are to avoid anarchy, we must live under the law. This is a rule which applies to governments as well as to citizens. It restricts arbitrary authority. It requires that all acts of government must be authorized by laws applied and interpreted by the courts. No one can lay a finger on any principle more vital to a people's happiness than this: justice and lack of arbitrariness.

The administration of justice is a creditable phase of government in Canada. The judiciary has been incorruptible and free from political interference or popular control. Its function is to administer the laws made by the federal, provincial and municipal governments in such a way as to make certain that every person receives just and honourable treatment.

The law is a sturdy bulwark against abuse of power by the government. The dominant rule of the nineteenth century was economic, but the threat of tyranny in this century is from the State. Wrong acts are done by governments in some countries with the apology that though they know the acts to be wrong they will ultimately contribute to the public good. The argument that unjust means are justified by righteous ends, carried to its greatest elaboration by Machiavelli, is an accepted belief in many lands.

Between the wars some people in democratic countries came to think that dictatorships were more efficient than democracies because Hitler revived the economy of Germany and Mussolini made the Italian trains run on time. History shows how false the idea is. Uncontrolled power in the hands of one man or a group of men, however clever they may be, leads inevitably to abuse of authority.

Under Canadian democracy there are three interlocking divisions of power: the legislature, the executive and the judiciary. Each one plays its unique part — Parliament, the cabinet and the courts — but each acts as a balance on the others. No government which unnecessarily exceeds its powers will escape censure. From this there is no escape, even under the most dire extremity.

### *Informing the people*

The powers of government are derived from the people, therefore it is imperative that the people should know the mechanism of government and exercise their right to operate it. An informed public opinion rises above the spineless inclination to shrug off political activity. Sluggishness in exercising rights ends up in social unbelief and "beatness".



Many Canadians are unsophisticated politically. Some vote this way or that way because their parents did, but no one who has sniffed the political air during the past ten years will depreciate the importance of the uncommitted vote.

The preservation of democratic rule demands that citizens be given a steady supply of correct information upon public affairs. Governmental functions have become exceedingly complex in a world situation that is constantly awash with unrest. Ignorance of these functions and indifference and the "leave it to the M.P." attitude of mind — these spell disaster.

If a democracy is to be so healthy as to survive, it must have the intelligent interest of every man and woman. It is argued by some that people cannot vote intelligently in a world where problems are so complicated, but they do not have to vote on the details of such problems. Their first obvious responsibility is to choose representatives who are qualified by intelligence and integrity. A second duty is to keep themselves informed about the issues which face the country and the actions of their representatives regarding them. A third obligation is to see that their opinions are conveyed to their representatives on every important issue.

Every voter should demand the same clear statement of policy from the man seeking his vote as he expects to get on a package of food or a bottle of drugs: not vague and cloudy in its terms but specific and clear and honest.

### *Our system of government*

A constitutional monarchy is a system of government in which the powers of the Crown are controlled by the advisers of the Queen, and the advisers are controlled in turn by the elected representatives of the people. It is the most successful form of democratic government the world has yet produced.

The British North America Act provides that "the Executive Government and authority of and over Canada is . . . vested in the Queen." The functions of the Crown are discharged in Canada by the Governor General in accordance with established principles of responsible government. The practical executive functions of government are exercised by the Cabinet.

Canada is a federal state: certain powers are allotted to a central government and certain others to provincial governments. The legal foundation of this federation is a statute of the Imperial Parliament, the British North America Act of 1867, as amended from time to time. This document united the four original provinces and provided the framework into which were fitted, as time became opportune, the additional six provinces. But it does not pretend to be a constitution like that of the United States, setting forth a well-rounded enumeration and description of authorities and functions. It is the skeleton supporting a wide assortment of laws, judicial decisions, and usages which enter into the structure and operation of the government.

The B.N.A. Act does not spell out rights, but its preamble states that the provinces of Canada wish to be federally united "with a constitution similar in principle to that of the United Kingdom." We can say, then, that it was intended that the things fundamental to democracy, developed in the United Kingdom over the centuries, should belong to Canada also: the rule of law, freedom of speech and of the press, freedom of assembly and of association, freedom of worship, habeas corpus, the presumption that a man is innocent until he is proved guilty. In fact, these rights have been observed as part of our unwritten constitution.

### *The government in action*

Standing at the apex of the governmental executive power is the Prime Minister surrounded by the members of his cabinet. Each member of the cabinet is responsible for the administration of a department of government staffed by civil servants, presided over by a deputy minister appointed by the government.

The basic qualities of the cabinet are secrecy, unity of outlook, collective responsibility, and accountability to Parliament. It exercises control over the House of Commons through its prerogative of dissolution. It is made representative of the racial and religious and sectional interests of Canada by the selection of its members.

The outstanding duty of the cabinet is to furnish initiative and leadership, to provide a national policy, to cope with present emergencies, and to plan for future needs. The confidence of the people is won by a cabinet which displays these qualities objectively and consistently. If a government measure is defeated in Parliament, the cabinet is said to have "lost the confidence" of the House, and its members will offer their resignations.

As long ago as 1912 a commissioner enquiring into the public service of Canada reported that cabinet ministers bore an almost intolerable burden of work. Since that time, parliamentary assistants, now called "parliamentary secretaries", have been taking some of the load, and there has been more delegation of technical, routine and administrative tasks.

There are two chambers in the Canadian Parliament: the Senate and the House of Commons. The duties of the Senate include the review of all legislation passed by the Commons, but it may introduce legislation which it considers desirable in the best interests of the country. It was not intended to be a competitor of the House of Commons, but rather, as the first Canadian Prime Minister said, to be a second chamber which could "take a sober second look" at legislation initiated in the lower house. By its nature, it affords protection to minorities and to the established social system. Every Act or Statute, before it becomes law, must be passed by a majority in each House of Parliament, and must be signed by the Queen or her representative.



Parliament, the effective meeting place for the thoughts of the people and the effective means of putting their wishes into practice, is the only mode of government so far found that replaces tyranny with liberty.

Some of the safeguards reside in the fact that no government ever has everything its own way. The party which has the majority of seats is said to be "in power" and its opponents are "in opposition". Every new measure of law is placed in the dock with the government as advocate and the opposition to lay bare its faults.

The opposition is not charged with obstructing merely for the sake of opposing. It may support the government when it thinks the government is acting wisely, but its chief duty is to show in a constructive way how it thinks the government's policy should be improved.

Harrying tactics are tempting to an opposition, but if pursued to excess they deprive opposition itself of the time to take up useful projects. It must keep a shrewd sense of the perspective of politics as seen from outside Parliament Hill. It must persuade the electorate that it has a robust and valid alternative to offer to the proposal it opposes.

### *Machinery of Government*

The Civil Service is a most important part of the machinery of government. Without a well-trained and honest Civil Service, efficient government is impossible. It is upon this Service that we depend to see that the government's policies are realized in action.

The interests of the private citizen are affected to a great extent by the actions of civil servants. Initiative, responsiveness, and friendly human relations are needed. The citizen has a right to expect that his affairs will be dealt with effectively and expeditiously, and also that his personal feelings will be sympathetically and fairly considered.

The Civil Service must be conscious of the public's dislike for some of the manifestations of bureaucracy. It is true that whether we live under the most liberal of democracies or the most totalitarian of despotisms, we are being served by appointed officials. Frequently they are charged with making rules that govern their carrying out of the details of broad legislation enacted by Parliament. That they do so with the humanity of citizens in mind is imperative.

There is a growing and justifiable impatience of multiplying the filling up of forms, every one of which seems to provide a new foundation upon which further layers of forms are built. Some of this might be overcome if the forms were freed of official gobbledygook — which means pomposity, woolliness and wordiness — and presented with a smile.

New Zealand has appointed what the Scandinavians call an Ombudsman to stand between the citizen and bureaucracy. It is his duty to investigate complaints about the delays, errors and injustices of which govern-

ment departments are capable in their dealings with the public.

### *Tests of Government*

Government is to be judged on its merit. This may be assessed by answering three questions: What does it propose to do? How does it intend to do it? Does it live up to its promises?

The realism of action must follow integrity of purpose if a government is to be effective. Canadian civilization rests upon a social heritage which many other countries have not enjoyed. We have an attitude toward life demanding greatness of our leaders and honesty in their promises; fairness toward all citizens with undue pressure upon none; economy in administration directed toward the greater development of the good life. We prefer piecemeal change to revolution, but we do not want advancement to be unduly put off.

It is easy to think that the best of everything cannot be attained until the total desires of the whole human race have been met, but we have law-making power only in Canada and cannot put off our own improvement while waiting for world-wide perfection.

At the same time we must not become too self-centred. The democracy of Athens lasted for a century or so at the longest. And why did it end? Aristophanes, who knew the democratic greatness of Athens, put these words into the mouth of one of his characters: "If two orators proposed, one to build ships of war and one to increase official salaries, the salaries man would beat the ships of war man in a canter." The Athenian democracy, whose power was based on the sea, perished within a generation of this warning. As Lord Baldwin said in an address at the University of Toronto in 1939: "The rhetorician, the demagogue and the sophist had done their work." Plutarch tells us that the Athenians, from being sober, thrifty and self-supporting people became "lovers of expense, intemperance and license".

There are slumps when it seems that our parliamentary institutions, like clock-work toys, have run down. There are times when, from the bright plateaux of individual freedom and individual responsibility which our forefathers precariously attained, there has been a steady falling back toward the dark valleys of dependence and serfdom.

But through selecting good government a nation can arrest these trends, and may live such a life as the passage of time cannot make ugly. To do so, citizens must seek excellence, cultivate freedom from prejudice, develop the capacity to recognize good government, and determine that what is shoddy shall never be accepted as first-class.

John Stuart Mill wrote in *Representative Government*: "A people may prefer a free government, but if, from indolence, or carelessness, or cowardice, or want of public spirit, they are unequal to the exertions necessary for preserving it . . . they are unlikely long to enjoy it."