



Volume 41 | Issue 1

Article 20

December 1934

Dissolution of the British Parliament 1832-1931

Kemble White

Follow this and additional works at: <https://researchrepository.wvu.edu/wvlr>



Part of the [Comparative and Foreign Law Commons](#), and the [European History Commons](#)

Recommended Citation

Kemble White, *Dissolution of the British Parliament 1832-1931*, 41 W. Va. L. Rev. (1934).

Available at: <https://researchrepository.wvu.edu/wvlr/vol41/iss1/20>

This Book Review is brought to you for free and open access by the WVU College of Law at The Research Repository @ WVU. It has been accepted for inclusion in West Virginia Law Review by an authorized editor of The Research Repository @ WVU. For more information, please contact ian.harmon@mail.wvu.edu.

DISSOLUTION OF THE BRITISH PARLIAMENT, 1832-1931. By Chi Kao Wang. New York: Columbia University Press, 1934. Pp. 174.

This is a brief, but clear, study of the working of the British Constitution and system of parliamentary government as the result of the development of the cabinet, its responsibility for legislation, and the administration of policy and the complementary power of effectively advising the dissolution of Parliament.

A chapter discusses the resignation of a ministry as an alternative to dissolution and the factors which may determine which course is the politic one to adopt.

The author points out that the power to dissolve Parliament is a prerogative of the Crown and, up to the beginning of the eighteenth century, was exercised without limit; but, since 1701, no dissolution has occurred except upon the advice of the prime minister. That advice is determined by the action of the cabinet, acting as a unit, whose members are bound to take individual responsibility for the decision.

The author illustrates the working of the system by reference to the courses pursued, respectively, by Lord Palmerston, Disraeli, Gladstone, Asquith, and other prime ministers, who were faced with grave crises. The author states that important differences of opinion, upon public questions, held by cabinet members are frequently brought into harmony because of a veiled threat of the prime minister to have support or resign. It is further stated that the cabinet is a body unknown to the law and that its constitution and functions are determined, in fact, by tradition and custom.

The author then discusses the reasons for dissolution, or resignation. The responsibility of the cabinet, through the prime minister, is to the Crown, to the House of Commons, to the country, and last, but not least, to the party to which they belong.

The ministry, in practice, must initiate and carry into legislation its program. To accomplish this result, it must, at all times, have and hold a working majority. The opposition is ever alert, merely awaiting an opportunity to bring the ministry to its knees by an adverse vote. A House of Commons is selected for a period not exceeding five years. It may be dissolved at any time after convocation, upon the advice of the ministry, with royal assent.

The author shows that the period of duration of the Parliament depends largely upon the extent of approval shown by the country, the party, the members of the House of Commons, or the Crown, to the policies of the ministry. He gives numerous

instances wherein the state of public opinion, of party influence and prestige, and of violent dissention in the House of Commons, forced the ministry to make this important decision to advise dissolution.

The effect of dissolution is to vacate all seats and put all members of the House up for re-election, or such of them as choose to stand therefor. Elections are expensive and members will frequently change their attitude towards the ministry when brought up short under ministerial power.

The author explains in some detail the manner of actually dissolving a Parliament, first, by the Crown, in person, but later by a Royal Commission acting in the name of, but in lieu of, the Crown. To an American reader that narrative may be interesting but is not of importance.

The book may be of much value to such readers in presenting vividly the close relationship between public opinion in the British Isles and a ministry selected to manage a Parliament which is supposed to be the exponent of that opinion.

The author shows that a ministry, created to carry on, must, out of human material, possessed of all its qualities and traits, and subject to its imperfections, weld a working political machine that can withstand the most powerful assaults, all in the limelight of public opinion and subject to destruction within an hour by a vote of a want of confidence, or an adverse vote upon a major policy.

In case of defeat, the prime minister must decide upon future conduct, namely, whether he will appeal to the country upon the issues, in the hope of popular victory and approval, or resign his commission, or in great emergencies be subjected to dismissal. The author shows that these are decisions of great moment and the rise and fall of ministries, and the success or failure of policies and programs, are dependant thereon and, frequently, the influence and stability of the Crown are involved. That, in the final analysis, public opinion controls and that a ministry, to be successful, must read and translate that opinion into political statutes and administration.

The book is well written, demonstrates extensive research by the author, and should be of much value to those living under the same general system and who are active in political affairs. The writer of this review considers the book illuminating, as it explains the working of a political system which is so directly the exponent of an economic system, and, consequently, adequate in the face of profound changes in human relationships. The Germans had a

saying that "War is only a phase of politics, and politics is only a phase of economics".

The American political system, in principle, may be adequate to serve the present economic system, but, in practical operation and effect, our political activities have been so unrelated to and dissociated from our economic system, when soundly conducted, as to have produced an impasse between economic forces. Our political leaders must, of necessity, make a deeper study of our system and speedily co-relate it to our economic structure.

—KEMBLE WHITE.

