

The Shadow Cabinet: A Critical Study

Mr.Shaji Thomas^{1*}, Dr.Anupa Thomas²

^{1*}Asstt.Prof.(Law), D.P.Vipra Law College. Bilaspur,(C.G.)

²Asstt.Prof.(English), Dr.C.V.Raman University, Bilaspur,(C.G.).

***Corresponding Author:** Mr.Shaji Thomas

^{*}Asstt.Prof.(Law), D.P.Vipra Law College. Bilaspur,(C.G.)

Abstract: -

When a single party with an overwhelming majority forms the government, then the government will have the say. Several bills will be passed and have been passed in past in such cases without much debate. In such cases it seems as if there is no party that is the opposition to check, censor and criticize the activities of the government. Private members if any in the parliament are rarely informed about the governmental strategy. In such cases the government will have undisputed authority. It is in this scenario that some of the countries have proposed a solution to this problem; the Shadow Cabinet.

Key words: - West minister model, shadow cabinet, rule of law, parliamentary committees.

Introduction :- Shadow Cabinet-

Its meaning :- A Shadow Cabinet is a body which is parallel to the union or state cabinet. It consists of legislatures which belong to the opposition. The members of the Shadow Cabinet supervises the policies and plans of the cabinet and criticizes them. The word 'Shadow Cabinet' is derived from the concept that this institution or body tracks every step of the government chasing it like its shadow and therefore the word shadow cabinet.

Shadow Cabinet comprises of the members of the opposition and its leader who are legislatures. They would have been ministers and had the opposition been in power.

The Shadow cabinet or shadow ministry is a feature of the West minister system of government. Members of Shadow cabinet have no executive power. It consists of a senior group of opposition spokespeople who, under the leadership of the Leader of the Opposition, form an alternative cabinet to that of the government, and whose members shadow or mirror the positions of each individual member of the cabinet. The shadow cabinet makes up the majority of the Official Opposition frontbench.

Their areas of responsibility, in parallel with the ruling party's ministries, may be referred to as a shadow portfolio. The leader of a shadow cabinet is called the Leader of the Opposition. The shadow minister may provide alternative policies to the minister in the government. The two of them may debate on issues relating to their area of jurisdiction. For example, the British "Shadow Secretary of State for Health" often replies to the Secretary of State for Health.

In the United Kingdom's House of Lords and in New Zealand, the term spokesperson is used instead of shadow. In Canada, the term opposition critic is also used. The current UK Shadow Cabinet is made up of members of the labor party. The term refers only to the party in opposition which has the most seats of the opposition parties.

As with most other components of the Australian political system, Shadow Cabinet evolved from an informal process in the British Parliament. From the mid nineteenth century in Britain, a distinct and organized opposition began to emerge. A leadership group to coordinate its strategy soon followed.

The shadow cabinet became a recognized entity within British politics, through British academic D.R Turner notes that 'its use was still limited and its full potential unrecognized'. Shadow cabinet slowly solidified its position in the British system, marked notably in 1937, when position of leader of the Opposition began to carry a salary. ³ In Australia, 17 years earlier this same development had already taken place, following an initiative of Prime Minister Billy Hughes.

Objectives :-

1. To study the nature and the constitution of shadow cabinet of various countries.
2. To explore the working and the merits and demerits of shadow cabinet.
3. To study the shadow cabinet system in the Indian context.

Hypothesis :-

1. Shadow cabinet system is prevalent and has been adopted in certain countries.
2. The shadow cabinet is effective in checking and controlling the ruling governmental policies.

Review of Literature-

The shadow cabinet in British Politics- By D.R Turner

The shadow cabinet in Westminster systems.

Modeling opposition Agenda setting in the House of Commons, 1832-1915

By Andrew C. Eggers and Arthur Spirling

Johnson, Maureen has also done ample work in his literature titled Shadow Cabinet.

The British System: - The Origin of Shadow Cabinet

The Shadow Cabinet in British politics was published by Turner in 1969, which he believed to be the first serious study of the development of that institution in that country. ⁴R.M Punnett four years later published *Frontbench Opposition: The Role of the leader of the Opposition, the Shadow Cabinet and Shadow Government in Politics* and it is from this latter work that most of the argument in this section is drawn. Turner and Punnett both make same two points about the development of the Shadow Cabinet.

There was a meeting conducted informally of senior opposition members which were responsible to discuss government action and responses to them.

Recognition plays a very vital role in the formalization of Shadow Cabinet. Opposition vital role was to present viable alternative to government which included were responsible to hold ministerial position after a change of government.

Punnett told about British Shadow Cabinet that it was 'more akin in the nineteenth century of the way the cabinet was operated and the way it functions today [in 1973]'. ⁷ Punnett conveyed that British Shadow minister's held Secondary, part-time employment which was common outside of parliament because they received very low wages and only during parliamentary sitting periods Shadow Cabinet were found to be busy.⁸

The development of Shadow Cabinet in Australia

Shadow Cabinet's development is not well documented in Australia's system. Paucity of materials available is the primary problem for tracing its history. There is a lack of clarity even though there are a lot of sources. LF Crisp said that the Federal Parliamentary labour party in May 1965, determined the increase of the opposition executive from 14 to 25. It created Shadow ministry broader. Allocated each members portfolio.⁹ S. Scalmer agreed with this issue in the writing of the edited collection of *True believers: the story of the Federal Parliamentary labour party*. Caucus established the Shadow Ministry in May 1965. It enlightened to heighten preparation of executive power and mirror structure of government. ¹⁰ Paul Kelly allocated this change to Gough Whitlam (ALP, Werriwo , 1952- 1978) as labour leader in elections, Two years later :- As a leader Whitlam's 1st decision was to bring Caucus into line with the demands of ministerial power. He divided shadow portfolios to the labor frontbench by the Caucus. It includes two consequences:-As he had shadow portfolios to bestow, due to it, party discipline was promoted. Each portfolio included only one shadow minister. Changes and controversy within the labour party were discussed in newspaper article from May 1965. After a debate The Federal Parliamentary labour[sic] Party , voted 38-26 in favor of appointment of a full shadow ministry which consisted of 25 members. This scheme was criticized by opponents as most

dangerous things which has happened in Federal Parliamentary Labour Party. It was claimed that it would result in pressure of the party leader.

Similar concerns were there in liberal party. Coalition was held by government for most of time in which Australian model of Shadow Cabinet was developed. System was opposed strongly by Robert Menzies (Lib Kooyong, 1934-1966) who was the founder of party and leader. His rationale was worth which was expressed in 1970 memoir. The Measures of the Years, at length:

Opposition has arrived both in London and Canberra to have a Shadow Cabinet general policy¹¹ Menzies stated two major benefits of a Shadow Cabinet as argued by the system's labour proponents. Shadow Cabinet supporter's considered it as an asset to gain knowledge, experience and recognition in public for individual members of the opposition within a particular area. In May 1965 article, the above system has been briefly explained. The Federal Parliamentary Labour Party in opposition before 1965 consisted 14 members. 10 members were elected by Caucus and the other 4 included parliamentary.

Leaders who were the leader, deputy leader, the deputy leader and the opposition leader in the Senate. Parliamentary party and business are governed by the Shadow Cabinet and the Caucus executive.¹² Across various portfolios 17 policy committees formulated policy. Shadow Ministry's new policy of Shadow Ministry was proposed according to two arguments.

- Training and greater specialization for individual members were allowed for preparation of their roles as ministers, after change of government.

- Mr. Johnson claimed that in federal government every minister would feel impact of new opposition specialization on his portfolio.¹³ Most significant functions of Shadow Cabinet were mentioned above to provide an identifiable alternative government and of training future ministers.

• **Roles of Shadow Cabinet :-**

Their roles are to oppose, question, support decisions of government ministers in parliamentary debates. Shadow Cabinet shall not act as a scrutiny committee. They shall not undertake a scrutiny role as defined in the legislation.

1. **Opposition leadership:** - Senior members of the opposition political party constitute the Shadow Cabinet.
2. **Policy development:** - Shadow Cabinet are responsible for analyzing government policies, developing and articulating the opposition party's policies, create a coherent and credible policy platform, propose alternatives to present to voters in the next election.
3. **Scrutiny and accountability:** - Scrutinizing the actions and decisions of the government is one of the major roles of Shadow Cabinet.
4. **Preparing for Government:** - Members of Shadow Cabinet gain experience in areas relevant to their potential future roles. They are essentially in training in events to become minister to win in the next election.
5. **Election Strategy:** - Shadow Cabinet aim to win next election, form a government, build public support to their party. They devise campaigns, election strategies.etc.
6. **Public Advocacy:** - Shadow Cabinet members engage to promote their party's agenda, public speaking, media interviews. They are also prominent figures in the opposition party.
7. **Political balance:** - They are often chosen to show diversity of the opposition party. This includes demographic factors, gender etc.
8. **Maintaining Party Discipline:** - They often vote in line with party policy in parliamentary votes. They maintain unity within themselves.
9. **Representing Constituents:** - Shadow Cabinet members represent their constituency by upholding interest by advocating for policies.
10. **Alternative vision:** - Shadow Cabinet appoint voters as per choice and also indicate alternative to current government decision and policies.
11. **Their duty is to assist in ensuring effective arrangements for scrutiny and overview.** To meet regularly. Inform effective perform and ensure good communications and effective contact with local stakeholders and community representatives.

Composition: - The leader of major minority group shall notify members of the council and Chief executive names who were nominated to form Shadow Cabinet. Leader of major minority group may select members amongst council by his /her nomination.

- Opposition leader with not more than 9 but at least 2 councilors who are appointed to Shadow Cabinet by opposition leader constitute Shadow Cabinet
- Opposition leader is responsible to determine number of members in Shadow Cabinet and shall also determine lead members in Shadow Cabinet to be the opposition spokesperson.
- Any member of Shadow Cabinet or the opposition leader will be entitled to speak and join at any meeting of cabinet. They need to give notice in written format to the Managing Director at least 48 hours prior.
- Leader of council can request attendance at a meeting of cabinet of more members of the Shadow Cabinet by giving written notice at least prior to 48 hours.

Opposition leader

- Leader of largest political group shall be the opposition leader. They should not hold any seat in the cabinet. If parties are of equal size who would qualify under 7.3 (a)(i), Member nominated unanimously by the leaders of those groups will be the Opposition Leader.
- Leader who has accepted that office at a council meeting shall be the opposition leader

Experience Regarding Shadow Cabinet in India: -

In India lot of experiments have been made pertaining to the Shadow Cabinet but such experiments are confined only to the state level.

1. Example: - In 2005 the opposition BJP and Shiv Sena in Maharashtra formed a Shadow Cabinet to check and counter the chief minister Vilasrao Deshmukh-led congress- Nationalist Congress Party (NCP) government.
 2. In 2014 in the state of Madhya Pradesh congress formed a Shadow Cabinet to counter the Shivraj Singh Chouhan- led government.
 3. In the state of Goa in 2015, a Shadow Cabinet was constituted. It should here be noted that it was not formed by the opposition but by a Non-Governmental organization Gen Next.
 4. In April 2018 certain civil society members constituted a Shadow Cabinet to analyze the strategies of the Chief minister. Pinarayi Vijayan –led Left Democratic Front (LDF) government. The members included social activists, not members of the Opposition Congress- led United Democratic Front (UDF). In India Shadow Cabinet as such is not recognized in concrete terms. But the concept can be used to refer to such instances where the opposition has a chance to attack and control the government policies. For example: - In the Indian constitutional setup there are various parliamentary committees which are constituted to control the government policies and to scrutinize their execution. These committees constitute of members of both ruling and opposition parties.
1. Example: - The public accounts committee The Public Accounts committee is headed by the opposition party.¹²
 2. In India however these committees cannot be exactly called as Shadow Cabinet. They are not formed entirely by the opposition party. The committees constitute of members both from the ruling, opposition and the alliance.

Conclusion and suggestion: -

A Shadow Cabinet is a body which resembles the union and state cabinet which is constituted by the members of the opposition party. Their main function is to criticize and check the policies of the government. The system of the Shadow Cabinet originates in the United Kingdom. Some other countries have also developed the concept of Shadow Cabinet as Australia, Canada, France, New Zealand, South Africa, Scotland, Wales etc. In Britain, the Shadow Cabinet is a unique institution which is formed by the opposition party and to balance the policies and the administration of the ruling cabinet.

In India the concept of Shadow Cabinet has not assumed any concrete form. Though there are certain stray incidents of the formation of Shadow Cabinet at the state level.

References: -

- 1) DR Turner, *The Shadow Cabinet in British politics*, Routledge and Kegan Paul, London, 1969
- 2) LF Crisp, *Australian National Government*, fifth edn, Longman Cheshire, Melbourne, 1983, p.302.
- 3) S Scalmer, 'Crisis to crisis: 1950-66,' in J Faulkner and S Macintyre, eds, *True believers: the Story of the Federal Parliamentary Labour Party*, Allen and Unuiin Sydney, 2001, p.201.
- 4) RG Menzies, *The measure of the years*, Cassell, Melbourne, 1970, pp.17-18.
- 5) Rule 308 of the rules of Procedure and conduct of Business in Lok Sabha.
- 6) LF Crisp, *Australian National Government*, fifth edn, Longman Cheshire, Melbourne, 1983, p.302.
- 7) S Scalmer, 'Crisis to crisis: 1950-66,' in J Faulkner and S Macintyre, eds, *True believers: the Story of the Federal Parliamentary Labour Party*, Allen and Unuiin Sydney, 2001, p.201.
- 8) RG Menzies, *The measure of the years*, Cassell, Melbourne, 1970, pp.17-18.
- 9) Rule 308 of the rules of Procedure and conduct of Business in Lok Sabha.
- 10) RM Punnett, *Frontbench Opposition, the role of the leader of the opposition, the Shadow Cabinet and Shadow government in British politics*, Heinemann, London, 1973, p.77.