The Structure of Canada’s Government

Chapter 9
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Representative Democracy

- Democracy = rule by the people
- Practiced by the Greek city states
- There is direct democracy and then there is representative democracy.

What is the difference?
Constitutional Monarchy

- The powers of the Monarch are subject to the laws set forth in the Canadian Constitution (1982)
- Queen Elizabeth II is recognized as Canada’s head of state
- The Queen is not involved in Canada’s day-to-day business
- The Queen represents a safeguard for Democracy
- How?
Canadian Constitution

- The Canadian constitution outlines the roles and responsibilities of Canadians and their governments.
- The Canadian constitution is the supreme law of the land.
- No one is exempt from the constitution - not even the Queen.
The Written Constitution

- Confederation was achieved through the passage of the British North American Act (BNA Act) by the British Parliament in 1867. BNA Act also referred to as the Constitution Act of 1867.

- Amended in 1982 to become the Canada Act of 1982.

- The written constitution of 1982 has three main parts.
The Three Components

- A description of powers for provincial legislatures and Parliament
- The Charter of Rights and Freedoms - outlines basic rights and responsibilities of all Canadians
- An ‘amending formula’ which sets out ways the Constitution can be changed:

Federal Government approval plus 7 of 10 Provinces.

Note:
The seven Provinces must make up at least one half of the total population of Canada
Unwritten Constitution

- Based upon British tradition.
- The role of political parties is an example of the influence of British tradition on the workings of parliament in Canada.
Federal System

- The colonies of Canada East (which became Quebec) and Canada West (which became Ontario), New Brunswick, and Nova Scotia made a confederation in 1867.

- Why?
  - No colony wanted to give up autonomy
  - What could be done?
  - Central (Federal) government and Regional (Provincial) governments unite under a federal system.
Power Sharing

- National policies handled by federal government.
- Local affairs = provincial jurisdiction
- New areas of decision-making would be part of the federal government’s jurisdiction (residual powers).
- What potential problems exist?
Municipal Governments

- Duties include essential services
- Garbage collection and disposal, building permits, dog catchers, sewage treatment, fire protection, water supply, and local police.
- Municipalities are controlled by provincial governments.
Federal/ Provincial Responsibilities

- National defence
- Foreign policy
- Aboriginal affairs
- Postal services
- Banking system
- Marriage and divorce laws
- Criminal law
- Federal prisons
- Education
- Charities
- Health Services & Hospitals
- Licenses
- Highways
- Health services
- Immigration * Shared
- Agriculture * Shared
- Health care * Shared
- Natural resources * Shared
- Environmental issues * Shared
Parliamentary System

- There are three branches of government.
- Executive power - the ability to make decisions and administer them through the civil service.
- Legislative power - the ability to make laws (*federal / provincial / municipal can all make laws).
- Judicial power - the ability to interpret and administer the law.
- Which one is the most important? Why?
- Judicial power is separate from the other branches of government. Why?
Federal Government

- Legislative Branch
- Must meet once a year = session
- Pass new laws, amend or repeal (removes) laws, have debates
- Question period = opposition challenges the government’s actions
- MP’s raise concerns from their constituents
The House of Commons

- aka the ‘Lower House’
- Elections must occur every five years
- PM can call an earlier election
- 100,000 citizens = 1 riding
- These elected officials - Members of Parliament - make up the Lower House
Number of Seats

- **Area Seats 2003 Redistribution** (no earlier than June 29, 2004)
  - Ontario 103106
  - Quebec 7575
  - British Columbia 3436
  - Alberta 2628
  - Manitoba 1414
  - Saskatchewan 1414

- Nova Scotia 1111
- New Brunswick 1010
- Newfoundland and Labrador 77
- Prince Edward Island 44
- Northwest Territories 11
- Nunavut 11
- Yukon Territory 11
- **Total 301308**
The House of Commons
How do MP’s Vote

- Caucus meetings
- Regional concerns are voiced
- Party leaders explain programs, policies, and actions
- Dissent is passed over for tradition
The Senate of Canada

- Upper Parliament
- Independent of the House of Commons
- Must be a Canadian citizen, 30 years of age, live in the province they represent, and own $4000 in property
- May serve until 75 years young
Senate’s Job

- Final check on legislation
- May introduce, debate, pass, and send bills (proposed laws) to the Commons
- A sober second thought
- Provide regional representation
- Investigates or undertakes issues the HC is unwilling to undertake
- Appointed by the Governor General on the recommendation of the PM
- Why is this a problem?
Problems with the Senate

- Maritimes 24
- Ontario 24
- Quebec 24
- Western Canada 24
- Newfoundland and Labrador 6
- Northwest Territories 1
- Yukon Territory 1
- Nunavut 1
More Problems with the Senate

- Liberals 63
- Progressive Conservative 30
- Independent 4
- Canadian Alliance 1

What are some other possible problems? Use your imagination!
The Canadian Milch Cow