

The Structure of Canada's Government

9

FOCUS ON

- How is Canada's government organized as a representative democracy?
- What is a constitutional monarchy?
- What powers do the central government and provincial governments have under Canada's federal system?
- How does the parliamentary system of government work in Canada?
- Should the role and composition of the Senate be changed?
- How are bills passed into law?
- What is the role of municipal governments?
- Should the division of powers be changed to give municipal governments more control over local affairs?
- How is Aboriginal self-government different from municipal self-government?

Counterpoints Issue

- Is the Senate worth keeping?



Confedspread by Joyce Wieland (1967). Joyce Wieland composed this work of clear plastic compartments filled with different-coloured fabrics as a salute to 100 years of Confederation in 1967.



Expressing ideas What does Wieland's choice of medium and materials tell you about her view of Canada?

Introduction

It sometimes seems as if life would be much simpler without the restrictions placed on us daily by government regulations. Yet, if you were free to run all aspects of your own life, how would you provide health care for yourself? Or organize a method of trading with foreign countries? Or protect yourself from acts of aggression by others? Or obtain the skills and training necessary to enter a career of your choice? Expecting each individual to handle all these aspects of life alone would be unrealistic. Therefore, our nation, like other societies, has created a formal system of decision making to assist us. This decision-making system is called government.

Our government acts, for the most part, according to established rules and procedures, which over time become traditions. The bodies or groups responsible for carrying out specific aspects of the government's work are called institutions, such as the military, the post office, police forces, and schools. Each of these institutions provides services that address the needs of Canadians. Institutions also help to unify people—to promote what is common to all people of the nation.

In this chapter, you will learn about the main features of Canada's federal and representative system of government. We will look at the origins of our system, and at how it works today. We will also look at some of the more controversial aspects of government, such as the campaign to reform the Senate.

Foundations of Our Government

Before the appearance of Europeans, Aboriginal peoples used many methods of decision making and power sharing. Each First Nation had its own system of governance. Some relied upon hereditary leaders whose positions were handed down through a clan or family; others chose leaders based on their wisdom, strength, and other abilities. Still others made decisions in open community discussions. All these methods of decision making relied on participation by members of the community and were carried on from one generation to the next. These traditions were not formally recorded or written into documents. Rather,



Figure 9-1 Members of the Canadian Forces make sandbags in the town of St. Germain, Manitoba, south of Winnipeg, in 1997. The Red River flooded during the spring thaw, threatening to swamp many communities.

Gathering information The military is one example of a government institution. What other institutions can you think of?

they were a part of the oral (spoken) traditions of Canada's First Nations.

Our formal methods of decision making, including written laws and institutions such as elections, have their roots in the traditions of the nation states of Europe. European colonists brought their forms of government with them to North America. In Canada, the British parliamentary tradition became the basis for our national and provincial governments. The principal features of this tradition are representative democracy and constitutional monarchy.

Representative Democracy

Canada operates on democratic principles. **Democracy**, which means “rule by the people,” was first practised by the ancient Greeks. In the Greek city states, every eligible citizen participated directly by voting in all the decisions that affected society. This was called **direct democracy**. In modern societies, our large populations make this much involvement by each individual impractical. Instead, citizens in **representative**

democracies such as Canada allow elected representatives to make decisions on their behalf.

Constitutional Monarchy

Canada has strong historical ties to Great Britain, and has adopted many British political institutions and traditions. One of these is **constitutional monarchy**—the recognition of a monarch (king or queen) as head of state. The current monarch of Canada is Queen Elizabeth II, who is also the monarch of the United Kingdom and sixteen other nations that have some form of British political tradition. In Canada, the monarch is represented by the governor general.

Queen Elizabeth does not actually rule Canada—or any other nation—alone. She is not involved in the everyday affairs of governing the nation. For example, although royal assent is necessary before a proposed law is passed, this assent is rarely, if ever, withheld.

However, the presence of the monarch represents a crucial safeguard for our democracy. This is because she holds the powers of the

Figure 9-2 Democracy was established in Athens around 500 BCE. Citizens were guaranteed the right to membership in the Assembly, freedom of speech, and equality before the law. The Greek concept of “citizen” was limited to free men (not slaves or women) who owned property.

Thinking critically

What qualifications do you think should be required for a person to be considered a “citizen”?

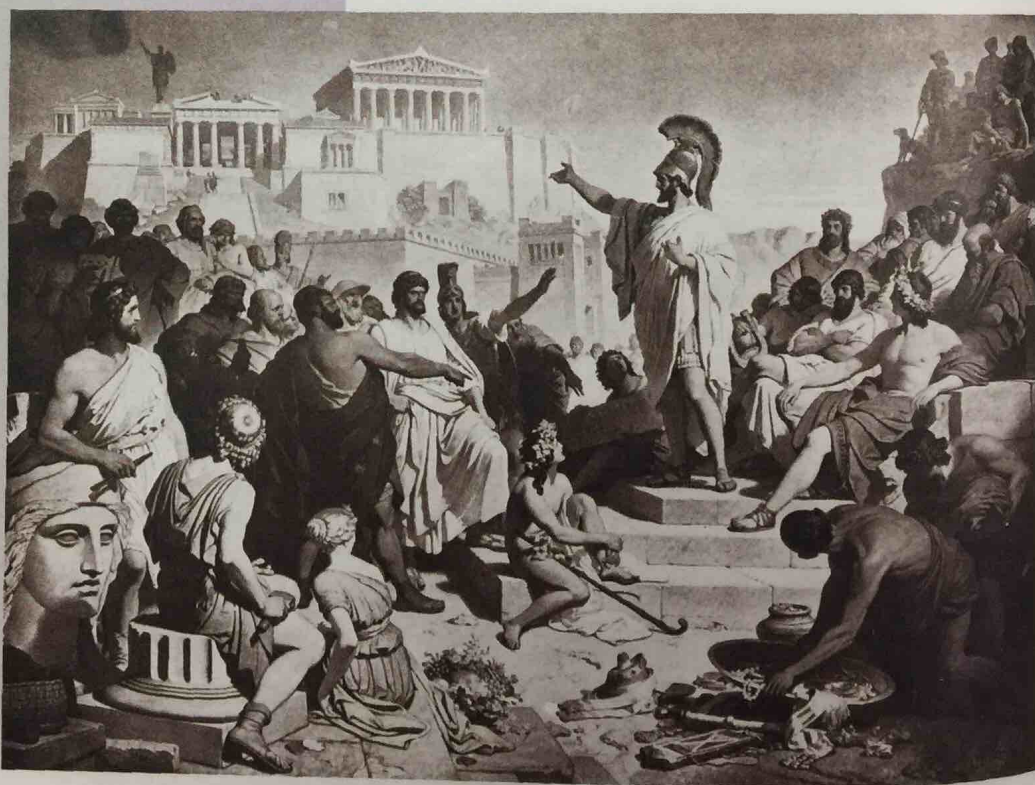




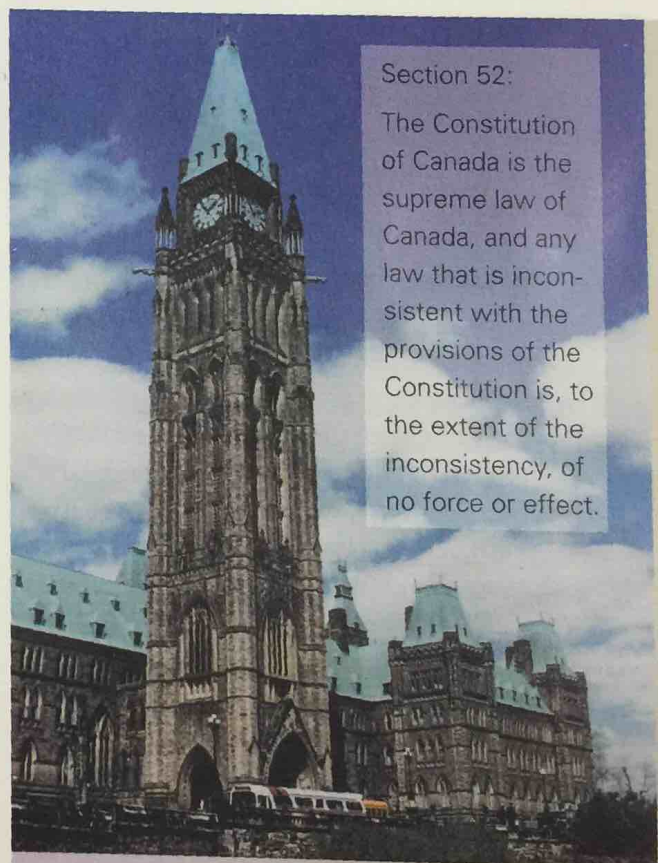
Figure 9-3 Queen Elizabeth signs Canada's constitutional proclamation in Ottawa on April 17, 1982, as Prime Minister Pierre Trudeau looks on.

Thinking critically Some people think we should cut our ties to the British monarchy. How would this change the structure of our government? Do you think this is a good idea? Why or why not?

Crown. The Crown has ultimate power, beyond that held by any particular government at any particular time. Under our current system, the powers of the Crown are vested in the queen, and in the governor general as her representative.

For example, if the prime minister were to decide not to call an election within five years as required by law, the governor general could order him or her to do so—in the name of the Crown. If the prime minister refused, the governor general could call on the army to force the election. This ultimate authority ensures that no one, not even the leader of the nation, can ignore the law. This is the power of the Crown.

The powers and responsibilities of the monarch and the governor general, as well as those of citizens, elected representatives, and others who make up our government, have developed over time. The specific details are set out in the Canadian Constitution, a legal document that outlines who should have the power to make various decisions. Our Constitution is the supreme law of the land. It outlines the structure of our government and defines and limits the government's power. Canada is called a constitutional monarchy because the powers and responsibilities of the monarch are subject to the laws set forth in the Constitution. Not even the monarch is exempt from following these laws.



Section 52:

The Constitution of Canada is the supreme law of Canada, and any law that is inconsistent with the provisions of the Constitution is, to the extent of the inconsistency, of no force or effect.

Figure 9-4 An excerpt from the Canadian Constitution.

Identifying viewpoint What view of power and responsibility is evident in this excerpt? What does this indicate about our system of government?

The Written Constitution

Canada has both a written and an unwritten constitution. Most of the written part, drafted in 1867 during Confederation, was originally called the British North America (BNA) Act. The powers of the representatives of the citizens, the federal and provincial governments, and the monarch were set out in this act. Since its amendment in 1982, Canada's written Constitution now has three main parts:

- a description of the powers of provincial legislatures and Parliament, as well as their parts and authority
- a Charter of Rights and Freedoms that outlines the basic rights and responsibilities that all Canadians possess
- an amending formula, which sets out ways in which the Constitution may be changed or altered. This formula requires that the federal government and seven of the ten provinces agree on the proposed amendment or change. The seven provinces must make up at least one-half of the total population of Canada.

The Unwritten Constitution

There are other rules and practices concerning the roles and functions of Parliament and provincial legislatures that are unwritten. These are based on the thousand years of parliamentary tradition that we have inherited from Britain. These traditions, along with the written Constitution, provide the basis for the sharing of power between rulers and the people.

Numerous customs, laws, and statutes that are a part of the British tradition make up the unwritten part of our Constitution. For example, there is no mention of political parties in the Constitution Act, yet they are an important part of how we govern ourselves (see Chapter 10).

The Federal System

At the time of Confederation, the colonies of Canada East and Canada West (which became Quebec and Ontario, respectively), New Brunswick, and Nova Scotia were united to form

the nation of Canada. Unity would allow the once-separate colonies to pool their resources for defence, trade, and other common goals. However, none were willing to give up their autonomy completely to a central government. As a compromise, the Fathers of Confederation chose to unite these provinces under a *federal system*—an organization of regional governments (provinces), each acting on behalf of its own residents, with a central government in Ottawa responsible for matters vital to the nation as a whole. This system is sometimes referred to as *federalism*.

Areas that require a consistent national policy such as defence, currency, and the postal system were made a federal (or central) responsibility. The provincial governments were given jurisdiction over areas “best handled locally,” such as education. There are also areas of shared powers: for example, both the federal and provincial governments can create laws regarding agriculture, immigration, and the environment.

The Fathers of Confederation assigned all new areas of decision making that did not yet exist or were not listed in 1867 to the federal government as **residual** (leftover) **powers**. This is why the federal government is responsible for laws regarding telecommunications and information

Federal Responsibilities	Shared Responsibilities	Provincial Responsibilities
National Defence	Immigration	Education
Foreign Policy	Agriculture	Charities
Aboriginal Affairs	Health Care	Health Services & Hospitals
Postal Services	Natural Resources	Licences
Banking System	Environmental Issues	Highways
Marriage & Divorce Law		Provincial Court System
Criminal Law		Provincial Police & Prisons
Federal Prisons		

Figure 9-5 Some federal, provincial, and shared responsibilities.



Figure 9-6 The environment is one area of overlapping powers between the federal and provincial governments. For example, the Lakeview coal-fired power station in Ontario is a major emitter of nitrogen oxide, which pollutes the air in Canada and the United States. The federal government has the responsibility to negotiate smog reduction limits with the United States, but cannot force the Ontario government to reduce that province's emissions.

Thinking critically What are the disadvantages of shared powers with regard to the environment?

services such as cable television stations, computers, modems, and faxes. The Fathers of Confederation could not have predicted such advances in technology, yet they had the foresight to provide for the control of "unknown possibilities." Still other federal responsibilities include issues related to debt and social security reform.

Soon after Confederation, the provinces began challenging the powers of the federal government. At that time, the judicial committee of the Privy Council in Britain was the court that dealt with constitutional matters, and its decisions consistently favoured the provinces. Today, the Privy Council no longer makes these decisions for us, but the division of powers between federal and provincial governments is still a contentious issue. The separatist movement in Quebec is one example of this tension, but not the only one. Provinces in Canada's West and East feel that the policies of the federal government have always favoured the populous central provinces of Ontario and Quebec. The Reform Party started in 1987

in the western provinces as a response to this feeling of lack of power and alienation from decision making. In 2000, the Reform Party attracted disaffected members of the Progressive Conservative Party and became the Canadian Alliance Party. The Canadian Alliance was elected as the official opposition in November 2000. As we saw in Chapter 3, eastern provinces have also tried to form alliances in order to increase their power.

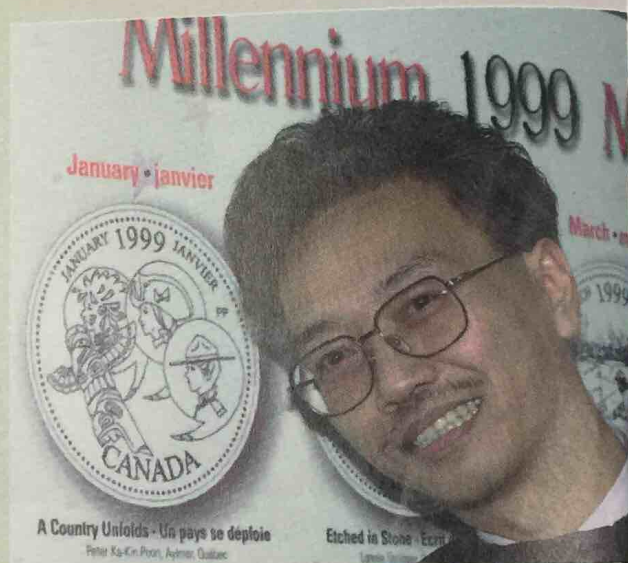
The Creation of Municipal Governments

The local, or *municipal*, level of government has the greatest amount of contact with individual citizens. The essential services that municipalities provide include garbage collection and disposal, sewage treatment, fire protection, water supply, and establishment of schools. However, municipal governments do not have the same level of autonomy as provincial or territorial governments. Under the Canadian Constitution, provincial governments decide what form municipal governments take, their powers, and their responsibilities.



Figure 9-7 (Left, top:) Commuters in Montreal; **(left, bottom:)** a magnetic imaging clinic in Richmond, B.C.; **(below)** artist Peter Ka-Kin Poon beside his design for a new twenty-five-cent coin, one of twelve designs issued in 1999.

Using evidence Which level of government do you think is responsible for each of the activities shown in these pictures? Give reasons for your answers.



ACTIVITIES

1. Brainstorm how government has affected you since you woke up this morning.
2. Create a web diagram showing your connections to groups and organizations in Canadian society, including family, friends, institutions, and government. Explain the connections in terms of what is shared between you and others.
3. What is the difference between direct democracy and representative democracy?
4. What organizations do you belong to that have a constitution? Why is a constitution necessary in a complex organization?
5. Use a two-column chart to summarize the advantages and disadvantages of the monarchy.
6. What forces hold Canada together today? Consider interests or concerns that people across the country share. What forces are pulling us apart? Consider issues that separate provinces or regions.

The Parliamentary System

In Canada, the powers of government are divided into three branches: legislative, executive, and judicial.

The **executive power** of government is the power to make decisions and administer them (through the civil service). For example, at the municipal level, governments may inspect businesses and restaurants. At the provincial level, governments decide on the number of examinations high school students must write. At the federal level, the government may decide to purchase helicopters for national defence.

Legislative power is the power to make laws. All three levels of government—federal, provincial, and municipal—have the power to make and amend laws, many of which have a direct impact on your life. For example, the federal government in Ottawa makes laws in Parliament concerning funding for the armed forces; your provincial government establishes the taxation rate for educa-

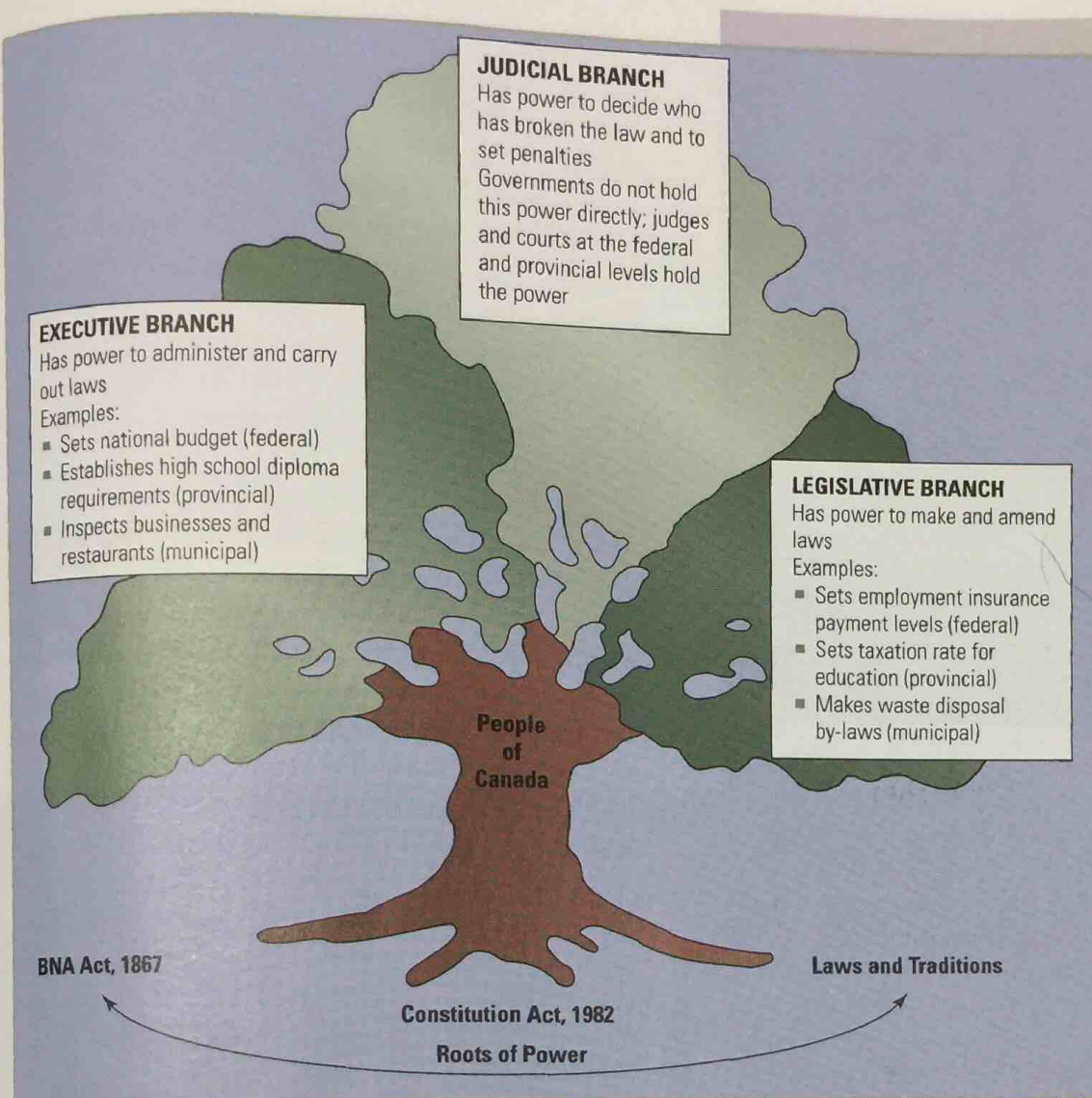


Figure 9-8 The three branches of government and the roots of power.

Developing understanding

Consider the way the federal and provincial governments are organized into three branches. What does this method of organization show about our views of leadership and decision making?

tion; and your town or city council may pass by-laws to determine how to dispose of local garbage.

Judicial power is the power to interpret and administer the law. Governments do not hold this power directly. In democracies such as Canada, the *judiciary* is separate from the other two branches of the government to ensure that the government acts within the boundaries of the Constitution and the laws of the land. Judicial power rests with the courts and judges, who act as both referees of private rights and interpreters of the Constitution. Chapter 11 looks at the justice system in more detail.

The Federal Government

The Legislative Branch

The legislative branch of the federal government is composed of the governor general, the House of Commons, and the Senate. These parts of the legislative branch make up *Parliament*.

Parliament must meet at least once a year in what is called a *session*. In each session, Parliament passes new laws, amends or repeals (removes) others, and debates issues of concern to Canadians. (The process for passing laws is described later in this chapter.) During question period, opposition parties challenge the government's actions and raise issues they feel the government needs to address. Individual members of Parliament may bring

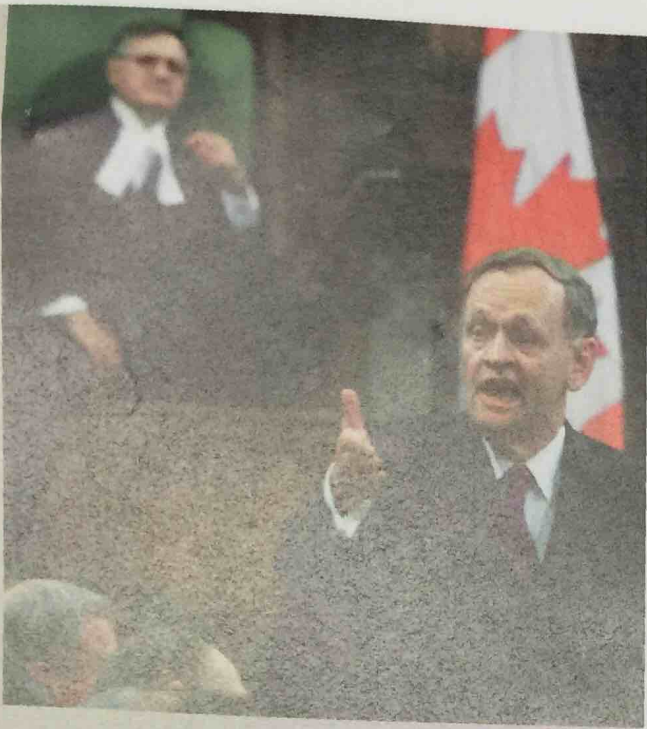


Figure 9-9 Speaker of the House Gilbert Parent looks on during question period in November 1999, as Prime Minister Jean Chrétien defends his decision to introduce the clarity bill setting ground rules in the event of a referendum on Quebec secession. Exchanges during question period are often heated. Many of the sound bites (short video or audio clips) that you see and hear on the news are from question period. You can watch question period in its entirety on the cable Parliamentary channel (CPAC).

Developing understanding What purpose(s) do the exchanges during question period serve in the democratic process?

up issues that their constituents have raised with them. Usually, a Cabinet minister or the prime minister will respond to the questions, explaining the government's position on the issue.

The House of Commons

The House of Commons, or Lower House, is the only part of the legislative branch that has elected members. Elections for seats in the Commons must occur every five years, unless the prime minister calls an election at an earlier date. Canada is divided into areas that are roughly equal in population (100 000 citizens) called *ridings* or con-

stituencies. Eligible voters in each riding elect one candidate to represent them in Parliament. Together, the elected representatives, or members of Parliament (MPs), make up the Lower House.

The total number of seats in the House of Commons is determined by the population of Canada. This means that as our population increases, the number of seats in the Commons may increase. In 2000, there were 301 seats (up from 282 in 1986); of this number, 178 came from the more populous provinces of Ontario and Quebec.

Debates in the House of Commons are controlled by the speaker of the House. The speaker (who is also an elected MP) is elected by the other members of Parliament and has a range of duties to perform. Most importantly, he or she oversees the impartial operation of the House, applying the rules of Parliament fairly and firmly to all members, including the prime minister.

In the House of Commons, members sit with their party. Opposite the government party (the group with the largest number of elected representatives) sit the opposition parties. The opposition is made up of all the MPs from parties other than the party in power. The leader of the second-largest party in the House usually becomes the official leader of the opposition.

The opposition's job is to scrutinize the actions of the government. This close examination is an important part of the governing process. It helps to ensure that the views of all Canadians are represented. Many of the laws that are passed in Parliament do so with full support of the opposition.

How Do MPs Vote?

Each political party having elected representatives holds private meetings called a **caucus**. In these meetings, elected party members have an opportunity to discuss concerns and to express opinions freely. Party leaders explain their programs, policies, and actions. These discussions may become heated, as each member is allowed to disagree or challenge the party's position. Once a decision is made in caucus, however, tradition holds that all MPs are expected to vote in favour of the party's position in the House of Commons.



Figure 9-10 Seats in the House of Commons, 2001.

Thinking critically Why do some provinces have more seats than others? Explain how this seat distribution might contribute to the feeling that Ontario and Quebec dominate decision making in Canada.



Figure 9-11 The House of Commons. The speaker of the House sits on the dais between the rows of MPs. He or she controls the debate and announces the results of votes. The prime minister, Cabinet, and the ruling party sit on the speaker's right, while opposition MPs sit on the speaker's left, facing them.

Thinking critically How does this seating arrangement reflect the way our government works?

Some question whether representatives should vote as expected by their party or according to the desires of their constituents. This places elected representatives in a difficult position. What are MPs expected to do when the communities they represent want them to vote against a proposal put forth by their own party? Where does an MP's first loyalty lie? One method used to address this situation is the *free vote*, which allows members of the legislature to vote according to what they believe is best, rather than following the party position. Free votes are used relatively rarely, however, and usually on moral issues.

The Senate

The Senate, or Upper House of Parliament, is independent of the House of Commons. It appoints its own speaker and runs its own affairs. The governor general appoints senators on the recommendation of the prime minister. Members of the Senate must be Canadian citizens, at least thirty years of age, and living in the province or territory that they represent. In addition, they must own at least \$4000 worth of property. Senators may serve until they are seventy-five years of age.

The Senate's main role is to provide a final check on the legislation passed in the House of

Commons. The Senate may also introduce bills (proposed laws), debate them, pass them, and send them to the Commons, although this rarely happens.

In addition to giving "sober second thought" to all bills, the Senate is meant to provide regional representation, serving as a forum for the discussion of regional issues. Senate seats are allotted regionally on the basis of population, so provinces with greater populations have more senators. In 2001, there were 105 seats in the Senate. Figure 9-12 shows how these seats were distributed.

The Senate often undertakes investigations into issues with which the House of Commons cannot or will not get involved. For example, it was a Senate committee that initiated an investigation into euthanasia, as the elected body felt it was too sensitive a topic to raise. In addition, senators may work on committees and task forces, and perform diplomatic services for the government.

Prime ministers often fill vacant Senate seats with supporters of their own party, as a form of **patronage** (reward) for their individual loyalty or support. This practice has led to accusations that Senate positions have been handed to people who have found favour with the political leader, rather than to those who are best qualified.

Figure 9-12 Seats in the Senate, 2001.

Reading a map How many Senate seats are held by the western provinces? The Atlantic provinces? Ontario and Quebec? Compare this with the seat allotment for the House of Commons (Figure 9-10).



This charge of patronage also explains why some people claim that the Senate is not truly representative. In addition, while close to 20 per cent of senators are female, almost all members of the Senate come from middle or upper levels of society. Some people feel that senators represent their party rather than their province or region.

Provinces and territories believe they should have a greater say in who represents their concerns in the Senate. Therefore, in 1987, an amendment to the Constitution was passed to allow recommendations for senators to come from the provinces. However, these changes to the selection of Senate members were not significant enough for many Canadians.

ACTIVITIES

1. Draw three diagrams to illustrate executive powers, legislative powers, and judicial powers in Canadian government. Compare your understanding with two other students. What ideas do you share? What ideas are unique to your summary?
2. Explain the role of the following in our representative democracy:
 - a) caucus
 - b) the opposition.
3. What qualities does the speaker of the House need to do the job well? Watch a session of question period on the cable Parliamentary channel to see the speaker at work.

counterpoints

Is the Senate Worth Keeping?

Patronage is not the only criticism that is levelled against the Senate. Dissatisfaction with its present structure takes several forms, from calls for its complete abolition to various proposals designed to increase its role in the operations of government.

Option 1: Abolish the Senate

Some people feel that the Senate should simply be abolished. They feel it is outdated, unnecessary, and undemocratic. They argue that patronage has effectively destroyed any role the Senate may have had as a representative of the regions, and that it is too costly to justify keeping—in any form. Instead, more power should be vested in elected members of the House of Commons:

...[T]he Senate can never be reformed. The Reform Party members have said that the Senate costs us

\$60 million and that they want to reform it. They want an elected Senate which will cost Canadians \$120 million or more every year to operate. If we put this question to a referendum and asked Canadians if the Senate should be abolished, my sense is that they, in a unanimous way—probably around 80% to 90%—would support the abolition if the alternative, as the Reform has said, will cost twice as much money.

...[W]e are already overgoverned in this country. We have municipal governments, urban hamlets, towns and villages, rural municipalities, counties, school boards, hospital boards, provincial governments, the federal House of Commons, and the Senate. We have more governments than people want to pay for. They are asking us to downsize the number of politicians, not to increase the number of politicians.

Source: Hon. John Solomon, NDP member for Regina-Lumsden-Lake Centre, *Debates of the House of Commons*, February 24, 2000.

Option 2: Reform the Senate

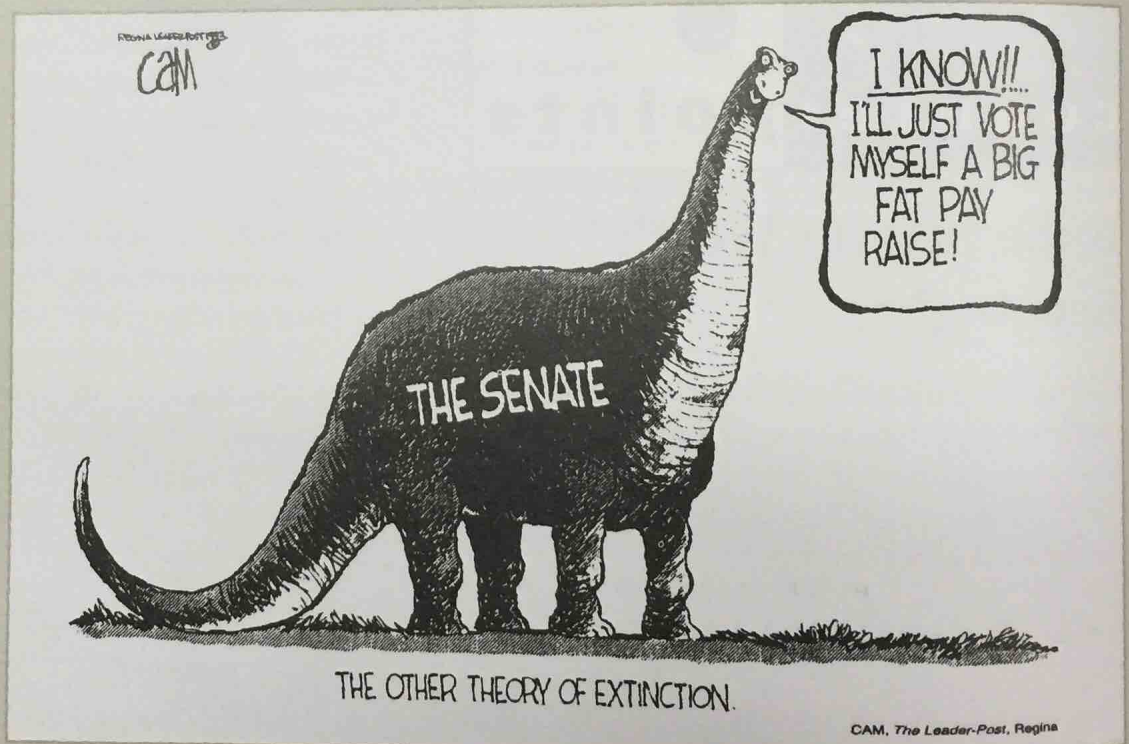
Others, however, feel that the Upper House has some value, but needs renewal. Support for reforming the Senate is strongest in Alberta, where many people feel

Figure 9-13

Okay, now let's all think **asymmetrical Triple-E** ...
Everything Ontario wants they get,
Everything Quebec wants they get,
Everyone else gets whatever is left over ...



Interpreting a cartoon What view of the Senate does each of these cartoonists hold? Do you agree with either of their views? Explain your reasons.



that the number of seats held by Ontario and Quebec gives the central provinces too much power at the expense of smaller provinces.

Some seeking major revisions to the Senate and its role in the legislative branch advocate the creation of a "triple-E" senate (elected, equal, and effective).

This proposal was originally put forward by Preston Manning, leader of the former Reform Party:

Many people have approached me and said the Senate should simply be abolished—that it is a waste of money. I agree that the current Senate

arrangement is not serving Canadians. But, if we abolish the Senate, Canadians outside of Ontario and Quebec will continue to be at the mercy of Central Canadian influence. The Senate has the potential to provide a more balanced regional representation to protect less populous areas of the country. In addition, the Senate should act as a chamber of sober second thought on government legislation. While an elected Senate is the first step to achieving true representation, it is only one-third of what is needed to ensure Canadians are truly equal. The answer is a "triple-E" Senate:

Effective: Under current legislation the Senate has the power to be effective in representing regional interests and sober second thought. However, because the Senate is not elected and represents the worst of partisan, political patronage, it lacks all legitimacy. It is unaccountable to Canadian taxpayers.

Equal: Although Senators frequently say that they will take on regional interests, when push comes to shove they invariably vote along party lines. If they were elected they would be accountable to the regions they represent.

Elected: The starting point of Senate reform so that Canadians will have a lawmaking system that reflects the needs of this great country is with the election of Senators. The Senate and its important functions will never be a legitimate part of the lawmaking body, unless its members are accountable to the people of Canada through a democratic election process.

Option 3: Keep the Senate As Is

But others feel that we should not rush to move from the present model. They note the benefits of having a body that is not subject to the whims of the public, and point to the unnoticed contributions and vast experience of Senate members:

An elected Upper House would naturally end up challenging the House of Commons. In our system, it is the Commons that determines key elements of government and social policy. The present Senate regularly improves legislation so that it does what it was meant to do, to safeguard minority or general human rights. However, although it has wide powers under the Constitution, the Senate

rarely defeats a basic policy the government has approved. Australia's experience suggests that an elected Senate holding these same powers might not be so scrupulous.

Source: Adapted from Senator Joan Fraser, "Senator Fraser Defends the Red Chamber," *National Post*, February 29, 2000, A19.

...The Senate is truly a chamber of sober second thought. To perform that role properly, this chamber should be above the partisan factions of the day. This chamber is supposed to be above the day's fads and fantasies, and it is supposed to be independent....

I venture to say that the experience accumulated in this chamber exceeds that of any task force, commission, or advisory group ever established by a government. It would cost substantially more than the cost of operating this place if this group charged the government for its services and advice at rates available to them in the private sector.

Source: Senator William M. Kelly, *Senate Debates*, December 15, 1997.

Analysing the Issue

1. In your own words, explain the main arguments in each of the quotations above.
2. Which provinces stand to gain the most from the "triple-E" proposal? Which stand to lose? Prepare an advertising campaign that provinces in favour of the triple-E senate might use to convince voters in other provinces to support a triple-E proposal.
3. Some groups feel that the Senate should be made more representative of women and minorities. Brainstorm ideas for reform that would help to meet this criterion.
4. Present your own view of what should (or should not) happen to the Senate. You may choose one of the options discussed above, or another idea of your own. You may want to do some more research before you present your proposal.

The Executive Branch

The executive branch of the federal government includes the governor general, the prime minister, the Cabinet, and the public service.

The Governor General

As the monarch's representative, the governor general gives *formal assent* (agreement) to a bill before it becomes law, performs ceremonial functions, and acts as an adviser to the government to ensure it abides by the Constitution. Although the Constitution Act of 1867 declares the monarch holds executive power and authority,

Figure 9-14 Governor General Adrienne Clarkson (right) shares a cup of iceberg tea with a Nunavut elder during a visit to celebrate the territory's first anniversary in 2000. In 1999, Clarkson became the first immigrant to hold the post of governor general. She came to Canada as a refugee from Hong Kong when Japan invaded the former British colony in 1942.

Thinking critically What kind of person do you think would make a good governor general?



it is the prime minister and the Cabinet who run the daily affairs of the federal government.

The Prime Minister

In Canada, citizens do not directly choose the leader of their nation. Instead, the leader of the political party with the most elected representatives in the House of Commons is usually asked by the governor general to become prime minister. A *political party* is an organization of individuals who support a common set of goals and beliefs (see Chapter 10). Each political party elects its own leader and has candidates who run for office during federal elections.

The leader of the federal government has several important roles to play—as the head of government, the leader of the nation, and the leader of a national party.

As the *head of government*, the prime minister asks the governor general to name new judges and senators; decides on the best time to ask the governor general to call an election; chooses and changes Cabinet members to reflect the needs of

the ruling government; and has the final say in creating the policies of the government in power.

As the *national leader*, the prime minister addresses Canadians on issues of national concern and explains the goals of the ruling party; represents Canada on trips to other nations; speaks on behalf of all Canadians at international meetings; and works with provincial premiers to coordinate and share responsibilities.

As a *party leader*, the prime minister acts as spokesperson for his or her party; gives out patronage appointments, rewarding loyal supporters with positions in the Senate, diplomatic corps, or government-operated businesses; and leads other party members in Parliament.

The Cabinet

The **Cabinet** is made up of elected party members chosen by the prime minister. Usually, the prime minister designates each member of the Cabinet as a minister responsible for a particular government department, such as defence or finance, or as a more junior secretary of state. The task of selecting a Cabinet is very difficult and extremely important to maintaining support for the ruling government. The prime minister attempts to select ministers who reflect the cultural, linguistic, and social diversity of the nation.

An ideal federal Cabinet would include equal numbers of men and women, as well as representatives from all the regions and major ethnic groups that make up the country. Of course, such a perfect balance is never really achieved.

Cabinet ministers are responsible for their department's efficient and effective operation and finances, as well as the actions of their staff. They also speak on behalf of their department in Parliament and in public. However, ministers usually rely heavily on the advice of their department's staff in drawing up proposals for new legislation, and seek staff counsel regarding specific problems that Cabinet is examining.

In Cabinet meetings, which are held in private, members may express their views frankly, and even question the leadership of the prime minister. Publicly, however, Cabinet members must display full support for their leader and the decisions of the government. This show of strength is called **cabinet solidarity**, and is important as

Figure 9-15 The federal Cabinet with Prime Minister Jean Chrétien, 2000.

Using evidence How representative of the diversity of the people of Canada does this Cabinet appear to be? What is the significance of the prime minister's position in the photograph? The governor general's?



a demonstration to the public that the government is united and confident in its plans. Cabinet ministers who are unable to accept the decisions of the government are usually expected to resign.

Solidarity is so important that parties usually elect one member to act as *party whip*. The whip's role is to ensure that members are present in Parliament to support party bills and vote in the legislature. Occasionally, party whips discipline members who do not behave as expected by their party. In 1996, Liberal MP John Nunziata was forced to resign for speaking out against a policy of his own party. He later ran as an independent, not affiliated with any party, and won his seat.

The powers of the prime minister and the Cabinet extend beyond the executive level. Because they introduce bills that eventually become laws, the prime minister and Cabinet also hold legislative power. This is why it is so important that the Cabinet be representative of the entire nation and that the prime minister and Cabinet act in the interests of all Canadians.

The Public Service

The public service is often referred to as the civil service or the bureaucracy. It is a group of permanent employees who perform the ongoing business of government. Civil servants are often the

only direct contact that most of us have with our government. As such, they are the "face" of government for many people.

Public servants provide a vast range of services. They gather statistics, write details for new laws, and represent Canada in other countries. Other public servants carry out the laws; they collect taxes, monitor the flow of imported goods, and inspect food. Still others process passports, deliver the mail, answer questions for citizens regarding government programs and policies, and fulfil thousands of other tasks necessary for a government to run effectively.

Senior civil servants advise ministers and help draft new laws. These high-level bureaucrats can wield a great deal of influence over public policy. They hold hidden power through the influence and controls they exert over how the government responds to the needs and requests of citizens.

How a Bill Becomes Law

Any member of the House of Commons or Senate may introduce a bill. If the member is not in the Cabinet, the bill is referred to as a *private member's bill*. However, few private member's bills pass into law. The procedure for making a law is complex and requires a great deal of sup-

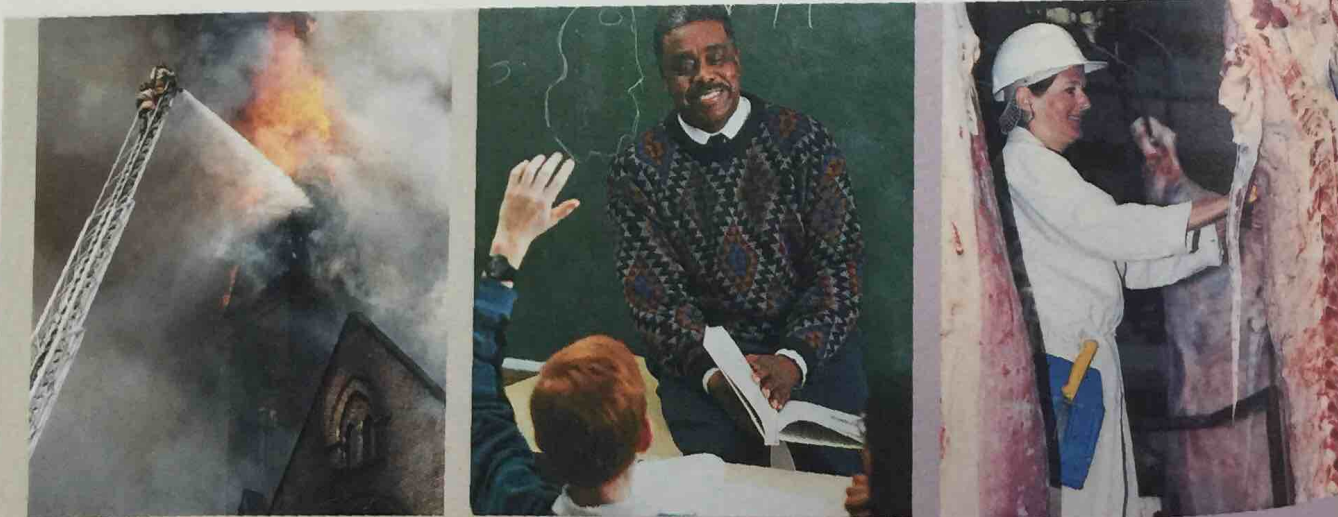


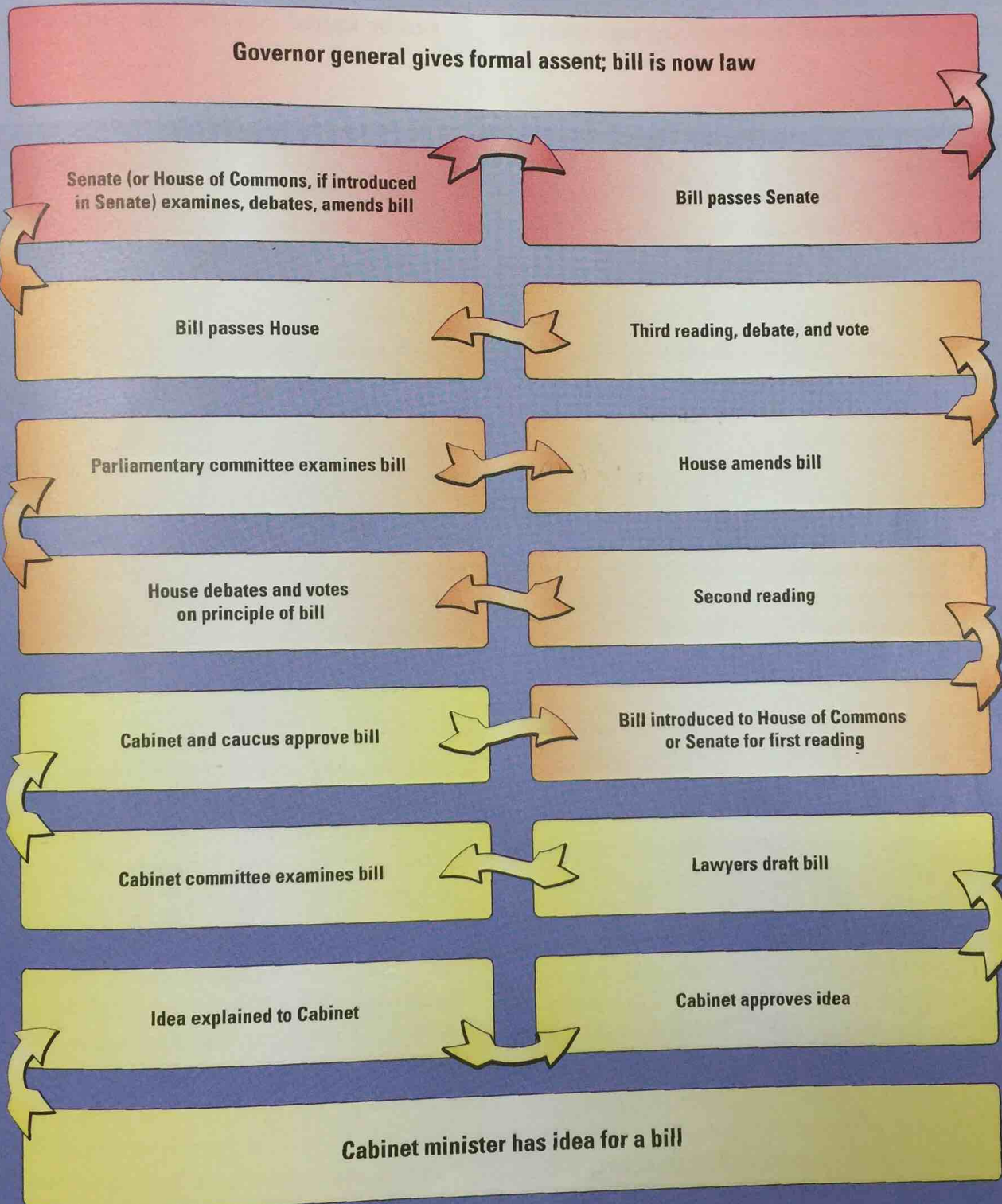
Figure 9-16 Public servants are employed by all three levels of government. Firefighters work at the municipal level, teachers at the provincial level, and food inspectors at the federal level.

Gathering information How many other civil service careers can you think of?

port from other members of the House to be successful. Therefore, the Cabinet usually controls which bills are introduced. Figure 9-17 illustrates the passage of a government bill into law.

Figure 9-17 How a bill becomes a law.

Thinking critically Why are there so many steps in the process of making laws? Why do we use such a lengthy process?



Cabinet decides on which matters require new legislation. Specialists in the government department concerned investigate policies and alternatives and report to the minister in charge. The minister then reports to Cabinet, where a decision to change the existing law, or to create a new one, may be made. After Cabinet has decided how to change the law, government lawyers draft a bill that puts into legal language what the

government wants. The caucus of the governing party meets, and the bill is discussed in private. Any objections or suggestions by the other (non-Cabinet) party members are dealt with here. The bill is then ready to be brought to the legislature for debate and, ultimately, passage into law.

A federal bill must pass three readings in both the House of Commons and the Senate before it can be signed into law. The *first reading* is just a

building your skills

Evaluating Newspaper Sources

The news media—newspapers, magazines, television, radio, and the Internet—are an important aspect of democracy. Governments use the media as a way of communicating policies and decisions to citizens. The media also comment on various aspects of government, reflecting the concerns of citizens back to their elected representatives. It is therefore important that the information in the news media be accurate and objective. It is also important for you to know how to evaluate its accuracy and objectivity.

Three Sources of Newspaper Stories

Only about half of the stories in a typical newspaper are *direct reports* written by a reporter who works for the paper. Others come from *news agencies*, also known as *wire services*, which write stories and send them to newspapers across the country that subscribe to their service. The newspapers may pick up the story as is, or modify it slightly.

How can you tell if a story originated with a news agency? Check the opening line: if it names an agency such as Canadian Press (CP) or Reuters, it was not written by a journalist at the newspaper, but by someone working for a large newswire service.

A third source of stories for newspapers is *press releases*. These are written in the style and format of a news article, but give the perspective of a particular group on an issue or event. Special-interest groups send press releases to news editors in the hope that their group will get publicity for their ideas, events, or view-

points. Federal and provincial ministries issue press releases giving information on new programs and recently passed legislation. Other groups may issue press releases that report on these same events from a different perspective.

Press releases sound objective because they are written in the form of news stories, but they do not provide a balanced view, especially of controversial issues. It is up to the news reporter to check the facts, and to supplement the information with quotes or arguments for the opposing point of view.

Applying the Skill

1. Scan the news section of three daily newspapers to find out what percentage of articles are based on newswire stories. Why do you think newspapers use news agencies? What problems can you see with this practice from the point of view of the reader?
2. Clip major news articles by individual reporters, all writing on the same political event, from three separate newspapers. Do not use stories from a news agency. Compare the articles, noting similarities and differences. How would you account for the differences?
3. Find a recent news article that reports an announcement by a government department. Identify the department, and check its Web site for a press release about the announcement. Compare the press release and the news report. Did the reporter use the press re-

formality. The bill is introduced without debate. This reading allows the opposition parties to see what is in the proposal so that they may prepare for later debates. It also allows the media to notify the public about controversial legislation.

Second reading is where the principle (idea) behind the bill is debated. For example, if the government wanted to introduce a system of gun reg-

istration, the debate would be about whether registering guns was a good thing to do.

If the bill passes second reading, a multiparty standing committee is assigned to study the bill clause by clause to work out the details. This committee stage often allows the public to have a say in the formal legislative process. Committees may hold hearings at which concerned citizens or groups suggest improvements to a bill. The com-

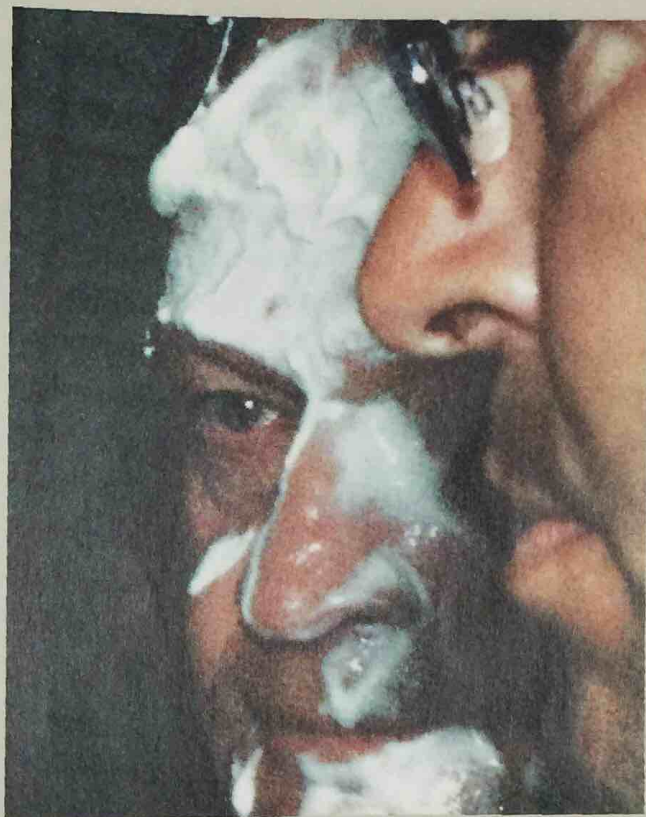
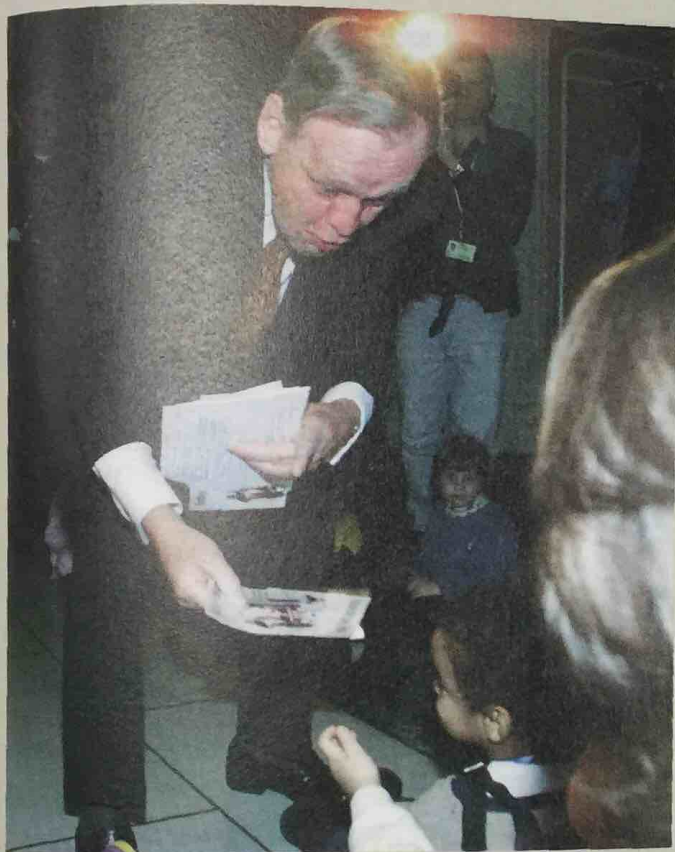


Figure 9-18 Left: Prime Minister Jean Chrétien accepts a petition from pre-schoolers asking for more child care during a protest in the foyer of the House of Commons. "Photo opportunities" such as this are one vehicle for government to reach the public.

Right: The Prime Minister, photographed after receiving a pie in the face from a student who disagreed with some of the government's policies.

Developing understanding What criteria do you think news editors use in choosing a "newsworthy" photograph? How might they decide on the photographs to be used on the front page?

lease as a source? How can you tell? What similarities do you see? What differences? To what extent did the reporter quote directly from the press release?

4. How important is it to recognize the sources of news reports? What are the benefits and drawbacks of the three sources (direct reports, news agency stories, and press releases) mentioned here? Explain your answer.
5. Compare the front pages of three daily newspapers published on the same day in terms of the photographs and lead articles chosen. As a group, discuss and account for the similarities and differences.

mittee then makes its final recommendations on how to amend the bill. In addition, citizens can make their views known through letters to the editors of newspapers and magazines, e-mails or faxes to their MP, radio phone-in shows, or organized protests or demonstrations.

In the *third reading*, the House accepts or rejects the amended bill, usually without too much debate. If accepted, it is then sent to the Senate, where it goes through the same process of three readings. The Senate rarely rejects a bill that has been passed in the House of Commons; however, it may recommend further changes.

If a bill passes all three readings, it is sent to the governor general to be signed. Once signed, the bill becomes law.

ACTIVITIES

1. Prepare a job advertisement for the position of Canada's prime minister. Include a brief job description, including the personal qualities and experience you think are necessary for the job.
2. **a)** What is cabinet solidarity?
b) As a class, discuss some situations in which a Cabinet minister may not wish to follow cabinet solidarity.
3. How important is it that Cabinet reflect the diversity of population as well as regions of the country? Give three reasons to support your view.
4. **a)** At what stage do members of the public have an official opportunity to have input into a bill that is presented in the legislature?
b) Explain why few private member's bills are passed in legislatures.
c) If you were an MP or MLA introducing a private member's bill, whom would you want to support the bill before introducing it?
5. If you were a member of a federal or provincial cabinet, what bill would you try to get passed? Choose an issue that is important to you, and give a brief speech to your class in support of your bill. Highlight arguments in favour of the bill that demonstrate how it will benefit various segments of society.

Provincial/Territorial Governments

Like the federal government, provincial and territorial governments have three branches: the executive, legislative, and judicial, which are very similar in structure to their federal counterparts. In the provincial executive, the *premier* takes the role of the prime minister, and the monarch is represented by a *lieutenant-governor*. Provinces and territories have only one house, called the legislature, which is equivalent to the House of Commons (in Quebec, it is called the National Assembly). There is no provincial equivalent of the Senate. Members elected to sit in provincial legislatures are called either MLAs (members of the legislative assembly) or MPPs (members of the provincial parliament), depending on which province they serve in. Bills that pass three readings in a provincial legislature are ready to be proclaimed into law by the lieutenant-governor.

Provincial and territorial governments play a direct role in the lives of citizens in each region of Canada. Tensions inevitably arise between the federal and provincial governments, especially where their interests coincide or overlap. Leaders of a provincial government may also find their policies and interests are not the same as those of other provincial governments.

As you learned earlier in this chapter, provincial governments have responsibilities in areas that include education, the environment, health and social services, transportation, and negotiations with the federal government.

Education

Canadians expect a great deal from the educational system, in part because of the need for specialized training and employment skills. In addition, our schools share responsibility with family and society as a whole for helping students acquire the basic skills required to be productive citizens in a democracy.

The costs of education are rising as our expectations increase. Responsible governments attempt to balance the expectations of their citizens

Federal Government	Role	Provincial/Territorial Governments
Governor General	Representative of the monarchy	Lieutenant-Governor
Prime Minister	Leader of the government and party in power	Premier
Cabinet	Ministers responsible for departments, as chosen by the leader of the government	Cabinet
House of Commons (Lower House)	Part of legislative branch of government, where elected representatives make and change laws	Legislative or National Assembly
Senate (Upper House)	At the federal level, provides "sober second thought" to actions of Parliament	[No equivalent]
Public Service	Civil service or bureaucracy: non-elected people who conduct the daily business of government	Public Service

Figure 9-19 Parallel roles in federal and provincial governments.

Thinking critically Suggest reasons why the Fathers of Confederation did not think a body like the Senate was necessary at the provincial level.

with the need to spend money responsibly. Provincial governments must provide for the needs of their citizens without creating burdensome debts for future generations.

Environment

Provincial governments are responsible for the policies and laws that determine how resources will be used in a province. These governments must consider the current demands for resources by industry and citizens, as well as the need to conserve resources for future generations. They must try to find a balance between present and future use that will not have a negative impact on economic growth, employment, and the development of vital industries. For example, the logging and paper production industries in British Columbia employ thousands of workers, directly and indirectly. The forests must be carefully managed and cared for to ensure that tree cutting does not damage the environment or destroy natural habitats.

Health Care and Social Welfare

Health care is a shared responsibility, with the federal government providing some funding from its budget to the provinces and territories in ex-

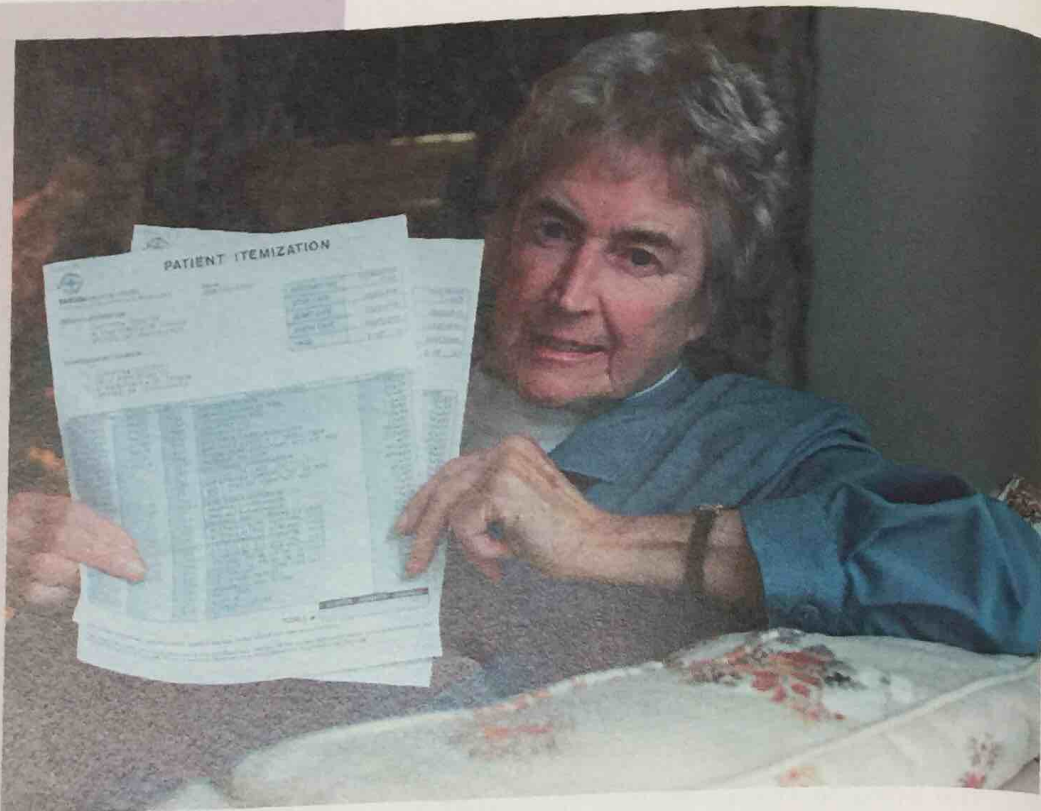
change for national standards of health care. These regional governments then decide how to spend the money to provide the services and care their citizens require. Hospitals, testing, long-term care, and other forms of health care are established and maintained by provinces and territories.

Canada's population is aging, with more people over the age of fifty than under twenty. As people age, they require more health services. These services are costly and in greater demand each year. Health care is usually the largest item in provincial budgets.

To help cut costs, most provincial and territorial governments are moving towards more community-based care, focussing on prevention and on keeping patients in their own homes as much as possible. Patients and their families are being asked to pay for more of the services they receive, and hospitals have been forced to cut back drastically on services.

But as waiting periods for expensive hospital treatments grow, some patients are choosing to travel south to the United States, where they can pay for more immediate medical care. This has raised concerns that a "two-tier" medical system is emerging, in which those who can afford to pay receive better care than those who can't.

Figure 9-20 Dorothy Gawenda paid \$10 000 for surgery in Seattle after doctors told her she might lose the use of her arm. She decided to get off the surgical waiting list in British Columbia after waiting seven months for surgery in Canada.



In the late 1990s, the federal government cut over \$4 billion from its transfer payments to the provinces for health care. This made it difficult for the federal government to insist that provinces not charge fees for some services, or not privatize some parts of their health care system.

Transportation

As urban areas grow, the importance of transportation also increases. While the provinces have primary responsibility for transportation, they must work closely with the federal government to coordinate the development of railways, public transit, and airports.

Negotiation with the Federal Government

You have seen that the federal and provincial governments share jurisdictions in certain areas, such as the environment. As well, through equalization and transfer payments, they share the costs of trying to ensure that Canadians enjoy a similar level of services across the country.

As you learned in Chapter 8, relations between the federal government and the provincial

government of Quebec have been seriously strained since 1982. Discontent in the West—the feeling that the interests of central Canada dominate federal policy decisions—has been a problem since the 1870s. For example, the western oil-producing provinces were not consulted during the oil crisis of the 1970s and early 1980s, when world oil prices soared, and the federal government legislated a National Energy Program to control domestic oil prices and so protect eastern consumers. The rise of the Reform Party was a response to this lack of consultation, as a way for western interests to be heard.

The two levels of government, federal and provincial, continually work to redefine their balance of powers. Conflicts sometimes occur over which level should provide specific services, and the amount of revenue each should receive—for example, from taxes and sales of natural resources such as lumber, oil, and gas. If a dispute remains unresolved, the Supreme Court of Canada may be asked to make a decision. The Court's decision is final and binding for both federal and provincial governments.

Dennis Streifel

Dennis Streifel is a former backbench MLA in the B.C. Legislature who also held a number of cabinet positions, including Minister of Forests, Minister of Social Services, Minister of Human Resources, and Minister of Fisheries. He lost his seat in the turn-around election in 2001 when the Liberal Party swept to power, winning 77 of the 79 seats in the legislature.

What was a typical week like for you?

There are two parts to an MLA's life: when the Legislature is sitting, and when it isn't. When we were in session, I spent four days a week in Victoria at the Legislature, dealing with government business. I attended meetings, worked on committees, and attended sessions of the Legislature.

When we weren't in session, I was usually at my constituency office in Mission, or attending functions in the community. I met with a lot of community groups—arts groups, representatives of business or industry, citizens' groups—and individual citizens who

wanted my help with a whole range of issues. Sometimes people only needed information about government departments or programs. Other times they wanted me to intercede directly.

MLAs work extremely hard. A citizen's committee that reviewed MLAs' compensation found that most MLAs put in about seventy hours a week, including evenings and weekends. They spend a lot of time travelling. When we were in session, I used to drive to Victoria on Sunday and return home on Friday. It took about ten hours to do the round trip every week. When we weren't in session, I was in Victoria about two to three days a week.

How would you compare the job of a backbench MLA with that of a cabinet minister?

When I was a backbencher, I thought there was no way I could possibly do more than I was doing. But then I became a member of cabinet, and I found out that cabinet ministers are twice as busy as backbenchers! You get one extra staff member in the constituency office when you're in cabinet, and that person has to represent you at a lot of local functions, because there's no way you could fulfil all those obligations and still do your job in the ministry. Your staff must keep you informed of what's happening, which can mean phone calls in the middle of the night and on weekends, if necessary.

Another difference: when you're in charge of a ministry, you *are* the government; when you're a backbencher, you're primarily a community representative. That means that at times you may disagree with decisions your government makes because they don't correspond with the wishes of your constituents. In that sense, your job is no different from that of the opposition, although there are different ways to go about expressing your dissent. If your own government decides not to build a school in your community, you have to let your views be known publicly—but diplomatically. Then you work behind the scenes, making phone calls, lobbying other MLAs and ministers, to try to change that decision. Sometimes you're successful, sometimes you aren't.



Figure 9-21 B.C. Minister of Fisheries Dennis Streifel (centre) confers with colleagues before a meeting of the federal Commons Committee on Fisheries and Oceans, Ottawa, November 1999. Streifel and the NDP government were defeated in the 2001 election.

What changes would you like to see in the way government works?

I'd like to see sitting times for the Legislature, and a set election slate, rather than leaving these to the whim of the government. I also think like the process could be more open to citizens. Perhaps the government needs to extend question period, and invite both backbenchers and members of the public to ask their questions directly to the government and opposition. I also think the idea behind a bill should be debated in public before it's debated in the House—for example, in public hearings and meetings with concerned groups.

Questions

1. List the educational qualifications and personal characteristics that you think would be most helpful to someone wishing to make a career as an MLA or an MP. Discuss your list in a small group, and make any additions or changes to your list that you feel are warranted.
2. Does this career interest you? Why or why not?

Local Governments

The simplest form of local or municipal government is the town council. The leader of the council may be called a mayor, reeve, chairperson, overseer, or warden. This is an elected position, and this person is accountable to local citizens

such as yourself. Other elected members of the council are usually called councillors, alderpersons, or controllers. Councillors are elected to represent their own ward, or area of the municipality.

When Canada was formed, only about one of every ten citizens lived in a city with over 10 000

Figure 9-22 In the 1990s, homelessness and poverty became a growing problem in large Canadian cities. Food banks like this one in Toronto were started in the 1980s to collect and distribute food to the poor.

Thinking critically Who do you think should be mainly responsible for providing shelter and food to the homeless and poor: the federal government, provincial governments, municipalities, or charities? Give reasons for your answer.



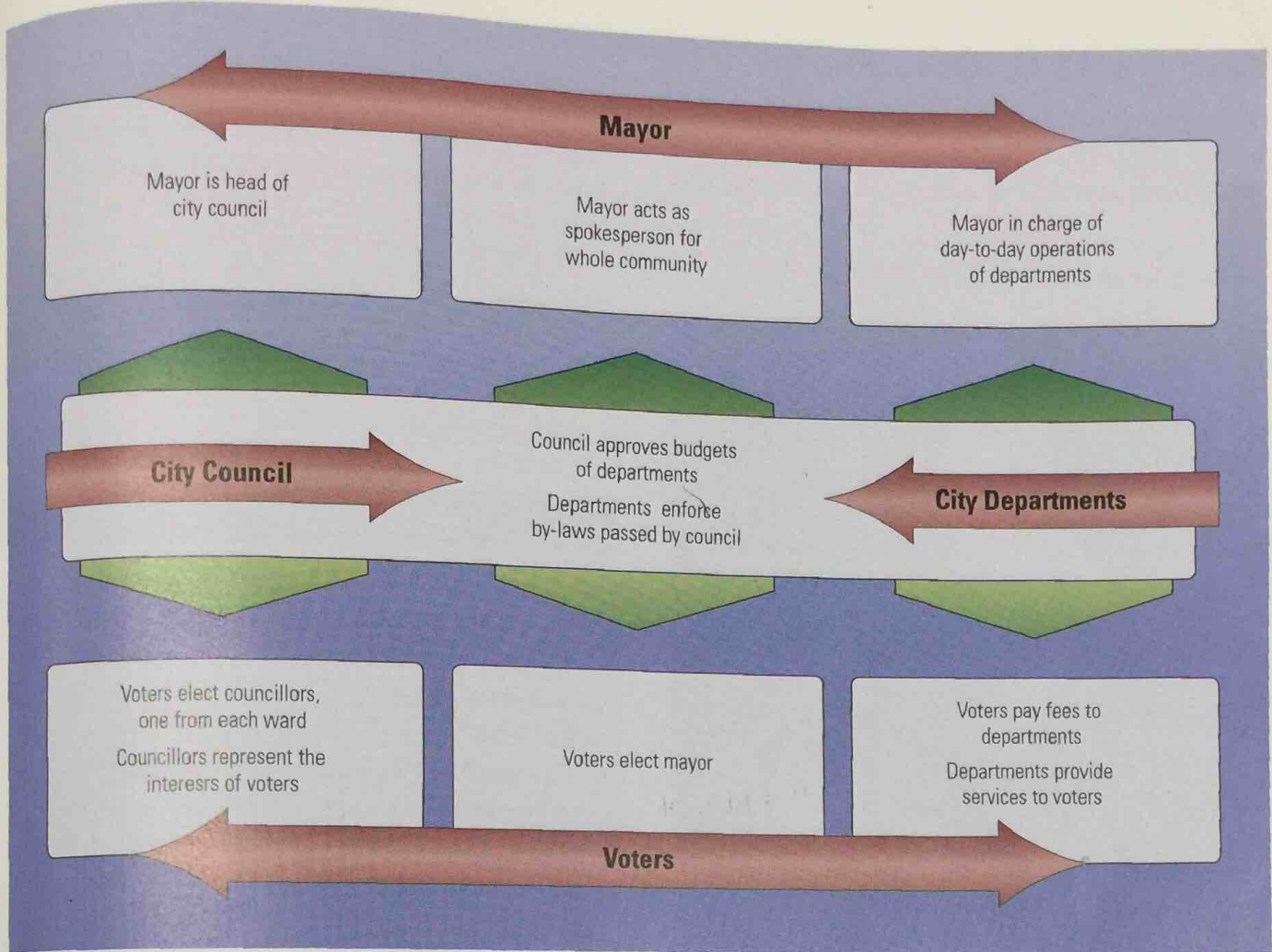


Figure 9-23 A typical municipal government structure.

Gathering information Find out how your local government is organized, and compare it to the model above. What do the similarities and differences indicate about local views of government?

people. The local governments that existed provided only a few basic services, such as firefighting, police protection, and road maintenance. Presently, more than seven out of ten Canadians live in urban settings. Municipalities must provide more and more services to more and more residents.

If you have ever travelled to a mall and been frustrated looking for parking, or have been caught in a traffic jam, you have experienced some of the problems associated with the growth of cities. The services provided by local governments are expensive. Revenues from property taxes, licensing fees, and grants may not cover all of the costs—

especially since provincial and federal government grants to municipalities have been decreasing, rather than increasing. In addition, many provincial governments now expect local governments to assume responsibility for areas that have traditionally been under direct provincial control, such as social housing, highways, and road construction.

> Faced with this squeeze, local governments have two basic choices: provide fewer services, or generate more money to pay for the services. Some governments have compromised by reducing some services while charging more money for others.

Cities like Toronto and Vancouver now have more people than some provinces, yet the decisions that their governments make can still be overruled by the provincial government. Municipal councils would like more power to be passed down to them, to correspond with the greater responsibilities they are now taking on.

Aboriginal Self-Government

Many Aboriginal communities have local governments that provide for the needs of their people using band councils or elders. The leader of this



Figure 9-24 Rod Robinson, executive director of the Nisga'a Tribal Council, carries the sacred Talking Stick as he leads a procession of elders into a 1996 general assembly in New Aiyansh, B.C.

type of local government is a chief, who is responsible to the people in much the same way as a mayor or a reeve. However, band councils and chiefs may have more dealings with both the premier of the province and federal ministers than a mayor or reeve would. The chief must negotiate with the higher levels of government regarding issues such as licences, access to highways that cross band lands, and education. Many Aboriginal communities are in the process of negotiating increased powers and control over the governing of their own affairs.

ACTIVITIES

1. List four powers of the provincial government that have had an effect on your life in the last year. Consider what aspects of your life are linked to services or programs controlled by the provincial government.
2. Consider the local area in which you live. If your local government were to approve the list of developments below, what changes would occur in your life and the lives of people in your area? Which of those changes, in your opinion, would be positive? Which would be negative? Which would be both positive and negative?
 - A shopping mall with over 200 stores and services
 - An industrial park, with businesses that burn waste materials and receive raw materials by transport truck
 - A multiple-sports arena, including ice rink, swimming pool, gymnasium, and baseball diamond
 - A senior citizens' complex and shuttle bus service
 - A major hotel and convention centre complex.
3. If you were to become head of the local government tomorrow, what four problems or issues would you address immediately, and why?
4. What five challenges does your community face over the next ten years? What plans would you make as leader of the executive branch of your local government to deal with those five challenges?

LOOKING BACK

Develop an Understanding

1. Explain the terms *constitutional monarchy*, *representative democracy*, and *federal system* in relation to Canada's system of government.
2. Create a diagram that shows the relationship among federal, provincial, and municipal governments.
3. Describe the main purpose of each of the three readings of a bill during its passage into law.
4. Which level of government would you say has the most direct effect on your day-to-day life? Provide three examples to support your response.

Explore the Issues

5. Should Cabinet members be chosen to represent many regions and groups in Canada, or should members be chosen on ability alone? For example, should a brilliant, capable MP be left out of a Cabinet because his or her region is already represented by more senior party members? If there is only one MP from a particular region, should that person automatically be chosen for the Cabinet? Explain how you would choose your Cabinet in each of the situations described above if you were prime minister.
6. What could you do to be a part of the passing of a new law? How would you show your support for, or opposition to, a proposed law? Write a brief description of your concern, actions, and intentions.
7. The United States has a Senate that elects two representatives from each state. The power of the U.S. Senate is equal to that of the U.S. House of Representatives, which is the equivalent of the Canadian House of Commons. If we had a U.S.-style senate in Canada, would it qualify as a triple-E senate? Why or why not?
8. Working in groups of three, imagine you are members of the cabinet of British Columbia. Which three concerns would you make top priorities for your government? How would you ensure support from citizens for the changes you and your government would make?

9. Should municipal governments be given autonomy from the provinces, including the power to set their own taxes?

Research and Communicate

10. Who are the key people in your local government? Create a chart with names, titles, and brief profiles of each individual (background, number of years in office, major achievements, etc.) for display in your school.
11. Select one of Canada's governors general and investigate that person's life as a private citizen and as a representative of the monarchy. Compile a biography that includes information about his or her background, duties as governor general, and other information you consider important. You will find the Parliamentary Web site useful:
<http://www.parl.gc.ca>
12. Follow the course of a provincial bill that was recently passed into law in your province. Use newspaper articles, Web sites, and government publications to prepare a timeline that illustrates the highlights of the process, from first reading (or before) to the proclamation of a new act of provincial parliament.
13. Invite a local politician to speak to your class about his or her role in local government. Prepare your questions in advance.
14. Research how the elections and decision-making methods used in Nunavut differ from those of your provincial legislature. Which of these differences, if any, would you like to see implemented in your province? Explain your answer.
15. Research the structure of the U.S. government and identify three important ways in which it differs from ours. How does each of these differences affect the way our two governments operate?