

Canadian Government and Law

- democracy – “rule by the people”
 - ancient Greek belief (demos – people, kratos – rule)
 - we vote for our leaders and have a say in the political process
 - called **representative democracy**
- our government is based on the British tradition
 - parliament, senate, prime minister, speaker, governor general, etc.
 - we still are rooted in this tradition
 - our country is classed as a **constitutional monarchy**
 - the Queen is still technically head of state (the top level of government), but only on paper, not in practice
 - bills still need **royal assent** to become law, but this is never withheld
 - if the PM decided to disobey the law and not call an election after 5 years, the governor general (representative of the queen) can force him/her to
- Canada has a **Written Constitution**
 - used to be the BNA Act (1867-1982)
 - now it is called our Constitution (1982-now)
 - has three main parts:
 - describes powers of provincial and federal gov'ts

- a **Charter of Rights and Freedoms** that lays out the basic rights/responsibilities of citizens
- an amending formula which lays out the ways to change the Constitution
 - 7 of 10 provinces making up +50% of the CDN population

The Federal System

- Canada is designed to have a strong federal/central gov't
 - each province has its own gov't to take care of its citizens, but they work together under the federal gov't
 - duties of each are as follows:

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

Parliamentary System

- in Canada, the powers of gov't are divided up into three branches:
 - legislative, executive, judicial

Legislative Branch

- simply, this is the branch with the power to make laws
- could be federal, provincial, or municipal
- the largest branch (federal) is composed of:
 - governor general, House of Commons, and Senate
 - makes up *Parliament*
- parliament must meet at least once a year, where they pass, amend, or repeal laws
- in the **House of Commons**:
 - elections occur once every 5 years or sooner
 - candidates run in constituencies
 - one seat per 100 000 people
 - if elected, they become MPs (Members of Parliament)
 - members sit with their party, and sit opposite the other parties in the House ("two sword lengths apart")
 - the opposition parties scrutinize the gov't
 - keeps them accountable to the people
 - private party meetings are called **caucus**
 - party leaders explain their goals and members debate, but they must not share the secrets

- in the **Senate**:

- the jobs of Senators are similar to the MPs
 - give “a sober second thought” to bills that want to become laws
 - also, they sit on committees and perform diplomatic service for the gov’t
 - supposed to represent all CDNs (p.230)
 - very important b/c they have the power to stop unjust laws
- the existence of the Senate has been hotly debated
 - Senators are **appointed** not elected by the people by the process of **patronage**
 - in other words, if you are a good friend of a PM, you might get a job here
 - they are appointed for life (almost impossible to remove them) or until 75 yrs old
 - only have to sit a few times a year

- the **Governor General**

- a figurehead position
 - in other words, he/she is based on tradition and has very little power
- gives **royal assent** to make bills into laws
- performs ceremonial functions
- supposed to advise gov’t to stick to the Constitution

- it is these three areas of government that make, debate, and pass the laws of Canada

- super duper important!