

## CANADA – The Road to Democracy

The word **democracy** describes a political system. In a democratic country, all eligible citizens have the right to participate, either directly or indirectly, in making the decisions that affect them. Democracy is the political system which governs Canada. Canadian citizens elect someone to represent them in making decisions at the different levels of government. This is called a representative democracy.

Canada became a nation in 1867, before that it was made up of a few provinces. By 1864 leaders from different areas felt it would be good to join into one country. Known as the Fathers of Confederation, these leaders met and wrote a constitution for the new country. Once passed, this became known as the *British North America Act* or the BNA Act. The BNA Act described the structure and main **laws** of the new country as well as the division of powers between the new provinces and the federal government. The **Constitution** is the highest law in Canada. In 1982, the queen and prime minister, Pierre Elliott Trudeau, signed the *Constitution Act, 1982*, which includes the *British North America Act* and the *Canadian Charter of Rights and Freedoms*.

The *Canadian Charter of Rights and Freedoms* forms the first part of the *Constitution Act, 1982*. Some of the protections that the charter guarantees are

- Freedom of religion, of thought, of expression, of the press and peaceful assembly.
- The right to participate in political activities, and the right to a democratic government
- The freedom to move around and live within Canada, and to leave Canada
- Legal rights such as the right to life, liberty and security
- Equality rights
- Language rights

### Canada's System of Government

Three branches of the parliamentary system work together to govern Canada. They are the executive, legislative and judicial branches.

## EXECUTIVE BRANCH

(Also called government)

### *Decision-making Branch*

*Governor General  
Prime Minister and  
Cabinet*

## LEGISLATIVE BRANCH

### *Law Making Branch*

*Appointed Senate  
and the elected  
House of Commons*

## JUDICIAL BRANCH

### *Independent Courts*

*that interpret the laws passed by  
the other two branches  
Federal Court & Prov. Courts*

**Parliament** is made up of three parts: The governor general, the **senate** and the **House of Commons**, each has a role in passing legislation. Canada is a constitutional monarch, which means that we recognize the queen as the **head of state**, while the prime minister is the **head of government**.

There are three levels of government in Canada, federal, provincial and municipal level. Areas of national defence, foreign affairs, employment insurance, banking, federal taxes, the post office, fisheries, shipping, railways, telephones, pipelines, Aboriginal lands and rights and criminal law are dealt with at the **federal** level.

Direct taxes, hospitals, prisons, education, marriage, property and civil rights and some power over agriculture and immigration are dealt with at the **provincial** level. Areas such as libraries, parks, community water systems, local police, roadways and parking are the responsibility of the **municipal** level.

The **House of Commons** is the elected law-making body known as **members of parliament**. (Part of their work includes reviewing and debating new bills that affect all Canadians.

**What is Legislation? Legislation** is **bills** (ideas) that are passed in **parliament**. Bills usually originate in the House of Commons (but could begin in the Senate) where they go through **3** readings. In the process, they are debated and perhaps amended and then sent to the **senate** where the process is repeated. Royal assent is the final stage in which the governor general plays a role and the bill becomes law. This is called the **legislative process**.

When there is a majority government there is no difficulty in getting legislation (or bills) through all the stages. In a minority government situation, it is possible that the government may lose the vote on certain important bills, such as the budget. If this happens, an election is called. The prime minister asks the **governor general** to **prorogue or dissolve parliament** and calls an election. When the election is over, all winning candidates are called **Members of Parliament** or MPs for short.

Now, who is the governor general and the prime minister and who are cabinet ministers? The **governor general** is a person appointed by the monarch, on the advice of the prime minister, to be the monarch's representative in Canada. He/she is appointed for a term of **5** years which may be extended. The **prime minister** is the **leader** of the party in power and the head of the federal government. A **cabinet minister** is a person – normally a member of parliament and at least one senator who is chosen by the **prime minister**, and appointed by the **governor general**, to help govern. A minister is usually the head of a government department and often times are high profile individuals. The government leader in the senate is also a member of the cabinet. When it is time for parliament to sit, all **parliamentarians** (a senator or members of the House of Commons) will discuss and debate new bills (proposed laws) and make decisions that affect Canadians (process of passing a bill).

### **Process of Creating and Passing a Bill**

Usually it is the **government** that introduces bills, but opposition and individual MPs can also introduce new bills called **private members** bills. These concern an individual or a group of individuals only.

**Public Bills** are ideas that will affect the public in general and are usually introduced by government ministers. (The proposal [or idea] is considered by the appropriate cabinet committee and recommendations are made to the cabinet. A draft bill is prepared in **2** official languages, approved by the responsible minister and presented to cabinet for approval. If approved it is introduced in parliament.) Bills introduced by the government are numbered from **C1 – C200** in order of presentation. If they are introduced first in the Senate, they are numbered starting **S1**.

**First Reading:** Any idea for a new law or a change to current law is written down. (This could be a League resolution). This idea is now called a **bill**. The bill is printed and read in the House it is starting from (either the House of Commons or the Senate).

**Second Reading:** The bill is given a second reading in the House it is starting from, where parliamentarians **debate** the idea behind the bill. They consider questions such as “Is the idea behind the bill good?” “Does it meet people’s needs?” “Who will be affected by this bill?” If the House votes for the bill and it **passes** this stage, it goes to a committee of the House, which usually meets in a committee room outside the chamber.

**Committee Stage:** At the committee stage, the **bill** is studied carefully. Committee members hold special hearings or **meetings** where different people inside and outside government can make comments about the bill. The committee examines the bill clause by clause and can suggest changes or **amendments** to the bill when it gives its report to the House.

**Report Stage:** The committee reports the bill back to the House. All parliamentarians can then **debate** it. During this stage, those who were not part of the committee that studied the bill can suggest **amendments** to the bill.

**Third Reading:** When the bill is called for a third reading the parliamentarians **debate** it again. They are allowed to change their minds about a bill and though they may have voted for it at second reading, if they do not like the changes, they may vote against it at third reading. (The changed or **amended** version of the bill is voted on.) If it passes the third reading, the bill then goes to the other **House** where it goes through the same stages.

**Royal Assent:** Once both the Senate and the House of **Commons** have passed the bill in exactly the same wording, it is given to the **governor general** for royal assent or **final approval** and it can become **law**.