

PROTECTING CANADIAN DEMOCRACY



The Senate You Never Knew

Edited by Serge Joyal

Protecting Canadian Democracy The Senate You Never Knew

James T. McHugh



Protecting Canadian Democracy The Senate You Never Knew:

A People's Senate for Canada Helen Forsey, 2015-04-01T00:00:00Z This little book is written for Canadians who care about our democracy and the future of our planet The Senate surprisingly could make major contributions to both A People's Senate for Canada explains how we can make that happen What if we had a Senate that was independent of party politics truly committed to sober second thought and dedicated to the common good What if Senate appointments focused on experience integrity and creativity and flowed from a non partisan participatory process based on merit and reflective of our country's diversity What if senators were able to fully devote themselves to their proper legislative and investigative work cooperating wherever possible free of party control and electoral worries and financially accountable to the Auditor General As Helen Forsey demonstrates such a People's Senate would not require risky and questionable constitutional amendments the needed changes could be made within the present framework In fact some hopeful initiatives are already under way A People's Senate for Canada combines grassroots experience thorough research and critical commentary to create a people's resource for positive change This book offers a rationale an analysis and a feasible proposal for an upper house that would restore citizen participation and help check government power It is an antidote to cynicism and a prescription for a truly honourable Senate one that would make us proud

Protecting Canadian Democracy Serge Joyal, 2003-05-27 In recent years Canada's Senate Parliament's chamber of sober second thought has often been the subject of controversy and calls for reform Protecting Canadian Democracy examines the history role and evolution of the Senate places it in the context of other federal systems and contrasts its role with that of provincial governments Contributors analyse the Senate's use of its legislative powers comparing it with the House of Commons and assess the Senate's contribution to public policy development and review showing how the upper chamber functions as a forum within Parliament for the representation of Canada's diverse regional linguistic cultural and socio economic interests

The Canadian Senate in Bicameral Perspective David E. Smith, 2017-06-22 The Canadian Senate in Bicameral Perspective is the first scholarly study of the Senate in over a quarter century and the first analysis of the upper house as one chamber of a bicameral legislature David E Smith's aim in this work is to demonstrate the interrelationship of the two chambers and the constraints this relationship poses for Senate reform He analyses past literature on the Senate and current proposals for reform such as a Triple E Senate and compares Canada's upper chamber with those of Australia the United States Germany and the United Kingdom noting a revival of interest in Canada and abroad in upper chambers and bicameralism Drawing on parliamentary debates and committee reports as well as a range of broad secondary sources The Canadian Senate in Bicameral Perspective examines the Canadian Senate within the international context shedding light on its role as a political institution and arguing for a renewed investigation into its future

Canadian Politics, Seventh Edition James Bickerton, Alain-G. Gagnon, 2020-08-31 For this new edition James Bickerton and Alain G Gagnon have organized the book into six parts Part I covers the origins and

foundation of Canada as a political entity while Part II focuses on government parliament and the courts Part III examines matters pertaining to federalism and the Canadian Charter of Rights and Freedoms Part IV casts some new light on electoral politics and political communications and Part V examines citizenship diversity and social movements Part VI the final section of the book concentrates on a number of political issues that merit special attention on the part of political actors and decision makers namely the evolving relationship between Canada and Indigenous peoples immigration and refugees environment and climate change and relations between Canada and the United States This seventh edition of Canadian Politics includes 12 new chapters with ten new contributing authors and coverage of six new subjects and is essential reading for students and specialists studying Canadian politics

Constitutional Pariah Emmett Macfarlane, 2021-04-01 The Canadian Senate has long been considered an institutional pariah viewed as an undemocratic outmoded warehouse for patronage appointments and mired in spending and workload scandals In 2014 the federal government was compelled to refer constitutional questions to the Supreme Court relating to its attempts to enact senatorial elections and term limits Constitutional Pariah explores the aftermath of Reference re Senate Reform which barred major unilateral alteration of the Senate by Parliament Ironically the decision resulted in one of the most sweeping parliamentary reforms in Canadian history creating a pathway to informal changes in the appointments process that have curbed patronage and partisanship Despite reinvigorating the Senate Reference re Senate Reform has far reaching implications for constitutional reform in other contexts Macfarlane's sharp critique suggests that the Court's nebulous approach to the amending formula raises the spectre of a frozen constitution unable to evolve with the country

The Impact of Legislatures Philip Norton, 2020-09-10 The Impact of Legislatures brings together key articles and path breaking scholarship published in The Journal of Legislative Studies during its first 25 years of publication enabling the reader to make sense of the impact of legislatures in the modern world Encompassing theory comparative analysis and country based empirical studies the volume examines the impact of legislatures as the key representative institutions of nations addressing their relationships both to government and to the people Legislatures are ubiquitous They provide legitimacy to measures of public policy and to government As such they are key to how a nation is governed But they do much more than confer legitimacy They are generally multi functional and functionally adaptable bodies and are an essential link between citizen and government However scholarship on them has not been extensive and has often been descriptive and country specific limiting the capacity to make sense of them as a particular species of institution The chapters in this volume reflect scholarship that helps the reader appreciate the significance of the place and consequences of legislatures examining not only the relationship between the legislature and the executive but also the oft neglected relationship between legislatures and the people Reflecting the growing body of research in the field of legislative studies carried by The Journal of Legislative Studies since its inception in 1995 The Impact of Legislatures is essential reading for anyone wishing to understand the impact of legislatures in the world today

Constant Struggle Julien Mauduit, Jennifer Tunnicliffe, 2021-10-06 Most Canadians assume they live under some form of democracy Yet confusion about the meaning of the word and the limits of the people's power obscures a deeper understanding Constant Struggle looks for the democratic impulse in Canada's past to deconstruct how the country became a democracy if in fact it ever did This volume asks what limits and contradictions have framed the nation's democratization process examining how democracy has been understood by those who have advocated for or resisted it and exploring key historical realities that have shaped it Scholars from a range of disciplines tackle this elusive concept suggesting that instead of looking for a simple narrative we must be alert to the slower untidier and incomplete processes of democratization in Canada Constant Struggle offers a renewed sometimes unsettling depiction stretching from studies of early Indigenous societies through colonial North America and Confederation into the twentieth century Contributors reassess democracy in light of settler colonialism and white supremacy investigate connections between capitalism and democracy consider alternative conceptions of democracy from Canada's past and highlight the various ways in which the democratic ideal has been mobilized to advance particular visions of Canadian society Demonstrating that Canada's democratization process has not always been one that empowered the people Constant Struggle questions traditional views of the relationship between democracy and liberalism in Canada and around the world

Policy Analysis in Canada Michael Howlett, Laurent Dobuzinkis, 2018-05-23 Policy analysis in Canada brings together original contributions from many of the field's leading scholars Contributors chronicle the evolution of policy analysis in Canada over the past 50 years and reflect on its application in both governmental and non governmental settings As part of the International Library of Policy Analysis series the book enables cross national comparison of public policy analysis concepts and practice within national and sub national governments media NGOs and other institutional settings Informed by the latest scholarship on policy analysis the volume is a valuable resource for academics and students of policy studies public management political science and comparative policy studies

Lost on Division Jean-François Godbout, 2020-04-09 Compared to other countries Canada's Parliament shows a high level of party unity when it comes to legislative voting This was not always the case however One hundred years ago this sort of party discipline was not as evident leading scholars to wonder what explains the growing influence of political parties in the Canadian Parliament In Lost on Division Jean-François Godbout analyses more than two million individual votes recorded in the House of Commons and the Senate since Confederation demonstrating that the increase in partisanship is linked to changes in the content of the legislative agenda itself a product of more restrictive parliamentary rules instituted after 1900 These rules reduced the independence of private members polarized voting along partisan lines and undermined Parliament's ability to represent distinct regional interests resulting in among other things the rise of third parties Bridging the scholarship on party politics legislatures and elections Lost on Division builds a powerful case for bringing institutions back into our understanding of how party systems change It represents a significant contribution to legislative studies the

political development literature and the comparative study of parliaments

Federalism in Canada Thomas O. Hueglin, 2021 Federalism in Canada tells the turbulent story of shared sovereignty and divided governance from Confederation to the present time It does so with three main objectives in mind The first objective is to convince readers that federalism is the primary animating force in Canadian politics and that it is therefore worth engaging with its complex nature and dynamic The second objective is to bring into closer focus the contested concepts about the meaning and operation of federalism that all along have been at the root of the divide between English Canada and Quebec in particular The third objective is to give recognition to the trajectory of Canada's Indigenous peoples in the context of Canadian federalism from years of abusive neglect to belated efforts of inclusion The book focuses on the constitution with its ambiguous allocation of divided powers the pivotal role of the courts in balancing these powers and the political leaders whose interactions oscillate between intergovernmental conflict and cooperation This focus on executive leadership and judicial supervision is framed by considerations of Canada's regionalized political economy and cultural diversity giving students an interesting and nuanced view of federalism in Canada

Constitutional Amendment in Canada Emmett Macfarlane, 2016-08-12 In Canada the 1982 Constitution Act contains the amending formula which outlines a set of procedures required to make changes to the constitution Recent debates over Senate reform the status of the Supreme Court of Canada and the rules governing royal succession have highlighted how important the amending formula is in maintaining the vitality and relevance of the governing system Constitutional Amendment in Canada is the first volume to focus solely on the implications of the amending formula in Canada Emmett Macfarlane has brought together a group of expert authors to address such topics as the difficulties of constitutional reform the intersection of various levels of government and the judiciary and the ability of the public to veto proposed changes Filling a serious gap in the literature Constitutional Amendment in Canada is an authoritative study of the historical and contemporary implications of the amending formula

The Constitution in a Hall of Mirrors David E. Smith, 2017-01-01 In The Constitution in a Hall of Mirrors David E Smith presents a learned but accessible analysis of the interconnectedness of Canada's parliamentary institutions

The Unbroken Machine Dale Smith, 2017-03-04 Everybody thinks that it's the system that's broken in politics but what if it's not the system that's broken but rather our understanding of it The Unbroken Machine seeks to explore our lack of civic literacy and show how our system of democracy should work

The Crown and Canadian Federalism D. Michael Jackson, 2013-08-31 More than ever Canada's constitutional monarchy should be treasured as a distinct asset for the nation Following Queen Elizabeth II's historic Diamond Jubilee in 2012 there is renewed interest in the institution of the Crown in Canada and the roles of the queen governor general and lieutenant governor Author D Michael Jackson traces the story of the monarchy and the Crown and shows how they are integral to Canada's parliamentary democracy His book underscores the Crown's key contribution to the origins evolution and successful functioning of Canadian federalism while the place of the monarchy in francophone

Canada and the First Nations receives special attention Complex issues such as the royal prerogative constitutional conventions the office of lieutenant governor and Canada's honours system are made readily accessible to the general reader Jackson examines the option of republican governance for Canada and concludes that responsible government under a constitutional monarchy is far preferable He further argues that the Crown should be treasured as a distinct asset for Canada

Canadian Government and Politics - Seventh Edition Robert J. Jackson, Doreen Jackson, Royce Koop, 2020-02-25

Canadian Government and Politics delivers an up to date and concise introduction to Canada's political institutions processes and issues The text integrates theory history Census data and current affairs to give students an orderly picture of the wide ranging landscape of Canadian government and politics This seventh edition includes coverage and analysis of the 2019 general election as well as a preview of the new Canadian government It also adds exciting material on Canada's cultural landscape institutions and policies along with a new chapter on Indigenous Peoples Other chapters examine the executive legislative and judicial branches of government the electoral system bureaucracy Quebec nationalism foreign policy and much more The authors provide trenchant coverage of many key issues of concern to Canadians including regionalism nationalism climate change defense policy Indigenous Peoples rights minority rights pipelines and the USMCA trade deal These topics are addressed by way of fair minded impartial discussions aimed to foster a vital and optimistic perspective on Canadian politics that will encourage critical thinking and active citizenship *The Senate and the People of Canada* James T.

McHugh, 2017-09-20 The Senate of Canada is the upper house of its parliamentary system It is an appointed legislative chamber that has been frequently derided for its apparent lack of effective activity its failure to represent Canada's federal system and the perceived lack of accountability among its members Reform of the Senate persists as one of the most contentious issues in the country Typical reform proposals begin with the assumption that it must become an elected body that primarily represents Canada's provinces and can serve as an effective check on the federal government and the House of Commons This book challenges those assumptions through a thorough analysis that places the Senate within the context of other parliamentary upper houses It presents a hypothetical constitutional amendment and a proposal for non constitutional reform that are based upon alternative models derived from that broader context The book ultimately recommends a Senate that remains unelected but with a more expansive appointment process that more appropriately reflects the optimal role of a parliamentary upper house as well as the diversity regional aspirations and political principles of Canadian democracy

Vulnerable Colleen M. Flood, Vanessa MacDonnell, Jane Philpott, Sophie Thériault, Sridhar Venkatapuram, 2020-07-14 The novel coronavirus SARS CoV 2 which causes the disease known as COVID 19 has infected people in 212 countries so far and on every continent except Antarctica Vast changes to our home lives social interactions government functioning and relations between countries have swept the world in a few months and are difficult to hold in one's mind at one time That is why a collaborative effort such as this edited multidisciplinary collection is needed This book confronts the vulnerabilities and

interconnectedness made visible by the pandemic and its consequences along with the legal ethical and policy responses These include vulnerabilities for people who have been harmed or will be harmed by the virus directly and those harmed by measures taken to slow its relentless march vulnerabilities exposed in our institutions governance and legal structures and vulnerabilities in other countries and at the global level where persistent injustices harm us all Hopefully COVID 19 will forces us to deeply reflect on how we govern and our policy priorities to focus preparedness precaution and recovery to include all not just some Published in English with some chapters in French

The Constitution of Canada Jeremy Webber, 2015-04-30 The book introduces and describes the principal characteristics of the Canadian constitution including Canada's institutional structure and the principal drivers of Canadian constitutional development The constitution is set in its historical context noting especially the complex interaction of national and regional societies that continues to shape the constitution of Canada The book argues that aspects of the constitution are best understood in agonistic terms as the product of a continuing encounter or negotiation with each of the contending interpretations rooted in significantly different visions of the relationship among peoples and societies in Canada It suggests how these agonistic relationships have in complex ways found expression in distinctive doctrines of Canadian constitutional law and how these doctrines represent approaches to constitutional legality that may be more widely applicable As such the book charts the Canadian expression of trans societal constitutional themes democracy parliamentarism the rule of law federalism human rights and Indigenous rights and describes the country that has resulted from the interplay of these themes The Constitution of Canada is a masterpiece an outstanding and original study of the Canadian constitutional experience by one of Canada's leading legal scholars Webber explains the history characteristics and resourcefulness of the living constitution in non technical and illuminating language He also shows how the constitution is shaped by the engagement and interaction of the diverse people of Canada who are simultaneously subjects and active citizens of it a dynamic he calls agonistic constitutionalism James Tully Distinguished Professor University of Victoria Jeremy Webber has given us a rich contextual account of Canada's constitution Webber moves beyond the confines of constitutional texts and judicial decisions and grounds his account in the circumstances of the country's history Only such an account can capture the deep diversity that is the hallmark of Canada's constitutional culture Peter Russell Professor Emeritus University of Toronto

The Contemporary House of Lords Meg Russell, 2013-07-11 As the second chamber of the Westminster parliament the House of Lords has a central position in British politics But it is far less well studied and well understood than the House of Commons This is in part because of constant expectations that it is about to be reformed but most Lords reform plans fail as the Coalition government's dramatically did in 2012 Meanwhile following a landmark change in 1999 which removed most of its hereditary members the Lords role in the policy process has grown Understanding the chamber is therefore now essential to understanding politics and parliament in Britain This book provides the first detailed portrait of the post 1999 Lords explaining who sits in the chamber how it operates and crucially what policy

impact it has Its membership is shown to be more diverse and modern than many would assume and its influence on policy to be substantial As a no overall control chamber in which no party has a majority it has inflicted numerous defeats on the Blair Brown and Cameron governments and become an important site of negotiation It has provided a power base for the Liberal Democrats and includes a group of almost 200 independents who now play a pivotal role Close study of today s House of Lords demolishes some common myths about British politics and also about how two chamber parliaments work This book as well as focusing on the contemporary Lords provides a historical and comparative context for British bicameralism asks whether the Lords can be considered legitimate and describes recent reform efforts and possible future reforms

The People's House of Commons David E. Smith, 2007-04-21 Canada s House of Commons has come under considerable attack in recent years Many critics have contended that the House has been unresponsive to public opinion and that its party leaders have too much control while leaving individual MPs essentially powerless The House has also faced challenges by the courts since the introduction of the Charter a powerful bureaucracy equipped with specialized knowledge and new telecommunications systems that are redefining the transfer of information Through an examination of academic judicial political and legal commentary The People s House of Commons explores the role of the House as a public institution While addressing much of the criticism that has been levelled at the House David E Smith considers the competing political models and inherent tensions and their affect on public understanding Smith maintains that court decisions are transforming the political system from one dominated by parties to one that promotes individual participation He argues that reforms such as fixed election dates or stronger parliamentary committees have constitutional significance since their implementation would alter the practice of responsible government which for more than a century has been a party government A definitive work by one of Canada s foremost experts in the field of political science The People s House of Commons explores the ramifications of many of the changes currently being proposed to Canada s political system with particular reference to their affect on prerogative power parliamentary privilege party discipline bicameralism and the role of the opposition

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