

The demands of Canadian citizens are directed primarily to members of Parliament, directly to Cabinet Ministers or indirectly to Cabinet Ministers through the Public Service. These demands may originate from individuals, political parties or pressure groups; members of Parliament, Cabinet Ministers and public servants may take the initiative in suggesting the adoption of policies and programs in the public interest. Although the roles performed by Parliament, the Public Service and the Cabinet cannot be defined with absolute precision, the following stylized description deals with the most obvious and primary roles of each in the Canadian political system.

The determination of public policy rests with the Cabinet but begins generally with the formulation of policy by the individual Ministers. Working in co-operation with public servants, a Minister formulates policy proposals for consideration by his colleagues in the Cabinet. The Cabinet studies the policies submitted and chooses those it wishes to implement. The Cabinet may itself formulate policies, but it may also decide to select a policy from among the alternatives submitted. The establishment of a Cabinet committee system that operates on a functional basis and, more especially, the establishment of the Cabinet Committee on Priorities and Planning represent attempts to enhance the capacity of Cabinet in its primary role of policy determination and priority setting.

In conformity with the principle of the rule of law, all executive acts must be authorized by law, and laws are enacted by Parliament. Executive acts may be carried out under a statute which specifies how a policy is to be implemented, or under a statute which authorizes the Governor in Council to undertake specific acts. Much of the activity of the Public Service is authorized through the yearly enactment of Appropriation Acts approving the expenditure of public funds for specific purposes. Apart from its concern with the appropriation of funds, Parliament is concerned with the discussion and authorization of policy submitted for its approval by the government. The approval of these policies is accomplished mainly through the enactment of legislation. In an attempt to enable the House of Commons to perform this role more efficiently numerous changes in the rules of procedure were adopted in January 1969, and are now included in the Standing Orders of the House of Commons.

The most significant feature of these processes is that Cabinet Ministers, who constitute the government, have seats in Parliament and thus share in the exercise of the legislative power. In fact, the majority of legislation enacted by Parliament is submitted by the government; the British North America Act provides that all financial measures must originate in the House of Commons.

The role of the judiciary is to apply the laws enacted by Parliament. In the Canadian system of government, Parliament is supreme. This means, among other things, that the judiciary must apply the law as Parliament has enacted it and cannot declare laws to be unconstitutional if they are within the legislative jurisdiction of Parliament or of the legislature that enacted them.

The administration of legislation and of the government's policies is carried out through a Public Service comprising employees organized as of 1975 in 25 departments of government and a large number of special boards, commissions and Crown corporations or other agencies. Legislation and tradition have combined to develop a non-partisan Public Service, the tenure of whose employees is unaffected by changes in government. The only direct contact between public servants and Parliament occurs when they are called to appear as witnesses before parliamentary committees. On these occasions, public servants do not, by convention, express opinions on public policy but usually appear as experts and to explain existing policy. The public servants who head agencies such as the Public Service Commission, the Office of the Auditor General, the Office of the Commissioner of Official Languages, the Library of Parliament or the Office of the Chief Electoral Officer are responsible directly to Parliament. They are not subject to direction by the government on matters of policy and may appear before parliamentary committees to explain the policies of their agencies.

The growth in number, variety and complexity of the demands placed on the government requires it not only to adjust its policies in response to these demands but, with increasing frequency, to make significant changes in the organization of the Public Service so that the required policies can be properly implemented. Major reorganization of the Public Service has been authorized by the passage of a series of Government Organization Acts in 1966, 1969 and 1970.