



**Studia i Materiały. Miscellanea Oeconomicae**

Rok 18, Nr 2/2014

Wydział Zarządzania i Administracji

Uniwersytetu Jana Kochanowskiego w Kielcach

**The Arctic and Nordic  
Countries in the World of Economy and Politics**

**Rafał Miernik<sup>1</sup>**

**FEDERAL SYSTEM OF CANADA  
– AN ATTEMPT AT ANALYSIS**

In the federal system there are two subsystems - the central government and the state (provincial) governments, which are the components of the state and none of them is politically subordinate to another and they can develop relationships with any component<sup>2</sup>. The federal system of government is defined as a unique „form” combining the need for unity and centralization to ensure safety and achieving economic objectives, while enabling the accommodation of a degree of diversity<sup>3</sup>. It should be emphasized, that „in a federal state division into constitutive units is generally constitutionally protected, and the individual units are not only parts of the administrative structure, but are entities of the federation (confederation) with the characteristics of a state, holding powers parallel to that of federal authorities”<sup>4</sup>. The Constitution is federal if: 1) the two levels of government exercise control over the same territory, 2) each level has at least one area of activities, in which it is autonomous, and 3) the autonomy of each government is guaranteed within defined scope<sup>5</sup>. At the same time a comparative study of federalism is impeded by the diversity of legal structures and practices of the political system<sup>6</sup>.

Accordingly, the federal state has a central government and provincial (state) governments, which have separate powers, usually guaranteed in the Constitution.

---

<sup>1</sup> Rafał Miernik, Ph.D., the Jan Kochanowski University in Kielce, Poland.

<sup>2</sup> See: R.L. Watts, *Administration in Federal Systems*, London 1970, p.3.

<sup>3</sup> See: D.F. Woodward, *Federal system*, [in:] *Governments and Politics*, vol. 1: M. Hawkesworth, M. Kogan, *Federal Systems*, Routledge 1992.

<sup>4</sup> J. Jaskiernia, *Wprowadzenie do systemu państw federalnych*, [in:] *Problemy rozwoju federalizmu we współczesnym świecie*, ed. J. Jaskiernia, Kielce 2009, p. 17.

<sup>5</sup> W.H. Riker, *Federalism: Origin, Operation, Significance*, Boston 1964, p. 11.

<sup>6</sup> J. Jaskiernia, *op.cit.*, p.11 as cited in: *Comparative Federalism and Federation: Competing Traditions and Future Directions*, M. Burgess, A.-G. Gagnon, New York – London 1993.

“The Constitution<sup>7</sup> defines the degree of decentralization of powers between the federation and the components of a federal state, and both the federation and the federal state components derive from a mandate from the people and countries are under national law”<sup>8</sup>, however not under international law.

Supporters of the federal system emphasize its positive aspects, including the possibility for the residents to decide on the place of living by choosing the province or state, in which legal regulations are more suited to their needs and expectations. Some researchers point out, that federalism promotes social, political, economic transitions and may become a development factor, as it is easier to trace and compare the results of changes. Moreover, federalism allows to reconcile cultural and economic differences while strengthening national unity. In countries such as Canada and Australia this particular aspect, due to their multicultural nature, seems to be significant. Furthermore, it is emphasized, that the federal system is more democratic than centralized systems, because public opinion can influence decision-making bodies at all levels, which makes the structure of the federal state a contributive factor in balancing the government elitism. Federal division of powers protects liberty by limiting the role of the central government and facilitating “civic oversight”. Reducing the operating costs of state administration and limiting the possibility of fraud<sup>9</sup> also deserve attention.

On the other hand, it is hard not to notice the barriers, that are created by the federal system: lack of uniformity in the area of : law, taxation systems, medical care and social assistance and education systems<sup>10</sup>. The debate over federalism in such countries as the already mentioned Canada and Australia, focuses on its drawbacks. From the point of view of system regulations, especially in Canada, a major problem is the remit of central government and the provincial governments. Federalism creates a “combination of political actors”, which may give rise to tensions and crises in relations between the federal government and provincial governments, trying to maintain their own independence and taking care of their own interests<sup>11</sup>. In case of doubt, in Canada disputes over division of powers are handled by the Supreme Court. However, it is emphasized, that there is a need for a clear division of responsibilities between the various levels of

---

<sup>7</sup> The Constitution of Canada - The Constitutional Act of 1867 - Chapter V contains the constitutions of the province determining the competence of the executive and legislative branches at the provincial level and Chapter VI determines exclusive provincial legislatures authority (art.92).

<sup>8</sup> J. Jaskiernia, *op.cit.*, p.20.

<sup>9</sup> G. de Q. Walker, *Ten Advantages of a Federal Constitution and How to Make the Most of Them*, pp. 3-4, <https://www.cis.org.au/images/stories/policy-monographs/pm-49.pdf> [01.06.2014].

<sup>10</sup> In Canada, some state examinations for the profession are not recognized by all provinces for example, for instance a diploma entitling to practice as a physical therapist, released in the province of Ontario is not recognized in British Columbia.

<sup>11</sup> The discussed issue is based on the theory of veto players, see: G. Tsebelis, *Decision Making in Political Systems: Veto Players in Presidentialism, Multicameralism and Multipartism*, „British Journal of Political Science”, 25:3, 2000, pp. 289-326.

government and a new system solutions, which require the consent of individual provinces<sup>12</sup>.

Federalism can lead to paralysis and inability of the government to solve national problems. During the Great Depression in Canada, the federal government could not implement the necessary policy to stop the growth of mass unemployment and poverty, as it did not have powers guaranteed by the Constitution. These powers were transferred to the provincial level. In addition, although federalism protects regional interests, it can also strengthen and perpetuate the division of the country and contribute to political instability. Perhaps separatist tendencies in Quebec, although in recent years, weaker, would not be so noticeable if Canada was a centralized state. On the other hand, one wonders whether federalism was not a factor protecting the interests of the province of Quebec within the federal state.

In federal systems, motivations and social interests on the one hand lead to the recognition of political diversity and independence, but on the other to the actions for the common good. Causal relations between the federal society, its political institutions, political behavior and the processes taking place are complex and dynamic. At the same time, impact on systemic changes include two-way interaction between the various levels of government and society. Social, economic and political integration is a specific catalyst for the separatist aspirations<sup>13</sup>. Federalism is more than a system of government. It is also a process of ongoing negotiations, the art of conflict resolution, the action on the basis of compromise and cooperation<sup>14</sup>.

### **The Canadian model of federal state**

The Canadian federal system model assumes independence of government levels as well as independent activities under the remit of defined competencies<sup>15</sup>. Each of the Canadian provinces remain autonomous in exercising legislative and executive power within the limits set out by the constitution. In Canada, the federal government has jurisdiction over the whole country, and each province has jurisdiction over its own territory. Both levels derive their powers from the constitution.

In accordance with the principle of federalism, power is constitutionally divided into two autonomous levels. That basic division plays an important role in

---

<sup>12</sup> R. Blindenbacher, R.L. Watts, *Federalism in a Changing World – A Conceptual Framework for the Conference*, Published by Forum of Federations, p. 30. <http://www.forumfed.org/en/libdocs/IntConfFed02/StG-Blindenbacher.pdf> (02.06.2014).

<sup>13</sup> See: R.L. Watts, *The Theoretical and Practical Implications of Asymmetrical Federalism*, [in:] *Accommodating Diversity: Asymmetry in Federal States*, ed. R. Agranoff, Baden-Baden 1999, pp. 24-42.

<sup>14</sup> C. Auclair, *Federalism: its principles, flexibility and limitations*, [in:] *Decentralization and Power Shift*, Vol. II, Philippines 2002, p.14.

<sup>15</sup> I. Wrońska, *Zagadnienia podziału kompetencji w systemie federalnym Kanady*, [in:] *Problemy rozwoju federalizmu we współczesnym świecie*, ed. J. Jaskiernia, Kielce 2009, p. 77.

the field of public finance and social policy. The Canadian model of federation, despite the division of powers between the federal authority and the authority of each province, is quite centralized, as it uses the principle of the presumption of competence in favour of the federal government<sup>16</sup>. The primary level is the constitutionally recognized federal government, which is responsible for adopting and implementing national law independently of the provincial governments.

Formally, the head of state is Queen Elizabeth II of Canada - British monarch. The Constitution gives the Queen and the Parliament legislative power. However, the role of the monarch in the Canadian system is limited to the function of representation. The majority of federal power rests in the federal government and the executive council - the Prime Minister, the government and the House of Commons, while the legislative power in the provinces is vested in the deputies of the governor and legislative bodies<sup>17</sup>. Pursuant to Art. 17 of the Constitutional Act of 1867 „There is one Canadian Parliament consisting of the Queen, the Upper House called the Senate<sup>18</sup> and the House of Commons”.

According to the constitutional regulations, the Senate consists of 104 members, and it is believed, that Canada consists of four regions: Ontario, Quebec, the Maritime Provinces, Nova Scotia, New Brunswick and Prince Edward Island, Western Province: Manitoba, British Columbia, Saskatchewan and Alberta, and these four regions are equally represented in the Senate. Ontario is represented by 24 senators; Quebec by 24 senators; Maritime Provinces and Prince Edward Island by 24 senators, of whom 10 represent Nova Scotia, 10 represent New Brunswick and 4 - Prince Edward Island; Western provinces are represented by 24 senators, of whom 6 represent Manitoba, 6 - British Columbia, 6 Saskatchewan and 6 represent Alberta; Newfoundland has the right to be represented in the Senate by six members; Yukon Territory and the Northwest Territories are entitled to representation in the Senate by one member each<sup>19</sup>. It seems, that although, the distribution of seats in the House of Commons is based on the principle of proportionality of the number of seats to population, however, special rights are granted to certain provinces.

Pursuant to Article 91, the Parliament of Canada has powers relating to, inter alia, tax issues, state assets, trade regulation, international relations, monetary system. All matters falling within the scope of these powers listed in Article 91 can not, as matters of a local or private nature, fall under the remit of legislative bodies of the province only. Members of the Senate are appointed by the Governor-General following the recommendation of the Prime Minister, which raises a number of concerns and criticisms of the upper house of the Parliament of Canada. Senators have the right to veto and to introduce amendments to the bills.

---

<sup>16</sup> See: I. Wrońska, *op.cit.* p. 83.

<sup>17</sup> Today, the role of the governor representing the monarch and his/her deputies is small, elected Prime Ministers and their governments play a crucial role.

<sup>18</sup> The Senate was intended to reflect the federal structure of the state, however, the formula for equal representation of the provinces in this chamber was not accepted. See: I. Wrońska, *op.cit.* p. 82.

<sup>19</sup> Constitution of 1867, art. 21-22.

Article 92 confers powers to legislative bodies of the provinces and these competencies include: direct taxes of a province, incurring liabilities, establishing and holding provincial offices, management of assets belonging to the province, managing and maintaining hospitals and borstals and managing charitable institutions, municipal institutions, property and civil rights in the province, the administration of justice in the province, the imposition of fines, criminal sanctions for violation of the law in provinces, the general matters a local or private nature of the province. In addition, the legislature of each province shall have exclusive right to regulate and impose taxes on non-renewable natural resources and the organization and maintenance of education.

It is important, from the point of view of system solutions, that a model of centralized federal state allows the possibility of suspension or cancellation of provincial laws by the federal government. Moreover, under the clause of restriction, a Deputy Governor has the right to suspend the provincial Act until receiving federal approval<sup>20</sup>. It should be mentioned, that the government does not use those powers, and the federation is decentralized.

Iwona Wrońska draws attention to the vague principle of separation of powers in Canada, which makes the powers of government overlap, and this in turn leads to disputes between different levels of government. Among the issues, that give rise to much confusion, the author mentions fiscal issues, including grants to finance medical care and education, as well as disputes arising from the lack of regulation in terms of the integrity of the state and the possibility to leave the confederation. At the same time according to the Constitution, none of the provinces has right to secede, and should respect the Constitutional Act<sup>21</sup>.

Canada also has three territories with their own governments: Yukon, Northwest Territories and Nunavut. Similarly to the provinces, they have regional governments, which are responsible for the adoption and implementation of regulations in their territorial area. In contrast to the province, however, these areas are not constitutionally recognized entities with their own autonomous powers. Territories fall under the jurisdiction of the legislative federal government. In practice, the territories are usually granted privileges assigned to the provinces. Each territory has its own legislature, which has the power to issue regulations within the territory. The territorial commissioner has the same powers as the provincial governors. Since the territories are not constitutionally recognized as autonomous governments, their status within Canadian federalism is technically inferior. Territories have no a voice in matters of constitutional amendments concerning the distribution of powers between the federal and provincial levels.

The lowest level of authority in the Canadian system is the local government, which comprises the municipalities and regional councils. Like the territories, local self-governments are not constitutionally recognized entities with their own autonomous powers and jurisdiction. They are subject to the jurisdiction of the

---

<sup>20</sup> See. I. Wrońska, *op.cit.* p. 85.

<sup>21</sup> See. *Ibidem*, pp. 85-89.

provinces and territories, which are responsible for the formation of local governments and the determination of their legal framework. It happens, that local governments are dominated by the governments of the provinces or territories, but currently the residents, particularly in the major urban centers, attach great importance to self-government, especially in cities such as Vancouver, Edmonton, and Toronto.

### **Political parties in Canada – development, importance and leadership**

Political parties play a key role in Canadian democracy and are perceived as an important link between the state, understood as an institution, and society. Canada Elections Act of 2000 defines a political party as “an organization whose primary purpose is participation in public life by supporting one or more of its members (candidates) and then supporting them during the election period.” In order to become a legal entity in the Canadian political system, a party must meet a number of conditions, including having at least 250 members with the right to vote and nominating candidates in at least one constituency.

In its early history Canada was characterized by a two-party system, in which the conservative and liberal parties dominated the political scene. The Conservative Party was formed out of a merger of several parties: the Tories and the Moderates of Upper Canada (modern Ontario), as well as the representatives of the conservative English and French entrepreneurs of Lower Canada (modern Quebec). In contrast, the Liberal Party was formed by merger of two other groups: French radicals from Quebec and the Clear Grits of Ontario. Since 1921 the party system in Canada has been evolving into a multi-party system, or more precisely, **a system of two and a half party**. New entities such as the Progressive Party were established. In the elections in 1921 this party became the second political force in the House of Commons. Moreover, the Social Credit Party assumed considerable significance in the federal arena. This party was created out of the western provinces and some members of this group joined the ranks of conservatives and liberals. The New Democratic Party (NDP), which was founded in 1961 out of the merger of the Co-operative Commonwealth Federation CCF with the Canadian Labour Congress (CLC), formed the governments at provincial level. The dominant parties were still the Liberal Party and the Conservative Party. Hence the then party system is referred to as a two-and-a-half-party system.

The evolution of the party system in Canada towards a multiparty system coincided with the collapse of the Progressive Conservative Party in 1993 and the emergence of new regional parties in Western Canada and in the province of Quebec. The Reform Party was established in 1987 as an alternative to the ruling Progressive Conservative Party. In 1997, the party came as the second in the elections to the House of Commons, forming the official opposition. This party in 2000 evolved into the Canadian Alliance to merger with the Progressive Conservative Party to form the Conservative Party. In turn, in the province of Quebec, since 1990, the regional party Bloc Québécois (Block Quebec)

advocating sovereignty in the province has been assuming significant importance. Another important political power is the Green Party of Canada, founded in 1983, which in its program lays special emphasis on environmental protection and sustainable development. In the elections to the House of Commons in 2008, the party received 6.8 percent of the vote, and in 2013 it slightly exceeded 5 percent of the vote in provincial elections in British Columbia.

Today, in Canada there is a multi-party system, but still a dominant role since the 19<sup>th</sup> century has been played by: the Liberal Party of Canada (*Parti libéral du Canada*) founded in 1867, and the Conservative Party of Canada (*Parti conservateur du Canada*) founded in 2003, which continues Conservative traditions dating back to 1854. Other important parties are also the separatist Bloc Québécois (Bloc Québécois) founded in 1990, and the social democratic New Democratic Party founded in 1961. It is difficult to present the differences of the ideological spectrum, as liberals and conservatives have a lot in common. The table below illustrates the main trends as well as the main differences in the Canadian party system.

Canadian political parties form the constitutions of the party, which in fact are the principles of the party, setting out the basic framework for the party. Constitutions usually outline the principles and values according to which the party is governed. They also establish the basic structure and functioning of the party. They contain provisions on: the membership (only a very small proportion of Canadians are members of political parties; it is estimated, that only between 1 and 2 percent of the population of Canada is engaged in political life and it is usually during the election period)<sup>22</sup>, selecting party's leaders and their powers, rules concerning the organization of convention, nominations and the way of handling elections.

Traditionally, federal parties are divided into two „wings“, which allows for efficient organization of the activities of the party. The so-called “parliamentary wing” of the party is made up of elected parliamentary members of the party (members of the parliamentary club), and the leader. This wing is responsible for the activities of the party in the area of legislative issues and the influence of the party on lawmaking (voting on legislation, participation in committees, participation in the selection of public officials). The extra-parliamentary wing is responsible for internal activities, including: selecting the leader, campaign evaluation, dealing with the finances of the party. This „wing” gets more involved during election campaigns.

---

<sup>22</sup> K. Carty, W. Cross, *Political Parties and the Practice of Brokerage Politics*, [in:] *The Oxford Handbook of Canadian Politics*, eds. J.C. Courtney, D. E. Smith, New York 2010, p. 340.

Table 1. The political and ideological spectrum of the Canadian party system.

| Left wing                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | Centre                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | Right wing                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| NDP (New Democratic Party)<br>Green Party (the social aspect)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Liberals - Liberal Party of Canada (GRITS)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | Conservative Parties - Conservative Party of Canada<br>Green Party (the economic aspect)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| <b>Ideological assumptions - social and economic issues:</b> <ul style="list-style-type: none"> <li>• Equal rights for the homosexual</li> <li>• Protection of the environment (Kyoto Protocol)</li> <li>• Reducing spending on defence</li> <li>• Much higher taxes for top earners</li> </ul> <b>The planks of the platform of the NDP:</b> <ul style="list-style-type: none"> <li>• Concern for human rights</li> <li>• Promotion of interculturalism</li> <li>• Public health services, including dental care and care for addicts</li> <li>• Reducing the cost of living</li> <li>• Social care</li> <li>• Increasing taxes for large corporations</li> <li>• Development of public transport</li> <li>• Fight against drugs</li> </ul> | <b>Ideological assumptions - social and economic issues:</b> <ul style="list-style-type: none"> <li>• Equal rights for the homosexual</li> <li>• Protection of the environment (Kyoto Protocol)</li> <li>• Reducing spending on defence</li> <li>• Maintaining the current level of taxes and implementing social programs</li> <li>• Higher taxes for higher earners, but not significantly higher</li> </ul> <b>The planks of the platform of the GRITS:</b> <ul style="list-style-type: none"> <li>• Medical Assistance for Families</li> <li>• The reform of the pension scheme system</li> <li>• The reform of the higher education system</li> <li>• Reduction of the budget deficit to 2 percent of GDP</li> <li>• Reducing campaign expenses</li> </ul> | <b>Ideological assumptions - social and economic issues:</b> <ul style="list-style-type: none"> <li>• The homosexuals should not be ensured equal rights</li> <li>• Promoting goods made in Canada</li> <li>• Defence spending is necessity</li> <li>• Reducing federal and provincial taxes and decreasing expenditure on social policy</li> </ul> <b>The planks of the platform of the Conservative Party:</b> <ul style="list-style-type: none"> <li>• Decentralization of Canada and devolving more competencies to the provinces</li> <li>• Long-term economic growth</li> <li>• Fight against unemployment</li> <li>• Public safety</li> <li>• Protection of the family</li> </ul> |

Source: author's own compilation based on: Canada Ideologies& the political spectrum, at: <http://pgss.sd57.bc.ca/~rlewis/website/ss11/8.%20canada-political-parties.pdf> [02.06.2014].

An important element of the organization of Canadian political parties are parties conventions. During the convention party members have the opportunity to

participate in making key decisions for the activities of the party. Also boards of parties are selected and amendments to the constitutions are proposed and introduced. Theoretically, parties should be guided by the arrangements made in the course of the convention, in practice, however, the major significance is attached to the leader and the party elite (the party leadership). Major parties generally have representatives in individual constituencies, who supervise the activities of the party at the local level. These organizations are run by constituency executives, who employ volunteers and raise funds for election campaigns. The local level also plays a significant role in the selection of delegates to conventions and in the selection of candidates for election to the House of Commons<sup>23</sup>.

Party leadership is an important contributory factor to the development and management of the party. The leader of the political party manages the activities of the two “wings” of the party, and is responsible for managing the parliamentary club. If the party is in power, the leader is usually the Prime Minister of the government. As a prime minister, the party leader supervises the cabinet, composed of senior members of the parties, who are responsible for the specified areas of public policy (the ministers). If the political party is opposed to the government, the leader usually oversees the “shadow cabinet”, composed of high-ranking party members, who focus on specific areas of public policy and criticize the government. Selection of the leader usually takes place at conventions and meetings of national political parties with members of the party.

### **Deformation of the will of the voters as the electoral system of Canada**

The electoral system in Canada is based on single-member plurality system. This system gives rise to considerable controversy, because it does not reflect the will of the voters. Changing the electoral system, known as *First past the post* – „the winner takes it all” has been the subject of much debate for several years. Many observers of the Canadian political scene believe, that the Canadian electoral system undermines the authority of the government, “causes people’s frustrations” and does not serve the public. In Canada, the seats in parliament do not exactly correspond with the results of the popular vote. In the last, 42<sup>nd</sup> elections to the House of Commons in 2011, thanks to the existing electoral system the Conservative Party of Canada, which won only 39.6 percent of the votes, was given 53.9 percent of the parliamentary seats, and this allowed the party to form a government. The system, which distorted the outcome of the election by almost 14 percent, according to many Canadians do not meet the standards of democracy. The research, conducted in 2012, indicates that support for the party has dropped to 31 percent<sup>24</sup>.

---

<sup>23</sup> *Ibidem*, s. 340.

<sup>24</sup> See: B. Trister, *A Fix for Gerrymandering? Real Electoral Reform*, The Huffington Post Canada, [27.04.2012].

As a respond to these concerns, the organization *Canadians for Justice* has published a proposal for electoral reform. The proposed electoral system, called PTPR (*Provincial / Territorial Proportional Representation*) allocates seats based on the percentage of votes obtained by the parties in the popular vote in each province and territory. Candidates are selected based on percentage of votes obtained in constituencies. The system proposed by the Canadians for Justice is much more accurate than the current electoral system used in Canada. Taking into account the results of the elections of 2011 the proposed system distorts the results at the level of 1.6 percent<sup>25</sup>.

To sum up, the Canadian political system and the division of competences developed in the mid-nineteenth century by the “fathers of confederation” endures to this day. Although it is a matter of dispute relating to competences, which is characteristic of Canadian federalism, and for outside observers may seem complicated, it allows for maintaining a balance between the objectives of the federal government and the interests of the various provinces of Canada. Moreover, the system is compensated by the Supreme Court and courts of appeal in the provinces, which settle the disputes over division of powers. It is also worth to note the development of civil society, especially at the lower levels of the administrative structure, such as cities and municipalities, with the increasing social activity, unrelated to the activities of political parties despite common ethnic and cultural differences .

## Bibliography

1. Auclair C., *Federalism: Its Principles, Flexibility and Limitations*, [in:] *Decentralization and Power Shift*, Vol. II, Philippines 2002.
2. Blindenbacher R., Watts R.L., *Federalism in a Changing World – A Conceptual Framework for the Conference*, Published by Forum of Federations
3. Carty K., Cross W., *Political Parties and the Practice of Brokerage Politics*, [in:] *The Oxford Handbook of Canadian Politics*, eds. J.C. Courtney, D. E. Smith, New York 2010.
4. *How Canadians communicate IV. Media and politics*, eds. D. Taras, C. Waddell, Edmonton 2012.
5. <http://www.forumfed.org/en/libdocs/IntConfFed02/StG-Blindenbacher.pdf>
6. <https://www.cis.org.au/images/stories/policy-monographs/pm-49.pdf>
7. Jaskiernia J., *Wprowadzenie do systemu państw federalnych*, [in:] *Problemy rozwoju federalizmu we współczesnym świecie*, ed. J. Jaskiernia, Kielce 2009.
8. Riker W.H., *Federalism: Origin, Operation, Significance*, Boston 1964.
9. The Constitution of Canada – Constitutional Act of 1867.
10. Trister B., *A Fix for Gerrymandering? Real Electoral Reform*, The Huffington Post Canada
11. Tsebelis G., *Decision Making in Political Systems: Veto Players in Presidentialism, Multicameralism and Multipartism*, „British Journal of Political Science”, 25:3, 2000.

---

<sup>25</sup> Democracy Watch Portal available at: <http://democracywatch.ca/campaigns/voter-rights-campaign/>, [02.06.2014].

12. Walker G. de Q., *Ten Advantages of a Federal Constitution and How to Make the Most of Them*, <https://www.cis.org.au/images/stories/policy-monographs/pm-49.pdf> [01.06.2014].
13. Watts R.L., *Administration in Federal Systems*, London 1970.
14. Watts R.L., *The Theoretical and Practical Implications of Asymmetrical Federalism*, [in:] *Accommodating Diversity: Asymmetry in Federal States*, ed. Robert Agranoff, Baden-Baden 1999.
15. Woodward D.F., *Federal system*, [in:] M. Hawkesworth, M. Kogan, *Governments and politics*, vol. 1: *Federal systems*, Routledge 1992.
16. Wrońska I., *Zagadnienia podziału kompetencji w systemie federalnym Kanady*, [in:] *Problemy rozwoju federalizmu we współczesnym świecie*, ed. J. Jaskiernia, Kielce 2009.

### **Abstract**

The Canadian political system and the division of competences developed in the mid-nineteenth century by the “fathers of confederation” endures to this day. Although it is a matter of dispute relating to competences, which is characteristic of Canadian federalism, and for outside observers may seem complicated, it allows for maintaining a balance between the objectives of the federal government and the interests of the various provinces of Canada. The article deals with the characteristic features of the federal system, concentrating on the system in Canada. The Canadian model of the federal system assumes the independence of provinces and their powers in provincial activity. However, individual provinces of Canada remain autonomous within the scope of legislative and executive power defined by the Constitution. In Canada, the federal government has jurisdiction over the country, and each province has jurisdiction for their own territory. Both levels derive their powers from the constitution.

### **System federalny Kanady – próba analizy**

Ustrój Kanady i podział kompetencji opracowany w połowie XIX wieku przez „ojców konfederacji” okazał się niezwykle trwały. Choć jest on źródłem sporów kompetencyjnych, co jest cechą charakterystyczną kanadyjskiego federalizmu, a dla zewnętrznych obserwatorów może być zawiły, to funkcjonuje on w sposób pozwalający na zachowanie równowagi pomiędzy celami rządów federalnych, a interesami poszczególnych prowincji Kanady. W artykule wskazano na główne cechy systemu federalnego, zwracając szczególną uwagę na system kanadyjski. Kanadyjski model systemu federalnego zakłada niezależność szczebli i samodzielną działalność w zakresie wskazanych kompetencji. Władza ustawodawcza i wykonawcza w poszczególnych prowincjach Kanady zachowuje autonomię w granicach określonych przez konstytucję. W Kanadzie rząd federalny ma jurysdykcję w całym kraju, a każda prowincja ma jurysdykcję na określonym, własnym terytorium. Oba poziomy wywodzą swoją władzę z konstytucji.

Rafał Miernik, Ph.D., the Jan Kochanowski University in Kielce, Poland.