**Peter Aucoin, Jennifer Smith and Geoff Dinsdale. 2004. *Responsible Government: Clarifying essentials, dispelling myths and exploring change.* CCMD: Ottawa.**

**Approach**

Descriptive / classical institutionalism

**Thesis**

Responsible government continues to function as it has in the past.

**Main Arguments**

* Canadian system of government has three parts: Crown – Queen and GG; Parliament – the Crown, HoC and Senate; Judiciary – series of courts with the SCC at the top
* *Responsible government (RG)*
  + Definition: “The government must always have the confidence of a majority of elected MPs in the House of Commons”
  + Parties are the device through which MPs perform the function of deciding who forms the government. As such, RG is called “party government”
* *Collective ministerial responsibility:*
  + By convention, Ministers exercise executive power; formally they advise the Crown which accepts the advice.
  + Ministers are collectively responsible for all cabinet decisions and implementing policies.
  + The government stands or falls as a single entity
* *Individual Ministerial responsibility*
  + Ministers are individually responsible to the legislature for the specific powers assigned to them and the organizations in their portfolio.
  + They also have a **legal** responsibility for exercising their specific powers.
  + For this accountability to work a specific minister must be responsible for every act of government (e.g. there is just one minister to head a department).
  + However, while Ministers can be blamed and questioned by Parliament, it can’t remove them.
  + That ministers are responsible for their own actions and their subordinates
  + No distinction is made between accountability for policy and administration.
  + Accountability must be exercised by the current minister since only they have the power to take remedial actions
  + Has long been accepted that Ministers can’t know everything going on in their departments.
  + Instead of resigning for wrong doing by public servants, the Minister needs only to come to parliament and describe how the matter was investigated.
  + No minister resigned for misdoings by a public servant from 1867 to 1990
* *Public Servants*
  + Have no constitutional status. Authority for the public service lies in Ministers.
  + Public servants should be anonymous since they act in the Minister’s name.
  + They must be politically neutral – should not defend or promote Ministers’ decisions, but only describe or give factual information.
  + Bureaucrats are *answerable* to committees (provide factual information); Ministers are accountable to the Commons.
  + Anonymity of public servants eroded by access to information, the growing number of agents of Parliament that scrutinize the civil service and increased media coverage.
  + Pressures to follow demands from ministers and stakeholders also challenge impartiality.
  + One exception is Deputy Ministers who are delegated authority directly from parliament under the *Financial Administration, Public Service Employment*, and *Official Languages* Acts.
  + In these areas DMs are personally responsible and cannot take orders from the Minister.
  + DMs are also required to appear before parliament “to give an account of their “stewardship” of their departments but not to comment on politically sensitive matters. However, the difference is highly subjective.
  + Things may change with the adoption of the accounting officer model, where DMs are responsible for financial spending within a department.
* *Checks and balances* 
  + The Crown (GG) has the “reserve power” to refuse the PM’s request for dissolution or any other matter.
  + RG only works if the GG can stand up to a government taking unconstitutional actions.
  + In the Commons, the Opposition’s capacity to check government depends on party system (e.g. one party dominant, two-party, etc.).
  + Opposition strongest in two party situation since multiple parties fragments cohesion in opposition, especially on committees and during Question Period
  + Strong discipline in the governing party also undermines parliament’s check however.
  + There is no evidence that “Parliament once performed its scrutiny or accountability role significantly better than it does today.”
  + In fact situation may be better due to longer sessions, more committees, Access to information legislation, the creation of new audit and review agencies and expansion of the AG’s mandate as well as the availability of more government information on the internet
  + Current electoral system disproportionately rewards largest party, undermining opposition
  + Senate is not a confidence chamber, but can block legislation. Lacking legitimacy it seldom does so, but can make constructive recommendations.

**Contribution**

Clarifies the concept of responsible government and recasts it in the context of the US style checks and balances.