

INTRODUCTION

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Founded in 1978, the Canadian Study of Parliament Group (CSPG) is a non-profit, non-partisan organization whose mission consists in encouraging and supporting the study of the Parliament of Canada and Canadian legislatures, and the parliamentary process in general. The CSPG brings together a diverse group of individuals, including academics, public servants, parliamentarians and students, who share an interest in the parliamentary process and parliamentary institutions.

The Group fulfills its mission to encourage and support the study of parliamentary issues by organizing various programs and activities. Each year, the CSPG organizes three parliamentary business seminars that examine various aspects of the Canadian parliamentary system, such as the legislative process, parliamentary committees or parliamentary procedure. Each year, the CSPG also awards the Mallory Research Grant, which is dedicated to the late Professor James R. Mallory and is meant to inspire continued interest in the parliamentary system of government.

Several CSPG activities are specifically geared toward the next generation of students. Jointly organized by the Canadian Association of Clerks-at-the-Table and the Canadian Study of Parliament Group, the speaking tours of Canadian universities allow university students to attend a presentation given by a parliamentary officer on the role of Parliament and the Westminster model of government. The Group also holds an annual national essay competition on a parliamentary theme, which is open to undergraduate and graduate students. In addition, the GCEP recently established a doctoral fellowship to support the efforts of a doctoral student whose thesis focuses on the parliamentary process and parliamentary institutions.

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On May 23, 2014, the CSPG held a conference entitled “The Crown and Parliament”. Organized around four discussion panels, the conference examined the historical evolution of the relationship between the Crown and Parliament and the role of the Crown in the legislative process during the first two panels. A third discussion panel examined a new emerging practice regarding the consultation of Parliament before the exercise of royal prerogative. The fourth panel examined contemporary issues pertaining to the Crown and the Canadian Constitution, including recent changes to the rules governing succession to the throne. In accordance with an established practice dearly valued by the members of the CSPG, each discussion panel was followed by a question period, which led to interesting and thought-provoking discussions with the audience. I would personally like to thank everyone who attended the conference, as well as the participants in the discussion panels: LCol Alexander Bolt, Paul Benoit, Prof. André Émond, Prof. Philippe Lagasse, Prof. John Mark Keyes, Prof. Carissima Mathen, Christopher McCreery, Charles Robert, Prof. David E. Smith, Rob Walsh and Prof. Mark D. Walters.

The articles in this book are based on the presentations given at the conference. Also included are articles by Senator Serge Joyal, Patrick Baud, Julien Fournier, Prof. Geneviève Motard, Prof. Patrick Taillon and Prof. Anne Twomey. I thank all the authors for their contributions.

The title “The Crown and Parliament” contains within it an inherent contradiction that illustrates the relevance of a conference and book on the topic to fully explore the various aspects. Although the title presents the Crown and Parliament as two separate entities, both are intrinsically linked. Without the Crown, there can be no Parliament (*Constitution Act, 1867*, s. 17). Moreover, the Constitution invests the Crown with the legislative authority it exercises “with the advice and consent of the Senate and House of Commons” (*ibid.*, s. 91 *in limine*). This title also presents the Crown as a single entity. There is only one federal Crown in Canada; however, under the Constitution and constitutional conventions, this Crown exercises both executive powers (the Crown-in-Council) and legislative powers (the Crown-in-Parliament). This duality lies at the heart of the parliamentary process. This book addresses this issue and, more generally, the sometimes complex relationship between the Crown and Parliament.

I hope you find the book to be an interesting read.