



Recent Publications and Documents

New Dimensions of Canadian Federalism by Gregory S. Mahler, Associated University Presses, Cranbury, New Jersey. 1987, 195 pages.

During the 1960s Professor Donald Smiley noted that a mild state of chaos was the normal condition of the Canadian federation. This is even more true in 1988. A Constitutional Accord (signed by the Prime Minister and Premiers of ten provinces but not yet approved by the legislatures), a free trade agreement negotiated but not yet implemented with the United

New Dimensions of Canadian Federalism

Canada in a Comparative Perspective

Gregory S. Mahler



States, and a Supreme Court beginning to interpret legislation in light of the 1982 *Charter of Rights and Liberties* have added to the regularly scheduled chaos that derives from federal-provincial negotiations on various issues.

To some extent this book has been overtaken by events since it was published before the Meech Lake Agreement which envisages a number of changes in the nature of Canadian federalism including the method of appointing Senators and Supreme Court Judges.

Nevertheless the book does provide a brief and well written overview of some traditional

themes of Canadian federalism and compares it with other federal systems, mainly Australia, the Federal Republic of Germany and Switzerland.

For an American, teaching at an American University, the author demonstrates admirable ability in understanding and summarizing the complicated series of events that led to the 1982 patriation of the Canadian constitution. He then moves on to three chapters examining the way policy issues are handled in Canada. He looks specifically at health policy, foreign policy and energy policy. In all three instances he finds that in Canada debate seems to focus more on process than on policy. For example "at times in the recent past more attention has been paid to the question of which level of government will make energy-related decisions than to the question of what policies those decisions ought to recommend" (p. 146).

The final chapter offers a comparative perspective in which he attempts to explain why Canada is less efficient in making social policy than the other federations. His explanations are grouped into four categories: historical patterns of behaviour, the constitutional balance of powers, governmental institutions and attitudes of political leaders. In each case he makes at least one astute observation. For example he suggests, perhaps too politely, that Canada suffers "from certain ambiguities in its constitution which were not addressed during the 1982 constitutional changes."

His conclusion that Canada has its own brand of federalism "and it is unlikely that anything is going to happen of a radical or drastic nature..." will offer food for thought to both the proponents and opponents of Meech Lake.

Gary Levy