

Opinion: Prime Minister Harper  
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## IS STEPHEN HARPER A CLEAR AND PRESENT DANGER TO CANADIAN DEMOCRACY?

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Prime Minister Stephen Harper has shown major flaws in the structure of the Canada's version of the Westminster model of government. Should he win a majority, it is reasonable to believe that Harper will go much further down the road toward an elected dictatorship.

By W.T. Stanbury<sup>1</sup>

Stephen Harper is well on his way to becoming a transformative Prime Minister — in a way that is a clear and present danger to Canadian democracy.

By telephone, Harper obtained the approval of the Governor General to prorogue Parliament on Dec. 30, 2009 until March 3, 2010 (see *The Globe and Mail*, Dec. 30, 2009). This action has been called “a shocking insult to democracy” by former Liberal minister Ralph Goodale; “a political scam” by NDP MP Libby Davies; and “a travesty, but...devilishly clever” by columnist John Ibbitson. A *Globe and Mail* editorial (Dec. 31, 2009) called it an “under-handed manoeuvre to avoid being accountable to Parliament” while columnist Andrew Coyne ([www. macleans.ca](http://www.macleans.ca), Dec. 31, 2009) said the prorogation was “not illegal” but it was “an abuse of process, an insult to Parliament, [and] another step on Parliament’s long slide into irrelevancy.” Columnist Susan Riley said that the move was “shocking, but hardly surprising...an expression [of the PM’s ] contempt not just for Parliament, but for government” (*Ottawa Citizen*, Dec. 31, 2009). On the other hand, a *National Post* editorial (Dec. 31, 2009) said the move was “far from being undemocratic” [as the PM was] “seeking to eliminate an artificial log-jam in the Senate” where the Liberals have a majority and have been holding up legislation passed by the Commons.

I argue that this latest prorogation is part and parcel of a distinct and cumulative pattern of behaviour by Prime Minister Harper that seriously weakens Canadian democracy itself. He has been undermining a number of long-standing customs, conventions and practices that are central in holding the government accountable to Parliament and ultimately to electors.

My purpose is to describe the big picture which has not been well delineated. As noted, each of the specific actions outlined below have each been the subject of negative comment. The danger lies in the combination of actions and their cumulative effect.

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**Transformative actions** Harper prevented the near certain defeat of his government when on Dec. 4, 2008, he persuaded the Governor General to prorogue Parliament until Jan. 26, 2009 to prevent his succession by a coalition. Harper defended his action by making false claims that the coalition would have been an undemocratic coup.

Columnist James Travers put it this way: “Facing certain defeat, Harper escaped by persuading the Governor General to suspend Parliament and by convincing a surprising number of civics challenged citizens that he alone could rule. On balance, Michaëlle Jean was right. By any measure beyond a propaganda triumph, Harper was wrong,” (The Toronto Star, Dec. 15, 2009).

Brian Topp, an NDP insider, at the end of a detailed description on how the ill-fated coalition came about, drew this conclusion: “It was... entirely inappropriate, democratically illegitimate and improper in 2008 for Mr. Harper to direct an appointed official, the Governor General, to instruct the majority in the House of Commons on when it can sit or what business it can conduct, so that the Prime Minister could avoid a confidence vote. The friends of the Governor General’s conduct will reply, fairly in the circumstances, that she must do as she is told by the Prime Minister.”

He continues, “The Prime Minister holds his office because he commands the support of the House of Commons. Harold Wilson, the former prime minister of Britain, had a great deal of experience in minority Parliaments. In his book *The Governance of Britain*, he wrote: ‘The Prime Minister and his Cabinet are accountable to Parliament. They have no fixed term of office, such as that of an American president, who is secure for four years though perhaps legislatively impotent for part of that time. They survive as a government just as long—not a day longer—as they can count of the support of a majority of Parliament, however small that majority may be,’” (Globe and Mail, Dec. 4, 2009).

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This view is echoed by virtually every scholar who has written on the subject.

Columnist Frances Russell noted that “Harper and some of his ministers not only deliberately rubbed raw every one of Canada’s deepest and most divisive linguistic and regional nerves, they threatened the Office of the Governor General and precipitated a prorogation precedent that turns Canada, in the words of one commentator, into ‘a banana republic with snowflakes,’” (Winnipeg Free Press, May 20, 2009).

**The Harper government has made unprecedented use of attack ads (spending about \$2-million in 2007 and 2008 and another \$3-million in 2009) to attempt to destroy two consecutive leaders of the Liberal Party Stéphane Dion and Michael Ignatieff.**

Frances Russell (Winnipeg Free Press, May 20, 2009) described the ads attacking Michael Ignatieff as follows: “The French-language ads portray Ignatieff as anti-Quebec, claiming he speaks Parisian French because he is contemptuous of Quebec francophones and their accent; he believes, like former prime minister Pierre Trudeau, that Quebec must be kept in check, and he ridicules Quebecers as no more than North Americans who happen to speak French. As The Toronto Star/La Presse columnist and CBC commentator Chantal Hébert writes, it is “unprecedented for a sitting Prime Minister to approve French-language ads that depict a fellow federalist leader as hostile to Quebec.”

The English-language ads focused on the theme that Ignatieff is “not in it for Canada, just visiting,” apparently because he has spent most of his professional life in the U.K. and the U.S. Russell concluded that “Harper’s apparent fixation with personal attack ads outside elections is more evidence of his disregard for democratic norms and limits.”

**Harper has greatly expanded the government propaganda machine controlled by PMO, and he has coordinated it with the between election communications efforts of the Conservative Party. See Stanbury, The Hill Times, Nov. 23, 2009. Harper has continued the shift toward what Prof. Donald Savoie calls “court government.”**

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Harper has practised extreme centralization of both decision making and message control. Some observe that this is the result of four factors: the new Conservative Party is a merger of disparate elements. It suffers from a severe case of “opposition mentality,” not having held office since 1984-1993. As leader of two minority governments, PM Harper has faced great uncertainty and decided that the best way to cope with it was to centralize. And so Harper muzzled his more “primitive” MPs whose views could “frighten the horses” when the polls show that a majority of Canadians distrust the PM.

**Harper has treated his ministers — with a very few exceptions — as less important than did Jean Chrétien who is said to have used his ministers as a focus group, while brutally reminding them he was in charge.**

After promising to reform the Senate, Harper has made crass patronage appointments to the Senate in the worst tradition of his predecessors. And more are expected this month. Harper has limited the traditional role of senior officials as policy advisers. He has relied more on political staffers in the PMO, and on more politically attuned officials in the PCO. In some cases, major policy changes have been announced with almost no analytical work to support them.

**Harper has used the Conservative Party to sue a government agency with respect to an investigation of the party.**

The Conservative Party sued Elections Canada over being denied financial rebates for the alleged “in-and-out” transactions. The lawsuit is unprecedented. No political party, much less a governing one, has ever sued a government agency. No other party could even afford such a move.

**For short-term partisan advantage, Harper has made important legal and fiscal concessions to the provinces.**

He has given up federal powers, responsibilities, and revenues to the provinces. He has lavished federal money on Quebec in the (false) name of fiscal rebalancing and increased its equalization payments. Purely on his own, he got Parliament to recognize the Québécois as a distinct nation. It will be nearly impossible for Ottawa to regain powers that have been given to the provinces. And the increased flow of funds to Quebec and other provinces will be a new higher base from which demands for more will be launched.

**Harper has “defunded” the federal government by hard-to-reverse tax cuts and nearly hidden tax expenditures.**

Corporate income taxes have been cut across the board regressively and so have personal taxes and GST. By 2012, the cuts are estimated to cost the federal government \$40-billion per year. New programs now will require greatly increased levels of taxation, a most difficult task for any new government.

According to fiscal expert Jack Mintz, “The real cost [of the Tax-Free Savings Account—a new tax expenditure—announced in the 2008 budget] will be down the road, when many seniors will have untaxed investment income sheltered in the TFSA. Of course, someone else will be in power by then, and Flaherty’s new account will make life a lot tougher for tax-and-spend governments in the future,” (Canadian Business Magazine, March 26, 2008).

**The Harper government has repeatedly denied the principle of ministerial responsibility which is a fundamental attribute of Canada’s Westminster model of government.**

Columnist William Johnson has argued that, “Since they took office in February 2006, Stephen Harper and his ministers have evaded answering for the treatment of detainees turned over by Canadian forces to Afghan authorities....[Now] the crux of the matter [is] ministerial responsibility, and a culture of don’t ask, don’t tell running from the fields of Afghanistan to the Prime Minister’s Office.... At issue is the credibility of the government and its responsibility to answer to Parliament and so to the people of Canada,” (Ottawa Citizen, Dec.15, 2009).

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**Despite claims of greater transparency, the Harper government has exacerbated the culture of secrecy in Ottawa.**

Columnist James Travers put it this way: “The Conservatives won the 2006 election in part by promising transparency. Since then, Ottawa has become only more opaque as the result of the resolute Conservative effort to mute public watchdogs, pass the buck to civil servants and continue concentrating power among appointed partisans in the Prime Minister’s Office,” (The Toronto Star, Dec.15, 2009). The two Harper governments have kept more secrets, used various tools to defeat applications under the Access to Information Act, and engaged in cover-ups (the one regarding Afghan detainees being the most obvious — see Stanbury, The Hill Times, Nov. 30, 2009).

**The government has subverted Canadian democracy by its constant misinformation, by its withholding and censoring of documents, by making non-credible claims that it cannot release documents for reasons of national security, (William Johnson, Ottawa Citizen, Dec. 15, 2009)**

The maintenance of the largest possible amount of secrecy—in the face of a large number of requests under the Access to Information Act—is a game played energetically by the government of the day, and by public servants. An extensive list of the techniques used by the Harper government can be found in The Hill Times, June 15, 2009, pp. 24-25.

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The Harper government has made claims of what amounts to executive privilege regarding information requested by Commons committee regarding Afghan detainees.

By balking at Parliament’s demand for information, Harper is assuming powers of executive privilege normally associated with U.S. presidents, not Canadian prime ministers, (John Mraz, National Post, Dec. 15, 2009).

**Conclusion:** As head of two minority governments, Prime Minister Harper has made a series of moves that have undermined Canadian democracy. Harper has shown major flaws in the structure of the Canada’s version of the Westminster model of government. Should he win a majority, it is reasonable to believe that Harper will go much further down the road toward an elected dictatorship.