

# Political paralysis in contemporary Canada

## MODEST CHANGES AT BEST

During its time in power, Stephen Harper's government has not had a majority in either the House of Commons or the Senate, and has had to contend with a civil service and a judiciary shaped by 12 years of Liberal appointments. Given these constraints, policy change has been incremental and marginal at best.

There has been no constitutional change, though perhaps the proposal for a single national securities regulator will be called that if it survives the government's reference to the Supreme Court of Canada. Nor has there been any major institutional change. Pleading a need for haste before an impending election, Harper abandoned his own innovative procedure for House of Commons committee hearings when he made his second appointment to the Court. He did introduce fixed dates for general elections but then violated the spirit of his own legislation in 2008, leaving it more or less a dead letter. Senate reform has gone nowhere fast, so that Harper is filling the Senate with Conservative partisans. He may still achieve limitation of Senate terms to 8, 10, or 12 years, though I suspect that even that small step will not happen unless he can get Conservative majorities in both the Senate and the House of Commons.

## CONTINUITY AND CHANGE

In some major areas of public policy, the Harper government has continued Liberal policies. The Conservative spending track was about the same as that of Paul Martin's government, until the 2008 recession led to a surge of deficit spending in the name of stimulus. Harper continued, and indeed accelerated, the military buildup initiated by Martin, while extending the combat mission in Afghanistan to which the Liberals had committed Canada. Harper did introduce some tax cuts, which the Liberals opposed—most notably the two-point reduction in the GST—but he also implemented reduc-

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tions to corporate and personal income tax that the Martin government had previously promised.

The Conservatives refused to proceed with a couple of Martin initiatives, specifically the Kelowna Accord, which aimed to put more money into Aboriginal programming, as well as the Liberal plan for a national public system of day care. These were important decisions, to be sure, but they did not change Canada; they simply left the country in the same state of hideous oppression at which it had arrived after 12 years of Liberal government.

Many goals of Conservative policy remain unfulfilled. The Wheat Board is still the monopoly purchaser of western wheat and barley, and the gun registry still exists, though enforcement of long-gun registration has been suspended. In spite of running against gay marriage in the 2005–6 election campaign, the Conservatives failed to repeal it once they came to power, and Harper took it off the agenda by scheduling a free vote in the House of Commons in which he

knew the repeal of gay marriage would be defeated.

## CRUCIAL NEW INITIATIVES

The Conservatives have introduced a large number of criminal law measures whose common themes are the specification of new offences, longer terms of punishment, and restriction of prisoners' "rights," such as collecting old age security and guaranteed income supplement while incarcerated. If this whole body of legislation is passed and implemented (far from certain in a minority Parliament), our criminal justice system would become marginally more punitive but would still be far from American levels of punishment and incarceration.

One could go on itemizing the differences that a Conservative government has made. There are indeed many, but they are all relatively marginal. Does anyone seriously maintain that cancellation of the Court Challenges Program, or stronger support for Israel, or reduction in the GST has wrought a basic transformation in Canadian society? In terms of public policy, Canada in 2010 under Stephen Harper was not fundamentally different from what it was in 2005 under Paul Martin.

## FUNDAMENTAL TRANSFORMATION OF PARTY COMPETITION

In terms of party politics, however, the change has truly been fundamental and transformational. The Liberals won majority governments in 1993, 1997, and 2000 largely because Brian Mulroney's victorious coalition had fragmented into the Reform Party, the Bloc Québécois, and a Progressive Conservative remnant. At the turn of the century, political commentators were claiming, some with joy, and some with sorrow, that the Liberals would be in power forever because they faced no real competition. Such predictions only increased when Paul Martin replaced Jean Chrétien as Liberal leader.

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Parties that do not fear defeat become complacent and even corrupt in office, as evidenced by the Liberal sponsorship scandal. However, Stephen Harper solved that problem by bringing about the 2003 merger between the Canadian Alliance and the Progressive Conservatives. Reuniting the right made it possible for the new Conservative Party of Canada to get back on the winning trajectory that had started in 1979, when Joe Clark temporarily drove Pierre Trudeau from power.

Of course, there are no final solutions in politics. Solving one problem always creates others. Now we have moved from a decade of uncompetitive one-party rule in which government was relatively unchecked to a decade of hypercompetitive minority Parliaments, in which governments have great difficulty implementing any agenda. Unedifying? Absolutely. Transformative? Hardly.

### FUTURE PROSPECTS

Harper will get a Conservative majority in the Senate if his government can survive for a few months into 2011, and he

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can grow that majority by continuing to win even minority victories in elections. Nevertheless, majority control of the House of Commons still seems tantalizingly difficult to achieve, as long as the Bloc continues to win 40 or 50 seats in Quebec.

Even if the Conservatives succeed in passing their new legislation to increase the House of Commons by about 30 seats (all in Ontario, Alberta, and British Columbia) after the next census, a majority will be difficult to reach. For example, in a House of 340 seats, 171 is a majority. Running against the weakest Liberal leader in history, the Conservatives won 143 seats in 2008. To get a bare majority after 2014, they would have to hold all those seats and win 29 of the 32 new

seats—a virtual impossibility. Of course, there may be other ways to cobble together a majority, but it will not be easy under any scenario.

Even if Harper were to win a majority, it would probably be a narrow one, not robust enough to serve as the basis for implementing his mythical “hidden agenda.” The best forecast is that, whatever the electoral fortunes of his party, he will carry on with the incremental, pragmatic, sometimes opportunistic course he has followed thus far. Supporters of other parties may dislike his government’s policies and seek to defeat him—that is called democracy—but hysterical rhetoric about Conservative policies and the effect of their implementation contributes nothing to intelligent debate. ❖

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