

‘THE CENTRE’ OF THE DEMOCRATIC DEFICIT?

POWER AND INFLUENCE IN CANADIAN POLITICAL EXECUTIVES

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‘THE CENTRE’ OF THE DEMOCRATIC DEFICIT? POWER AND INFLUENCE IN CANADIAN POLITICAL EXECUTIVES

Concern about the democratic deficit in Canada and other advanced democracies is real and it is important. As the title of this conference sagely notes, however, we must define and measure the democratic deficit before we set out to remedy it. The term has gained such wide currency – even prime ministers-in-waiting toss it around with abandon¹ – that it is routinely applied to any perceived flaw in modern political-governance regimes.

In analysing Canadian political executives and the democratic deficit, issues of definition and measurement loom especially large. We all ‘know’ that power is becoming increasingly – and dangerously – centralized in the prime minister and the courtiers surrounding him, few of whom are elected. Prominent academics and journalists have published persuasive books detailing the accretion of power to ‘the centre’ and the eclipse of Parliament and even of cabinet, which is argued to have atrophied into little more than ‘a focus group for the prime minister’. But just how is it that we ‘know’ this? Influential and extensively researched as the critiques are, they tend to be weak on the admittedly difficult questions of definition and measurement. Without necessarily disputing the overall message from these well-informed analysts, if we are to fully understand how the structure and operation of the political executive relates to the democratic deficit we need to pay closer attention to these basics.

This paper, accordingly, has two principal objectives. First, it works toward developing a systematic approach to defining and measuring the democratic deficit as manifested in Canadian political executives. Second, it considers possible ways of addressing this facet of the democratic deficit. This necessarily means that, like an oreo cookie with the filling already licked out, the middle is missing: an assessment of the magnitude of the democratic deficit in the realm of political executives. It is not, of course, that such judgements are unimportant – on the contrary, they are essential – but rather that in the limited space available, I want to emphasize elements of the topic that have received less attention in the literature: issues of definition and measurement and potential means for reducing the democratic deficit.

It may thus seem that inordinate time and energy is given over to packing of conceptual and methodological bags with insufficient attention devoted to actually travelling towards judgements as to the seriousness of the democratic deficit and on suggestions for dealing with it. Perhaps so, but one of the paper’s central arguments is that Canadian analysts have not been sufficiently careful in setting out their criteria for defining and measuring the democratic deficit in terms of political executives, especially first ministers.

Criticisms that the executive has become too powerful, especially vis-a-vis Parliament and the provincial/territorial legislatures, and thus undemocratic are of longstanding in Canada and must be taken seriously. Since Denis Smith’s landmark 1969 essay, “President and Parliament”, the lion’s share of criticism and concern about executive dominance in Canada has been focussed on the first minister and his or her close advisors.² Accordingly, this paper will be

primarily devoted to looking at the power of the first minister. ‘First minister’ rather than ‘prime minister’ since the paper encompasses both the national prime minister and the premiers of the provinces and territories.

Pogo was wrong: We have seen the enemy and it is ‘the centre’

The evidence supporting the ‘governing from the centre’ thesis, or what Herman Bakvis astutely labels ‘the prime minister as autocrat’ interpretation³, is substantial. The most notable academic proponent of this view is Donald Savoie, who has written a justly acclaimed series of books on the pathology of current-day Canadian governance. The gist of Savoie’s case, set out in his *Governing from the Centre: The Concentration of Power in Canadian Politics*⁴, is extended in *Breaking the Bargain*⁵, and, to judge by advance notices, intensified in a book due to be published shortly, *Court Government: The Collapse of Accountability in Canada and the United Kingdom*.⁶ Jeffrey Simpson, who ranks among Canada’s most insightful and prominent journalists, adopts a similar line of argument in his book, *The Friendly Dictatorship*.⁷ Newspaper reports in the same vein are commonplace. Perhaps most strikingly, a recent systematic comparison of prime ministers in 22 countries (including all five national Anglo-Celtic Westminster systems – Australia, Canada, Ireland, New Zealand and the UK) rated the Canadian prime minister not only as the most powerful (overall score: 8.24 on a scale from 1 to 9) but the most powerful by a wide margin (the next highest score, for Malta, was 7.16; the rating of the closest Anglo-Celtic system, Australia, was 6.98).⁸

Few if any credible analysts dispute that Canadian first ministers are very powerful, though a few scholars have raised questions, both analytic and substantive, about the ‘governing from the centre’ interpretation.⁹ These cavils relate both to the actual extent of the prime minister’s power and to claims that the degree of centralization has increased significantly (and worryingly) in recent years and continues to increase. A recent collection of essays on cabinets and leadership in the provinces – stimulated to an important degree by a desire to determine the applicability of the Savoie thesis provincially – reported a good deal of evidence confirming that Savoie’s analysis applies in the provinces, but also evidence suggesting a need for qualifications and refinements.¹⁰

Towards an Understanding of the Democratic Deficit and First Ministerial Autocracy

The term ‘democratic deficit’ is an evocative one, drawing considerable force from the obvious and intentional reference to financial deficits, which by the 1990s (in Canada at least) had ceased to be a subject open to rational discussion as to possible pros and cons – all government deficits were unrelievedly bad under all imaginable circumstances. Accepting that the term is useful and, more significantly, is likely here to stay, we might ask whether the allusion to economic circumstances might be helpful in analysing institutions of governance. Since the political economy of Innis, Dales and Watkins has been largely relegated to the margins of Canadian academia, those of us who study political institutions tend not to think that we have much to learn from the economists. I certainly have no intention of attempting to apply the arcane

tools of modern mathematical economics to Canadian political executives, yet in a broad sense the economists' general conceptual and methodological approaches to analysing deficits do commend themselves to the task at hand.

Conceptually, economists distinguish deficits from debt. A deficit is the amount by which revenue falls short of expenses over a specific short term (usually a year), whereas a debt is the accumulated total of all deficits (offset by any surpluses). A deficit, in other words, is a short-term phenomenon potentially subject to significant reduction or even elimination in a short time frame, albeit perhaps through drastic action. By contrast, debt is far more substantial and enduring and, as such, can only be reduced in any meaningful way over a much longer term. Rendered thusly, perhaps it might be more accurate to speak of a 'democratic debt', but 'democratic deficit', is not about to be replaced in common parlance by a term with a decidedly less euphonious ring. Terminology aside, the debt-deficit distinction encourages us to think about which democratic shortfalls might be fixed through quick, decisive reform and those which change only very slowly no matter how drastic the short-term actions.

Economists also draw another important conceptual distinction, between cyclical and structural deficits. Cyclical factors fluctuate over the short- and medium term and while they might have far-reaching effects, they are temporary and may be amenable to short-term remedial action. Structural factors reflect the fundamental organization and capacity of the economy and can be changed only with prolonged, sustained effort.

In terms of methodology, economists have precise standards as to what should and should not be included in determining surpluses and deficits (crown corporation operations and certain capital expenditures, for example, are excluded). Clearly, the precise measurement tools available to economists in the form of government financial accounts have no analogue in the analysis of political power and its distribution within government, but the goal of having clear definitions and standards is nonetheless a worthy one. A more readily transferable methodological tool is the explicit use of time-series analysis. Not of course that political scientists can develop year-by-year measurements of democratic deficits in the manner of economists plotting fiscal trend lines, but we should pay special attention to change over time.

This last point draws to our attention one of the many basic problems confronting analysts of the democratic deficit unknown to the economists. A balanced budget – revenue matching expenditure – is today as it was in 1900 and 1950 and at all other times. Not so in the political world. The notion of just what constitutes 'democracy' is constantly in flux. Consider a now obscure assessment of Canadian democracy rendered some year ago.

In 1921, Lord James Bryce – the prominent British academic and MP, author of one of the pioneering books in comparative politics, *Modern Democracies* – wrote a short but insightful book entitled *Canada: An Actual Democracy*.¹¹ By no means uncritical of what he saw of Canadian politics, Bryce's overall view was that Canada indeed constituted 'an actual democracy'. But what was the state of Canadian democracy in 1921? Women (other than those with relations in the military) were only permitted to vote in federal elections that very year and

in Quebec would not get the vote for another generation. Aboriginal Canadians were only allowed to vote if they legally renounced their Aboriginal status; within a few years, Parliament would make it illegal for Indians to raise money or hire lawyers to pursue legal cases against the Crown. Candidates and parties were free to raise and spend money in any amounts and in any ways they wished, with no public scrutiny and subject only to Criminal Code prohibitions against bribery and corruption. Freedom of information legislation was unknown. The public and organized groups, save the well-heeled and well-connected, had few opportunities to put their views on policy issues before decision makers, through mechanisms such as public hearings. The country did have far more newspapers than today and all were independently owned, but many if not most were closely tied to political parties and offered their readers highly partisan and parochial slants on the news. The *Canadian Charter of Rights and Freedoms* was scarcely imaginable and no human rights codes existed; factories in Toronto and elsewhere could with impunity post signs saying “Men wanted. No Irish or Jews need apply.” Moreover ... well, let us not belabour the point: by 2008 standards, many aspects of Canadian democracy were deeply flawed, making for a huge democratic deficit.

This is by no means to suggest that we should be smug about how far we have progressed beyond the democratic shortcomings of 1921 Canada – it is sobering to think of how participants at a comparative democracy conference in 2095 might judge present-day Canadian democracy. Rather, we should note two things: first, we have made great strides towards more robust democracy since 1921. Second, and more important for present purposes, in 1921 most Canadians and most analysts likely would have agreed with Lord Bryce that Canadian democracy was strong and healthy – otherwise put, in assessing democratic deficits we must be clear and careful to specify the standards by which we assess whether a democracy such as Canada is in deficit, and by how much.

This is all very interesting (I hope!), but just how does it relate to the analysis of Canadian political executives and the democratic deficit? Perhaps we cannot establish anything like a precise benchmark for a ‘balanced democratic budget’ in this instance, but that does not mean we should not try to be explicit. Let us begin with the recognition that, by definition, political executives take and implement decisions and in so doing superimpose their own values and preferences on the advice or instruction they have received (for example, from elected legislatures). In short, political executives in democracies have power and they use it. Moreover, by its very nature (the word ‘design’ is, of course, not appropriate) the executive in a Westminster cabinet-parliamentary system is characterized by extensive concentration of power. Many constitutional practices could be cited illustrating this inherent characteristic of the system, but perhaps the most telling is that only ministers of the Crown are even permitted to introduce in Parliament or the provincial/territorial legislatures measures (bills or amendments to bills, supply motions and the like) which would impose or increase taxes or which would directly allocate spending. Non-ministers, including those on the government side, who attempt to do so are immediately ruled out of order. Politically, premiers in the pre-Confederation United Province of Canada may truly have been ‘first among equals’ in terms of their relations with cabinet, but from Sir John A. Macdonald forward, the Prime Minister of Canada has had no equal in cabinet.

Before we conclude that Westminster systems necessarily entail substantial structural democratic deficits, however, we need to recall that Canadian first ministers and their cabinet colleagues – we have yet to address the proposition that cabinet has atrophied into little more than a ‘focus group’ for the first minister – are very much components of an unquestionably democratic system. They achieve and retain their power through continued support – “the confidence” – of a majority of the members of the legislatures, who have been elected through free and fair elections.

Canadian first ministers unquestionably make what in everyday parlance would be called (tellingly, in my view) ‘executive’ decisions – decisions which override or ignore those of cabinet colleagues or are made without informing or consulting them. Few would disagree, I think, that the first minister’s prerogative to make such decisions on occasion is justified and acceptable. Occasional ‘executive decisions’ are one thing, but first ministers who constantly engage in such behaviour clearly warrant being labelled autocratic, yet how common are they? A number of provincial premiers have been described as ‘one-man bands’ who ran their governments all but singlehandedly and often highhandedly. Joey Smallwood of Newfoundland, Ontario’s Leslie Frost and W.A.C. Bennett of British Columbia come to mind. Significantly, though, all passed from the scene decades ago. To be sure, more recent premiers such as Mike Harris and Ralph Klein have been accused of exercising an untoward degree of power, but not of being ‘one-man bands’. Government has grown too large and complex for any one person (and his minions) to decide and run everything.

How then are we to identify autocratic, highly centralized power as exercised by the first minister? We would need to address such questions as the following:

- how often does the first minister take ‘autocratic decisions’ (defined as those which override or ignore the views of cabinet colleagues or are made without informing or consulting them)?
- should we consider as autocratic a first minister’s decision which runs counter to the apparent majority of ministers but is made after extensive discussion and is supported by a significant segment of cabinet?
- how many of the first ministers’ autocratic decisions relate to major policies and critically important government initiatives and how many relate to low- and medium-level issues?
- how often and how extensively does the first minister and his or her political and bureaucratic officials intervene – micromanage – in routine decisions and operations of ministers’ departments?

Researching the Democratic Deficit and First Ministers

Good questions all, but how do we go about answering them? Research into cabinet processes, of which the role of the first minister is a special case, is fraught with difficulty. Cabinet processes are among the most secretive in government. Researchers have no access

whatsoever to cabinet and cabinet committee meetings and only the most limited access to cabinet documents less than 20 or 30 years old (though federal cabinet documents released under the ‘thirty-year rule’ have been put to good analytic use by political scientists¹²). In the absence of the ability to observe first-hand or review the most pertinent documents, researchers must rely on information that is publicly available and on interviews with knowledgeable observers and participants.

‘Publicly available’ information on cabinet decision making generally means media reports. To be sure, such reports can be telling about the role of the first minister in decision making, and other cabinet processes as well, but they must be interpreted with caution. Even assuming that they are entirely accurate – it is well to consider that when inside information on cabinet/first minister decisions is leaked to the press it is almost always to further someone’s political agenda – it is difficult to judge how representative they are. We already know that from time to time first ministers announce important government initiatives without the approval or even the knowledge of their cabinets: Trudeau’s imposition of a sweeping austerity programme on his return from the Bonn summit, BC Premier Vander Zalm’s announcement of his government’s opposition to abortion, Ontario’s Bill Davis’s surprise purchase of an oil company are but a few illustrations. This is what Savoie refers to as ‘governing by bolts of electricity’,¹³ but to extend his metaphor how often are people actually struck by lightning? In other words, are such clearly autocratic actions a first minister’s normal *modus operandi* or are they newsworthy precisely because they are highly unusual?

I do not suggest that in attempting to assess the democratic deficit we ignore media reports for indeed they do contain much of value. However, their utility must be assessed not assumed. Consider how often one reads in the newspaper that the current prime minister or the current premier – and his courtiers – have gone further than any predecessor in centralizing power. It may well be that this is precisely the case. But could not such conclusions be a function of a constant upping of the journalistic ante in relation to reporting about first ministerial autocracy? In order to rate as newsworthy, accounts of first ministers exercising their power need to claim or demonstrate a new level of excess. Stories about a first minister who prefers more consensual decision making than his predecessors are rather less likely to make it into print than ones about unprecedented centralization of power. We need to ask, however, on what basis the judgement is made that things are indeed worse than in the past. Most indicators of violent crime in this country have for years been steadily declining but the public believes that crime is on the rise and that our cities and streets are increasingly unsafe. Much of this disconnect can be traced to media emphasis on especially sensational violent crimes. Can we be sure that media accounts of unprecedented centralization of power are not subject to a similar dynamic?

Relatedly, it is well to bear in mind that public image, which of course is largely generated by media accounts, may not be a reliable guide to assessing first ministers’ exercise of power. Prime Minister Trudeau was widely viewed as highly autocratic, and was judged to have been the most powerful Canadian prime minister in the expert survey mentioned earlier, albeit not by a very wide margin.¹⁴ The judgement of those who sat with him at the cabinet table belie this public image. Eugene Whelan, as plain-speaking minister as there ever was, said of Trudeau:

“Contrary to what many people think, Trudeau ran his cabinet with a very loose hand ... I always laughed when people described him as a dictator”.¹⁵ Veteran minister Mitchell Sharp wrote that “I never knew him [Trudeau] to anticipate a decision [in cabinet] by giving his opinion before asking the opinions of his colleagues, except, of course, with respect to constitutional questions. He genuinely sought for consensus.”¹⁶ Not the least of the reasons why we must be careful about reading too much into first ministers’ public images as autocratic are the political benefits they may reap from being perceived by voters as strong, tough, decisive leaders, even if the reality is rather more complex.

As the preceding paragraph suggests, insiders’ published accounts of their times in government can be useful sources, though we need to take into account the tendency for memoirs to be self-serving and selective in their recollections. In this regard, the recently published perspectives of two long-serving top political operatives on the power of the prime minister and his courtiers deserve serious attention. In a recent report on parliamentary reform, Tom Axworthy, who served for nearly a decade as Prime Minister Trudeau’s Principal Secretary, writes “the PMO may look ‘almighty’ from the outside, but from inside the bunker, the impression is more akin to the Wizard of Oz, pushing levers that lead nowhere”.¹⁷ In a similar vein, in his book *The Way it Works*, Eddie Goldenberg, legendary political fixer for Prime Minister Chrétien, dismisses what he terms “the mythology about excessive centralization or inordinate concentration of power” as a misunderstanding of the crucial need for coordination in a modern complex government.¹⁸ (How quintessentially Canadian, by the way, that two exceptionally powerful backroom politicians should be at pains to *downplay* their putative influence.) To be sure, we must be careful in accepting such assessments at face value. Still, they are consistent with lamentations that senior political officials in the Ontario Premier’s Office have made to me (some in an actual research context, others in casual conversation) that they only wished they had anything resembling the power and control over ministers attributed to them. Significantly, these comments came from politicians from all three parties which have governed Ontario in the past two decades – Liberals, Conservatives and New Democrats.

As well, we must try to discern patterns rather than focus unduly on isolated incidents lest we give credence to the chemists’ and physicists’ jibe that a social scientist is someone who thinks the plural of ‘anecdote’ is ‘data’. Savoie and others, for example, make much of Trudeau’s infamous conversion to a far-reaching austerity programme on his return from the Bonn economic summit in 1978, which he announced without even consulting his Finance Minister, Jean Chrétien, who thought seriously of resigning. Yet Chrétien himself described this episode as uncharacteristic, commenting “In cabinet Trudeau listened more and compromised more than most Canadians imagine ... I never subscribed to the notion that Trudeau was a dictator. Often knowing what he thought, I saw him accepting the views of his ministers despite his own wishes.”¹⁹

Interviews must necessarily serve as our principal data source – as indeed they do in other realms of academic research into matters political, from policy studies to analyses of political party operations or interest groups. Having conducted many dozens of interviews of ministers, political staff and senior bureaucrats about cabinets and cabinet processes at the provincial and

territorial level, my view is that former ministers and politicians are far superior respondents than those still engaged in the political process. Not only do they have much more time to offer but, being removed from the hurly-burly, tend to be more thoughtful about their experiences and less defensive and self-centred. As well, their comments and judgements are more likely to draw upon their entire range of experiences as opposed to the immediate issues of the day which often preoccupy ministers and political staff still in office. (Senior bureaucrats typically have long time horizons and are by nature more analytical than political figures about government structures and processes, so that it matters a good deal less, at least in my experience, whether they are interviewed before or after they leave office.)

Expert surveys offer an alternate approach, yet the 22-nation study alluded to at the outset, which employed expert opinion to develop comparative ratings, illustrates the difficulties of measuring first ministers' powers and securing systematic data on them. To be sure expert surveys have their uses – I contemplated conducting one in a major research project into cabinet structures and processes in four provinces and one territory, and abandoned the idea largely because it became evident that the numbers of reliable respondents would be so small as to render the exercise all but useless. Still, their shortcomings are well known, not the least in the selection of the experts. In the Canadian case, since relatively few scholars have published on the cabinet and the prime minister, one has to wonder to what extent the fourteen experts' rating reflected their own research and observation and how much was attributable to the influence of Savoie's *Governing From the Centre*.²⁰

In attempting to establish whether first ministers act autocratically towards their cabinets, we need to distinguish the 'A Team' ministers from their less formidable colleagues. According to a Conservative insider quoted by the *Toronto Star*, Prime Minister Harper's Chief of Staff, Ian Brodie "frequently reduces cabinet ministers to tears" with his tirades and his heavy-handed wielding of authority on the prime minister's behalf.²¹ Even assuming the accuracy of the insider's claim, it is well to recall that, like the denizens of Animal Farm, some ministers are more equal than others. It would seem a very safe bet that, among the ministers who are *not* reduced to tears by Ian Brodie would include the likes of heavyweights such as Jim Flaherty, Jim Prentice, John Baird and David Emerson. Particularly since all Canadian cabinets necessarily include at least a few second-stringers in order to accommodate the 'representational imperative', it would hardly be surprising if the first minister and his staff pushed some weaker ministers around, in an autocratic fashion. The real test of autocracy on the first minister's part, I suggest, lies in his dealings with the tough, able ministers at the core of government. At the provincial level at least, and I suspect in Ottawa as well, the evidence suggests that while on occasion first ministers may well override any minister's preferences on occasion, or even fail to inform them of crucial decisions, they do not – indeed cannot – consistently act autocratically towards the leading ministers.²²

A final methodological observation before turning to possible remedies for the executive democratic deficit derives from the earlier suggestion that we follow the economists' lead in taking seriously change over time. In so doing, we need to balance the accretion of power to first ministers against changes in the constraints they face. A particularly significant example relates

to the widespread increase in the number, sophistication and combativeness of first ministers' communications staff. It was only in the late 1950s that the Prime Minister of Canada first acquired a press officer,²³ but now hordes of media advisors and spin doctors serve first ministers of even the smallest provinces and territories. As well, 'the centre' often exercises stringent oversight on departments' and ministries' dealings with the media). Surely this is a strong indication of the greatly enhanced control enjoyed by first ministers over the political agenda and over the operations of government. But is it really? The capacity is clearly much greater but so too is the challenge: a world of continuous and instantaneous news dissemination, spearheaded by aggressive, ambitious reporters with access to all sorts of previously secret or hard-to-find information by virtue of modern communications technologies (the internet, xerox machines, cell phones and the like). Perhaps the greater resources devoted to managing the media have only allowed first ministers to keep pace with such changes. It is fair to add that the emergence of a 24/7 news environment and reductions in press gallery complements owing to media consolidation and convergence have rendered it substantially more difficult for reporters and editors to gather and analyse information about government. The point here is not to argue that first ministers' control of the media has grown or diminished, but to suggest that analysing change of first ministers' power requires close attention to constraints as well as to enhanced sources of influence.

Power is Concentrated at the Centre

Savoie is unquestionably correct that power is heavily concentrated at the centre of the Government of Canada (as indeed it is in the provinces²⁴) though without a precise benchmark it is less clear that the degree of concentration is increasing significantly, as he argues. Perhaps – in an age characterized by 'the decline of deference' – it is less a case of increasing concentration of power than increasing sensitivity to and declining tolerance of concentrated power.

Clearly, the inherent nature of the Westminster cabinet-parliamentary system, with its effective fusion of executive and legislative functions, offers strong opportunity for the concentration of power at the centre. Savoie has documented the accretion of power to the centre, focussed of course on the prime minister, and I have argued that the potential for concentrated power is markedly stronger at the provincial level than federally – as Walter Young and Terry Morley put it, "provincial government is premier's government".²⁵ We do need to be careful to demonstrate rather than assume that power is unduly and increasingly concentrated in the first minister and his or her courtiers, but no one familiar with Canadian politics can doubt the very extensive powers exercised by our first ministers. And as O'Malley's findings indicate, Canadian first ministers are unusually powerful even by Westminster standards. In my book I looked at two quantitative measures of first ministers' power: length of tenure in office (the presumption being that longer-serving, more experienced first ministers are more powerful than their shorter-term colleagues) and likelihood of being removed from office by one's party. At the national level, Canadian prime ministers are the longest serving in the Anglo-Celtic world, and while no sitting Canadian prime minister in living memory has been ousted by his or her party,²⁶ such a fate befell at least two prime ministers in each of the other Anglo-Celtic Westminster systems.

Subnationally, Canadian premiers enjoy substantially longer runs in office than their Australian counterparts.²⁷

If the overall conclusion about concentration of power is not in doubt, we nonetheless need to be more attentive to the issues of definition and measurement (not least in terms of change) set out in earlier sections of the paper. The need for greater precision does not, however, in any way diminish the importance of finding ways to reduce what is clearly a serious democratic deficit. Let us conclude by looking briefly at some possibilities.

Measures to Reduce the Democratic Deficit and the Democratic Debt

The proposals outlined below are a mixture of minor adjustments and major institutional reforms which would, to varying degrees, constrain the power of the first minister. Some are in the realm of ideas to reduce the cyclical democratic deficit while others are better thought of addressing the structural democratic deficit.

Fixed Election Dates Advocates of fixed election dates usually emphasize their value in establishing a ‘level playing field’ by preventing the government from scheduling elections so as to maximize their re-election prospects. This is probably a desirable goal, but for present purposes it is more important for removing one minor yet undeniable source of first ministers’ power – the capacity to get their way by threatening ministers or backbenchers with an early, unwelcome election call. Ottawa, Ontario and British Columbia have all adopted fixed election dates and other provinces seem poised to follow suit.

Leadership Selection Processes. That Canadian first ministers enjoy longer terms than their other Westminster counterparts and are virtually never removed from office reflects the broadly based processes by which the political parties choose their leaders. Party leaders are selected through extensive, party-wide processes – delegated conventions or universal votes of all party members – in which thousands of party activists participate. Accordingly, while party caucuses can make life unpleasant for unpopular or unsuccessful leaders, leaders who wish to stay on can only be removed by similar, formal party-wide processes, which are slow, messy and uncertain. And first ministers typically go to considerable lengths to retain a firm hand on their parties, rendering them all but impervious to removal processes. Thus a powerful constraint on autocratic behaviour by the first minister available to parliamentary caucuses in other Anglo-Celtic systems (though they would not use the ‘caucus’ terminology) is not available in Canada. Limiting first ministers’ power in this way would be a useful reform. I leave it to colleagues more knowledgeable than I about political parties to devise some mechanism for involving caucuses in at least triggering, if not carrying out leadership reviews.

Strengthening Parliament To the extent that parliamentary power is conceived as a zero-sum game – what the executive gains, Parliament loses – any reform which significantly enhances the capacity of Parliament and the provincial/territorial legislatures to hold governments to account or to develop a modicum of genuine law-making (as opposed to law-passing) power is a

worthwhile advance. It has become commonplace to bemoan the decline of Parliament as an effective governance institution. Especially problematic are the oftentimes cavalier, pernicious attitudes exhibited by governments towards Parliament. Consider, for example, the Harper Government's manual for its MPs on how to stonewall troublesome parliamentary committees and, in Ontario, the McGuinty Government's shifting of Question Period into the morning despite howls of outrage from the Opposition and the Press Gallery.

Without for a moment discounting the significance of such troubling developments, we should avoid falling victim to golden ageism in thinking about the role of Parliament and the provincial/territorial legislatures. I'm not sure I fully accept David Smith's claim, in his wonderful, prize-winning book, *The People's House of Commons*, that "while far from total, members have greater control over their activities and more opportunity to influence legislation than at any time in the past century".²⁸ It is certainly true, though, that legislators in this country enjoy remarkably better support services and access to information than they did three or four decades ago. Potential reforms in this realm, be they essentially structural/procedural in nature or primarily rooted in attitudinal change, while obviously and closely linked to issues of executive power, are beyond the purview of this paper – with one fundamentally important exception, as highlighted in the next paragraph.

Minority Governments ... and the Way to Ensure Them If power is overly concentrated in 'the centre', two routes towards rectifying the problem suggest themselves. One entails dispersing power and influence more broadly within the executive, rebalancing the power relations between the first minister and his entourage and the full range of ministers – returning, in other words, to cabinet government from prime ministerial government. The other approach would see an overall reduction in the power of the executive. Improbable and naive as the latter appears, it is readily achievable through a steady diet of minority government. As Peter Russell's new book, *Two Cheers for Minority Government*,²⁹ argues persuasively, minority governments are our best hope for curtailing prime ministerial government and restoring a modicum of parliamentary effectiveness. Yet, as suggested by the success of the current minority government in Ottawa in cowing the opposition, enabling the prime minister to operate almost as if he enjoyed a majority, intermittent bouts of minority government will not do the trick. What we need is minority government as a permanent condition. And that is unlikely to occur in the absence of fundamental structural reform: replacement of the current single-member plurality ('first-past-the-post') electoral system with a system of proportional representation (or another electoral regime without the bias towards 'false' majorities inherent in first-past-the-post).

Involving Government Backbenchers in Cabinet Decision Making In my book, I briefly reviewed the experiences of several provinces which have given private members from the government party a tangible, if usually limited, role in cabinet decision making. This can take several forms including regular attendance by caucus members (sometimes on a rotating basis) at cabinet supplemented by access to relevant documentation; genuine participation of caucus in the process of developing legislation; and replacement of conventional cabinet committees with combined cabinet-caucus committees, sometimes chaired by private members. Clearly, such innovations – none of which contravene any fundamental precept of 'responsible government' –

hold great promise for significantly increasing the numbers of political figures with real clout in government decision making and thereby limit the concentration of power at the centre. Just as clearly, though, they may be little more than hollow public relations exercises or make-work projects for restless backbenchers, having no palpable effect on the distribution of real power. Of the various potential reforms considered in this paper and elsewhere, none are as little known and understood as mechanisms for involving government backbenchers in cabinet decision making. They thus cry out for serious research attention.

Conclusion

This paper has not directly challenged the conventional wisdom in Canada about the growing concentration of power ‘at the centre’ – the first minister and his or her courtiers – but it has attempted to focus attention on the way we think about the democratic deficit as it relates to the executive and the way we go about measuring it. That the paper’s principal argument is that the Canadian academic (and journalistic) community has not been sufficiently precise about identifying and measuring the democratic deficit, at least as far as the power of the first minister is concerned, has not prevented me from offering some suggestions for ‘fixing’ this component of the democratic deficit. That we’re not exactly sure how serious the problem is – and whether it is, as frequently argued, growing – does not mean that we should wait to start thinking about solutions.

Yet not all Westminster systems are of a piece. Indeed, two of its most appealing features are its flexibility and adaptability.

NOTES

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1. Paul Martin, "The Democratic Deficit," *Policy Options* (December-January 2002-3), 10-12.
 2. Denis Smith, "President and Parliament: The Transformation of Parliamentary Government in Canada," in Thomas A. Hockin, ed., *Apex of Power: The Prime Minister and Political Leadership in Canada* (Toronto: Prentice-Hall, 1971), 224-41. This essay was first presented at a Conservative Party conference in 1969.
 3. Herman Bakvis, "Prime Minister and Cabinet in Canada: An Autocracy in Need of Reform?" *Journal of Canadian Studies* 35 (Winter 2000-01), 60-79.
 4. Toronto: University of Toronto Press, 1999.
 5. Donald Savoie, *Breaking the Bargain: Public Servants, Ministers and Parliament* (Toronto: University of Toronto Press, 2003).
 6. See the publisher's summary at www.utppublishing.com/pubstore/merchanthtml?pid=90258step=4.
 7. Toronto: McClelland and Stewart, 2001.
 8. Eoin O'Malley, "The Power of Prime Ministers: Results of an Expert Survey," *International Political Science Review* 28 (Spring, 2007), Table 3.
 9. Bakvis, "Prime Minister and Cabinet," Paul Thomas, "Governing from the Centre: Reconceptualizing the role of the PM and Cabinet," *Policy Options* (December-January 2003-4), 7-112; Graham White, *Cabinets and First Ministers* (Vancouver: UBC Press, 2005).
 10. Luc Bernier, Keith Brownsey and Michael Howlett, eds., *Executive Styles in Canada: Cabinet Structures and Leadership Practices in Canadian Government* (Toronto: Institute of Public Administration of Canada and University of Toronto Press, 2005).
 11. Toronto: Macmillan, 1921.
 12. See for example, Christa Scholtz' analysis of the process leading up to Canada's decision to engage in a land-claims process with its Aboriginal peoples: *Negotiating Claims: The Emergence of Indigenous Land Claim Negotiation Policies in Australia, Canada, New Zealand and the United States* (New York: Routledge, 2006), ch 3.

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13. Savoie, *Governing From the Centre*, ch. 10.
 14. O'Malley, "Power of Prime Ministers," 20.
 15. Eugene Whelan, with Rick Archibold, *Whelan: The Man in the Green Stetson* (Toronto: Irwin, 1986), 195.
 16. Mitchell Sharp, *Which Reminds Me ... A Memoir* (Toronto: University of Toronto Press, 1994), 167.
 17. Thomas S. Axworthy, *Everything Old is New Again: Observations on Parliamentary Reform* (Kingston: Queen's University Centre for the Study of Democracy, April 2008), 26.
 18. Eddie Goldenberg, *The Way it Works: Inside Ottawa* (Toronto: McClelland and Stewart, 2006), 75.
 19. Jean Chrétien, *Straight From the Heart* (Toronto: Key Porter Books, 1985), 75.
 20. Full disclosure requires that I point out that my views were not solicited in O'Malley's research. The survey was likely conducted before publication of my book *Cabinets and First Ministers*, but I had published on Canadian cabinets in Canadian and British journals and in a prominent collection on cabinets, edited by leading scholars (Michael Laver and Kenneth Shepsle, eds., *Cabinet Ministers and Parliamentary Government* [New York; Cambridge University Press, 1994]). The observation that I might have been expected to have been consulted as an expert is offered not out of pique but to emphasize the uncertainty of the methodology.
 21. Tonda MacCharles and Richard Brennan, "PM's man in the shadows," *Toronto Star*, March 8, 2008, A19.
 22. White, *Cabinets and First Ministers*, ch 3.
 23. David Taras, "Prime Ministers and the Media," in Leslie A. Pal and David Taras, eds., *Prime Ministers and Premiers: Political Leadership and Public Policy in Canada* (Scarborough: Prentice-Hall, 1988), 41.
 24. The so-called 'consensus government' models significantly constrain the premiers' power in Nunavut and the Northwest Territories.
 25. Walter D. Young and J. Terence Morley, "The Premier and the Cabinet," in J. Terence Morley, Norman J. Ruff, Neil A. Swainson, R. Jeremy Wilson and Walter D. Young, eds., *The Reins of Power: Governing British Columbia* (Vancouver: Douglas and McIntyre, 1983), 54. For a broader discussion, see White, *Cabinets and First Ministers*, 74-7.

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26. It could be argued that Prime Minister Chrétien was ousted by the Liberal Party, but he could have stayed on to fight had he so desired and certainly his departure was not nearly formally stipulated nor as swift and brutal as those of prime ministers in the other Anglo-Celtic countries.
 27. White, *Cabinets and First Ministers*, Tables 3.1 – 3.3.
 28. David Smith, *The People's House of Commons: Theories of Democracy in Contention* (Toronto: University of Toronto Press, 2007), 87.
 29. Toronto: Emond Montgomery Publications, 2008.