

the state of our democracy

the state of our democracy

Canada's PM - Elected Dictator
OR
Benevolent Patrias Familias?

mike brassard
29 oct 2002



Introduction

"Our concentration of power is greater than in any other government with a federal cabinet system," says Gordon Robertson, former clerk of the Privy Council. "With the lack of checks and balances, the prime minister in Canada is perhaps the most unchecked head of government among the democracies."¹

Benevolent Patrias Famalias or Primo enter pares or elected dictator?

This short paper argues that the position and the person of the Prime Minister has unchecked power in the Canadian federation. Further, that unchecked power threatens the long-term viability of democracy in Canada. The argument is built by considering the following factors: The Westminster Model, Party Discipline and the Party Leader's hold on the party allow the PM to dominate not only the executive, but, legislative and the judicial branches of the Canadian state. MPs, ostensibly responsible to the people that elect them are virtually irrelevant – mere trained seals to party discipline when they vote on government legislation. Votes of non-confidence notwithstanding, only when the PM's grip on the party apparatus slips or if his iron grip over his caucus slips is it possible to change a regime without a general election. Leadership secession is akin to a Mafioso gang war or a coup d'etat – a most shameful way for a democracy to conduct its affairs.

¹ Thompson, Elizabeth, "PM's Power Threatens to Even Make Cabinet Irrelevant". **The Montreal Gazette**. Sat 5 Oct 2002 www.canada.com. National Post Series. She cites Gordon Robertson, former clerk of the Privy Council.

“ ‘The minister learned about it the same way other Canadians learned about it, and that was by reading the headlines in the newspaper the next day,’ confided an aide to one minister. ‘There was no previous discussion, indication, suggestion, heads-up in any way that the announcement was going to be made, or that it was going to be made in Johannesburg.’ ”²

This observation regarding Canadian Prime Minister (PM) Chretien’s announcement at Johannesburg that Canada would ratify the Kyoto Treaty regarding greenhouse gases is a chilling reminder of where true political power rests in Canada. It gets better.

“ ‘Who’ was the single word query that was asked repeatedly in telephone calls and e-mails throughout the day, as legal analysts, reporters and Justice Department officials scrambled to find out anything they could about the new appointee to the highest court in the country. ...The Quebec Judge confessed that the Prime Minister’s telephone call came as a surprise even to her.”³

The Canadian Cabinet and Parliament were completely isolated from the decision making process for a significant political and economic development. And, these institutions were completely isolated from the Canadian Supreme Court Judge appointment process. These incidents are no accident; rather they illustrate an evolution of a trend, which sharply accelerated under Pierre Trudeau’s regime and may have reached a dubious nadir under Jean Chretien’s stewardship. How did Canada slip into what political journalist and author Jeffrey Simpson calls “The Friendly Dictatorship”? The root answer lies in how Canada’s Constitution defines the role of the Executive and the Legislative bodies of the state. Here is where this brief overview starts.

Under the Westminster Model, the government comprises the PM and Cabinet which is responsible to the House of Commons. This body or committee advises the Governor - General (GG) who embodies the executive of the government of Canada.⁴ Section 11 of the Canadian Constitution directs the Governor - General to appoint an advisory body, the Privy Council. Cabinet with the Prime Minister as its chairman or chairwoman is a senior committee of this advisory body. Canada’s governance style is rooted in Britain’s Fusion of Power governance style that evolved and is not formally delineated. Whittington notes,

The Pre-able to the Constitutional Act 1867 states Canada is to have a constitution ‘similar in principle to that of the UK’. This provision formally incorporates all of the applicable conventions of the British constitution. Some key conventions are:

1. Constitutional monarchy - whereby the Crown (reigning monarch or Governor - General) will always act only a manner consistent with the wishes of the PM.
2. Party government - whereby after an election, the Crown (GG) asks the leader of the party with the most seats in the House of Commons (HofC) to form a government; accept a Privy Council appointment; act as PM and advise the GG on who to appoint as ministers.
3. Cabinet government - whereby a Privy Council committee called Cabinet composed of the PM and current ministers acts in the name of the Privy Council for Canada.

² Thompson, Elizabeth, “PM’s Power Threatens to Even Make Cabinet Irrelevant”. **The Montreal Gazette**. 2002 <http://www.canada.com/national/features/democracy/> . National Post Series. “The State of our Democracy”.

³ Janice Tibbetts. “PM is all Powerful Judge of Judges”. **The Ottawa Citizen** 8 October 2002.

<http://www.canada.com/national/features/democracy/> National Post Series. The State of our Democracy. 2002.

⁴ P. 32. Constitution act of 1867 Section 9 “The Executive government and authority over Canada is hereby declared to continue and be vested in the Queen. Whittington, Michael & Glen Williams. **Canadian Politics in the 21st Century**. Scarborough: Nelson division of Thompson Learning.2000. Whittington, Michael S. “The Prime Minister, Cabinet and the Executive Power In Canada”. Constitution Act Section 11 “There shall be a Council to aid and advise in the Government of Canada, to be styled the Queen’s Privy Council for Canada; and the Persons who are to be Members of that Council shall be from Time to Time chosen and summoned by the Governor General and sworn in as Privy Councillors, and Members thereof may be from Time to Time removed by the Governor General.” http://laws.justice.gc.ca/en/const/c1867_e.html

4. Responsible government - government of the day can only be government as long as it holds the support of confidence of a majority in the HofC.⁵

H. E. Hodgetts, who edited a selection of Eugene Forsey's letters to the editor on various subjects, including Canada's governance, notes,

"...the peculiar nature of the Canadian Constitution. It is part a formal document and in part an inheritance of British institutions that operate on unwritten rules. This leaves room for interpretation of the precedents that accrue over time as working conventions of the constitution."⁶

David Marley elaborates on the principle of convention and the potential for abuse when he notes,

"[T]he 'Westminster model' of government relies on many assumptions, conventions and traditions in order to work as it is meant to do. I'm not at all certain that Canada ever embraced these essential ingredients in their entirety but, if once it did so, no longer is this the case."⁷

Diane Ablonczy MP forcefully underscores the fragility of conventions in recorded HofC debates when she says,

There are also a troubling and appalling number of instances where the Prime Minister's statements in the House on the matter proved not to square with the facts as they came out later. Canadians have a direct stake in the outcome of this matter First, truth telling is the glue that holds a civilized society together. Second, only ethics and honesty can serve to protect the relationship between the governors and the governed.

I suggest that this has been a very important convention in our parliamentary tradition. It is fair to say that our parliamentary traditions hold that to mislead or make a false statement to the House is about the most serious sin a minister could commit. To do so would be a complete rejection of parliamentary values. How can a government be held responsible if it will not be honest in statements to the House?⁸

The constitutional reference to the word convention leads to the next step in defining the role and limits of Canadian federal political power. The key word is convention, which is an unwritten agreement or understanding for a given relationship or position – akin to a 'gentleman's agreement.' This British inspired governance framework assumes that a real trust exists between the people and the government that governs them. Most importantly, government implicitly knows the limits of its power and does not overstep them.⁹ Oliver Cromwell ruthlessly demonstrated what could happen to a British government that overstepped its bounds – heads rolled. That lesson served to preserve the British government during the era of the French Revolution where potentially devastating political currents were co-opted and absorbed into government practice. No such lesson exists in the Canadian experience.

Consequently, no legal or legislative document obliges the Governor – General or the Prime Minister to comply with these unwritten conventions.¹⁰ Ominously, the word Prime Minister is conspicuously absent from most of the Canadian Constitution. The limits of the Prime Minister's power are not formally

⁵ pp. 32-33. Whittington, Michael & Glen Williams. **Canadian Politics in the 21st Century**. Scarborough: Nelson division of Thompson Learning.2000. Whittington, Michael S. "The Prime Minister, Cabinet and the Executive Power In Canada".

⁶ P. 124. Forsey, Eugene. J. E. Hodgetts editor. **The sound of one voice: Eugene Forsey and his Letters to the Press**. Toronto: University of Toronto Press Incorporated. 2000. The closest Canada ever had as a Constitutional expert is the late Eugene Forsey.

⁷ W.T. Stanbury. " PM wields far more power than any king" **The Hill Times** <http://www.thehilltimes.ca/2002/september/16/stanbury/>

⁸ Diane Ablonczy MP Calgary—Nose Hill, Canadian Alliance. Hansard excerpts 3 April 2001 posted on her constituency website.

<http://www.ablonczy.com/issues/speeches/20010403.htm>

⁹ W.T. Stanbury. "PM wields far more power than any king" **The Hill Times** <http://www.thehilltimes.ca/2002/september/16/stanbury/>

¹⁰ P. 210. Smith refers to "the unwritten rules of parliamentary government". Bateman, Thomas J. J. & Manuel Mertin & David M. Thomas. **Braving the new World. Readings in Contemporary Politics**. Scarborough: Nelson division Thomson Learning.2000. Jennifer Smith. "Parliamentary and Presidential Government".

described.¹¹ As nature abhors a vacuum, the individuals who occupy the post of Canadian Prime Minister have more than ably filled that vacuum. With this very brief constitutional framework and governance overview, attention now turns to the position of Prime Minister.

The key to the Prime Minister's power is consolidation and ambition - at all levels inside the government, inside the political party and possibly with large business donors. The road to 24 Sussex Drive starts by winning the party's local constituency nomination meeting that selects a candidate for the upcoming federal election.¹² He is dependent on the party leader's close associate, the party Campaign Chair and the party leader, to approve and sign the party nomination papers that are submitted to Elections Canada. This ensures his name and party affiliation are placed on the ballot.¹³ If he is successful in garnering the most votes (first past the post) of all the candidates running in his constituency, he wins a seat in the HofC. If his party wins the most seats in the HofC then a walk through the corridors of power via a cabinet post is possible as he is now a government MP.

Throughout this process, he is gaining and consolidating influence in his party. If he gets a cabinet post, he will be able to continue to consolidate influence and control in the Party – through control of constituency associations who raise money and appoint delegates that select the leader, possibly him, at the party leadership convention. Influence is further consolidated through controlling the election candidate nomination process. Potential rivals are shut out at the most basic level. Combining this control and party fundraising activities, a successful attempt at the party leadership is possible. If his party holds the majority of seats in the HofC, he is invited by the Governor – General to join the Privy Council, select a Cabinet and form a government. By the time our erstwhile Prime Minister is sworn in, he has consolidated power and influence in his party and with the MPs of his party that were elected to the HofC.

Party discipline is a dominant tool that the Prime Minister uses to control his Cabinet and his party's MPs in the House of Commons. The Prime Minister can govern as long as he has the confidence – read control – of the elected HofC. This is accomplished through his party's MPs voting for all government legislative measures. Party whips ensure the MPs herd into the chamber for the vote.¹⁴ MPs owe loyalty to the PM, as he is the leader of the governing political party. Another factor in the Prime Minister's favor is the fact that most voters identify the party leader as the party.

Prime Minister's Office Special Policy Advisor Raj Chahal hammers this point home when berating the Liberal caucus, he admonished,

The Liberal Party is the party whose success is based on its history, its history of unity, of respect and of loyalty.... A lot of these people have enjoyed the benefits of a successful government. You know, if you take the province of Ontario where a number of MPs have come out. For the first time, we have won a number of seats three elections in a row. I mean the success and those ridings historically have never been Liberal and if the Prime Minister who has helped elect these individuals to those positions and you know there were a lot of nay sayers before the last

¹¹ .The Constitution Act 1967. http://laws.justice.gc.ca/en/const/c1867_e.html The Constitution Act 1982. http://laws.justice.gc.ca/en/const/annex_e.html

¹² P. 73. Savoie incorrectly notes the Canadian PM is the only government member to occupy an official residence. The Leader of her Majesty's Loyal Opposition lives in Stornoway, The British PM lives in 10 Downing Street and the American President lives in the White House as well as Camp David. Savoie, Donald J. **Governing from the Centre: the Concentration of Power in Canadian Politics**. Toronto: University of Toronto.1999.

¹³ Richard Cleroux, "Powerful backroomer, newly-appointed Grit Senator David Smith says what Chrétien did was 'quite magnanimous' " **The Hill Times** . <http://www.thehilltimes.ca/2002/september/30/cleroux> Interview. Cleroux notes, "For the past 40 years Mr. Smith has organized elections in Ontario, and recruited candidates for Prime Minister Jean Chrétien, exercising 'pure and unfettered' discretion to decide who runs and who doesn't for the Liberal Party in this province." Any perspective liberal MP has to curry his favour before proceeding. The other political parties have similar candidate nomination and selection mechanisms.

¹⁴ p. 44. Whittington, Michael & Glen Williams. **Canadian Politics in the 21st Century**. Scarborough: Nelson division of Thompson Learning.2000. Whittington, Michael S. "The Prime Minister, Cabinet and the Executive Power In Canada". The term whip comes from the way votes are indicated on party parliamentary schedules. Votes are underlined or 'whipped'. The number of lines or 'whips' under a given vote indicates the importance. So a triple whipped vote is indeed significant. The Whip is the party person responsible for herding or 'whipping' the MP's into the chamber so they are present for the vote.

campaign also and... a lot of these folks who argued that we needed a change for political success in these ridings.¹⁵

Therefore, MPs are often voted into office on the strength of the leader, not their personal strength. MPs also covet a Cabinet seat so they try to curry the Prime Minister's favour. Voting against a government bill is not the way to go about it.

The Prime Minister consolidates Party discipline by buying his MPs so to speak. MP loyalty is rewarded through cabinet posts, committee chairmanships and memberships, Crown Corporation CEO appointments, Ambassadorships, and parliamentary roles such as being a party whip along with junkets and preferential government contracts in the MP's constituency. The price for breaking party discipline is harsh. Some MPs were deprived committee memberships for bucking the party line on gun control.¹⁶ Other MPs are expelled from caucus, normally a death knell in a parliamentary democracy. John Nunziata is a salient example and exception. He was expelled from the Liberal Party Caucus for voting against the GST that Chretien promised to abolish during the 1993 election. Nunziata sat as an independent, deprived of choice office space on Parliament Hill, research assistants, speaking time during Question Period and any chance of gaining power. Nunziata is one of an increasingly insistent chorus that when he observes,

"Pierre Trudeau was right when he said MPs were nobodies 50 yards from Parliament Hill. But today many government MPs are nobodies even on Parliament Hill."¹⁷

The Prime Minister's power is also enhanced by his ability to call or threaten to call an election anytime during the official five-year term of a government. There is no fixed term of office in Canada, only a maximum five-year term specified by Section 50 of the Canadian Constitution.¹⁸ The leverage this has over wavering government MPs is incalculable. This also takes momentum away from the opposition parties who cannot time any constructive criticisms to take advantage of polls or the waning days of a government's mandate. Theoretically, a Prime Minister could remain indefinitely in power with a majority government if he called elections at opportune times for his government. There is no constitutional bar to this.

The Prime Minister's appointments are another tool used to consolidate and enhance the Prime Minister's power inside the party, the HofC, the Government Public Service the Senate and the embodying Executive. More than 3000 appointments cement this. The Prime Minister selects the Governor – General who is Canada's erstwhile Head of Government and Executive and Commander-in-Chief of the Canadian Armed Forces. The PM selects the Chief of the Defence Staff. The Prime Minister selects his cabinet, all deputy ministers (public servant employees who are the senior most 'non-political' people in their given department), Senators, Supreme and Superior Court judges, heads of all crown corporations, the Clerk of the Privy Council, immigrant board members, the ethics councilor, the Auditor – General, the information commissioner, the privacy commissioner and Canadian Ambassadors.¹⁹ These appointments range through the Executive, Legislative and Judicial branches of the state at political and public service or

¹⁵ F. Abbas Rana. PMO: MPs owe success to PM - PMO adviser Raj Chahal sends out message to caucus. **The Hill Times** <http://www.thehilltimes.ca/2002/august/5/rana>

¹⁶ Jay Hill MP **Dictatorship - Chretien Style**. Column to his constituents <http://www.jayhill.com/NewsRoom/1998/April291998.cfm>.

¹⁷ Peter Deikmeyer. "Time to Reform Parliament – Empowering MPs Would Help Small Business Owners." 11 Oct 2000 **The Montreal Gazette**. Peter Deikmeyer Communications Inc. www.peterdeikmeyer.com Nunziata proved to be an exception to complete political oblivion when he successfully won the 1997 election for East York – as an independent despite a million dollar Liberal campaign to unseat him. Sadly, he did not make it in the 2000 election.

¹⁸ The Constitution Act 1867-1982. http://laws.justice.gc.ca/en/const/c1867_e.html

¹⁹ Don Martin. "Democracy Rule by the People? Not in Canada." Southam Newspapers.

<http://www.canada.com/national/features/democracy/>. **National Post** Series. The State of our Democracy. 2002.

Janice Tibbetts. "PM is all Powerful Judge of Judges". **The Ottawa Citizen** 8 October 2002.

<http://www.canada.com/national/features/democracy/>. **National Post** Series. The State of our Democracy. 2002.

W.T. Stanbury. "PM wields far more power than any king" **The Hill Times** <http://www.thehilltimes.ca/2002/september/16/stanbury/> Stanbury is a premiere political science professor – emeritus.

Thompson, Elizabeth, "PM's Power Threatens to Even Make Cabinet Irrelevant". **The Montreal Gazette**. 2002

<http://www.canada.com/national/features/democracy/>. **National Post** Series. "The State of our Democracy". She cites Brian Mulroney's former aid, L. Ian MacDonald on the quantity of appointments.

bureaucratic levels. The scope of this loyalty, influence and control engendered by these appointments is beyond calculation.

The whipped MPs' other venue of influence, parliamentary committees that examine, debate and recommend possible changes to pending legislation; is controlled by the PM. The Prime Minister's direct power reaches deeply into the HofC workings. Parliamentary committees are hobbled by their mandate, which allows them to debate details, not the principles of policy in the legislation put before them. In theory, Parliamentary committees are one of the few places where MP's of all parties can contribute to policy by refining legislation clauses. That is not the case as Susan Riley notes,

"On parliamentary committees, backbenchers are also losing ground. During the Mulroney era, modest reforms led to the emergence of slightly more independent committees with powerful chairman like Tory MP Don Blenkarn, who wasn't afraid to take on his own finance minister. Today's chairs are mere mouthpieces for ministers, and committees have become more partisan, less flexible and less given to accommodating opposing views. Says outspoken Liberal MP Roger Galloway, 'If you think committees are real, you think pro-wrestling is a real sport.'"²⁰

Diane Ablonczy neatly but sadly sums the role of the government and the virtually non-existent role of the MP when she notes,

"In my short time in the House, which has been just over seven years, I have personally seen the effective input of members and the opportunities to hold the government accountable and have a system of checks and balances on what government wishes to do significantly eroded. Committees now are simply run as closed shops by a particular department. The ministers do not really have to answer to committees or change their legislation because of committees."²¹

Parliamentary committees are also hobbled by the PM himself through the Whip's Office. Committee proceedings can be manipulated for partisan reasons as Jason Kenny MP in a press release notes,

"At a Finance Committee meeting yesterday [27 February 2002], [Liberal] Whip-appointed Chair Sue Barnes deliberately stalled proceedings and attempted to undo votes to prevent opposition motions from passing, causing the normally sedate committee to break into acrimony.

When an opposition motion to cut the government's \$24 air travel tax in half was set to pass with the support of Liberal MP Shawn Murphy, Barnes quickly adjourned the meeting. She then stalled reconvening the meeting for nearly half an hour while government officials worked over Murphy, bringing it back to order after the Liberal Whip's office had replaced almost all permanent government members of the committee, including Murphy, with temporary members unfamiliar with the bill.

Later, when an opposition motion cutting capital gains taxes passed with the support of government members, Barnes tried to dismiss the result, insisting that government members had been mistaken in voting for it. The Committee also broke down for over 20 minutes while she dithered over whether to cast a tie-breaking vote to remove a key clause from the bill.

'The Liberal Whip has taken over the Finance Committee, plain and simple,' said Alliance Finance Critic Jason Kenney. 'This used to be one of the best functioning committees of the House, until the Liberal Whip intervened directly in the election of the Committee's chair to appoint someone who is clearly in over her head.'²²

²⁰ Susan Riley. **The feudal life of the backbencher**. <http://www.sen.parl.gc.ca/ckenny/riley.htm>

²¹ Diane Ablonczy MP Hansard speech February 20, 2001 - Electoral Reform
<http://www.ablonczy.com/issues/speeches/20010220.htm> auxiliary link <http://www.parl.gc.ca>

²² <http://www.jasonkenney.com/news/020227%20-%20Sue%20Barnes.pdf>

MPs' roles are further debased through the public service - possibly by virtue of the PM's appointment of all Department Deputy Ministers. This growing structural contempt for Parliament is illustrated when government Liberal MP Carolyn Bennet observes,

"When a deputy minister is quoted as saying 'Parliament is a minor process obstacle', you know we are in trouble. And that's our problem. What's the point of committee meetings and listening to all stakeholders who come before us if the attitude and culture is that we are not allowed to wreck the bill because it's perfect and our job is to get the government's business through and rubber-stamp it all? That's not what I was sent here to do."²³

With Parliament and the bureaucracy safely controlled, the PM dominates Cabinet, the only official source of legislation. Sadly, the Legislative function of the Cabinet is virtually non-existent. The Cabinet is a mere shadow of its once influential role as a significant committee of the Privy Council. This significant change came during the Trudeau regime. He ordered ministers who wanted to raise an issue in cabinet to first present a dossier outlining their proposals – before cabinet meetings. This gave the PM a decisive edge in managing cabinet.²⁴ Trudeau himself noted,

"I was sometimes accused of fostering a presidential style of governing, in large part because of the size and strength of the Prime Minister's Office. But it grew out of the fact that, in a modern and complex society, I needed to keep myself as informed as my ministers about what they were doing, what decisions the cabinet should take collectively and what the political implications were."²⁵

Using the politically partisan Prime Minister's Office (PMO) and the ostensibly non-partisan Privy Council Office (PCO) resources, the PM can review any minister's proposal to a depth no minister, let alone, any MP or Opposition party can match. As well, the PM reaches even into the pockets of his ministers through the cabinet ministers' executive assistants. The PMO vets the individuals the ministers can employ. In fact, The PM through the PMO and the PCO may be violating Canadian Constitution's Sections 10 and 11 as Gordon Robertson, former clerk of the Privy Council notes ominously,

"I think the degree to which centralization has gone in the diminution of the cabinet authority may come close to being a violation of that provision of the Constitution ... I don't think now we really genuinely have an effective cabinet system."²⁶

Stanbury underscores the true extent of Cabinet powerlessness when he notes,

"If he wishes, the PM can substitute rule by PMO officials for true Cabinet government. For example, when Jane Stewart came under heavy fire as Minister of Human Resources, largely for problems originating from her predecessor Pierre Pettigrew (and deputy minister Mel Cappe), officials in the PMO stepped in and 'took over' the top management of the department, particularly in helping Ms. Stewart deal with the news media, with the torrent of criticism in the House of Commons, and with efforts to 'clean up the mess.' According to Gordon Gibson, 'Jean Chrétien's ministers are just plain vegetables when it comes to great decisions of state. Such things are decided by the PM and his senior advisers — who are rarely ministers.' Most of these advisers work in the PMO, others in the PCO."²⁷

²³ Kathryn May. "MPs and public service brass duel over influence". **The Ottawa Citizen** <http://www.canada.com/national/features/democracy/> **National Post** Series. The State of our Democracy. 2002.

²⁴ Thompson, Elizabeth, "PM's Power Threatens to Even Make Cabinet Irrelevant". **The Montreal Gazette**. 2002 <http://www.canada.com/national/features/democracy/> . **National Post** Series. "The State of our Democracy".

²⁵ Thompson, Elizabeth, "PM's Power Threatens to Even Make Cabinet Irrelevant". **The Montreal Gazette**. 2002 <http://www.canada.com/national/features/democracy/> . **National Post** Series. "The State of our Democracy". She cites **The Essential Trudeau**.

²⁶ The Constitution Acts 1867-1982. http://laws.justice.gc.ca/en/const/c1867_e.html. Thompson, Elizabeth, "PM's Power Threatens to Even Make Cabinet Irrelevant".

²⁷ W.T. Stanbury. **The Hill Times** <http://www.thehilltimes.ca/2002/september/16/stanbury/> " PM wields far more power than any king"

Diane Ablonczy MP states in Parliament what many observers in academia and the media know when she says,

It is asserted by some, rightly or wrongly, that our country is run out of the Prime Minister's Office by a handful of mostly unelected political appointees. The concentration of power leads to abuse of power. The House of Commons is unable to fulfil its function, which is to hold the government responsible.²⁸

Even Liberal MPs openly note this concentration of power and the PMO denials when Paco Francoli **The Hill Times** correspondent notes,

"Mr. McTeague (Pickering-Ajax-Uxbridge, Ont.) said that he has 'heard those threats' which are a major concern of many MPs who believe 'that there's far too much power in the hands of only one individual.' "

But Francis Ducros, the PMO's director of communications, flatly rejected the claim, saying 'there's never been any discussion of that to my knowledge. I don't know where that's coming from.'²⁹

How could this PM juggernaut be brought down? Short of being assassinated in office – a most un-Canadian tradition – or dying in office, the only way for the PM to be brought down is by losing a government vote of confidence. However, the PM can quit. Joe Clark quit as party leader when he only received 62% of party delegates' votes. Normally, the PM looks about, decides his grip on the party may be slipping or there are too many scandals getting too close to him directly and decides to resign. Jean Chretien may be an exception. His caucus, tired of being browbeaten and whipped into submission made it clear they did not appreciate being further bullied by the un-elected Chretien loyalist Prime Minister special policy adviser, Raj Chahal in August 2002. The MPs also made it clear they would not support watered down ethics commissioner legislation with differing standards for MPs and Ministers. Faced with this pressure, Chretien finally announced his retirement, 18 months from his late August or September 2002 announcement.

Essentially, an MP 'palace coup' took place.

And a party coup took place as F. Abbas Rana relates what Raj Chahal observed,

"For his part, Mr. Chahal said the reason why an overwhelming majority of riding association presidents want his boss to step down is due to the fact that Mr. Chrétien has been focusing his responsibilities on governing the country while the former finance minister Paul Martin (LaSalle-Émard, Que.) has been busy organizing for the leadership campaign in the last 12 years and by doing so has been successful in putting his supporters into 'position of power on the executive.'³⁰

However, the Prime Minister is not completely helpless. **The Hill Times** correspondent Paco Francoli notes what former Finance Minister Paul Martin said,

"What I can simply report to you is what I've been told by those who went out and canvassed those who made gifts. They referred to this apparent obsession with lists, where MPs are asked to change their opinions on lists... where a statement was made that nomination or candidacy forms might not be signed."³¹

²⁸ Diane Ablonczy MP February 20, 2001 - Electoral Reform Hansard excerpt posted on her constituency site <http://www.ablonczy.com/issues/speeches/20010220.htm>

²⁹ Paco Francoli **The Hill Times** <http://www.thehilltimes.ca/2002/july/15/reprisals/> "Paul Martin Accuses PMO of Reprisals"

³⁰ F. Abbas Rana PMO: MPs owe success to PM - PMO adviser Raj Chahal sends out message to caucus **The Hill Times** <http://www.thehilltimes.ca/2002/august/5/rana/>

³¹ Paco Francoli **The Hill Times** <http://www.thehilltimes.ca/2002/july/15/reprisals/> "Paul Martin Accuses PMO of Reprisals."

Francoli also noted that,

“Mr. Martin also said the withdrawl of the appointment of Raymond Garneau as head director of the Bank of Canada "really did shake a considerable number of people." Mr. Garneau's candidacy was withdrawn after he said the Prime Minister should retire.³²

³² Paco Francoli **The Hill Times** <http://www.thehilltimes.ca/2002/july/15/reprisals/> "Paul Martin Accuses PMO of Reprisals."

Conclusion

This brief survey of the Prime Minister's true position in Canada's version of the Westminster Model of governance revealed some startling things. The Prime Minister wields virtually unchecked power. By taking opportunistic advantages of the Canadian written and unwritten constitution, the PM has gained control of the Executive function – both elected and un-elected; the Legislative function by dominating both the elected House of Commons and the appointed Senate; and the Judicial function by appointing the Supreme Court and Federal Court Judges. Ostensibly this is in the name of efficiency and good government.

The result of this evolution is the increasing irrelevance of the 311 elected MPs of all parties to the House of Commons. As well, the citizens to whom this regime is responsible, increasingly shun their role by refusing to vote or even to be enumerated as "my vote does not count." The urgency of this situation is underscored by the governing party's own MPs publicly speaking about too much concentration of power. When erstwhile PM-in-waiting Paul Martin openly campaigns on a platform of Parliamentary reform; when the Canadian Alliance sketches out reform plans during Question Period – the condition is recognized. Whether recognition leads to reform is another story.

Bibliography

Note about sources.

Given the hundreds of students chasing after mere tens of volumes of truly relevant matter, sources were indeed hard to find. Given the perishable nature of much political science literature, I used extremely timely sources that directly cited primary sources such as politicians and senior partisan officials to build my argument. It is worth remembering that newspapers are the first draft of history. All of the cited material is in the author's possession. I did not consider the Cdn. PM vs the British PM who can be kicked out by his caucus and is far more restrained. Nor did I consider the American President who is the product of a Separation of Power structure constructed by people revolting against the British Fusion of power regime. They abhorred government and actively sought ways to limit its influence. Balancing the key institutions was their solution that still works today. Bolded titles are used as italics are not easily readable on a computer screen.

Government documents

The Constitution Acts 1867-1982. http://laws.justice.gc.ca/en/const/c1867_e.html.

Books

Bateman, Thomas J. J. & Manuel Mertin & David M. Thomas. **Braving the new World. Readings in Contemporary Politics**. Scarborough: Nelson division Thomson Learning.2000. Jennifer Smith. "Parliamentary and Presidential Government".

Forsey, Eugene. J. E. Hodgetts editor. **The sound of one voice: Eugene Forsey and his Letters to the Press**. Toronto: University of Toronto Press Incorporated. 2000

Savoie, Donald J. **Governing from the Centre: the Concentration of Power in Canadian Politics**. Toronto: University of Toronto.1999.

Whittington, Michael & Glen Williams. Editors. **Canadian Politics in the 21st Century**. Scarborough: Nelson division of Thompson Learning.2000. Whittington, Michael S. "The Prime Minister, Cabinet and the Executive Power In Canada".

Articles

Ablonczy, Diane MP. February 20, 2001 - Electoral Reform Hansard excerpt posted on her constituency site <http://www.ablonczy.com/issues/speeches/20010220.htm>

Cleroux, Richard. "Powerful backroomer, newly-appointed Grit Senator David Smith says what Chrétien did was 'quite magnanimous' " **The Hill Times** . <http://www.thehilltimes.ca/2002/september/30/cleroux>

Deikmeyer, Peter. "Time to Reform Parliament – Empowering MPs Would Help Small Business Owners." 11 Oct 2000 **The Montreal Gazette**. Peter Deikmeyer Communications Inc. www.peterdeikmeyer.com

Jay Hill, Jay. MP **Dictatorship - Chretien Style**. Column to his constituents <http://www.jayhill.com/NewsRoom/1998/April291998.cfm>.

Kenney, Jason, constituency website <http://www.jasonkenney.com/news/020227%20-%20Sue%20Barnes.pdf>

Martin, Don. "Democracy Rule by the People? Not in Canada." Southam Newspapers. <http://www.canada.com/national/features/democracy/> **National Post** Series. The State of our Democracy. 2002.

May, Kathryn. "MPs and public service brass duel over influence". **The Ottawa Citizen** <http://www.canada.com/national/features/democracy/> **National Post** Series. The State of our Democracy. 2002.

Paco, Francoli,. **The Hill Times** <http://www.thehilltimes.ca/2002/july/15/reprisals/> "Paul Martin Accuses PMO of Reprisals."

Rana, F. Abbas. **The Hill Times** <http://www.thehilltimes.ca/2002/august/5/rana/> "PMO: MPs owe success to PM - PMO adviser Raj Chahal sends out message to caucus."

Riley, Susan. **The feudal life of the backbencher**. <http://www.sen.parl.gc.ca/ckenny/riley.htm>

Stanbury, W. T. **The Hill Times** <http://www.thehilltimes.ca/2002/september/16/stanbury/> "PM wields far more power than any king"

Thompson, Elizabeth, "PM's Power Threatens to Even Make Cabinet Irrelevant". **The Montreal Gazette**. 2002 <http://www.canada.com/national/features/democracy/> **National Post** Series. "The State of our Democracy".

Tibbetts, Janice. "PM is all Powerful Judge of Judges". **The Ottawa Citizen** 8 October 2002. <http://www.canada.com/national/features/democracy/> **National Post** Series. The State of our Democracy. 2002.