



## *Parliamentary Book Shelf*

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### **Two Cheers for Minority Government by Peter H. Russell, Emond Montgomery Publications Limited, Toronto, 2008.**

Peter Russell is an eminent Canadian political scientist whose research has centered mainly on the Supreme Court and on Aboriginal issues. In retirement he has turned his attention to the very topical subject of parliamentary democracy and in particular the issue of minority government.

The theme of the book, as reflected in the title, is an endorsement, with minor qualms, of minority government and a plea to make these periodic episodes a permanent part of our parliamentary experience.

The first few chapters look at the incidence of minority government both in Canada (since 1921) and in other democracies. He points out quite convincingly that each of the twelve minority experiences in Canada featured a unique set of political circumstances which makes it difficult to construct a general theory. He also argues that there have been enough that we should start to think of them as a normal part of our political process and not as aberrations or a disease to be eradicated.

He does go on much too long and much less convincingly about the difference between true majority governments (where one party has 50% of the vote) and false majorities (where a party has 50% of the seats but less than half the popular vote). This, he views, as the worse outcome of elections and while that is a good argument for proportional

representation it is not the best starting point for a discussion of minority government. Much better would be the somewhat harder task of assessing the characteristics of a well functioning parliamentary system and then seeing how well minorities do when measured against this standard.

Instead he holds up majority (really false majority) government as his standard and of course there are many things wrong with the kind of majority government practiced in Canada for many years. The incredible power of the office of prime minister, the excessive party discipline, and the frequent use of the rules by the majority for its own advantage are but some of the problems well known to students of parliament.

By contrast he paints a rather rosy picture of how a minority government should work. It forces checks on the power of the prime minister, encourages discussion and negotiation among parties and provides an enhanced role for private members of parliament as legislators. It is quite an attractive picture and perhaps some jurisdictions like Nova Scotia and Quebec, have managed to make minority government work. Unfortunately that has not been the case in Ottawa although he argues that we would have had no debate on Afghanistan were it not for the minority situation.

In most respects, however, the two federal minorities, under Paul Martin from 2004-2005 and Stephen Harper from 2006 to the present have not done much to make any-

one proud of our parliamentary institutions.

The rules are still being used as a club (this time by the opposition majority) instead of a body of rules intended to establish a fair playing ground in times of majority or minority.

While there are no more government time allocation motions, we do have numerous opposition filibusters which seem unstoppable when an opposition controls a majority in committee and in the House.

We have private members bills completely at odds with government policy which can only be stopped by the most creative, and procedurally dubious government actions.

We even have all parties playing fast and loose with the confidence convention, the bedrock of responsible government. In the Martin Parliament this took the form of opposition attempts to control the timing of elections and the Harper government has taken to making everything a matter of confidence while the official opposition continually abstains and ducks to avoid an election.

The result is a growing disconnect between Parliament and Government that is turning our Westminster system into a kind of European Parliament where the legislators go about passing all kinds of motions and laws and the governments of the nation states feel free to ignore them as little more than expressions of opinion.

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Russell admits there are problems with minority government – hence the two cheers – but he thinks most of these problems will be resolved as we became more familiar with minority government. He would argue that the committee chaos that has taken place recently is over exaggerated by those individuals whose lives are too wrapped up in the nitty gritty of the daily parliamentary grind. The polls would seem to bear out his contention that Canadians outside the national capital are not too concerned with what is going on in their Parliament. But disinterest and cynicism can hardly be seen as a ringing endorsement.

He concludes with a call for deliberative democracy which emphasizes the communicative processes of democracy rather than the simple power of numbers. But there were many instances in majority parliaments where committees produced unanimous and useful reports on difficult public policy issues. The difference is not so much between a majority and minority parliament as between the rules, procedures and conventions as they are meant to be and as they have become. Per-

haps it is time, as David Smith has suggested elsewhere, for a Royal Commission type study of our parliamentary institutions. Instead what we find in the last two minorities is less interest in parliamentary reform than at anytime in the last generation. Do we need a “pipeline” incident or a “bell ringing” incident before members realize that something is wrong with our democratic institutions.

If Russell is right and we are going to have minorities for the foreseeable future perhaps it is time to take a really hard look at some of our basic rules and customs. And lets be fairly open minded and radical about what has to be done. For example if we are going to have fixed election dates why not also insist upon “constructive non confidence motions” as in many European countries so that non confidence motions must include a proposal for an alternative government and simple defeats of a bill, or even a budget, cannot be used as an excuse for an election. If we want to promote deliberative democracy why not permanent tenure on committees and give committee chairmen the same status as the speaker

when it comes to rulings i.e. cannot be appealed. Why not introduce the concept of super majority (say 66%) for certain procedural issues thereby ensuring that consensus rather than majority (be it government or opposition) rules. Why not consider certain “foreign” ideas such as written agreements among parties as one finds in many European democracies and even in Ontario in the 1980s.

So far minority government has not spawned much creative thinking about parliamentary government. Peter Russell has tried to start a dialogue and he is to be commended for his efforts. Many readers will share his preference for the theoretical benefits of minority government but it seems ironic that minority government has only exacerbated some unpleasant features of majority government including increased prime ministerial power, extreme partisanship, and confrontation rather than conciliation in parliament.

**Gary Levy**  
Editor