



Policy paper number 3:

Restoring Responsible Government in Canada

January 10, 2012

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Dear friend,

When I launched my campaign to be leader of the New Democratic Party of Canada, I offered the view that when a national NDP government is elected in 2015, our key goal — in everything we do — should be to build a more equal Canada.

That is a tall order, involving an important re-allocation of public resources away from those who need help the least to those who need help the most. We also need to change course, moving from a fundamentally resource-driven economy competing on price to a value-added economy competing on quality.

A tall order that will require the best work of our best people in government, the business community and civil society.

Alas, government's ability to do its best work is impeded, because responsible government — the principle that a clear chain of accountability must run from citizens to the core of our Parliament — has been frayed to the breaking point.

The next generation faces a difficult challenge. The long night of conservative priorities and policies must end, and they must be replaced with hopeful, powerful new social democratic ones. To accomplish this work, we must restore responsible government in Canada.

In this paper, I outline three essential steps to make parliament work for Canadians:

- Permanently breaking the power of the unelected Senate, through convention or through its abolition;
- Modernizing Canada's electoral system so that citizens' votes always count; and
- Ending the Prime Minister's ability to avoid confidence votes through prorogation -- a fundamental assault on responsible government.

This is the third of a series of policy papers I've released during this leadership campaign. You can find all of them at www.briantopp.ca. If you liked this one, please forward it to others you think might be interested, and I also would value your comments or suggestions. If I have persuaded you to support my campaign, please get in touch with me through my website to volunteer or donate .

All the best,
Brian Topp

The best way to reform the Senate -- subordination and then abolition

Prime Minister Harper's current proposals to reform the Senate combine all the long-standing, worst features of the Conservative approach to the Senate with a new problem. Mr. Harper proposes to maintain the Senate's ability to frustrate the will of the House of Commons through equal powers. Mr Harper proposes to maintain the grossly unrepresentative nature of the senate (B.C. and Alberta in particular are under-represented). Finally, Mr. Harper proposes the Senate be elected, and therefore will be equipped with a mandate to challenge the House of Commons.

The form and function of the Senate are not academic issues. When we form government in 2015, it will be an immediate problem facing our government, since we will be confronted with a second chamber composed of Conservative and Liberal appointees. These senators may feel free to oppose the policies on which we will have been elected.

I propose that our party ask for a mandate in the next election to abolish the Senate. I then propose that an Act be introduced early in the life of the next Parliament amending the constitution to do so.

The urgency with which this matter is then pursued with provinces (who will have to consent to this modernization, which was adopted in all provincial legislatures long ago) should then depend on the conduct of the Senate during the next Parliament. If the Senate provokes a constitutional crisis by blocking a budget or other important legislation, Senate abolition should be pursued as an immediate and urgent priority. If the Senate returns to its traditional role and subordinates itself to the House of Commons, then the matter can be pursued more deliberately over the course of the next Parliament.

Electoral reform

Our first-past-the-post electoral system is another antiquated inheritance in need of reform. It is a fundamental principle of democracy that people's votes count — that the amount of support that political parties receive in an election should determine the amount of influence they yield in Parliament. But that, of course, is not how our electoral system works today.

Consider just a few examples from the record: Slightly over 1.3 million Bloc Quebecois voters sent 49 MPs to Parliament in the 2008 election, while 2.5 million New Democrat voters elected only 37 MPs, and 937,613 Green party voters weren't able to elect a single MP. In 2011, over 30% of the people of Saskatchewan voted for the NDP, but didn't elect a single MP. To point to the grossest distortion in recent electoral history, in 1993 2.2 million Canadians voted for the Progressive Conservatives, electing only two MPs – while 1.8 million voted for the Bloc Quebecois, sending 54 MPs to Parliament and becoming the official opposition.

Many citizens have worked to try to correct the outrageous and perverse distortions of our current electoral system, leading to several provincial referenda which, unfortunately, have all failed.

Canadians, I submit, are open to ideas about how to modernize our electoral system, but are concerned about the implications of a pure proportional system. A more incremental approach seems more likely to succeed.

I propose that our party ask for a mandate in the next election to introduce a mixed proportional electoral system. Under this system, the current geographic representation would be maintained, and a new tier of MPs would be elected proportionately. This is similar in principle to the system long in place in the lower chamber in Germany.

The concurrent abolition of the Senate would ensure few additional permanent costs are accrued, and no net additional Parliamentarians are created.

Putting an end to Mr. Harper's gambit

Finally, there is the issue of whether the Prime Minister has the right to nullify his own accountability to Parliament.

In 2008, Stephen Harper prevented the House of Commons from voting on a confidence motion by directing the Governor General to prorogue the House. There is much debate about the merits of that confidence vote and the underlying proposal to replace Mr. Harper's government with a new one. But there is, in my view, no debate about the fact that the powers of the Governor General and of the Prime Minister in this area are dangerously vague. These powers need to be made transparent, so that all participants and the public know what they are. Governments will lose their support in future Parliaments. Future Parliaments will want to replace one Prime Minister with another. How should this be done?

I propose that our party ask for a mandate to clarify some of these fundamental issues of responsible government in the next election. To that end, I propose that a Parliament Act be introduced, which would direct that in no circumstances may a Prime Minister advise the Governor-General to prorogue the House of Commons when a confidence vote is before it. This Act would also respectfully request that the Governor-General not accept such advice, should it be tendered by a Prime Minister in defiance of the Act.

Conclusion:

Canadians are properly concerned about the growing disconnect between themselves and their federal government. Restoring responsible government is an important step in remedying this challenge. It's work we should commit to tackle, one practical step at a time, until the job is done.