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Extreme prejudice

Harper hatred is no reason to support coalition

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Canadian voters sent an unmistakable message in the last election: We don't want Stéphane Dion as prime minister. Don't take my word for it. Take his. Less than a week after the Oct. 14 federal election, Dion announced he would resign as leader of his party.

During the federal election, Dion had also said unequivocally he would not form a coalition with Jack Layton's NDP. How could he have a mandate to do so now?

You can't add up the votes the three opposition parties in the House of Commons received in the federal election and say that translates into any voter preference for a coalition among them. For example, we don't know that in the absence of a Liberal government the second choice of Liberal voters was for a Layton-flavoured administration backed up by an outright separatist party. Maybe their second choice was a Harper government. If a coalition of the Liberals and NDP, backed by the Bloc, was an attractive model to voters, then why would Dion have rejected any such model during the campaign?

So a lame-duck party leader, repudiated by Canadian voters during the last election would rule for months as prime minister of Canada? With a promise by the NDP and Bloc that he won't be defeated on a confidence motion? While Dion might not be able to pass any legislation he wants, both the NDP and Bloc have promised not to defeat him on a confidence measure. That means that he can get any taxing or spending measure that he wants passed. (The NDP fragment in the cabinet will not have a veto). Plus, he will have the vast authority of a prime minister and his government to make decisions without going to Parliament. His administration could issue regulations, appoint people to high and long-lasting office, stack the Senate, and even enter into international treaties.

Then the repudiated and lame-duck Prime Minister Dion would be replaced several months later at a Liberal leadership convention. Without ever going to the people, without his party having even fared well in the last election, Mr. Post-Dion will then last at least a year in office to rule as though he had received a majority.

Harper has a vastly greater claim to democratic legitimacy. He won far more votes. Unlike Dion's party, he won seats in significant numbers almost everywhere in Canada -- including in our region, here in Western Canada. He enjoys no comparable secure tenure in office. If he remains as prime minister, he will continue to need the support of at least one other party on any bill. Fair enough. Harper did not win a nation-wide majority of the popular vote or seats in the last election. But should Dion, who was repudiated, be in an even stronger position than Harper? Or Mr. Post-Dion, who would have become prime minister without winning most of the seats in an election, let alone a majority of them?

What overriding public policy need or circumstance might warrant such a departure from democratic legitimacy? Because Harper's economic statement proposed eliminating subsidies for federal political parties so they would have to go directly to the people for financial support? Maybe that's not such a bad idea. Maybe it is. Any which way, Harper has withdrawn it.

Because the economic statement did not do enough? Then in the next budget Harper must do more to show that he has listened to the opposition parties. If he does, then what will be the fundamental economic policy failure?

Because you don't think Mr. Harper can be trusted? You don't have to trust him. If he governs badly, he can always be defeated in the House of Commons.

So maybe it comes down to this: that you really, really, really don't like Stephen Harper? So go out and help convince your fellow Canadians to vote him out of office next time around.

Many of your fellow citizens will regard the taking of power by a Liberal leader in such circumstances without a fresh election as a fundamentally illegitimate betrayal of democratic principles. Others will have strong federalist objections, believing that it is wrong to lend greater legitimacy to a separatist party by allowing it to act as the foundation for a Liberal-NDP coalition government of Canada. Are you sure they are wrong? Even if these positions are mistaken, are they not at least views that reasonable people could hold? Is the pursuit of immediate political power (or its immediate denial to Mr. Harper) worth the cost of creating an understandable sense of betrayal and anger on the part of a great many Canadians?

As a constitutional scholar, I have expressed the view that in various scenarios, it would be entirely lawful for the Governor General to exercise her own judgment, and refuse advice from the prime minister. The Governor General has not only the authority, but at times the duty, to protect the principles of parliamentary democracy from abuse by the government of the day. But she must also be careful that she is not enlisted as an enabler of unprincipled and divisive conduct by a would-be government.

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