

# Canada: Tories want governor-general to use emergency powers to force new election

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The official opposition Conservatives and the pro-Quebec independence Bloc Québécois (BQ) are urging Governor-General Adrienne Clarkson to compel Paul Martin's federal Liberal government to admit it has lost the confidence of parliament and call a general election.

Such action by the governor-general—the unelected representative of Canada's monarch, Queen Elizabeth II—would be unprecedented in modern Canadian history.

The Conservatives are desperate for a June federal election, because they believe that recent allegations and revelations of corruption within the ranks of the Liberal Party will enable them to frame the vote as *for or against corruption* and thereby escape serious public scrutiny of their own right-wing program. The “new” Conservative Party was formed last year out of a merger of the Progressive Conservatives, the Canadian ruling class's traditional alternate party of government, and the neo- and social-conservative Canadian Alliance. It advocates further tax cuts for big business and the well-to-do, billions of dollars in additional military spending, greater involvement of for-profit companies in the provision of health care, a closer partnership with the Bush administration and Wall Street, and, implicitly, sweeping cuts to public and social services.

The BQ, notwithstanding its claims to be a progressive and even worker-friendly party, has allied itself with the Tories, because it hopes to deliver an electoral body-blow to the Liberals, its principal federalist rival. It also anticipates that a Conservative government will significantly curtail the scope and reach of the federal government, including in the provision of social programs, and thereby increase the power and autonomy of the Quebec provincial government.

Last Tuesday, Conservative and BQ MPs combined forces to pass a procedural motion that stipulated a committee report should be amended to instruct the government to resign. Immediately after the vote Conservative leader Stephen Harper rose in the House of Commons to denounce the Liberal Party for being “corrupt,” “ruining the country's finances” and “now ignoring the democratically expressed will” of parliament.

Constitutional experts are all but unanimous in supporting the Liberal government's contention that the 153-150 votes in favour of Tuesday's motion did not constitute defeat in a non-confidence vote. (Under British/Canadian parliamentary tradition when a government loses a vote on a budget bill, its Throne Speech, or any other piece of legislation it designates as a matter of confidence, it must resign, unless it can, within a very short time, secure House of Commons approval for a motion explicitly expressing confidence in the government.)

The Conservatives and BQ have ignored the constitutional experts

and are accusing the Liberals of illegally clinging to power. Moreover, they have continued to do so even after the Liberals announced that they will hold a budget vote, thereby giving the opposition parties a chance to demonstrate that the government no longer has parliament's confidence, on Thursday, May 19.

From last Wednesday through last Friday, the Conservatives and BQ also combined forces to shut down the House of Commons and in boycotting most parliamentary committee meetings. That this action mimics the US Republicans' 1995 shutdown of Congress is no happenstance. The Conservatives have close ties to the Republican right and like them are ready to use scandal-mongering and run roughshod over traditional bourgeois-democratic norms to impose their right-wing agenda.

Asked last Thursday how long the Tories would persist in disrupting the normal functioning of parliament, Conservative Party leader Stephen Harper said, “It could go on until the government or the governor-general is forced to admit that the government has lost its mandate to govern the country. I don't know how long that will be.”

Only after the Tories' tactics were harshly criticized in the media—the *Globe and Mail* called them “outlandish” and “wildly disproportionate” and warned that they were bringing parliament into public disrepute—did Harper announce late Friday that if the Liberals guaranteed a budget vote on May 19, something they had already repeatedly done, his party will abandon its disruption tactics when parliament resumes this Monday.

Neither Harper nor BQ leader Gilles Duceppe has formally requested a meeting with the governor-general to ask her to use the extraordinary powers of her office in the current political crisis. But they and their colleagues have repeatedly gone on record as saying that she should consider intervening. “I think the governor-general will have to look herself at what's occurring here,” said Harper. “I think she should be concerned that she has a government that does not have a mandate from the House of Commons.” Duceppe was only slightly more circumspect in appealing for Clarkson to force a new election. “It's up to the governor-general to make her own decision,” he told reporters. “The only thing I know is everything is paralysed and that's very clear.”

On Thursday, the governor-general's staff issued a statement saying that Clarkson is “closely following and monitoring the situation” and had consulted with leading “constitutional advisors.”

At this point it is unlikely that the governor-general will do the bidding of the Conservatives and the BQ and dissolve the current parliament. As mentioned above, few if any constitutional experts accept the Conservative-BQ claim that the Liberal government has lost a vote of confidence. Furthermore, Clarkson, who was named

governor-general in 1999 on the recommendation of then Liberal Prime Minister Jean Chrétien, and Clarkson's husband, the novelist and social commentator John Ralston Saul, are both well-known small "l" liberals.

Nevertheless, the Tories' readiness to countenance and seek to bring about the intervention of the Crown underscores the reactionary character of their bid for power. At the very least, their actions serve to legitimize the arbitrary powers of the Crown, an unelected office which has been maintained, despite its obvious anachronistic character, at the apex of the Canadian state because the ruling class values it as a mechanism through which it can assert its interests in times of extreme crisis.

Under the Canadian constitution, as in Britain, the Crown formally heads the executive branch of government and retains massive arbitrary powers, including the right to fire governments, dissolve parliament and refuse to give royal assent, i.e., bring into force, any legislation. However, by convention—that is, as the result of centuries of political struggles and complex compromises—the Crown reigns, not rules. It accepts all legislation approved by parliament and exercises its other great powers only on the advice of a prime minister and government commanding the support of the majority in the House of Commons.

In practice the Crown's powers are, therefore, merely formal. There is, however, one critical exception. Although the circumstances and limits are nowhere defined, in times of grave political crisis the Crown can use all the powers at its disposal to uphold the authority of the state and can employ what have come to be known as its reserve or emergency powers.

By maintaining the monarch—and in the case of Canada, the governor-general—above the normal political fray, the ruling class seeks to give legitimacy to it acting as the guardian of its rule in a time of great political crisis. As a primer on Canada's constitutional monarchy explains, the governor-general and the provincial lieutenant governors "are constitutional fire extinguishers with a potent mixture of powers for use in great emergencies. Like real extinguishers, they appear in bright colours and are strategically located. While everyone hopes their emergency powers will never be used, the fact that they are not used does not render them useless" (Frank Mackinnon, *The Crown in Canada*, Calgary: McClelland and Stewart: 1976. p. 122).

The last instance in which a Canadian governor-general made use of the office's arbitrary powers and defied a prime minister's advice was in 1926, when Lord Byng refused Mackenzie King's request he dissolve parliament and call an election and instead asked the Conservative Arthur Meighen to form the federal government. Meighen's Conservatives soon lost a non-confidence vote and in the subsequent election campaign King protested against Byng's intrusion into politics. But King's election victory did not in any way change or reduce the Crown's powers.

More significantly, in 1975 the Australian governor-general, whose role and powers are directly comparable to those of Canada's governor-general, sacked the Labor government of Gough Whitlam and installed the right-winger Malcolm Fraser and his Liberal Party in power. While the pretext for Governor-General John Kerr's actions was a conflict between Australia's two houses of parliament, the sacking of Whitlam corresponded with the view of the ruling class that his social-democratic government was proving unable to control and constrain a militant movement of the working class.

The 11-year-old Chrétien-Martin Liberal government has been the most right-wing federal government since the Great Depression. Time

and again it has implemented the policy prescriptions of its ostensible right-wing opponents, including the regressive Goods and Services Tax (GST), the greatest social spending cuts in Canadian history, a \$100 billion tax cut skewed to benefit corporate Canada and the rich, and the adoption of legislation threatening Quebec with partition in the event it votes to secede from Canada. Since Martin became prime minister in December 2003, the Liberals have embarked on a major expansion of Canada's military, announced plans for a closer economic and security partnership with the US and Mexico and otherwise sought to curry favour with the Bush administration.

Yet the right-wing and much of Canadian big business view the Liberal government headed by multimillionaire shipping magnate Paul Martin as anathema. Convinced that Canada is losing out in the struggle for global market share, profits and geopolitical influence, these elements are determined to bring to power a government patterned after the Bush administration that will seek to gut all regulatory restraints on capital, take a wrecking ball to what remains of the welfare state and redistribute wealth from working people to the rich and super-rich through massive social spending and tax cuts.

Their methods—scandal-mongering and appeals to the governor-general—underscore their hostility to basic democratic norms and rights.

The great danger in this situation is that the working class is politically disenfranchised thanks to the right-wing, pro-capitalist policies of the organizations that claim to speak in its name.

The social-democratic New Democratic Party and the Canadian Labour Congress have rushed to the aid of the Martin Liberal government, on the grounds that the Liberals, the traditional governing party of Canadian big business, are the lesser evil. The Quebec unions, meanwhile, are seeking to tie the working class to the BQ and its sister party the Parti Québécois, which when it held office between 1994 and 2003 carried out social spending and tax-cutting policies that paralleled those of their federalist opponents—Chrétien and Martin. Moreover, the BQ-PQ are working in tandem with Stephen Harper and the Conservative Party.



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