

Article

Rhetoric Revisited: Decennial Reflections on Canada's Coalition Crisis¹

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Abstract

This paper reassesses Canada's "coalition crisis" of 2008 through a rhetorical analysis of the national addresses of Prime Minister Stephen Harper and Opposition leader Stéphane Dion. Focusing especially upon the classical rhetorical categories of ethos (the speaker's self-identification and positioning relative to the audience) and logos (the use of reason in argument), it explores how Harper and Dion construct divergent "legitimacy principles" in defence of their positions, arguing that Dion's speech failed, not merely because of the poor production values which dominated commentary at the time, but because of an inferior ethos appeal marked by a mishandling of the key rhetorical icon of nationhood. When we consider argumentative substance, however, we find that Harper's address was marred by a misrepresentation of key principles of parliamentary government. Because the crisis represented a potentially significant moment of political socialization – thus involving "constitutive" rather than "ordinary" political rhetoric – the paper argues that it is consistent with a realistic model of rhetorical ethics to condemn this misconstrual as a violation of the trust reposed in democratic leadership.

Résumé

Cet essai réévalue la « crise de la coalition » survenue au Canada en 2008 à travers une analyse rhétorique des discours à la nation du Premier ministre Stephen Harper et du chef de l'opposition officielle, Stéphane Dion. En se concentrant en particulier sur les catégories rhétoriques classiques de l'éthos (auto-identification et positionnement du locuteur par rapport au public) et du logos (utilisation de la raison dans l'argumentation), il explore la manière dont Harper et Dion construisent des « principes de légitimité » divergents pour défendre leurs positions. Cet essai fait valoir que le discours de Dion a échoué, non seulement en raison des faibles valeurs de production qui dominaient les commentaires à l'époque, mais aussi en raison d'un appel inférieur à l'éthos marqué par une mauvaise gestion de l'icône rhétorique clé de la nation. Quant aux arguments de fond du discours de Harper, ils constituent une version trompeuse des principes clés du gouvernement parlementaire. Puisque la crise a représenté un moment potentiellement significatif de socialisation politique - impliquant ainsi une rhétorique politique « constitutive » plutôt qu'« ordinaire » - l'essai soutient qu'il est possible, dans le cadre d'un modèle réaliste d'éthique rhétorique, de dénoncer cette version trompeuse comme étant une violation de la confiance accordée au leadership démocratique.

Key words: Coalition crisis; Stephen Harper; rhetoric; rhetorical ethics; parliamentary government; Canadian politics

Mot Clés: Crise de la coalition; Stephen Harper; rhétorique ; rhétorique et éthique ; régime parlementaire; politique canadienne

Introduction

A little over 10 years ago, Canadian politics were convulsed by a brief but compelling “coalition crisis.”² The recently-reelected Conservative government of Prime Minister Stephen Harper faced the threat of a vote of non-confidence by an opposition coalition, which argued that it could command the confidence of the House of Commons, and therefore govern, without recourse to a new election. After much heated rhetoric, including dueling nationally-televised speeches by the Prime Minister and Opposition leader Stéphane Dion, Harper successfully secured a prorogation of Parliament. Shortly thereafter, Dion was replaced as Liberal leader, and the proposed coalition collapsed. This paper offers a retrospective on these events through the medium of a *rhetorical analysis* of their fulcrum moment: the addresses to the nation by Prime Minister Harper and Leader of the Opposition Dion on the night of December 3, 2008.

Political rhetoric in Canada receives only modest scholarly attention, at least when compared to the United States, and most of the energy in this respect has focused on the comparatively distant past.³ Yet these addresses represented perhaps the most charged rhetorical events in federal politics since the 1995 Quebec referendum, for the crisis “engaged Canadians politically at a level not matched since a decade or so [earlier] when the continuation of confederation was at issue” (Russell and Sossin 2009, xiii). While the speeches might be of some historical interest on these grounds, the subtler and perhaps deeper interest of these addresses resides in their status as potentially formative moments of political socialization, given the unusual fact that both leaders found themselves articulating foundational principles of the Canadian constitutional order. Loosely incorporating the traditional elements of rhetorical analysis – attending to the rhetorical context, argument, and effects (Martin 2014, 100-106) – I want to suggest that although the two speeches shared many thematic similarities, they differed strikingly on the degree and effectiveness with which they aligned their preferred position with Canadian nationhood itself. The Prime Minister unambiguously foregrounded Canadian identity; Dion declined (or failed) to do so. Herein lay one key to Harper’s rhetorical victory. But herein also lay a Faustian moment in that the price of victory was arguably a betrayal of the trust that ought to define democratic leadership.

This paper explores the content of the two national addresses with a focus upon the leaders’ respective ethos appeals. Of particular interest is the manner in which they construct divergent “legitimacy principles” in defense of their preferred political positions, and how they tie these principles to specific conceptions of national identity and values. Harper’s speech achieves this by defining a particular view of democracy as constitutive of Canada. By contrast, Dion’s version is less persuasive in its evocation of national signifiers and frames its key legitimacy principle as older than, and therefore distinct from, Canada, while citing the practices of other countries in its defence. Dion’s error, then, goes beyond botched delivery (which, as we will see, drew widespread commentary). An inferior ethos appeal was embedded in the heart of his text. When we turn to the substance of the respective arguments, however – what rhetorical studies would call their “logos” – we discover that Harper’s address can be read as a misrepresentation of the Canadian constitutional order. Insofar as this is so, it cannot be excused with reference to political

exigencies, because a reasonably realistic view of political ethics may still demand that leaders uphold, rather than subvert, the institutional order with which they are entrusted.

Toward a rhetorical analysis of the coalition crisis

Being of recent vintage, the events in question require only a quick recap. The exceptionally “uncivil” election of October 14, 2008 saw the Conservatives win 143 seats, an increased plurality, but not a majority (Valpy 2009, 5). The Liberals remained the Official Opposition but suffered a drop from 103 to 77 seats, obliging Dion to announce his intention to step down as leader by May 2009. The sovereigntist Bloc Québécois under Gilles Duceppe and Jack Layton’s New Democratic Party claimed 49 and 37 seats respectively. While the parliamentary session began with a Throne Speech that won praise for its conciliatory tone (8), in a fiscal update on November 27, the Minister of Finance introduced “several poison pills” (Cameron 2009, 193), including the elimination of vote-based public subsidies to political parties and tough measures on civil service labour rights, with no promise of a major stimulus package to fight the recession which was erupting in the wake of the global financial crisis. In response, the Liberals and N.D.P. agreed to withdraw their confidence in the Conservatives and sought to form a coalition government, securing the Bloc’s promise to support the coalition for at least one year. They then informed the Governor General of their plans (Valpy 2009, 12-13). With a vote of non-confidence looming, the videotaped speeches of Harper and Dion were broadcast. On the morning of December 4, Harper received the Governor General’s permission to prorogue parliament until January 26, 2009. When parliament reconvened, Dion had been unseated as Liberal leader by Michael Ignatieff, who – having extracted substantial concessions from the Conservatives (including the retention of party subsidies and the introduction of a large stimulus package) – abandoned the coalition and directed his party to vote its confidence in the government. Thus ended the “coalition crisis” (Valpy 2009).

The speeches of December 3 were, of course, hardly the only factor in this outcome. Both sides had been furiously “messaging” their positions in the days prior, and continued to do so in subsequent days and weeks. Communications efforts ran the gamut from speeches and debates in the House of Commons to press conferences and impassioned media appearances by relevant players from all parties (Wells 2013, 210-225). Still, the televised addresses marked a quiet triumph for Harper and an extraordinary disaster for Dion. The latter’s Chief of Staff, Johanne Senekal, publicly apologized the following day for the poor quality of Dion’s video presentation (Visser 2008). Within two days, Dion had been supplanted as principal party spokesman by internal rivals (Taber 2008), and five days thereafter he was replaced for good by Ignatieff. Commentary on Dion’s speech focused overwhelmingly on its unprofessional presentation. As *The Globe and Mail’s* Jane Taber observed, “Mr. Dion and his team couldn’t even get his televised national address - a speech intended to counter Mr. Harper’s appeal - to TV networks on time. The production values of the tape were also poor, with Mr. Dion out of focus at times. It appeared his head was emerging from the shelf behind him” (2008). A *Maclean’s* magazine summation of the affair devoted two paragraphs to the content of Harper’s speech while saying nothing about Dion’s arguments, focusing purely on the lateness and inept production quality of his performance (Geddes and Wherry 2008). So bizarre was the situation that even the remote *New York Times* observed: “Bad Video Overshadows Politician’s Message” (Austen 2008).

Less noticed in all of this was that in its marshalling of the “available means of persuasion” (Aristotle 2004, 6) as well as in delivery, Harper’s rhetoric was much superior to Dion’s. Indeed, this may have contributed to the ease with which commentators passed over the content of the latter to dwell on its inept delivery. The following section pursues this thought, suggesting that it is primarily in the category of ethos appeal that the speeches diverge in rhetorical power. Ethos is, of course, part of the classic trinity of rhetorical appeals, the others being logos (the use of reason) and pathos (the stirring of the emotions). Classically, ethos refers to the “personal character of the speaker” (Aristotle 2004, 6), but the concept may be extended to include such factors as self-positioning as an “agent” of legitimate authority, evocation of shared identity within an audience and identification between speaker and audience, and strategies of polarization which divide audience and speaker from selected “out-groups” (see Crick 2011, 130-145). Harper’s ethos appeal was built upon an overwhelming focus upon Canadian identity, fusing nationhood with a specific reading of democracy, and thereby assuming the persona of an agent speaking for, and defending, the nation’s defining values. Dion – surprisingly – did almost the opposite.

Some of the most powerful tropes a modern orator can deploy derive from the themes of nationhood and national identity, offering a vision of “imagined community” binding strangers together across a vast, bounded territory, rooted in time and extending into the indefinite future (e.g., Anderson 1991; Billig 1995). Thus – to take some notable examples – “almost every speech [Ronald] Reagan gave, especially on memorable occasions, was an evocation of what America had been and could be again” (Lim 2008, 61). Martin Luther King’s “I Have a Dream” speech works equally from a vision of justice and from an explicitly national vision: “a dream...deeply rooted in the American dream” (King 1963). Part of what makes the speech so iconic is just this appeal to a wider national solidarity (Hansen 2005). A similar principle holds true of Barack Obama’s most soaring moments (“there’s not a liberal America and a conservative America; there’s the United States of America” [Obama 2004]). Nor is this a uniquely American phenomenon. Here is Pierre Trudeau in the peroration of the most important speech of his career:

We won't let this country die, this Canada, our home and native land, this Canada which really is, as our national anthem says, our home and native land. We are going to say to those who want us to stop being Canadians, we are going to say a resounding, an overwhelming NO (Trudeau 1980).

The claim is not that nationhood is some all-purpose oratorical trump card. It’s simply that Lincoln’s “mystic chords of memory” reflect an obvious and powerful rhetorical icon which, skilfully deployed, reliably moves an audience. Similarly, democracy enjoys a privileged status as a central, defining good for moderns (e.g., Dunn 2006). In a duel of speeches over a national political crisis, one would expect the orators to make full use of such icons, and the adroitness of this usage to be a major marker of success or failure.

A Tale of Two Speeches: The National Addresses of 2008

When we examine the content of the 2008 speeches, we find that Dion fails, not simply because of the production values to which standard accounts rightly give so much

attention, but because he declines to make effective use of these two dominant rhetorical icons of the modern world. By contrast, not only does Harper make use of these symbols, but he fuses them into a single two-sided rhetorical icon – a compelling device, provided we accept his premises. Dion’s neglect of these elements is especially baffling given that the heated parliamentary debates of December 1-3 had centred on questions of democracy and nationhood, with imprecations (and sometimes direct accusations) of treason hurled across the aisle.⁴ Dion responded furiously to these charges. He must have understood, then, that nationhood was going to be a battleground in the televised addresses. Yet despite having “agonized so long over his text that...video technicians had little time to set up a proper shot and no time to fix mistakes” (Geddes and Wherry 2008), his handling of these themes was remarkably maladroit.

The nationhood/democracy axis is indeed the key, for the speeches are thematically nearly twins, each consisting almost wholly of the following themes:

(1) an acknowledgement of the gravity of the economic crisis and a litany of measures for dealing with it. A subsidiary point concerns collaboration: both speakers claim to be working in a way that transcends partisanship, reaching out to other parties and interests in their efforts to meet the crisis.

(2) a *legitimacy principle*, according to which the speaker, and not their opponent, is entitled to be prime minister of Canada. This is the crucial point of demarcation between the addresses, and it is above all on this front that Harper’s rhetorical strategy outclasses that of his opponent.

(3) a *program of action* for defending that legitimacy principle, against the illegitimate strivings of their opponent.

Let us take these in order. In itemizing his government’s economic actions and supposedly collaborative spirit – a litany which includes tax reductions, “doubling spending on infrastructure,” an Automotive Innovation Fund, “increasing support and incentives” in various sectors, and so forth, all undertaken while “consulting widely with Canadians” – Harper’s primary aim is surely defensive: to neutralize the predictable opposition charge that his government has done nothing to address the emerging recession (2008b). Dion gives a longer litany of economic actions which his coalition will undertake, such as “gather[ing] with leaders of industry and labour to work, unlike the Conservatives, in a collaborative but urgent manner to protect jobs,” “invest[ing] significantly more” in infrastructure, and stimulating the economy through “green” investments (2008c). That the litany is not as precise as Harper’s, and differs in its content, probably matters less to its rhetorical effect than the fact that Harper, speaking first, anticipated and pre-empted its gist. This leaves Dion’s audience in the position of sitting through a second lengthy list of proposals for economic action, and perhaps gives his litany a redundant air. Still, economic action and collaboration remain, for Harper, “shield” issues (Wells 2013, 109), designed mainly to deflect an obvious avenue of opposition attack.

On theme (2), the legitimacy principle, Harper draws a sword. He begins by declaring that “Canadians take pride in our history as one of the world’s oldest continuous democracies. During the past 141 years, political parties have emerged and disappeared,

leaders have come and gone, and governments have changed. Constant in every case, however, is the principle that Canada's Government has always been chosen by the people" (2008b).

Note two things here. One is Harper's self-positioning as a non-partisan "agent" of Canadian democracy: he adopts a trans-generational perspective, rising above day-to-day partisan travails, to affirm the key principle. This is a strong ethos move, since his case relies precisely upon the reliability of his interpretation of that precept, for which a statesmanlike self-positioning is vital. The second, more important point is that he defines national pride in terms of history, and national history in terms of a particular reading of democracy. Harper welds the two icons – nationhood and democracy – together from the start.

He thus implies that our democratic heritage is more than a source of pride in its own right, because many other cherished aspects of national identity grow out of it. "Following in the light of this democratic tradition, Canadians have built one of the most peaceful and prosperous countries the world has ever known – a land of hope and opportunity that inspires others around the globe, and has drawn millions as new immigrants to our country" (2008b). Peace, prosperity, hope, opportunity, immigration and, by implication, multicultural diversity – all somehow follow from the principle of "democracy" sketched above. Some of these symbols, such as hope and prosperity, are straightforwardly universal, while others assume a distinctively nationalist inflection in Canadian discourse (think of peace-keeping and multiculturalism as markers of Canadian national identity). Harper's use of these thus reinforces his imbrication in national values and an identity shared in common with his audience.

To the extent that he defines "democracy," meanwhile, it is purely in electoral, rather than parliamentary, terms. Governments are "chosen by the people," meaning, presumably, that the most votes, or perhaps seats, wins. Of course, this seems to deny the principle of responsible government according to which governments rule by virtue of the confidence of the House of Commons. Jennifer Smith excoriates Harper's stance as a "faux-populist" denial of core principles of the parliamentary system (2009), a discomfort shared by – among others – David Cameron (2009, 190-91), Grace Skogstad (2009, 170), Graham White (2009, 158), Peter Russell (2009, 141-142), Lawrence LeDuc (2009, 132), Jean Leclair and Jean-François Gaudreault-DesBiens (2009, 106), Lorraine Weinrib (2009), Andrew Heard (2009, 53-55), C.E.S. Franks (2009), Gary Levy (2009, 26-28), and Peter Aucoin, Mark Jarvis, and Lori Turnbull (2011, 155-201).

Presumably unperturbed by the thought of drawing fire from legions of constitutional experts, Harper proceeds to frame his own government as the extension of this principle ("we are honoured that you returned our government to office"). It is at this point that he provides his litany of economic actions being undertaken by this duly elected government, which is "consulting widely with Canadians," including premiers, international actors, and the opposition. His claims to reasonableness and collegiality suitably reinforced, Harper returns to the legitimacy principle, this time drawing blood:

Unfortunately, even before the Government has brought forward its budget, and only seven weeks after a general election, *the opposition wants to overturn the results of that election...*the Opposition does not have the democratic right to impose a coalition with the separatists which they promised voters would never

happen. The Opposition is imposing the coalition deal without your say, without your consent, and without your vote (2008b, italics added).

Democracy and nationhood having been fused, and the former having been defined in purely “electoral” terms, we see how sharply Harper has honed his point. Nothing less than Canada’s essence, its defining existential principle, is at stake. The coalition is illegitimate because the Conservatives were “chosen by the people” to govern. Compounding this is that the Liberals and N.D.P. did not explicitly run on a coalition platform (an untenable demand, of course, as “coalition formation practices globally depend on the outcome of elections to determine how to best align parties” and therefore cannot be determined in advance (Bonga 2010, 11). Indeed, national unity itself is at risk: the opposition is “entering into a power-sharing coalition with a separatist party.” While the Bloc was not part of the “power-sharing” coalition per se – its agreement not to vote against the coalition on matters of confidence was a legislative, rather than executive, form of coalition (Bonga 2010, 9) – Harper’s invocation of unity is of a piece with his sharp rhetorical emphasis on nationhood.

So serious does all of this seem that, when Harper reaches theme (3), his plan of action for defending his legitimacy principle, it sounds less hyperbolic than reasonable. “This is a pivotal moment in our history. We Canadians are the inheritors of a great legacy” – framed in terms of the “democracy” defined above – “and it is our duty to protect it for the generations still to come. Tonight, I pledge to you that Canada’s government will use every legal means at our disposal to protect our democracy, to protect our economy, and to protect Canada” (2008b).⁵

The triadic anaphora of the final sentence, and the harmony between his introduction (“our history”) and conclusion (“our legacy...for future generations”), show a discreetly deft hand. But what really counts is that, having positioned himself as an agent speaking on behalf of the nationhood/democracy icon, he can now plausibly cast himself as its champion, facing down an existential threat.

How, by comparison, does Stéphane Dion proceed? We have already noted that his address was marred from the beginning by substandard production values. Recall too, that his speech contains his version of theme (1), a litany of economic actions which the coalition promises to undertake. But theme (2), the legitimacy principle, is the rock on which Dion’s effort was bound to stand or fall. As it happens, it falls – and spectacularly so.

In the first place, where Harper’s speech constructed rhetorical arrows all pointing toward the startling claim that “the opposition wants to overturn the results of the election,” Dion buries his principle of legitimacy within something of a rhetorical slough. The third paragraph of his text declares that “the Harper Conservatives have lost the confidence of the majority of members of the House of Commons. In our democracy, in our parliamentary system, in our Constitution, this means they have lost the right to govern” (2008c). This is a crucial and admirably clear distillation of a legitimacy principle. But it lies smothered between a sequence of quotidian complaints about the prime minister’s bull-headedness (“Stephen Harper still refuses to propose measures to stimulate the Canadian economy...his priority is partisanship and settling scores”), and the mundane observation that “Canadians don’t want another election.” The latter point – besides being humdrum – elides the principle of parliamentary supremacy, which Dion needs above all to defend, with the populist or electoral view of democracy, which he needs to neutralize. If what is at

stake is merely what Canadians “want” at any given moment, then parliament is a secondary, not primary, concern. But probably more damaging to the rhetorical effect is the muffling of the explosive charge that Harper “has lost the right to govern.” Complaints about Harper’s intransigence, and public hostility to another election, distract from Dion’s most piquant argument – that *the government is illegitimate* – and prevent him from isolating and rarifying his core principle in a fashion to rival Harper’s.

“In our democracy, in our parliamentary system, in our Constitution:” stylistically, Dion’s triad should work. But it introduces a subtle ambiguity: who is the “we’ to which this refers? Canada, clearly; but it could also refer to the coalition (as in, “this is *our* understanding of the constitution”) – i.e., specific partisan actors within Canada, rather than Canada itself, of which Harper had unambiguously presented himself as defender. This also seems an oddly missed opportunity to deliver a rising tricolon and to ring three times on the rhetorical chord “Canada” (e.g., “in Canada’s system, in Canada’s democracy,” etc.). In declining the chance to burnish the speaker’s credentials as a non-partisan representative of that icon, the passage prefigures the text’s most serious flaw.

“Our system of government was not born with Canada. It is ancient. There are rules that govern it and conventions that guide it” (2008c). This is the heart of Dion’s address: the decisive defence and elaboration of his legitimacy principle. And at this pivotal point, Dion *widens* the gulf between that principle and “Canada” as a freestanding rhetorical icon. The principle in question “was not born with Canada;” this creates a distinction between the two, precisely where Harper had fused them. This gap yawns still further when Dion proceeds to cite foreign authorities in an attempt to normalize the coalition. “Coalitions are normal and current practice in many parts of the world and are able to work very successfully.” Dion thereby reinforces the otherness of the principles guiding coalitions, and their foreignness as a form of government: “not born with Canada,” “normal in many [other] parts of the world” (2008c). This would be unlikely to resonate with an audience not well-schooled in parliamentary tradition – especially one primed by Harper’s speech to think in terms of Canadian nationhood and identity. A strong awareness of the rhetorical power of national identity would rule out constructing the case in this way. Far more effective, one suspects, would have been accusing Stephen Harper of appealing to the American principle of direct presidential election, in contradistinction to Canada’s parliamentary model.

Having inverted Harper’s approach by severing his legitimacy principle from Canada *per se*, Dion then tries to heal the breach. Coalition governments work “with simple ingredients: consensus, goodwill, and cooperation. *Consensus is a great Canadian value...[and] our coalition is a consensus [sic] to govern with a well-defined program to address the most important issue facing the country: the economy*” (2008c, italics added). “Consensus,” though, is an eccentric choice for national icon in a liberal democracy. No Canadian ever went to war, fought and died, for “consensus.” Nor is consensus listed in any standard account of Canadian values or markers of identity, such as liberalism, democracy, multiculturalism, peacekeeping, military heroism, or nordicity (see, for example, Nieguth and Raney 2017). This move thus scores at best a glancing blow against Harper’s emphasis on democracy and marks a peculiarly limp corrective to Dion’s own earlier portrayal of his legitimacy principle as somehow distinct from, or transcendent to, that which is properly “Canadian.”

With the first movement of his address, Dion has, in effect if surely not in intention, ceded the terrain of nationhood to his opponent. Harper's twinned his legitimacy principle unambiguously to Canada, portraying it as Canada's very essence. Dion, by contrast, avoids naming the national icon at the key moment, and defines his principle of legitimacy as something "beyond" Canada, older than it, and foreign to it.

In the speech's brief peroration, Dion reinforces the mistake. "If Mr. Harper wants to suspend parliament he must first face a vote of confidence. In our Canada, the government is accountable for its decisions and actions in Parliament. In our Canada, the government derives its legitimacy from an elected parliament" (2008c). The latter sentences have the merit of at least mentioning Canada by name; but who, again, is the "we" to which this "our" refers? This passage immediately follows an extended discussion of "our coalition" and the actions "we" – clearly meaning the coalition – will take:

To stimulate the economy and create good well-paid jobs we [i.e., the coalition] will...invest significantly more in our country's infrastructure...we can stimulate our economy through investments in clean energy, water and our gateways...we believe it is imperative that the government offers Canadians who have already lost their job...the support they need to live in dignity and develop new skills. This is precisely what we intend to provide (2008c).

Not only does this textual positioning of the "in our Canadas" above make Dion sound as though he is *speaking as an agent of the coalition* rather than Canada as such, but it also ramifies for the earlier part of the address, serving to deepen the ambiguity about whom he had in mind when he claimed to be speaking for "our" democracy, parliamentary system, and constitution. The upshot is that, where Stephen Harper positioned himself as an agent of Canada and its defining values, Dion, in the passages which grapple most directly with the principle of legitimacy that crucially differentiates his address from Harper's, fails to do so.

As for theme (3), the "program of action," Dion's project affords a more complex rhetorical problem than Harper's. Recall that Harper vowed to pursue "every legal means" against a coalition which he had defined as illegitimate. Dion, by contrast, must promise two things. One is to implement the economic activism outlined in his address. He does this by vowing "to work day and night to combat this economic crisis, to do what it takes to minimize its effects on the economy, to protect jobs and to create jobs" (2008c). The other is to reiterate his commitment, made well before the "coalition crisis," to resign from the Liberal leadership, and thus from his desired role as prime minister steering the coalition, within six months of assuming office.

Beyond establishing the speakers as bona fide representatives of nationhood, part of the ethos challenge in these speeches is seeming "prime-ministerial" – not a problem for Harper, given his established occupancy of the office, but a major issue for Dion, whose credibility had been badly damaged by poor election results. He addresses the problem through a coda, a "personal note" acknowledging his commitment to surrender the leadership and vowing to "work day and night" in the time remaining (2008c). Tacitly affirming his impending departure, but not the legitimacy of his claim to office in the interim, Dion imparts the ambivalent message: I am the legitimate prime minister, but I understand that I'm not popular, and will only serve in the office for a short period. This

combination of humility and self-legitimization, arguably enhanced by his awkward, diffident delivery, is probably the best that could be wished for from a speaker in Dion's position. But he is playing a bad hand, and it is insufficient to redeem his fundamental rhetorical mistake of neglecting to explicitly foreground nationhood.

Given nationhood's status as an especially potent rhetorical icon, then, Dion's speech would have been unlikely to resonate even with exemplary production values and delivery. The lesson is obvious: in a time of national political crisis, do not leave out, subordinate, or misunderstand the power of nationalism. His was in every respect an inferior effort – save, perhaps, on one dimension: that of *logos*, i.e., argumentative substance. The following section considers the implications of this point.

Rhetorical Ethics and Stephen Harper's "Legitimacy Principle"

What, then, are the rhetorical responsibilities of democratic leaders in such a moment? This vast question can be brought under tighter control by focusing on two more modest variants:

- i. Was it legitimate of Harper to deploy "the separatists" as the enemy who must not be worked with?
- ii. What are the normative implications of Harper's decision to represent the "legitimacy principle" as he did?

Although it generated considerable controversy at the time, the first question need not delay us for long. One of the obvious dangers in invoking national identity is *exclusion*. The assertion of a national "essence" necessarily makes "others" of those who fail to partake of it; defining the national in-group implies an out-group, and it is all too easy to slip into marginalizing or degrading the latter. These dangers are compounded when a targeted out-group is in a position to destabilize the polity, as has long been the case with Quebec nationalists. Conservative rhetoric during the "coalition crisis" effectively targeted two related out-group participants: first and foremost, "the separatists," and secondly, those who would collaborate with them in the Coalition, who were accused of a "plot to destroy the country." Harper built on these threads in his address, along with the insinuation that Dion was abrogating Canadian democracy (since "Canada's government has always been chosen by the people" [2008b]).

According to Patricia Roberts-Miller (2005, 459) "a basic principle of democracy is that the ability of the general public to make appropriate decisions depends to a large degree on the quality of public discourse." In elaborating on this, she argues that demagoguery – i.e., that which is morally inadmissible in democratic debate – entails "polarizing propaganda [defined as 'highly fallacious discourse' (466)] that motivates members of an in-group to hate and scapegoat some outgroup(s), largely by promising certainty, stability, and what Erich Fromm famously called 'an escape from freedom' through the simplification of complex issues" (462). "Hate" and "scapegoating" are strong words; too strong, indeed, to be applicable to Harper's address. It is true that insofar as the Conservative discourse accused opponents of something much like treason, it drew close to an alarmism apt to trigger, and justify, extreme responses. Such hyper-polarization artificially intensifies the stakes of partisan conflict, making the losers less likely to accept losing (since the survival

of the nation itself is imagined to be in play), and more likely to make and support choices that put constitutional and legal norms at risk. Absent strong evidence of the validity of the charge of treason, then, democratic leaders ought to avoid it. Mercifully, Harper's speech (if not wider Conservative discourse) stopped short of such an accusation; at most it implied it. Still, Harper's stance attracted considerable hand-wringing that casting the "separatists" beyond the pale would stoke the fires of the sovereignty movement (e.g., Franks 2009, 40; Cameron 2009, 190; Mason 2008; Seguin 2008).

We should note two facts right away. First, there is a long tradition of "othering" separatists in Canadian politics. Pierre Trudeau, indeed, justified imposing the 1982 Constitution Act upon Quebec on the grounds that Quebec's sovereigntist government would never negotiate in good faith, such that its consent was unnecessary. He continued to inveigh against "separatists" well into his remarkably disruptive retirement (Trudeau 1988). Second, sovereigntists themselves routinely position Canada as the "other" against which their project and national identity are defined. I have suggested elsewhere that "othering" an out-group becomes increasingly excusable to the extent that the in-group is powerless (Millard 2009). Yet – notwithstanding the assertions of sovereigntists – it is far from clear that there is a self-evidently massive imbalance of power between Ottawa and Quebec, such that this "othering" by sovereigntists could be excused as a compensatory response to the powerlessness of their preferred "in-group," the Québécois (Millard 2009, 333). Harper's speech did not reject the basic legitimacy of the sovereignty movement or the Bloc Québécois, but merely denied that they are legitimate partners for collaboration with a governing coalition. Formally speaking, the denial is absurd; since the Bloc voted in favour of some bills passed by his own minority government, it too effectively governed with the support of the Bloc, albeit on an ad-hoc basis (but see Bliss 2008). And the Harper Conservatives themselves had been prepared to undertake a governing coalition with the possible support of the Bloc in 2004 (Boswell 2011). Nonetheless, a condemnation of formal, ongoing agreements with "the separatists" seems a reasonable (if intemperate) move for a democratic leader to make. Harper's tactic here was closer to rudeness than to illegitimate demagoguery.

Much more troubling was Harper's definition of Canadian democracy. We saw above that a formidable array of authorities on parliament and the Canadian constitution, while diverging on the merits of the coalition, or on how the Governor General should fulfill her responsibilities, rejected Harper's definition, repudiating it as a negation of the fundamental principles of the Canadian order. "In constitutional terms, Harper's claim that he, not the Liberals, had received a mandate to govern was nonsense" (Franks 2009, 39). As Peter H. Russell puts it,

Harper offered his own rules of government...the primary rule [being that] parliamentary elections result in the election of a prime minister. And the second rule, a corollary of the first, is that the prime minister cannot be changed without another election being called...[and] a third rule [is] that a coalition government cannot be formed unless it is acknowledged as a possibility in the election campaign and (applying his first rule) the leader of the coalition party who is to be prime minister wins the most seats (2009, 141).

However,

Harper's rules are not consistent with well-established practices of our system of parliamentary government...If Harper is interested in [combining a parliamentary system with a directly elected prime minister] he should go about building support for the appropriate constitutional amendments. In the meantime, he should not mislead Canadians into believing that Canada already has a system of directly electing its prime minister (Russell 2009, 141-2, italics added).

Russell concludes by noting that “the vigorous propagation of Harper’s rules may already have had a major impact on the public’s understanding of the Canadian constitution. On December 15 2008, an Ipsos Reid poll reported that 51 per cent of Canadians believe that the prime minister of Canada is directly elected” (2009, 142).

In a related vein, Aucoin et al. observe that “if the principle that a government can gain the legitimacy to govern only through elections is to be truly meaningful, a number of other fundamental departures from traditional and current practices ought to follow” (2011, 185). This “populist” or “elections-only” position holds that voters are not voting for MPs but rather for parties, and that this vote is primarily an expression of which party we wish to see in government. Thus, if I vote for a Liberal candidate, I want a Liberal government, full stop. By this measure, it must be democratically illegitimate for an MP to cross the floor and join another party, or to vote against her own party. Most tellingly, it must be democratically illegitimate for an opposition party to side with the government on any confidence measure. Thus, “the MPs of other parties who were supporting a minority government” – as happened from 2006-2011 under Harper – “would be ignoring the voters’ electoral choices” (186) and thereby violating this principle of democratic legitimacy. In short, the logic of this model effectively precludes any functioning minority parliament. Barring further reforms (187), then, the premises of the “populist” position are revealed to be ultimately incompatible with foundational established practices of Canadian parliamentary democracy.⁶

Now the most robustly-developed repudiation of such arguments has come from Rainer Knopff and Dave Snow (2013). Their case is telling. They show, contra Aucoin et al., that scholars and commentators such as Tom Flanagan (2009), Michael Bliss (2008), and Andrew Potter (2009), who rejected the defensibility of the coalition’s position, did not in fact adhere to an “elections-only” theory of democratic legitimacy (Knopff and Snow 2013, 23). Instead, they denied that the coalition met the necessary criteria for replacing a government between elections – owing especially to its reliance upon the support of “separatists,” and also on the fact that the coalition partners had stated while campaigning that they had no interest in a coalition government (21-22). This latter point risks ultimately collapsing back into the populist “elections-only” theory inasmuch as it deprives MPs of the right to change their minds in light of subsequent events, and so defaults to elections as the sole measure of legitimacy. But of greater interest here is what Knopff and Snow say about Harper himself: “did he seriously intend [a constitutionally untenable] elections-only view in 2008? Perhaps. But if he did, he was clearly departing from previous support for the older constitutional consensus, as his critics consistently emphasize.

Moreover, if he was in 2008 contradicting his earlier views, he did not maintain his ‘new rules’ position very long, as his critics are less apt to observe” (23-4).

They go on to suggest that several statements by Harper from 2009-2011 tacitly repudiate an “elections-only” position (24). This paper, however, is concerned with his most important and formal public statement on the matter, the nationally-televised address of December 3 2008. And as we have seen, the lynchpin of that statement was precisely the “elections-only” position – in violation of “the older constitutional consensus” which Harper himself, according to Knopff and Snow, supported on other occasions.

So, if we proceed with our rhetorical inquiry informed by this “parliamentary” critique of Harper, the principal question becomes: to what degree is it condemnable for a prime minister to miscast Canada’s foundational constitutional principles in an important national address? We can imagine a continuum of responses to this question, ranging from the ultra-permissive to the ultra-restrictive. At the former pole, success is the sole measure of validity. This would be the discursive equivalent of Thrasymachus’s position in *The Republic* (justice as “the interest of the stronger”). When John Ibbitson brusquely writes that “coalitions are legitimate if [people think they are] legitimate” (2015, 288), he does not go quite this far – rather he adheres to a straightforwardly majoritarian principle; but we see how untenable that principle is when we contemplate the possibility of majority enthusiasm for demagoguery in Roberts-Miller’s sense.

Less extravagant, but still on the permissive end of the spectrum, would be a discursive application of the “dirty hands” thesis made famous by Michael Walzer (1973). On this “means-ends” view, violating important discursive norms would be defensible if it prevents a worse evil, such as the ascension to power of an incompetent coalition government propped up by “the separatists.” A practical problem with “dirty hands” arguments in general is that once carried into the hyper-competitive world of partisan politics, they tend to collapse back into permitting almost anything. Rare is the politician who, locked in a dog-eat-dog battle with his foes, does not believe that the triumph of his opponent would be other than a disaster. The means-ends calculus thus lends itself to unhealthy extremes. Furthermore, the application of the argument in this context presumes a certain knowledge of future consequences which, except under rare circumstances, exceeds the remit of human agents. A Liberal activist might tell herself that a Conservative victory means a “hidden agenda” against women’s rights which must be stopped at nearly any cost – but hers would be a highly questionable presumption. Thus the “separatist” bugbear mentioned above, with its implication that a “coalition with separatists” would leave the country in jeopardy, cannot justify overthrowing important normative guardrails. Not only was the Bloc Québécois not formally part of the governing coalition, but, pace Bliss (2008), much more developed analysis would be required to show that that coalition posed any kind of direct threat to national unity.

At the opposite end of these “permissive” views of the ethics of democratic discourse lies a “political moralism,” which strives for “the application of independently derived moral standards to the making of political decisions” (Yack 2006, 419). At their most crystalline, these manifest as a Kantian insistence upon a high-minded moral purity and unrelenting truth-telling: “let justice be done though the world may perish” (see Arendt 2000, 546). Leaders, on this view, owe us upright behaviour, rigorous integrity, and unflinching honesty. We perhaps see shades of this position in the “WikiLeaks” discourse, with its denial that states are entitled to keep secrets, or the denunciations of politicians

who reproduce questionable yet well-established institutional practices (think of Hillary Clinton's e-mails). The trouble with the high-minded stance is that democratic politicians are inescapably implicated in what Ruth Grant calls "necessary hypocrisy," working as they do in "processes [which] are structured so as to increase the dependencies conducive to hypocritical behavior" (2015, 176). Democratic politicians' "skill of constructing a position which will appeal to many people because it can harmonize conflicting desires" is often condemned for "vagueness and indeterminacy," or indeed as "support-seeking duplicity," even when it has more in common with "tact" (Minogue 2005, 65). Echoing such considerations, Bernard Williams contrasts political moralism with "political realism," according to which "political theory should shape its account of itself more realistically to what is platitudinously politics" (2005, 13); and Yack places Aristotelean rhetoric, with its cynical-seeming commitment to "the available means of persuasion," within this context (2006, 418).

So almost as important as avoiding an anything-goes "Thrasymachus" position is disavowing a prim distaste for the hurly-burly of partisan democratic discourse, in the name of, say, some allegiance to a demanding model of "deliberative democracy," or something along the lines of Elvin Lim's seminal call for a "pedagogical presidency" (2008). Such constructs may offer valuable critical purchase upon the discursive dynamics of actually existing representative democracies. The trouble lies in invoking their ideal criteria without thereby committing to a systematic critique of those democracies – a problem illustrated by chapter three of Lim's book, which models the political benefits of "going anti-intellectual," and concludes that rational politicians would "believe that, even if both parties go anti-intellectual, their individual gains will be more than if both choose not to go anti-intellectual" (50). The unfortunate implication is that Lim's prescription – pedagogical leadership committed to sober explication of public policy – is self-defeating. Any *realistic* theory of rhetorical ethics in existing representative democracies, or more precisely, a theory which could reasonably be adhered to by partisan actors in the extremely competitive situations in which they presently find themselves – needs to leave room for the sorts of simplifications, elisions, abeyances, misrepresentations, and "sustained dissimulation" in which almost all politicians are forced to engage, at least some of the time (Kane and Patapan 2012, 90). If Grant (2015) is right, such behaviours may still be compatible with – they may even, paradoxically, be an inescapable component of – the most fundamental obligations entrusted to democratic leaders.

The problem, then, is this. Stephen Harper was not engaging in such routine democratic politicking when he misrepresented our basic constitutional order in a national address. He was not, for instance, overseeing a crass "attack ad" caricaturing his opponent, or flippantly reducing an opponent's policy position to a misleading slogan (e.g., a carbon tax is a "tax on everything"), or brazenly abandoning campaign promises (e.g., Justin Trudeau's 2016 flip-flop on electoral reform), or prevaricating deviously in order to dodge awkward questions (Bill Clinton: "it depends what the meaning of the word 'is' is"). Such stuff may be the necessary if unappetizing gruel of partisan life. But in a context of significant "constitutional illiteracy," where few citizens understand even the most basic precepts of their own constitutional and political order (Russell 2016), Stephen Harper – formally addressing the nation as prime minister during a "pivotal moment in our history" – was positioned to play at least a modestly "constitutive" role in reproducing or undermining that order, reinforcing or undercutting its value in the minds of citizens, whose allegiance

to it is its only ultimate guarantor. Otherwise put, he was in a privileged, and therefore particularly responsible, position. It is compatible with a “realistic” view of the responsibilities of democratic leadership to insist that leaders are under an obligation not to actively undermine the constitutional order. This injunction precludes the deliberate distortion of its most basic precepts, especially when most of their audience is ignorant of those precepts. Thus, there is a difference between the “necessary hypocrisy” permissible to democratic leaders, as with (say) dissimulation on a question of public policy, and dissimulation of the sort that corrodes the very system to which those leaders owe their authority.

There must be, then, a morally salient difference between “ordinary” and “constitutive” political rhetoric. The latter concerns basic principles of legitimacy, where these are directly at issue; clear examples might be *The Federalist Papers* or Canada’s public debates around the Charlottetown Accord in 1992 (Noël 1994). “Ordinary” political rhetoric refers to debates unfolding within those established, constitutive principles – i.e., the day-to-day stuff of political controversy. If the lines between these can easily blur (and one could insist that all political rhetoric is in some sense “constitutive”), the distinction is still worth making; and the closer their rhetoric comes to “constitutive,” the graver is the duty of our leaders to abide by, rather than corrode, the foundations of the political order with which they have been entrusted.

Prime ministers take an oath to “truly and faithfully, and to the best of my skill and knowledge, execute the powers and trust reposed in me as Prime Minister of Canada” (Governor General of Canada). An element of that “trust” must be to uphold and sustain the constitutional order in which the office is embedded, which includes working to sustain the political-cultural foundations of that order.⁷ If this is correct, and if the “parliamentary” reading of the constitutional issues at stake is also correct, then by misrepresenting the principle of responsible government, Stephen Harper’s address of December 3 violated the fundamental terms of his trust as a democratic leader.

Obviously, it cannot be beyond the pale to work *openly* to change that constitutional order. If this were so, then the labours of past prime ministers for constitutional reform would also have been violations of trust. The key is to be up-front about it. If a prime minister seeks to change the foundations of the system, she has a robust duty to be explicit about this, rather than proceed by stealth, subterfuge, and the misrepresentation of the nature of that order. The pursuit of formally-entrenched constitutional change by Harper’s predecessors tended to proceed as if this were obviously so: Sir John A. Macdonald and the other Fathers of Confederation held widely-publicized conferences, “remarkably inclusive in their political composition” (Russell 2017, 132) at which the possibility of a union of the British North American colonies was a clear and explicit aim; Pierre Trudeau spent almost two decades publicly arguing for his preferred vision of constitutional change, helping to make such change a central dimension of Canadian public discourse over that span (but see Laforest 1995, 15-37); and Brian Mulroney, similarly, was if anything even more forthright about his constitutional intentions. Even the Chrétien government’s most creative inferences from constitutional principles took overtly legislative form (as with the Clarity Act’s putative effort to flesh out Ottawa’s obligations under the Secession Reference of 1999). A major redefinition of what the “parliamentary” position sees as absolutely foundational constitutional conventions would warrant similarly explicit and forthright argument. Such changes ought not to be pursued by relying on and reinforcing citizens’

(abysmal) ignorance of their institutional inheritance so as to smuggle in a transformation unnoticed (see Schneiderman 2015).

There is thus a considerable irony in the fact that Prime Minister Harper rhetorically demolished his opponent by laying claim to the terrain of Canadian national identity, even as he misrepresented fundamental principles of Canada's parliamentary order. Fortunately – perhaps because the violation occurred only over a period of about two weeks, rather than forming “a long train of Abuses, Prevarications, and Artifices, all tending the same way,” as Locke feared (1988, 415) – the damage seems not to have been long-lasting. The 2017 provincial election in British Columbia saw the Liberal Party win a plurality of the popular vote but a minority of seats in the legislature, relative to the combined seats of the N.D.P. and the Green Party. Premier Christy Clark attempted to form a government, but opted not to reproduce Harper's strategy. Instead she requested a new election, then fulfilled her constitutional duty to accept the lieutenant governor's refusal of this request. The N.D.P. proceeded to assume government in a legislative coalition with the Greens. The behaviour of the main actors, and the general discourse around these events, were largely in keeping with what one would expect of a mature parliamentary democracy. It would be too great an inference to conclude that the citizenry has therefore rejected “Harper's rules” – the B.C. Liberals never put them to the test – but we *can* conclude that people in this province, at least, will accept a change of government in accordance with the principles of responsible government and parliamentary supremacy that are here taken as the essence of Canada's constitutional system. The rhetoric of one prime minister proved insufficient to undermine that inheritance. But the pity, perhaps, is that one even has to ask the question.

Notes

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² The label can be disputed, since the system “worked precisely as it should, however baffling the machinery appeared to most Canadians” (Valpy 2009, 3).

³ As opposed to “political communication” *in toto*, I mean rhetoric in the more traditional, narrower sense of oratory and formal public address. Notable exceptions include Sarah Gibson and Arthur Milnes, eds. 2014. *Canada Transformed: The Speeches of Sir John A. Macdonald* (Toronto: McClelland and Stewart); Arthur Milnes, ed. 2016. *Canada Always: The Defining Speeches of Sir Wilfrid Laurier* (Toronto: McClelland and Stewart); Guy Laforest. 1995. *Trudeau and the End of a Canadian Dream* (trans. by Paul Leduc Browne and Michelle Weinroth (Montreal and Kingston: McGill-Queen's University Press), p. 15-37; Rainer Knopff. 1991. “The Triumph of Liberalism in Canada: Laurier on Representation and Party Government,” *Journal of Canadian Studies* Vol. 62, No. 2 (Summer), p. 73-86.

⁴ “Jack [Layton], you're a traitor,” charged Conservative M.P. Dean Del Mastro (Layton 2008), while Royal Galipeau accused Dion of having made it his “mission to destroy Canada,” and the “separatist Liberals” of an “anti-Canada agenda” (Galipeau 2008). Revenue Minister Jean-Pierre Blackburn described the coalition proposal as “a kind of coup d'état” (Geddes and Wherry 2008). Indeed, the

prime minister himself accused Stéphane Dion of a “plan to destroy our country,” and falsely charged that Dion hid the Canadian flag at the news conference in which the coalition was announced (Harper 2008a). Dion furiously spluttered that “that is such nonsense that I will not even reply to it...we will not respond to absolute foolishness” (Dion 2008a). This spectacle came a day after Dion found himself repeatedly defending his patriotism on the floor of the House of Commons: “I love this country and have dedicated my life to Canadian unity... when this Prime Minister was fighting to put firewalls around the province we all love [i.e., Alberta], I was fighting for clarity for this country” (the reference being to Dion’s role in crafting the Clarity Act; Dion 2008a).

⁵ “Every legal means” bore ominous implications. Transport Minister John Baird had publicly indicated the government’s intention to “go over the heads of the members of parliament, go over the heads [sic] frankly of the governor general, go right to the Canadian people.” As Lorraine E. Weinrib observes, “Harper controls his government’s message very tightly...for Baird to make the point, twice, that the government was bypassing both Parliament and the governor general, just before the prime minister sought prorogation of the House of Commons in unprecedented circumstances, gives us insight into Harper’s game plan” (2009, 68). “Every legal means” may reasonably be inferred to include a public relations campaign against the governor general herself, should she refuse a prorogation. Heard in this context, the phrase is disconcertingly close to a threat to the Queen’s representative, as well as to the other actors involved.

⁶ Of course, the constitution may simply be incoherent. Without addressing the sort of rebuttal advanced by Aucoin et al., Henri Brun (2008), Guy Tremblay (2009) and Edward McWhinney, who calls the coalition a “coup in parliament,” (2009, 7), remain relatively close to the Harper position. Thus, McWhinney: “English constitutional practice...has been unbroken in always allowing a Prime Minister, defeated in the House on the Budget or similar, deemed grave issue, to ask for, and to receive on request, a Dissolution of Parliament from the head-of-state. The pragmatic conclusion seems clear in this wealth of historical practice since 1987: let the people – the electorate – decide in new general elections, as the ultimate constitutional test in a democratic polity” (8).

⁷ The American constitution is characteristically more direct: “I do solemnly swear (or affirm) that I will faithfully execute the Office of President of the United States, and will to the best of my Ability, preserve, protect and defend the Constitution of the United States.” Notwithstanding great differences between a head of state (U.S. president) and head of government (Canadian prime minister), undermining the constitution cannot be compatible with the “trust” reposed in the holder of either office.

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