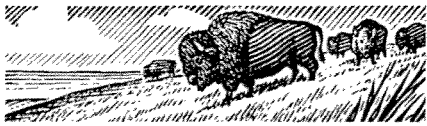


# The Provinces



## Prairies

Tom Flanagan

# In praise of single-issue politics

CALGARY

FORMER Conservative premier Peter Lougheed and his wife Jeanne are the latest celebrity Calgarians to sign a petition asking city council to hold a referendum on video lottery terminals (VLTs) this fall. The organizers are said to be more than halfway to their goal of collecting 80,000 signatures by June 3.

Similar petition drives are under way in Edmonton, Medicine Hat and Fort Saskatchewan, while city councils in Red Deer, Lethbridge and Lacombe have already decided in favour of a referendum. Earlier plebiscites went against VLTs in Rocky Mountain House, Sylvan Lake and Fort McMurray.

The anti-VLT movement began among evangelical Christians in the rural area west of Red Deer, the area of Alberta where that group is strongly represented. Evangelicals and social conservatives are still involved, but they have been joined by a wide variety of other forces, including Roman Catholics, liberal Protestants, Muslims and Sikhs, and the provincial Liberal, New Democratic and Social Credit parties.

The overt opponents of the petition movement come chiefly from the gambling and hospitality industries. The Progressive Conservative government isn't exactly defending the VLTs that it has encouraged to proliferate, but it does stress how hard it would be to replace the revenues (almost \$500-million a year) that they generate.

The anti-VLT coalition is interesting because it cuts across normal lines of division and brings together members of all political parties, religions and secular world views. Many oppose the proliferation of VLTs for different and indeed contradictory reasons. Some, emphasizing personal responsibility, think gambling is a moral evil; others, denying personal responsibility, think gambling is a disease or addiction. But all agree that it is not wise for VLTs to be so readily accessible in bars, restaurants and hotels, and for the provincial government to develop such a financial stake in the promotion of gambling.

ONE of the great merits of direct democracy is that it allows such coalitions to form around single issues. The people trying to limit the availability of VLTs could never form a political party, because they disagree on too many other things, but they can work together for an objective they all support. A side benefit for democracy is that, in working together, all are reminded of how much they have in common with people of different religious convictions and political ideologies.

Political analysts are often critical of single-issue politics, pointing out that you couldn't form a government this way. True enough. But the deeper problem is that modern democracy has systematically confused government and legislation. In a democracy, legislation should have popular assent; but there is no reason why the majority that passes a particular law has to be the same majority that supports the government.

In *Considerations on Representative Government* (1861), John Stuart Mill tried to draw the distinction. The cabinet, he argued, should supervise public administration, subject to debate in Parliament; but neither the cabinet nor Parliament should have full control over the making of law. Legislation would have to be drafted by a legislative commission, appointed by the Crown for long terms and totally distinct from the cabinet and Parliament, before being passed by Parliament.

The point of this scheme was not only to ensure better legislative drafting, but also to prevent law from becoming a party matter. Parties could not campaign on a legislative program because they would not be able to guarantee the passage of legislation.

Mill's view has not prevailed. The Nobel laureate Friedrich Hayek tried to revive it in his magnum opus, *Law, Legislation and Liberty*, but so far without much effect. The notion of an appointed legislative commission is perhaps too far out of joint with our democratic age.

In fact, however, legislatures are losing control of law as, on the one hand, judicial activism gives courts greater control and, on the other hand, direct democracy becomes more widespread. California, with its activist courts, frequent referendums and mammoth petition drives, may give a glimpse of the future.

Cause for concern? Perhaps. But we shouldn't glamorize the parliamentary system, in which the leaders of rigidly controlled political parties calculatingly design legislative programs to win and hold office. The rules by which we live have become the stakes in the game of politics. Turning the law over to judges is even worse than leaving it with career politicians in disciplined parties, but there is a better option: Let the people make, or at least approve, the rules of conduct by which they have to live.

The people will make plenty of mistakes, but so do legislatures and courts. I'll take my chances with the people.

Tom Flanagan is professor of political science at the University of Calgary. He was director of research for the Reform Party of Canada in 1991-92.