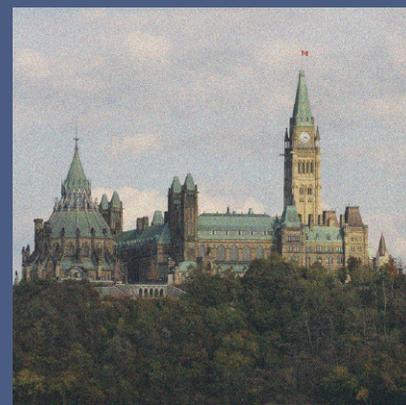


THE INCREASING DISCONNECT BETWEEN CANADIANS AND THEIR PARLIAMENT

Michael Chong

The last election saw the lowest voter turnout since Confederation, evidence of a growing gap between Canadians and their democratic institutions. If the centre of our democracy is Parliament, then the heart of Parliament is Question Period in the House of Commons. Each day, its proceedings are relayed to millions of Canadians through the national media. For many Canadians, Question Period *is* Parliament. In order to bridge the gap between Canadians and their Parliament, Parliament should be reformed. This reform ought to begin with Question Period.

Preuve de l'écart grandissant qui sépare les Canadiens de leurs institutions démocratiques, la participation électorale n'a jamais été aussi faible qu'aux dernières élections fédérales dans toute l'histoire de la Confédération. Or, si le Parlement joue un rôle central dans notre démocratie, écrit Michael Chong, la période de questions à la Chambre des communes en constitue le cœur même : Tous les jours, des millions de Canadien suivent ses délibérations à la télévision nationale. Pour bon nombre d'entre eux, la période de questions est le Parlement. C'est pourquoi toute réforme parlementaire visant à combler cet écart doit commencer par la période de questions, conclut le député de Wellington-Halton Hills.



In the last federal election, 59 percent of Canadians turned out to vote, the lowest turnout since Confederation. The fact that more than four out of ten voters stayed away from the ballot box is evidence of a growing gap between Canadians and their Parliament.

This growing gap undermines the centrality of Parliament to public debate. The increasing irrelevance of Parliament to many Canadians is forcing these debates into other forums, such as the courts, the Internet and civil society. While each of these various forums plays an important role in public debate, they cannot represent the democratic will of the Canadian people. Only the 308 Members of Parliament, duly elected by their constituents, can do that. If Parliament is becoming increasingly irrelevant to Canadians and is not central to public debate in Canada, then public policy will be determined in an increasingly nondemocratic fashion.

So how do we restore Parliament's relevance to Canadians? A first, but important, step should begin with the reform of Question Period.

The heart of the daily proceedings in Parliament is Question Period in the House of Commons. For 45 minutes each day, Members of Parliament ask questions of the government in order to hold it to account. Each day, Question Period is relayed to millions through the national media. For many Canadians, it is their only window on Parliament and for those Canadians Question Period *is* Parliament.

What they see through this window is not something they are impressed with. If there is one thing that Members of Parliament hear consistently in their constituencies, it is that many Canadians, disapprove of the way in which Question Period is conducted. As a result, there is a growing divide between Canadians, who are increasingly apolitical, and a Parliament that is more and more partisan. For this reason, the reform of Question Period is the necessary first step to restoring Parliament's relevance.

Before we discuss some of the problems with Question Period, a brief history will help provide the context.

When the Parliament of Canada was created in 1867, Question Period did not formally exist in the standing orders governing the House of Commons. In the subsequent decades after Confederation, Question Period slowly established itself in the daily practices of the House, but it was not until 1964 that it was formally codified in the standing orders. Even after its formal establishment in 1964, Question Period continued to evolve. For example, changes were made to establish Question Period at certain times and for certain durations. In addition, successive Speakers have made numerous rulings that established precedents governing Question Period. These rulings have contributed greatly

to the evolution of Question Period over the last number of decades.

What is striking about these rulings is the reluctance of successive Speakers to enforce the rules as they exist in the standing orders and other conventions, instead deferring to Members in the expectation that they will regulate themselves. What is equally striking is that, in certain cases, significant rule changes were made by successive Speakers based on agree-

focus on rhetoric and hyperbole, due, in part, to the rule changes introduced by Speaker Parent. Limiting questions and answers to 35 seconds has had the result of encouraging rhetorical questions and answers over substantive ones. Often, 35 seconds is not enough time to ask a substantive question or to provide a thorough answer. As a result, rhetorical questions dominate Question Period, naturally producing rhetorical answers. This does not advance the understand-

characterized by aggressive body language and by those who can yell the loudest and hurl the biggest insults. The noise, a result of the yelling and incessant applause (begun after the introduction of television to the House), is often at such levels that a Member cannot hear what is happening even with the volume turned all the way up in the earpiece. Ministers have difficulty hearing the questions and the professional translators — in

enclosed soundproof booths and with state-of-the-art sound equipment — have difficulty delivering simultaneous translation. This is most unfortunate. Of all forums in Canada, the House should be the place for reasoned debate. Instead, it resembles more the Roman Colosseum

where gladiators spilled blood and fought for the crowd's emotions.

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ments reached in private discussion among fewer than five Members of the House (often the party whips or House leaders), rather than by the debate and consent of the House as a whole.

For example, after the introduction of television to the House of Commons in 1977, a significant change to Question Period was introduced by Speaker Jeanne Sauvé. According to Robert Marleau, former Clerk of the House, after private discussions between Speaker Sauvé and the party whips, the Speaker agreed to accept from them lists of Members permitted to ask questions during Question Period. Prior to these lists, any member of the House could pose a question by rising and catching the eye of the Speaker.

In another example, after the federal election of 1997 and at the beginning of the 36th Parliament, Speaker Gib Parent held discussions with the House leaders of the five parties then in the House. The six of them agreed to a number of conventions governing Question Period that are still in current use, and in particular, the convention that questions and answers be limited to 35 seconds.

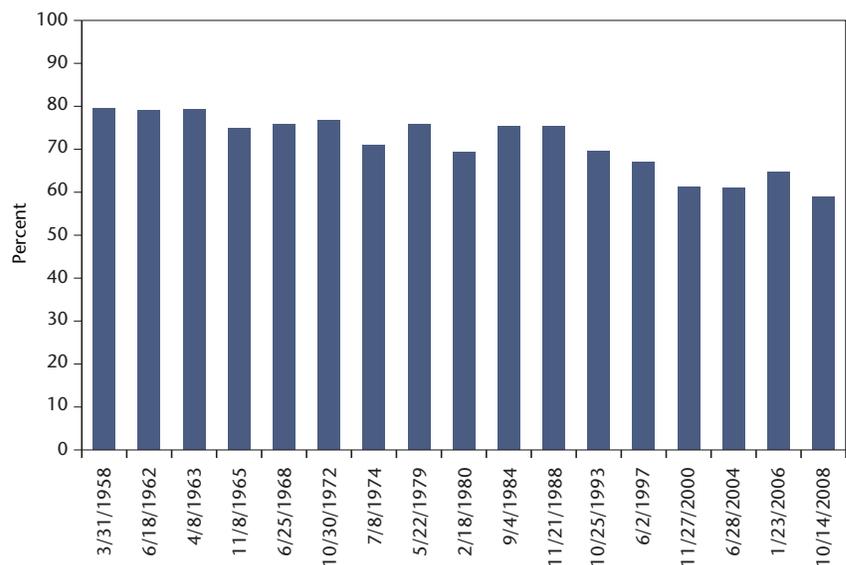
The first problem with Question Period is the lack of substance and the

ing of any particular issue and is one of the reasons that Canadians do not see themselves or their concerns reflected in Question Period.

The second problem with Question Period is the behaviour. Quite simply, on many days, Question Period is unintelligible to most Members. Far too often, it descends into, anger-filled screaming match,

The current standing orders and other conventions governing Question Period are more than adequate to address the problem of decorum. As mentioned before, successive Speakers have been reluctant to enforce these existing rules, leaving it

FIGURE 1. VOTER TURNOUT AT FEDERAL ELECTIONS, 1958-2008



Source: Elections Canada.

to Members to self-regulate. Collectively, Members have not shown themselves up to that task.

A third problem with Question Period is that most Members are relegated to the role of spectators, not participants. As a result of the rule changes introduced by Speaker Sauvé, Members can no longer spontaneously rise and catch the eye of the Speaker to be recognized for a question, unless they get on the party list and have their questions vetted beforehand (usually coordinated by the whip or House leader). Each party submits its list of questioners to the Speaker in advance of Question Period, and the Speaker recognizes only those on the list (with the exception of the occasional question for Independent Members). As a result, most Members rarely get on these lists. Rather than being attentive and potential participants posing questions, Members behave accordingly, as spectators would in any forum. The party lists also take away the discretion of the Speaker to recognize Members, thereby weakening the ability of the Speaker to enforce discipline. If a Member misbehaves in Question Period one day and the next day appears on the party list, the Speaker has no discretion and must recognize that Member. The party lists are another reason why the Question Period more closely resembles the Colosseum than a legislature.

A final problem with Question Period concerns not the House but the ministry. Question Period, as it is currently structured, requires an enormous allocation of resources on the part of ministers' offices. The typical Question Period schedule for a minister would unfold as follows. At noon, several officials, often including an assistant deputy minister, brief the minister and provide the day's news clippings, anticipated questions and answers, and background information. At 12:45 p.m., the minister and relevant political staff leave their departmental

offices to make their way to Parliament Hill for a 1:00 p.m. meeting with all other ministers. It is at this meeting that the entire ministry is coordinated and final messaging for the day determined. At 2:15 p.m., the minister arrives in the House for the start of Question Period, to remain there until it is finished. At 3:00 p.m., the minister departs Parliament Hill, arriving back at the departmental offices sometime before 4:00 pm.

This daily routine of Question Period is enormously disruptive, taking up to four hours a day out of a minister's schedule, time that could be spent on the important work of running a portfolio. Out of a ministry of 37 ministers, fewer than a dozen will be asked questions in a typical Question Period. In other words, more than two dozen ministers and dozens more staff spend half the working day in vain. If structured differently, Question Period could provide the same level of democratic accountability while significantly reducing the time and resources required of the ministry.

There is an opportunity to address some of these problems. This autumn, the House will vote on Motion 517, a motion I've submitted to reform Question Period. This motion contains six specific proposals for reform. These six proposals would:

- elevate decorum and fortify the

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- use of discipline by the Speaker,
- lengthen the amount of time given for each question and answer,
- require that ministers respond to questions directed at them,
- allocate half the questions each day for backbench Members,
- dedicate Wednesday exclusively for questions to the prime minister, and
- dedicate the rest of the week for

questions to ministers other than the prime minister.

The first proposal calls for the elevation of decorum by strengthening the authority of the Speaker. Many believe that the level of decorum in the House has eroded over the years. Others dispute that fact, and point to raucous and rowdy sessions of decades past. Regardless of which point of view is correct, modern technology now ensures that the decorum in the House is now in the living rooms and workplaces of the nation through television and the Internet. The decorum in the House, once witnessed only by Members themselves and by a few scattered observers in the galleries, is now seen by millions of Canadians. As a result, even if the level of decorum has not declined in recent years (which is debatable), it is no longer acceptable. The Canadian public, seeing what was once unseen, is demanding something better. Pleas for better decorum are insufficient, and Members of the House need to give the Speaker a formal mandate to more rigorously enforce the existing rules.

The second proposal would lengthen the time given to ask a question and the time given to answer a question from the current 35 seconds.

The lengthening of time will encourage more substantive questions and more comprehensive answers than are presently allowed. If an opposition Member asks a flippant 20-second question, and a full and substantive response is given, more often than not, the opposition will appear hyperbolic. The opposite also is true. If an opposition Member asks a minister a serious one-minute question and a glib

20-second answer is given, the government will come across as arrogant.

The third proposal calls for the re-examination of the convention that ministers need not respond to questions put to them. Sometimes it is not possible for a minister to respond, such as when abroad representing Canada. Currently, since most questions are rhetorical ones, the government often chooses not to respond with the minister responsible, instead designating another minister to

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answer. If the reform of Question Period leads to more substantive questions being asked of ministers, then the convention that they need not respond also needs to be re-examined.

The fourth proposal would allocate half of the questions each day for backbench Members, as determined independently by the Speaker. This would restore the right of Members to ask questions, a right that was lost when party lists were implemented. The result would transform the role of Members from that of mere spectators to that of participants in Question Period, a role that their constituents elect and expect them to carry out.

The fifth and sixth proposals would dedicate specific days for the Prime Minister and for other ministers to attend Question Period. By adopting a rotating schedule, both ministry and opposition would benefit. The ministry can more effectively use their time and resources managing Question Period, and the opposition can better focus their resources and research on specific issues and ministers based on the rotating schedule. One of the models to look to is Question Period in Westminster. There, the prime minister appears once a week on Wednesdays to answer questions for an entire 30-minute period. This allows more time for the

prime minister to attend to the executive functions of the state on the other weekdays and yet be held fully accountable once a week on Wednesdays. There could be a similar rotating schedule, perhaps twice a week, for other ministers.

Should Motion 517 be adopted, the Standing Committee on Procedure and House Affairs will be ordered to consider these reforms and report back recommended changes to the House within

six months. The committee may, in its best judgment, decide to include additional suggestions for reform or to modify some of the proposals outlined above.

Motion 517 provides some viable and reasonable proposals for reform. If Parliamentarians cannot achieve something as simple as the reform of Question Period, then what hope do we have of restoring Canadians' trust in their institutions and regaining their respect? What hope do we have of recapturing the legitimacy and authori-

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ty of Parliament as central to the Canadian debate? What hope do we have to meet the challenges of our era and continue the nation building begun by our forebears?

More than four out of ten Canadians refused to vote in the last election. In doing so they decreased the legitimacy of our democratic institutions and the authority of Parliament. Canadians may not know the exact statutes, standing orders or conventions that need to be changed, but they do know that something is wrong with

Parliament that needs to be reformed.

Motion 517 was inspired, in part, by the Reform class of 1993 and their earnest desire to see change for better in Canada's institutions. Preston Manning, writing in the *Globe and Mail*, recently said, "Although Motion 517 has been moved by a government member, it is not partisan in nature and deserves support from all members who want to see Question Period made more credible." He added, "There must be some way of making Question Period more civil, productive and newsworthy, and the sooner we find it, the better it will be for Canadian democracy." Preston Manning's comments reflect a broader desire of part of the public to see Parliament reformed.

Members on both sides of the House have endorsed this motion. In fact, it has been seconded by 20 Members from three different parties, the maximum allowable.

Parliamentary reform, beginning with the reform of Question Period, can reconnect Canadians to their democratic institutions. Motion 517 is a first, but important, step toward that Parliamentary reform. The vote

on it will be a measure of the gap between Canadians and their Parliament.

Michael Chong is the Member of Parliament for Wellington-Halton Hills. First elected in 2004, he is a former minister of Intergovernmental Affairs. He co-founded the Dominion Institute, now known as the Historica-Dominion Institute, an organization committed to raising Canadians' awareness of history and civics. He currently sits on its board of governors.