

P o l i c y   M a t t e r s



**Reforming  
Parliamentary  
Practice**

The Views  
of MPs

INSTITUTE FOR RESEARCH ON PUBLIC POLICY

**iRPP**

INSTITUT DE RECHERCHE EN POLITIQUES PUBLIQUES

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December 2000

Vol. 1, no. 9

E n j e u x   p u b l i c s

Biographical note
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## Summary

The continuous growth during the last half century of the resources of government and in the means of communications has led to a corresponding increase in the power of executive government. This development has in turn contributed to a weakening of the role of parliamentarians. In no other British-type legislature has the shift of power to the executive proceeded further than in the Canadian federal House of Commons.

To address this situation, the Parliamentary Centre prepared a set of briefing notes, identifying and describing some modest reforms adopted by other Commonwealth parliaments. These were circulated to MPs. A meeting followed on Parliament Hill on May 10, 2000, where members were asked to comment on these practices. MPs were also asked to respond to a questionnaire. Their responses, summarized in this report, reveal how MPs from all parties and regions in the 36th Parliament felt about these changes. Also included are comments that MPs added to their responses elaborating the reasons for their views and pointing to problems that will have to be addressed in implementing these reforms.

MPs were asked to react to four main questions:

- Should committee membership be more stable?
- Should committee chairs receive supplementary compensation?
- Should the chairs of some committees come from opposition parties?
- Should draft bills and Green Papers be sent to committees?

There was considerable support from MPs across party lines for all of these proposed changes in parliamentary practice. Specific reform proposals receiving strong support from participating members included:

- Appointment of both chairs and members of parliamentary committees for more than one year.
- Election of committee chairs by double majority – that is, by a majority of members from both the government and the opposition sides.
- Ending the rotation every two years of parliamentary secretaries, thereby removing this cause for the turnover of committee chairs.
- Supplementary compensation for committee chairs.
- An increase in the number of committee chairs drawn from the opposition side.
- Referral of draft bills and Green Papers to committees for review.
- Greater emphasis on working towards consensus reports.

With so many returning members with experience in two or more previous parliaments, this is an opportune time to seek change. The paper identifies what is required to achieve each reform that MPs were asked to react to. Some could be effected with little difficulty by the leadership of the governing party. Others would require the agreement of opposition leaders too. Only a salary supplement for committee chairs would require a legislative change. A few practices that might initially be tested through informal agreements between the parties could later be incorporated into the Standing Orders if they proved to be beneficial.

## Résumé

Depuis un demi-siècle, la multiplication des ressources et des moyens de communication gouvernementaux a entraîné un accroissement correspondant du pouvoir du gouvernement exécutif — un phénomène qui, par conséquent, a contribué à l'affaiblissement du rôle des parlementaires. Dans aucune autre législature de type britannique n'a-t-on observé un transfert aussi marqué vers le pouvoir exécutif qu'à la Chambre des communes du Canada.

Pour redresser la situation, le Centre parlementaire a d'abord préparé et distribué aux députés une série de notices d'information décrivant quelques modestes réformes adoptées par d'autres Parlements du Commonwealth. Le 10 mai 2000, on a ensuite tenu une réunion sur la Colline parlementaire pour recueillir l'opinion des députés et leur soumettre un questionnaire. Résumées dans ce rapport, leurs réponses illustrent ce que pensent de tels changements bon nombre de députés de la 36<sup>e</sup> Législature de tous partis et de toutes régions. On y lira également certaines remarques qu'ils ont ajoutées pour motiver leurs points de vue et mettre en lumière les problèmes que susciterait la mise en œuvre de ces réformes.

Les députés ont été invités à répondre aux quatre principales questions suivantes :

- Faudrait-il plus de stabilité dans la composition des comités ?
- Faudrait-il rémunérer les présidents de comités ?
- Les présidents de certains comités devraient-ils être des députés d'opposition ?
- Faut-il saisir les comités des avant-projets de loi et des Livres verts ?

Ces suggestions visant à modifier la procédure parlementaire ont reçu le soutien d'un grand nombre de députés de tous les partis. Certaines propositions de réforme plus précises ont aussi fait l'objet d'un solide appui, dont les suivantes :

- Désignation des présidents et membres des comités parlementaires pour des mandats d'une durée supérieure à un an.
- Élection des présidents de comités à la double majorité, soit une majorité des députés du gouvernement et des députés d'opposition.
- Élimination du remplacement bisannuel des secrétaires parlementaires, ce qui éliminerait l'une des causes principales du roulement des présidents de comités.

- Indemnisation spéciale des présidents de comités.
- Accroissement du nombre de présidents de comités issus de l'opposition.
- Examen par les comités des avant-projets de loi et des Livres verts.
- Accent mis sur le consensus en matière de production de rapports.

Alors que le Parlement compte un grand nombre de députés d'expérience ayant été réélus une ou plusieurs fois, le moment semble particulièrement bien choisi pour engager de tels changements. Ce document décrit les mesures nécessaires à la mise en œuvre de chaque réforme soumise à l'attention des députés, et montre que le leadership du gouvernement pourrait, sans trop de difficultés, appliquer lui-même certaines d'entre elles. Pour d'autres, il leur faudrait l'accord des chefs d'opposition. Seule l'indemnisation spéciale des présidents de comités exigerait de modifier la loi. Des ententes informelles entre partis pourraient enfin donner lieu à l'essai de certaines pratiques, qu'on intégrerait au Règlement si elles se révélaient avantageuses.

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## Introduction

The continuous growth during the last half century of the resources of government and in the means of communications has led to a corresponding increase in the power of executive government. This development has in turn contributed to a weakening of the role of parliamentarians. Although this has been a world-wide phenomenon, its impact has been particularly pronounced in countries that have adopted the British parliamentary model, where party discipline is key to executive power. In no other British-type legislature has the shift of power to the executive proceeded further than in the Canadian federal House of Commons.

Some Westminster parliaments have faced up to this development and deliberately adopted changes in practice and procedure in order to offer private members a more meaningful role. In spite of the strong desire of Canadian MPs from all parties for reforms, the House of Commons has lagged behind.

To address this situation the Parliamentary Centre prepared a set of briefing notes that identified and described some modest reforms adopted by other Commonwealth parliaments. With support from the Institute for Research on Public Policy, the Centre organized a meeting on Parliament Hill last May 10th so that private members could comment on these practices. It also invited MPs to respond to a questionnaire on these procedures. This report summarizes the results of these exercises, revealing how Canadian MPs from all parties in the 36th Parliament feel about various options for parliamentary reform.

With so many returning members with experience in two previous parliaments, this is an opportune time to press for meaningful changes. This report is intended to be a resource to assist this process. Its purpose is to document in detail how MPs reacted to various ideas for reform, in the belief that demonstrated support by members from all parties for specific changes could establish a solid basis for change. Also included in the analysis are comments from MPs elaborating the reasons for their views and pointing to problems that will have to be addressed in implementing reforms.

### **Approach and Methodology**

The report includes several components. It begins with an account of how the working practices of the Canadian Parliament have evolved over the last 50 years. During that period, like a seesaw, as the power of the prime minister has grown to a level that has few parallels in other democratic countries, the opportunities for private members of the Canadian House of Commons to improve legislation and contribute to policy development have steadily declined. The argument is summarized in section 1.



To suggest how some balance could be restored to the Canadian parliamentary system, the paper then describes some practices adopted by other legislatures that were deliberately designed to counterbalance the growing power of the executive. Their objective was to enhance the functioning of committees, enlarge the role and improve the self-image of private members and achieve more cooperative, less confrontational relations in their Chambers. None of the reforms outlined are revolutionary in their thrust. They assume a continued adherence to the essential tenets of the British parliamentary system, while making it possible for private members to play a larger role than they now do in Ottawa. Section 2 highlights these practices.

Sections 3 to 6 review the responses of MPs, as recorded on the questionnaires,<sup>1</sup> to each of four broad questions and related sub-questions:

- Should committee membership be more stable?
- Should committee chairs receive supplementary compensation?
- Should the chairs of some committees come from opposition parties?
- Should draft bills and Green Papers be sent to committees?

Where necessary, background information is provided to explain the significance and relevance of some of the specific questions. Each of the four sections concludes with an indication of where the power to implement the various reforms lies, suggesting where attention needs to be focussed to promote change. If rules changes or other formal authorizations are required, this is also noted. In a few instances, where the author and some knowledgeable observers of the parliamentary scene who were consulted during the preparation of this report have reached relevant conclusions, their reflections have been added.

The paper ends with a brief synopsis of why change is desirable.

## How Has Parliament Changed During the Last 50 Years?

The capacity of Canadian governments to act quickly and decisively has increased substantially since the Second World War. But as the power and range of the central government have grown, its focus in the legislature has increasingly become how to get its legislation through the House as quickly as possible. In this environment, the opposition parties naturally seek by every means to slow down the juggernaut, causing the government to resort with ever increasing fre-

quency to closure and time allocation. The result is a less cooperative, more confrontational, even adversarial environment, one which the media is delighted to dramatize and thereby promote. Too often governments now see Parliament as a battlefield where the opposition has to be vanquished rather than a forum where the validity of new policies can be tested and improvements sought.

The House of Commons used to be the cockpit in which national policy was probed and defended. Fifty years ago the Prime Minister and ministers sat in the Chamber during most debates. They did so because, before the development of polling, MPs were respected as the voice and ears of Canadians. Statements made in the House were treated as an expression of the needs and aspirations of Canadians in different parts of the country. MPs could feel with justification that they were elected to look for solutions and to contribute to the improvement of national policy.

Much has since changed for MPs. Now the defining moment each day in the House is the televised Question Period, the daily battle in a struggle whose long-term target is the next election. To illustrate how much the environment has shifted, 45 years ago Question Period was a brief non-partisan event, an occasion for putting genuine questions on an important recent development to which informative answers were given.

Partly because debates are now seen as a formal exercise, the House no longer holds the attention of members, the media or the public. Save for those on duty, MPs vacate the Chamber when Question Period ends, headed for committees or their offices. Even the rules for television coverage of proceedings cannot hide the fact that the House is almost empty. The so-called debates rarely generate passion and viewers sense that many speeches are scripted. With the outcome of votes known in advance, Parliament's role is largely reduced to rubber stamping what the government has already decided in order to provide the endorsement required by the constitution.

With the growth in the range of government activities, it became necessary to send bills and budgetary estimates to committee for the review that used to be undertaken in the House. For this reason the primary field of action for private members has moved from the House to committees. Under pressure from frustrated MPs, some potentially important procedural changes were adopted that have given committees some autonomy. Since the mid-1980s they no longer require approval of the House to meet. On their own initiative they can now undertake important inquiries as the Fisheries, Agriculture, Heritage, Foreign Affairs and other committees have recently done. The pre-budget consultations of the Finance Committee have also been an interesting innovation, since its reports now have the potential of making

a contribution to the next budget. But when it comes to the contribution of committees to the review of bills — a major function of Parliament — they add little because rarely, very rarely, does government look to committees to improve legislation. As for the review of the government's spending estimates, committees contribute virtually nothing.

### A Further Challenge

The decline in the significance of debate in the House and in the review of legislation in committee occurred when government found new ways to formulate and evaluate policy. Now stakeholders are carefully consulted by public servants and public views tested through polling before legislation is drafted and submitted to Parliament. New practices under development threaten to further marginalize Parliament. For example, the Centre for Public Dialogue was recently formed to test the public's reaction to proposed legislation through the use of information technology and interactive focus groups. The objective, if the Centre proceeds as originally envisaged, is to help the government to fine-tune policies and refine the way they are presented to the public. But, as a result, by the time legislation tested in this manner reaches the House, committee hearings will add little value. In effect, the role that Parliament used to play — testing the implications of legislative proposals — risks being increasingly pre-empted.

A revealing measure of Parliament's reduced standing in the eyes of government can also be seen in a recent poll that ranked, in the judgement of public servants, the relative importance of various influences on policy development. Of 13 different sources, parliamentary committees and MPs were almost at the bottom and their influence was perceived to be declining.<sup>2</sup> In the circumstances it is hardly surprising that within the public service, Parliament is seen, and at times referred to, as a *minor process obstacle*, rather than being regarded as an institution capable of validating and improving legislation.

## Reforms Achieved in Other Legislatures

The very limited contribution that the House of Commons now makes to policy development contrasts with most other legislatures. The US Congress stands in a class by itself, because of the separation of powers laid out in the Constitution, and is for this reason not comparable. However, governments in Britain and most of the countries of Western Europe, place more value on

the contribution of their legislators than does the Canadian federal government. In those countries they are seen as a resource capable of adding value to legislation.

The same is true of some Canadian provinces. Worthy of particular attention are a number of practices adopted by Quebec that were carefully designed to enhance the opportunities for deputies to play a meaningful role and to promote a more cooperative relationship between government and opposition parties. Following extended consideration, in 1984 the National Assembly approved a substantial reform package focussed particularly on committees. Four of the ten committees now have chairs from opposition parties. Committee chairs and vice-chairs from the opposite side of the Assembly are elected by double majority, that is, by separate majorities of both government and opposition members of the committee. Steering committees are composed of the chair and vice-chair. Together they are responsible for developing an agreed plan for committee business, which must then be confirmed by double majority. These devices effectively promote mutually acceptable arrangements and the election of chairpersons interested in developing cooperative working relationships. In addition, members of committees are appointed for two years and the chair and vice-chair are elected for a similar term. Membership on committees is stable, usually for the life of the Assembly. These imaginative reforms have generated a more cooperative relationship between the parties, more frequent amendment of legislation in committee, and greater "job satisfaction" for deputies.

Another innovation adopted by both the British House of Commons and Quebec's National Assembly has enhanced the contribution of their committees. When a bill is referred to committee, the responsible minister actually joins the committee for its deliberations. As a result, ministers can personally assess whether amendments are desirable. As might be expected, the direct involvement of ministers results in more amendments being accepted. In Ottawa, apart from the formal presentation of a bill in committee by the responsible minister, it is left to parliamentary secretaries, the whip, and departmental officials to monitor the proceedings, to mount the defence and to marshal the votes needed to ensure passage of the bill, usually without amendment.

The situation in each legislature is *sui generis*. But they share enough common features to make it possible for the House of Commons, if there is a desire to enhance the role of MPs in Ottawa, to borrow and adapt practices that have permitted legislators in other jurisdictions to make useful contributions, without limiting the capacity of government to act. The next four sections summarize the responses of federal MPs to questions concerning these types of parliamentary reform.

## Question One: Should Committee Membership Be More Stable?

### **Turnover of Members and Chairs in the Canadian House of Commons**

During the fifteen years since standing committees first gained the power to determine their own agendas, the wholesale turnover every couple of years of chairpersons — ranging from sixty to seventy-five percent — has diminished the capacity of committees to contribute to the improvement of legislation and the development of policy. Table B-1 in Appendix B illustrates how persistent the practice has been. It is particularly noteworthy how frequently chairs have been elected to committees on which they have not previously served as members.

Replacing chairs during the life of a Parliament has a particularly grave impact. It interrupts the momentum of committee work for three reasons:

- It takes time for a new chair to acquire knowledge of the subject matter for which a committee is responsible, especially if he or she has not previously been a member of the committee.
- Chairing a committee is an acquired skill.
- It takes some time for a chair to gain the confidence of committee members, especially of opposition members.

Reinforcing the impact has been an equally high rate of turnover among the other members of committees. Table B-2 in Appendix B demonstrates the prevalence of this practice.

### **Turnover in Other Legislatures**

Both the chairs and other members of committees in the Canadian House of Commons change at a rate that is quite exceptional. Changes in other legislatures do not occur with such frequency.

The US Congress is without question the most stable. Most senators and representatives spend their entire congressional life on the same committee. The convention that seniority on a committee is based entirely on length of continuous service is a powerful inducement. But senators and representatives also appreciate that if they are to oversee the Administration effectively, they have to specialize.

Legislators in many other countries have also recognized that through continuous service on a committee they gain the knowledge that translates into influence in a policy world that is increasingly specialized. In Britain, a fact sheet reports that the turnover of membership on committees ranges from nil to 27

percent, with an average of 16 percent. Chairs are elected for the life of a Parliament, not every year as in Canada. It is also not uncommon for a capable chair to be re-elected for a full second term, translating into some 10 years continuous service. In Australia, turnover ranges from 10 to 20 percent over a two year interval,<sup>3</sup> while Germany, France and the Scandanavian countries all report that committee membership, including the chair, normally prevails for the life of the legislature.

In contrast with the House, the Canadian Senate has long recognized the strength that comes from continuity. Former Senator Salter Hayden, for example, chaired the Banking Committee for over twenty years and was recognized as a national authority on tax law. Continuity of the chair and committee membership has contributed to the ability of some Senate committees to prepare influential reports such as the Croll Committee report on poverty and the VanRoggen report on free trade with the United States.

### **The Causes and the Consequences of High Turnover**

Why is it that the chairs of committees are changed with such frequency in the House of Commons compared with other legislatures in Canada and abroad?

The principal explanation stems from the practice initiated by Prime Minister Trudeau in 1971, whereby the office of parliamentary secretary was rotated every two years.<sup>4</sup> Mr. Trudeau decided that sharing the supplementary compensation that goes with that office, as well as the title, among as many government private members as possible would promote harmony in the party. To deepen the pool, he increased substantially the number of parliamentary secretary positions. As a result, over the life of two Parliaments, many government private members are appointed parliamentary secretary for a two-year term.

The rotation of parliamentary secretaries led unavoidably to the rotation of committee chairs. In the competitive environment characteristic of the House of Commons, problems could occur if the vacant positions of parliamentary secretary were not filled by other senior government members. Not surprisingly, they are usually the chairs of committees. So the chairs are removed from their committees and appointed instead as parliamentary secretaries. To accommodate the shift, parliamentary secretary appointments are made in September, just before the membership of committees is determined for the next year.

On the other side of the equation, the parliamentary secretaries who have just ceased to hold that position are understandably distressed at the loss of office and salary supplement, and so lobby for another appointment. The vacant chairs of committees are an obvious place to turn. That a majority government can usu-

ally count on its members to vote for persons designated by the leadership makes this practice feasible. And so another round of musical chairs takes place.<sup>5</sup>

The consequence of the rotation of office was not significant until, as a result of the recommendations of the Lefebvre and McGrath committees in the mid-1980s, committees were given the power to meet year round. This development suddenly rendered important the continuity of chairs. So it was that a practice introduced in 1971 to maintain harmony in the ranks of the governing party unintentionally became in the 1980s a prime factor limiting the effectiveness of committees. The consequences are sufficiently obvious that some claim that governments resist ending the practice of rotation because it inhibits the development of influential committees that would have to be heeded.

The turnover of parliamentary secretaries is not a cause for the rotation of other members on committees. Instead, other factors are responsible. Changing political priorities often lead opposition parties to change critic assignments. The lack of stability of committee membership probably also reflects the relatively low value that all party leaders place on the work of committees. What needs to be understood by opposition party leaders, however, is that lack of continuity diminishes the potential of committees. Just as it takes time for chairs to gain the confidence of committee members, the arrival of new members from opposition parties — particularly the party critics in that area — involves a significant period of adjustment.

### The Views of MPs

With this background established, we now turn to the responses of members to several inter-related questions posed under the general heading: Should committee membership be more stable?

The first sub-question asked was: “Would you support greater stability of chairpersons and continuity of membership on committees as a way of having more knowledgeable and influential standing committees?”

The response was as follows:

**Table 1**  
**Greater Stability of Chairpersons and Committee Members?**

	Total	Liberal	Alliance	BQ	NDP	PC	Independent
Yes	64	32	13	11	8	0	0
No	7	4	1	1	0	0	1

The record makes it clear that there is overwhelming support in all parties for more knowledgeable and influential committees, and that stable membership and continuity of the chair are seen as important in achieving this end. As one MP commented, “One needs to have expertise and experience on committees in order to develop purpose and commitment.” An opposition member observed, “It takes considerable time to gain expertise and knowledge sufficient to be taken seriously by the relevant public service and media.” Another opposition MP felt that “working relationships would be enhanced [by this change].”

Among the few members who voted “no”, the main argument for changes in membership was that “new MPs often bring fresh perspectives.” Another suggested members themselves should decide if they wish to remain on a particular committee or move elsewhere.

When asked another related question “Would you like to see MPs appointed to committees for more than one year as they are in many other legislatures?”, the response was only slightly less emphatic.

**Table 2**  
**Appointment of Committee Members for More than One Year?**

	Total	Liberal	Alliance	BQ	NDP	PC	Independent
Yes	61	31	13	9	7	0	1
No	10	5	1	3	1	0	0

Similar concerns about the current system were reiterated. “It takes a year to feel comfortable in an area and to get to know the players.” Some favored “a whole session,” others “at least two years.” One MP wrote “I believe the chair and members should remain throughout a Parliament.” Another MP commented ruefully: “Significant membership rotation can be just as damaging to a committee as a dissolution!”

One government member argued that if MPs were “appointed on the basis of parliamentary seniority...this would curb the wholesale manipulation of membership by House leaders.”

The slightly lower affirmative response to this more precise question reflected concern that MPs might find themselves stuck in committees that did not interest them. “What if I want to switch before then?” asked one MP. Another observed: “It should be up to committee members to decide.” However, a few members on both sides of the House argued that their leaders “need flexibility (to make changes) if there are problems.” Yet another MP, who strongly supported



continuity, thought it important to provide for the removal of “members mid-term because of continuous absences or other significant reason.”

*How Could this Change be Accomplished?*

*The leadership of each party could decide to extend the term for its members on committees. However, it would be more effective if there were all-party agreement to extend the term, in which case it should be confirmed by changing the Standing Order, which currently specifies that the membership of committees is established annually.*

When asked if they would “favor the election of committee chairs for a term of more than one year as other legislatures do,” the response was still strongly in the affirmative, although the number of negative votes was slightly greater.

**Table 3**  
**Election of Committee Chairs for More than One Year?**

	Total	Liberal	Alliance	BQ	NDP	PC	Independent
Yes	51	25	10	10	5	0	1
No	20	11	4	2	3	0	1

Some of those voting “yes” specified what they felt was a more appropriate term, with suggestions ranging from “at least two years,” through “a whole session,” to “the life of Parliament, if service is satisfactory.” The longer term is needed, one MP argued, because “one year does not give time to see the continuity of the policy issues.” An important qualification, however — clearly a concern of those who voted “yes” as well as those who voted “no” — was the potential difficulty of removing an ineffective chair. One MP used graphic language: “providing there is a way to get rid of a jerk.” This concern was expressed equally by government and opposition members.

On the “no” side, one argument made in support of the annual election of chairs was that “it keeps [them] performing well.”

Members of all parties appear to recognize that the competence and continuity of a chair contributes to successful committee work. At the same time, they appreciate that continuity can be a problem if a chair is not up to the job. However, this concern is based on experience under current practice, where the

rotation of parliamentary secretaries may lead to the appointment of chairs in their first term as MPs, some of whom may not even have previously been a member of the committee or served as a chair of any parliamentary committee.

This problem could be solved if MPs were not elected as the chair of a committee until serving as a vice-chair of that committee or as chair of one of its sub-committees. Not only would such a ladder of progression help members to develop necessary skills, but their capacity and their potential would have been tested and demonstrated to their colleagues. In short, there would be no surprises.

*How Could this Change be Accomplished?*

*The power to extend the term of a committee chair lies largely with the leadership of the governing party – save for the Committees of Public Accounts and Scrutiny of Regulations. Currently no rule change would be required. If the term for committee membership were extended to more than one year through a rule change, the term of the chair would automatically be extended, save if there were prorogation and an election.*

A further area of inquiry concerned the method of electing chairs. MPs were asked their views on the “double majority” procedure used in Quebec’s National Assembly, whereby each chair must receive the support of a majority of committee members from both the government and the opposition side. In practice, the double majority process in Quebec involves discussions among the House leaders leading to agreement on the most suitable deputies to chair committees. Once they have reached provisional agreement, their nominees are submitted to the respective caucuses for informal confirmation. While it is true that under this procedure a government party is precluded from making unilateral decisions, it nonetheless retains the power to prevent the election of a chair it believes is unsuitable. The opposition likewise has the power to block the election of partisan government deputies, but cannot oblige the government to accept a particular chair. The procedure tends to favor deputies with seniority whose capacities have already been tested, and usually leads to the selection of members who work well with colleagues of all parties. The overall result is committees that work more cooperatively and productively.

MPs were asked: “Would you like to see chairs of committees elected by double majority, as is the practice in Québec’s Assemblée Nationale, if this promoted a more cooperative environment in committee?” Their responses are shown in Table 4:

**Table 4**  
**Election of Chairs by Double Majority?**

	Total	Liberal	Alliance	BQ	NDP	PC	Independent
Yes	44	14	12	11	7	0	0
No	19	16	2	0	0	0	1

While there was a high level of support for the idea, the double majority process is evidently not well-known in English-speaking Canada. The comments of two government MPs who voted “no” indicate that they did so because of lack of knowledge of the procedure: “I am not familiar with this process” and “What do you mean by double majority?”

A reason cited by another government member for voting “no” was because “it is important that the party in power maintains control.” Such responses point to the need to look at how the double majority procedure works and how it differs from the current system, where the leadership of the governing party makes the selection, appoints that person to the committee if he or she is not currently a member and directs the other government members on the committee to vote for that person. The election is, in effect, an affirmation of a decision by the government leadership.

Government MPs were divided and uncertain about replacing the current system with the double majority procedure. Some liked the Quebec approach. One member speculated: “I take it this means — must have the support of a majority of the opposition — as well as the government members. Interesting idea.” Another who voted “yes” commented “Or some mechanism that involved the opposition.” One government MP who had previously served in the National Assembly and had personal experience of the procedure was emphatically favorable: “Very much so.” Some on the government side who voted “no” did so because “it is important that the party in power maintains control.” Others did so because they were hesitant to support a practice they did not understand.

*How Could this Change be Accomplished?*

*A decision to elect committee chairs by double majority would require agreement with the opposition parties. However, it need not involve a change in the Standing Orders. Initially it could be effected informally through meetings of the House leaders. This would allow for experimentation. However, if the practice proved to be productive, it should be confirmed in a new Standing Order.*

The responses from the opposition members were almost uniformly favorable. They liked the concept since it “would promote more equality between the government and the opposition.” Another favored the procedure “because all the parliamentarians sitting on the committee would feel that they had shared in the decisions.”

The final sub-question relating to turnover on committees asked MPs: “Would you favour a return to the practice where parliamentary secretary positions are not rotated every two years, providing this contributed to reduced turnover of committee chairs?” They replied as follows:

**Table 5**  
**Reduced Rotation of Parliamentary Secretaries?**

	Total	Liberal	Alliance	BQ	NDP	PC	Independent
Yes	41	21	9	5	6	0	0
No	29	15	6	5	2	0	1

The attempt in the question to make a connection between the rotation of appointments of parliamentary secretaries and the rotation of committee chairs proved to be confusing. While a few comments addressed the issue of linkage, most MPs focused only on the pros and cons of the process of appointing parliamentary secretaries. The confusion produced by the question was evident. Of several government members who commented critically on the linkage of the two offices, some voted “yes”, while others voted “no.” As for opposition members, some made comments which suggested the whole question was of no concern to them. In sum, while the various written comments are of considerable interest, the division between “yes” and “no” votes is not a reliable indication of members’ views.

Among government members whose comments focused on linkage, opinions were clear. “I don’t accept that the two positions must of necessity be linked. Either one sees committees as extensions of the House or one sees them as instruments of government.” Another observed: “Either they are appointed because of merit and expertise or because of the present sad process of distributing goodies, so as to spread them around. The present system has no objective value.” Significantly, among government members who voted “no”, the attitude was rather similar. “Rotating parliamentary secretaries should not replace committee chairs.” Another made a similar comment: “I don’t think one necessarily follows the other. When a parliamentary secretary’s term is over, there should not be an

automatic assumption that a chairmanship follows.” A third asserted: “Rotation of parliamentary secretaries is wrong per se.”

The comments of most government and opposition respondents simply addressed the merits of rotating appointments of parliamentary secretaries. “In any event the credibility of the parliamentary secretary position has been seriously compromised by the automatic rotation.” Another observed that “competency is the key”, suggesting support for lengthier terms for able parliamentary secretaries. Several favoured speedy removal if a parliamentary secretary fails to measure up. “A parliamentary secretary who is not effective should be rotated out as soon as possible.” One opposition member favored a cap. “Two years is a good number of years to serve as parliamentary secretary and should not be longer.” Only one government member favoured the rotation of parliamentary secretaries. “The more MPs that get experience as a parliamentary secretary the better. This is like professional development.”

*How Could this Change be Accomplished?*

*The power to appoint and extend the term of parliamentary secretaries lies with the leadership of the governing party.*

In discussions the author undertook with parliamentary observers of the responses to the last question, two interesting conclusions emerged. It was recognized that some members’ comments were pointing toward a decoupling of the two offices. Why not, it was suggested, have two different streams for government members? One stream would involve specializing in the role of parliamentary secretary, serving as a minister in training and working as a representative of government. Competent parliamentary secretaries could remain in office for a number of years, unless promoted to the ministry.<sup>6</sup> The second stream would involve work on a committee, advancing from member to vice-chair or chair of a sub-committee. Once tested, a member of the committee stream would be in line to become chair. Such a change would involve a return to the pre-1971 practice of extended terms for parliamentary secretaries, with advancement based on competence and seniority. The committee stream would similarly involve movement upward over time, based on demonstrated competence in committee work. This stream could, however, also lead to the ministry.

The second observation was a reflection provoked by the member who regarded appointment to the position of parliamentary secretary as a form of professional development, desirable because a successful MP needs to be “jack of all trades.” In discussion of this point, it was noted that constant changes of posi-

tion and responsibility come at a cost, best exemplified by the concluding phrase of the aphorism: “Jack of all trades; master of none.” If members do not specialize, their capacity to hold the government and the public service to account and to contribute to policy development is limited.

*How Could this Change be Accomplished?*

*A decision to establish two separate streams for advancement within the governing party – parliamentary secretaries and committee chairs – could be taken by the leadership of the governing party. No rules change or change of legislation would be required.*

## Question Two: Should Committee Chairs Receive Supplementary Compensation?

Parliamentary committees are now extremely active. During a normal week in the House of Commons it is not uncommon for there to be as many as sixty meetings of committees or sub-committees. Committees now routinely review most bills, consider departmental estimates, undertake inquiries and prepare reports.

Responsibility for ensuring that these meetings are productive falls primarily on the chair. Chairing committees takes time, energy and skill. In addition to attending committee meetings — often two or more meetings a week — chairs are called upon to fulfil the following tasks:

- Committee staffs require direction and guidance, which only chairs can provide.
- Chairs must carefully prepare the ground for future meetings by presiding at steering committee meetings and by maintaining contact with the principal government and opposition members of their committees, as well as with the parliamentary secretary.
- Chairs must prepare committee budgets, seek committee approval of them and defend them before the Liaison Committee.
- Chairs face many requests from organizations or individuals for private meetings so as to discuss matters relating to their committee’s work.
- Chairs need to find time to be briefed in advance of each committee meeting on the issues that are likely to come up in order to be ready to handle problems that may arise.

- When committee meetings are televised, the chair must set the scene for viewers when the meeting opens, which also requires preparation.
- Chairs must be prepared for questions from the media or interviews with them.

Admittedly the time demands on chairs vary considerably, depending on the workload of their committee, the familiarity of the chair with the issues under consideration, and the politics of their committee's current business. Even taking these factors into account, however, most chairs carry an especially heavy load.

Consultations with committee chairs reveal that some may spend as much as eighty percent of their time on committee work. The result is that they have less time than most other members to spend on other business, including constituency and caucus affairs. Not only is a large portion of their own time taken up with committee business, their office staff is also engaged to a comparable degree. About sixty percent of the time of many legislative advisers of chairs is spent preparing for committee meetings, assembling material and preparing for briefings.

Parliamentary secretaries in the House of Commons are compensated in recognition of the additional responsibilities they carry. It seems inequitable that the House of Commons pays no compensation to chairs, whose average workload is no less arduous than that of parliamentary secretaries. In fact, the House is unique in Canada in not compensating chairs. With the exception of Prince Edward Island, New Brunswick and Yukon, all provincial and territorial legislatures provide some form of compensation for chairs. The sister parliaments of Australia and New Zealand also supplement the salaries of committee chairs.

A number of jurisdictions — Quebec, Ontario, Manitoba, Newfoundland and Northwest Territories — compensate vice-chairs too. This has been done in recognition of the fact that the vice-chairs are typically members of the opposition. The aim of this practice is to encourage cooperation between government and opposition members of committees.

Compensating chairs would have another important benefit. It would eliminate one reason for rotating parliamentary secretaries every two years — to share the compensation that comes with that office among more government members. As noted earlier, that in turn should reduce the turnover of committee chairs, an important cause of loss of committee momentum and influence.

Compensation for chairs might take one of three forms: a salary supplement, a supplement to their office budget or both. A budgetary supplement would allow for the hiring of some additional staff assistance, thereby enabling chairs to carry out their responsibilities more effectively, while not neglecting their other parliamentary and constituency duties. It should be noted that par-

liamentary secretaries, the Speaker and the other chair occupants<sup>7</sup> receive both forms of compensation.

The generic proposition put to members — “Do you believe chairpersons should receive supplementary compensation?” — received a strong endorsement.

**Table 6**  
**Supplementary Compensation for Chairpersons?**

	Total	Liberal	Alliance	BQ	NDP	PC	Independent
Yes	57	31	11	9	6	0	0
No	14	5	3	3	2	0	1

Several government members supplemented their affirmative votes with additional comments: “I think they should receive the same compensation as parliamentary secretaries”; “On the basis of their additional workload, including that of their staff”; “As a chair, I can say this is a big workload. Definitely should be compensated.” Some government MPs went further. “There is more work for chairs than for parliamentary secretaries. Their compensation should be superior to that of the parliamentary secretaries.”

Even though virtually all committees are chaired by government members, opposition representatives from all parties expressed similar views: “Reflective of extra work”; “Committee work requires long hours of preparation.” Not surprisingly, opposition members did not link the issue to compensation for parliamentary secretaries.

Among those voting “no”, opinions covered a wider spectrum. One government member commented: “Chairs serve on one committee, whereas most other MPs serve on two or more.”<sup>8</sup> Some others linked the question to the broader issue of compensation. A government MP stated: “This issue would have to be sorted out with reference to general MP compensation.” One Canadian Alliance member observed: “Only if based on permanence and approved by 2/3 of the committee.”

Two questions followed that concerned the form of compensation: “A salary supplement? A supplement to the office budget?” Even though there were two questions, respondents treated them as a combined question, usually giving the same answers to both. As a result, the tabular result has not been used. The comments, however, are interesting.

With only two exceptions, one government and one opposition member, all who commented favored both forms of compensation. Government



members noted, “Both supplements are merited”; and “There is additional work, so there should be some extra compensation and some money for the Members Operating Budget for additional staff while chair.” Representatives of all three opposition parties were equally affirmative: “Both”; “The two”; “Compensation is needed in the form of salary supplement and as a supplement to the office budget.”

Among the few comments from those who voted “no” to one question and “yes” to the other, an opposition MP supported “a salary supplement only”, while a government member commented “The great need as a committee chair is for additional resources.”

Only one MP, a government member, offered a figure: “A 25 percent increase.” An Alliance member suggested: “Some additional, but not a large amount.”

*How Could this Change be Accomplished?*

*The leadership of all parties would have to agree to offer either form of compensation. A larger office budget could be granted by the Board of Internal Economy alone, whereas a salary supplement, would have to be legislated through an amendment to The Parliament of Canada Act.*

## Question Three: Should the Chairs of Some Committees Come from Opposition Parties?

Many legislatures allocate a proportion of committee chairmanships to opposition parties. This is done deliberately in order to promote a more co-operative atmosphere in the legislature. Great Britain adopted the practice in 1974 for precisely this reason. Germany, France and most of the legislatures in Europe allocate chairmanships to opposition parties roughly in proportion to their representation. In Quebec the government and opposition parties in the National Assembly reached agreement in 1984 with the same purpose in mind on a six to four division of the chairmanships of the ten committees. The Senate of Canada also allocates some committee chairmanships to the opposition party. All legislatures that have adopted this practice have found that it promotes smoother functioning.

Of course, the party in power is usually careful to establish a procedure for retaining the chairmanship of the more important and politically sensitive commit-

tees. Quebec's National Assembly has laid down a precise formula: the government chooses the first two committees, the opposition the third, and then they choose in turn until the ten committees have been selected. This system provides an agreed procedure, while allowing for some flexibility as political priorities change.

The only standing committee of the Canadian House of Commons chaired by an opposition member is the Public Accounts Committee, a practice borrowed many years ago from the British Parliament. One of the co-chairs of the Joint Committee on Scrutiny of Regulations, a committee established quite recently, is also from the opposition.

The only occasion during the past five decades when the official opposition was invited to chair a number of standing committees occurred in 1972, the year the Liberals were returned with a minority. The invitation was rejected by the Conservative Party, which suspected that the offer was designed to strengthen the position of the government in the standing committees. (Since the chair of a committee votes only if there is a tie, appointing an opposition chair would have given the government the equivalent of two additional votes.) However, one Conservative MP, Jack Horner, broke with his party and accepted the chair of the Transport Committee. He was judged to have chaired the committee competently and fairly.

Indeed, in legislatures where some committees are chaired by opposition members, the incumbents have usually been judged to be equitable and inclusive. This outcome is hardly surprising since in a majority government situation, chairs from an opposition party know that they are in a minority. As they cannot count on their party members to carry a vote on a contentious matter, they have a strong interest in promoting a cooperative work environment.

Since adoption of this practice would reduce the number of chairs open to government members, some resistance from that side of the House is to be anticipated. A compensating benefit would be the positive effect that opposition chairs might have on committee deliberations and reports, by encouraging members to seek common ground. In the past, the normal practice in committees was to seek the maximum extent of consensus, while carefully including in the relevant sections of the committee's report a description of the points and judgements on which MPs could not agree. This approach lent reports greater credibility and weight by establishing the common ground among committee members, while elaborating on the reasons for their differences. By contrast, when minority views are printed with a report — a more common practice nowadays — the accent is solely on the points of disagreement. This may be seen as providing electoral

advantages, but it reduces the impact of committee reports on the government of the day.

In recent years, there has been a marked increase in the number of minority opinions attached to committee reports. The rule permitting the attachment of minority views to the official record of committees has undoubtedly encouraged this trend. As a result, government members have become cautious about working for a consensus, suspecting that, after having modified their views in order to accommodate those of other parties, opposition parties will then declare their intention to append minority views. Opposition members, for their part, have complained that compromising their views to achieve a consensus can only be justified if the government takes the resultant report seriously, which they argue it rarely does.

Consensus reports carry increased weight with the government and, perhaps more importantly, with the interested public, who otherwise are left with the impression that MPs cannot work together. The net effect of the current emphasis on submitting minority views is to limit the influence of committee reports and to diminish the contribution of Parliament to policy development. If a more inclusive relationship developed in committees, this could lead to more productive and satisfying committee work and improve the public image of the House of Commons.

To test MPs' views on these matters, the questionnaire asked members: "Would you support MPs from opposition parties chairing some committees if this would produce a more cooperative atmosphere in the House?" Not surprisingly opposition MPs were virtually unanimous in favoring such a development. However, even a majority of government members voted in the affirmative.

**Table 7**  
**Support Opposition MPs Chairing Some Committees?**

	Total	Liberal	Alliance	BQ	NDP	PC	Independent
Yes	54	20	14	11	8	0	1
No	17	15	1	1	0	0	0

Among government members who voted in favor of some more opposition chairs, several offered explanatory comments. "Provided one respected two principles: (a) representation in the House and (b) seniority of MPs." "One third of committees as a maximum, and a minimum of one quarter of committees should be chaired by opposition members." And "Yes, just as in Quebec."

*How Could this Change be Accomplished?*

*If the leadership of the governing party decided that the House might work more smoothly if some committees were chaired by opposition members, the opposition party or parties involved would have to be ready to participate. If they were prepared to do so, this could be done quite informally in negotiations between the House leaders, as occurs in the Senate. However, if the practice were to become established, it would be desirable to agree on ground rules that were set out in a Standing Order.*

Responses from all opposition members stressed the importance of choosing chairs on the basis of “ability and performance, not a party stripe.” “It is important that chairs be competent, independent and very fair.”

The only comment by a government member who voted “no” was that the opposition should be limited to chairing “Public Accounts as is the case now.”

A related sub-question — “Would you be prepared to work harder to achieve consensus reports if those reports had a larger impact on government policy?” — generated strong support from all parties.

**Table 8**  
**Prepared to Work Harder for Consensus Reports?**

	Total	Liberal	Alliance	BQ	NDP	PC	Independent
Yes	59	28	12	10	8	0	1
No	12	8	2	2	0	0	0

The responses of some government members were emphatically favorable — “Very much so.” However, there was a certain hesitancy, both among those who voted “yes” and those who voted “no.” “Yes, if consensus reports had more influence.” From another “yes” voter: “I already do try to get unanimous reports. Impact is a pure function of politics.” Almost an identical response from a government “no” voter: “I already work hard for consensus reports. It is my duty, regardless of how government uses reports.”

Opposition members, while favoring the concept, were sceptical. “How can you enforce this though?”, and “How realistic is it to imagine committee reports having an influence on government?”

## Question Four: Should Draft Bills and Green Papers Be Sent to Committees?

The British House of Commons has recently referred several draft bills to committees before they have been endorsed by cabinet to test whether this novel practice could lead to improvements in legislation and enhance the role of MPs. The Australian House of Representatives has also adopted a similar practice with the same objectives in mind. Underlying this experiment, which could be described as a form of pre-study, is the expectation that government members will not be constrained by party discipline if a bill is in draft form and has not been approved by cabinet. If, as a result, MPs on the government side are not under pressure to defend a bill, there is no target for opposition members to attack.

Provided the government is genuinely looking for advice from the committees involved, the result can be an entirely different dynamic. If MPs are given an opportunity to exercise their personal judgement on draft legislation or on policy options set out in Green Papers, this can enhance their sense of self-worth and members of different parties can develop mutual respect. The government, for its part, can benefit from securing an evaluation by a group of MPs representing different parties and regions of the country of the concept and proposals set out in the draft bill, before putting it in final form and formally introducing it.

To date the British government has submitted seven draft bills to Parliament on a wide range of subjects: Financial Services and Markets, Food Standards, Freedom of Information, Limited Liability Partnerships, Local Government, Pension Sharing on Divorce and Railways. Three additional draft bills were promised in the last Speech from the Throne. All seven have been reported on by the committees to which they were sent, some with amendments. Following review by cabinet, the “real” bills — modified in some instances as a result of the pre-study — have been submitted to Parliament where they are now proceeding through normal parliamentary review. The Modernization Committee has not completed its evaluation of the experiment, but the initiative has been well received by MPs. Although the British government submits Green Papers, which set out proposals for future legislation, members would appear to prefer to receive the text of a proposed bill.

The Canadian government used to prepare Green Papers to provide a basis for public debate on policy matters when choices had to be made. An impressive example of the benefit of this practice occurred in 1975. The government had commissioned a group of experts to prepare a Green Paper on immigration policy, since it was widely recognized that the policy then in place was no longer sustainable. After some debate within cabinet, the decision was taken to refer the

Paper to a special joint committee, in the hope that Members of Parliament from all parties and regions of the country could make policy recommendations that would gain general support across the country. This was, incidentally, one of the first committees to travel across Canada. Once the members of the opposition parties had satisfied themselves that the government was not trying to get the committee to validate policies it had already decided upon — which took some time — the committee proceeded to work in a completely non-partisan manner. The proof is that when the time came to vote on the Committee's report, on not one of the roughly 300 votes did members divide along party lines. Many MPs who participated in the work of that committee felt that it was the outstanding committee experience of their time in Parliament. Subsequently the thoughtful consensus report had considerable influence on the legislation submitted by the government. Unfortunately this was the last Green Paper released by a Canadian government that was referred to a parliamentary committee for review.

During Bob Rae's time as Premier of Ontario, the Legislative Assembly formed a special committee with the task of drafting a bill on driver's licenses for young persons. The committee's bill, which gained unanimous support, elaborated the concept of graduated licenses. On submission to the House, it was speedily adopted.

A comparable practice has been very occasionally used in the House of Commons. The Procedure and House Affairs Committee was mandated some years ago to draft a bill proposing amendments to the electoral boundaries readjustment process, a task which it successfully accomplished. An amendment proposed by the Senate, which was rejected by the House, prevented the bill from being passed in time to take effect before the 1997 election.

More recently, in 1997, an opposition supply motion on impaired driving was adopted, calling on the government to introduce a motion instructing the Justice Committee to draft a bill. This was done. The Committee's consensus report included a draft bill, which the Minister of Justice supported. As a result, when the legally-refined bill C-82 was introduced, only seven days passed between first reading and the final vote on third reading. Committee members seem to have derived satisfaction from the role they had played and the experience contributed to a more harmonious inter-party relationship in committee.

House practice permits the referral of draft bills or Green Papers to committee for what amounts to pre-study. It is important, however, to distinguish these processes from Standing Order 73 (1) that provides for the referral of a bill to committee after first reading. When that Order was first adopted in 1994, it was claimed that it would make it possible for MPs to amend the principles of a bill, not just details. However, in the few cases where bills have been referred to committee under this rule, no significant amendments have been adopted. Government

members seem to feel impelled to defend any bill that has already been approved by cabinet, and opposition parties are angry that this Standing Order constrains severely the amount of debate in the House.

It has to be acknowledged that there are a limited number of policy matters where a government would be ready to seek the views of a committee before cabinet had committed itself to a bill in final form. The subject would have to be a non-partisan one on which parties had not already adopted strong and contrary positions. In addition, the committee's recommendations should not normally entail substantial expenditure. Finally, the government would have to conclude that such an experiment would be welcomed and taken seriously by members of all parties.

Opportunities for committees to influence decisions by government have declined as the capability of the executive to ascertain the views of stakeholders and the public has grown. A government could take a small step to counter this trend and enhance the role of MPs if ministers were to refer some bills in draft to committee or to revive the practice of preparing Green Papers and asking a committee to comment. These actions would signify an interest in securing advice based on the personal judgement of MPs from different parts of the country. No change in the Standing Orders would be required. This approach carries little risk and offers potential benefits. If the committee approved the text of a draft bill or suggested amendments which the government largely accepted, the bill could be expected to proceed rapidly when it was formally introduced. If the committee proposed substantial changes, the government would be well-advised to reconsider. The government would equally be free to adopt those parts of a committee report on a Green Paper that it found persuasive, as in fact happened in 1975. In both instances, the MPs involved would feel rewarded and inter-party relations in the committee might improve.

With this background, members were asked to respond to the following question. "Would you welcome the opportunity of serving on a committee that was asked to report on a draft bill or a green paper where committee members of all parties were expected to exercise personal judgement?" Support was virtually unanimous.

**Table 9**  
**Should Committees Report on Draft Bills or Green Papers?**

	Total	Liberal	Alliance	BQ	NDP	PC	Independent
Yes	69	35	13	12	8	0	1
No	2	1	1	0	0	0	0

The enthusiasm was palpable. Government members commented: “Absolutely. This would give committees a useful role.” “This might really start giving members some important role as individuals rather than as party creatures.” “Very much so!” One government member liked the procedure because it would assure second reading debate in the House on the final bill.

Opposition MPs recognized that it would allow for input from private members. “This is important as it involves MPs at an earlier stage in the process when legislation is easier to change.” “At the earliest possible stage before the government position is hardened.”

Under this general question, members were asked a subordinate question: “Do you think such a practice would improve relations within a committee?”

**Table 10**  
**Would Committee Relations Improve?**

	Total	Liberal	Alliance	BQ	NDP	PC	Independent
Yes	63	31	12	11	8	0	1
No	5	3	1	1	0	0	0

The response was heavily affirmative.

A government MP commented that “there would be a certain collegiality among members working together without party discipline.” Another observed simply: “Undoubtedly”, and a third added: “What is certain, it would not make relations worse.” An opposition member concurred that “more input from all MPs would improve relations in committees.”

The only comment from a negative respondent hearkened back to the importance of the chair. “Not necessarily. Some committees already work well and the common denominator is a strong chair with earned respect.”

*How Could this Change be Accomplished?*

*Authority to refer draft bills or Green Papers to committees already exists. Accordingly, the government House leader would need no other authority than a decision of the governing party leadership to experiment with this practice.*



## Conclusion

The responses to the questionnaire demonstrate that a substantial number of members of all political parties deeply desire change. They believe they were elected to play a larger role than the parliamentary system now offers. For some their lack of influence is troubling and even embarrassing.

This paper has documented several modest, incremental changes in practice and procedure adopted by other Commonwealth and provincial legislatures that could address similar situations in the House of Commons. Although in theory back-bench members have the power to band together to press for substantial and even radical reform, they quickly learn that political parties rarely reward independent action, especially if it involves cooperation with other parties. They also discover that party leaders elected by convention or by national ballot are essentially beyond the reach of the members of their caucuses. So if reform is to occur, the prime minister and to some degree the other party leaders must recognize that Parliament would benefit if private members were accorded a larger role and agree on what changes to make.

It is true that a greater role for committees could lengthen the time frame for the passage of legislation, but government could actually benefit from some of these changes. An earlier involvement by standing committees, before cabinet has put its stamp on legislation, could bring several advantages. Committee hearings would provide an opportunity to test the soundness in different parts of the country of advice offered by the government's advisers. Such an open process might help to bridge regional differences, which the recent election has highlighted, and increase public acceptance across the country of government legislation. Lobbyists and interested non-government organizations would be called upon to make their arguments in public, rendering Parliament more transparent. At the end of the road, to the extent that government drew substantially on consensus reports, legislation should proceed rapidly through the House.

What is needed is a gradual change in political culture. Greater continuity and specialization by MPs should lead to committees that are more productive. If government was prepared to place greater value on the contribution of improved committees, inter-party relations might become more cooperative and less confrontational. This in turn could enhance the public image of Parliament.

The reforms discussed do not in the main require rule changes, which means that they can be adopted experimentally, allowing for flexibility. Some would require a longer planning cycle for the development of legislation, a

practice that the British Parliament has long followed. Although none of the changes described would involve a sea change in the way the House of Commons operates and hence will not satisfy those who want root and branch reforms, they would help to right the balance. They would make possible a more meaningful contribution by MPs to the review of legislation and budgetary estimates, while preserving the essentials of the parliamentary system of government.

## Appendix A: The Consultation Process

In early May 2000, a set of briefing notes describing the reforms enumerated in this paper was sent to all MPs, other than cabinet ministers and party leaders. To gain their input, MPs were invited to attend a meeting on Parliament Hill on May 10th and to respond to a written questionnaire.

The May 10th meeting was opened by a panel of five members, one from each party. A total of 34 MPs attended and some 20 intervened. Of the 34, 18 were Liberals, 5 Alliance, 9 Bloc Québécois, 1 NDP and 1 Conservative. This attendance was impressive, given that there were at least 12 other events that evening to which MPs were invited. In addition, the Canadian Alliance was in the final stage of its leadership race and the Conservative party was holding a convention the following morning in Quebec city.

Seventy-one of the approximately 250 MPs to whom the questionnaire was sent completed it. Given that the questionnaire was accompanied by a lengthy set of briefing notes and may not have been noticed, that a number of MPs resist completing questionnaires and that this was a particularly busy time, with the House sitting extended hours, the response was impressive. In some instances the response rate falls slightly below 71 because a few MPs did not answer the full questionnaire.

Broken down by party, the response rate, based on those to whom the questionnaire was sent, was as follows:

**Table A-1**  
**Response Rate by Party**

	Liberal	Alliance	BQ	NDP	PC	Independent
<b>No. of responses</b>	36	14	12	8	0	1
<b>Response rate</b>	31%	27%	27%	40%	0%	25%

A high proportion of responses came from MPs who had served at least two terms and were therefore able to make a judgement based on considerable parliamentary experience. Across the board, the results were as follows:

**Table A-2**  
**Number of Responses by Number of Terms as MP**

6 Terms	5 Terms	3 Terms	2 Terms	1 Term
2	2	12	35	20

Finally, by party, the breakdown was as follows:

**Table A-3**  
**Number of Responses by Party**

	Liberal	Alliance	BQ	NDP	PC	Independent
6 Terms				2		
5 Terms				2		
3 Terms	10	1	1			
2 Terms	17	10	7			1
1 Term	9	3	4	4		

The Canadian Alliance and the Bloc Québécois fought their first election in 1993, so that — save for a couple of exceptions — none of their members have served more than two terms. Many Liberals were also first elected in 1993. Among the Liberals who responded, a substantial proportion have served as committee chairs and/or parliamentary secretaries. In sum, 72 percent of responses came from members with at least seven years in the House.

## Appendix B: Turnover on Parliamentary Committees

### Turnover of Chairs

As table B-1 shows, the turnover every two years among committee chairs has been substantial, in excess of sixty percent. It is significant that even between two sessions of the same Parliament, when there has been no change in the composition of the House, the rate of turnover is usually similar. The only significant exception to this practice occurred in the 33rd Parliament, when the majority of chairpersons held the office during the life of that Parliament. It seems possible that Prime Minister Mulroney, who had given strong support to the work of the McGrath Committee, was persuaded not to replace the chairs in the second session. However, he approved wholesale changes after the 1988 election.

There have been, and are today, exceptions. An interesting instance some years ago was Don Blenkarn, the Conservative Party's finance critic during the last Trudeau parliament (1980-84). He was elected chair of the Finance Committee in 1984 and remained in that position until he resigned the office in 1990. Under his leadership the Committee gained substantial influence. Indeed, its influence was such that each morning when Finance Minister Michael Wilson met with his senior staff, the work of "the Blenkarn Committee" was on their agenda. Blenkarn was effective in securing opposition agreement to the Committee's work plan. He also seemed to know how far he could push an independent agenda without generating ministerial hostility.

Similarly in the 36th Parliament, three MPs – Maurizio Bevilacqua, Charles Caccia and Bill Graham – have remained in the chair of their committees for several years. However, they are exceptions and special circumstances account for each exception.

### Turnover in Committee Membership

Table B-2 shows that the turnover of committee membership from session to session has also been substantial. On top of these shifts during the life of a Parliament, changes in party representation generated by elections have required modifications in the size of committees and in the number of places available to each party on each committee. But, as with chairpersons, the trend is noteworthy, with turnover often averaging above seventy percent.

Examination of the membership of individual committees, nevertheless, reveals considerable variation: some experienced a large turnover, while others were quite stable. For example, in March 1986 a new Committee on Consumer

**Table B-1: Turnover of Committee Chairs**

Parliament Session	Years	No. of House Committees which elected chairs	Chairs re-elected	Newly elected chairs on previous session	Newly elected chairs who had not been a member of committee during previous session
33rd Parliament 1st Session	1984-86	24 <sup>1</sup>	—	—	—
33rd Parliament 2nd Session	1986-88	28 <sup>2</sup>	19	—	9
34th Parliament 1st Session	1988	(lasted just long enough to approve Free Trade Agreement. No committees formed.)			
34th Parliament 2nd Session	1989-91	22	4	5	13
34th Parliament 3rd Session	1991-93	21	8	5	8
35th Parliament 1st Session	1994-96	22 <sup>1</sup>	—	—	—
35th Parliament 2nd Session	1996-97	21	6	3	12
36th Parliament 1st Session	1997-99	20	6	2	12
36th Parliament 2nd Session	1999-2000	20	6	6	8

<sup>1</sup> New government leading to complete turnover of chairs.

<sup>2</sup> Five committees were established in the last month of the first session. Their chairs were among those re-elected a few months later.

Note: Precise calculations and comparisons cannot be made for several reasons. First, from session to session and from Parliament to Parliament there are often changes in the number and even the responsibility of standing committees. Secondly, some changes take place during a session. Thirdly it is not possible to secure some information. However, these figures should be regarded as illustrative of a trend.

and Corporate Affairs was created with seven members. Six months later, when committees were reconstituted, five of the seven original members were replaced. In contrast, when the Standing Committee on Agriculture was reconstituted in the autumn of 1991, ten of fourteen members remained on the committee.

Further complicating the analysis is the fact that there is no pattern common to the five parties. Some parties leave their representatives on some committees, presumably because they are performing well, while regularly changing representatives on other committees. To illustrate, the opposition members of the Human Resources Committee were virtually unchanged between 1997 and 2000. Yet during the same period there were three successive chairs from the Liberal majority, and four other government MPs were members of the committee for less than a year. The different size of the parties also leads to different consequences. Thus, the NDP and the Conservative Party in the 36th Parliament had only one member on each committee. As a result, the replacement of that MP constitutes a 100 percent turnover.

**Table B-2: Turnover of Committee Members**

Parliament Session	Years	No. of places on standing committees	No. of MPs who remained on committee	No. of MPs who had not been on the committee during the previous session	Percentage of turnover
33rd Parliament 1st Session	1984-86	351	—	—	—
33rd Parliament 1st Session	March <sup>1</sup> 1986	240	(turnover on some committees as high as 70%)		
33rd Parliament 2nd Session	1986-88	240	174	68 <sup>2</sup>	28%
34th Parliament 1st Session	1988	(Lasted just long enough to approve Free Trade Agreement. No committees constituted.)			
34th Parliament 2nd Session	1989-91	263 <sup>3</sup>	40	223	84%
34th Parliament 3rd Session	1991-93	173 <sup>4</sup>	69	104	60%
35th Parliament 1st Session	1994-96	255	—	—	—
35th Parliament 2nd Session	1996-97	255	75	180	71%
36th Parliament 1st Session	1997-99	331 <sup>5</sup>	82	249	75%
36th Parliament 2nd Session	1999-2000	327	159	168	51%

<sup>1</sup> Committee structure significantly modified. Four new committees, with membership significantly reduced per committee.

<sup>2</sup> Turnover moderate as committees only constituted six months earlier.

<sup>3</sup> Number of committees reduced from 28 to 22, with size of membership increased.

<sup>4</sup> Committee structure once again revised with permanent legislative committees which have not been counted.

<sup>5</sup> Increase in numbers mainly due to adjusting to changes in party representation in 1997.

Note: Accurately documenting the changes in committee membership is more difficult because some changes occur when committees are reconstituted each autumn. Besides, the practice of replacing MPs on a committee if they are absent from Ottawa makes it more difficult to develop precise figures.



- 1 To provide a basis for evaluating how much weight to accord to the responses of members, Appendix A reports on the level of attendance and the representation by political party at the May 10th meeting and on the numbers, experience and party affiliation of the MPs who completed the questionnaire.
- 2 See Table 2 in "Bridging Two Solitudes," a discussion paper prepared by the Public Policy Forum, 2000.
- 3 Personal communications with officials of these legislatures.
- 4 Prior to 1971, prime ministers used the office of parliamentary secretary as a testing ground for ministers and to give recognition to senior members of their party. Those who were not elevated from this office to the cabinet often remained parliamentary secretaries for their remaining years in the House. Changes were sporadic and infrequent.  

The decision taken by Mr. Trudeau in 1971 had far-reaching implications. Previously seniority had been the principal factor in determining advancement within governing parties, with members moving gradually up the ladder over the years. Of course there were exceptions, but seniority was the norm. The implication of Mr. Trudeau's decision was to downplay the importance of seniority in the governing party, save for appointments to cabinet. Other than an emphasis on stability in his first Parliament, Mr. Mulroney took a similar approach in his second Parliament and under Prime Minister Chrétien the rotation of parliamentary secretaries has been the norm.
- 5 Committees of the legislative assemblies of Canadian provinces are more stable than House of Commons committees. Most do not have parliamentary secretaries. However, even in provincial assemblies that have parliamentary secretaries (or some similar office) — notably Quebec and Ontario — the office is not regularly rotated as it is in Ottawa. That supplementary compensation is paid to chairpersons as well as to parliamentary secretaries appears to be a factor contributing to this stability.
- 6 The practice of rotating parliamentary secretaries limits the effectiveness of incumbents of that office. Unless an appointee already has substantial experience — and MPs are sometimes appointed to ministries where they already have competence — a minister will hesitate to give substantial duties to someone who will be replaced in two years. If competent parliamentary secretaries were to remain in office for longer periods, busy ministers would normally be pleased to have colleagues share their load. As a result, parliamentary secretaries would be more useful to the government and holding that office could bring greater satisfaction.
- 7 The other chair occupants are: the Deputy Speaker; the Deputy Chair of Committees of the Whole; and the Assistant Deputy Chair of Committees of the Whole.
- 8 This MP raises a matter of serious concern. It is difficult for MPs to focus their efforts when they serve on two or three committees. The question arises: given the number of MPs and the number of parties, might it make sense to have fewer committees? This could reduce the overlap between committees; it might also lead to more effective sub-committees. In addition, larger committees would have a cross-section of members more representative of national perspectives, so that committees were not dominated by regional or functional interest groups.

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