

THE GOVERNMENT MEMBER: HIS RELATIONS WITH CAUCUS AND CABINET

Guy Chevette

In both the federal legislature and in several provincial houses more members are becoming full-time parliamentarians. One consequence of this has been increased demand by private members from all sides of the legislature to have their voices heard in the policy-making process. This need can be met either by reforming the committee system or, in the case of government members, through a working relationship between caucus and cabinet. In this article a member of the Quebec National Assembly outlines the situation of government backbenchers in Quebec.

In Quebec, the caucus system has improved considerably in recent years. Whereas Maurice Duplessis used to call his members together about three times a year for information purposes, since 1960 the practice has evolved of holding regular caucus meetings outside the session. One innovation has been to arrange meetings between party leaders and cabinet. Since 1970 there has been a growing trend toward the establishment of the regional caucuses and of special committees of government members entrusted with matters concerning particular regions, legislative sectors or special problems.

I could cite a whole series of cases beginning in 1976 where bills, prior to being tabled in the National Assembly, have been referred to groups of government members for clause-by-clause study. I am thinking in particular of the bills dealing with automobile insurance, land management, occupational health and safety, and the government's policy on day care centres. We have also seen draft regulations, drawn up by government officials and approved in principle by the ministers concerned, amended as the result of recommendations by groups of private Members. Two examples come to mind — the regulation on bulk transport and the regulation on hiring in the construction industry.

The present Prime Minister of Québec, Mr. René Levesque, will often take considerable trouble to outline his decisions and explain them to members of his caucus.

This procedure was particularly useful during the recent negotiations between the government and the employees of the civil service. In our parliamentary system frankness, on the part of the Prime Minister towards his caucus can only favour a healthy equilibrium between Parliament and the executive branch.

Another recent innovation was the establishment of caucus research in 1971. Through these services, members have been provided with very valuable documents and often with sound advice. We also have opportunities to travel and to communicate with our electors and be available to them.

CAUCUS — CABINET RELATIONS: SOME SHORTCOMINGS

Despite these improvements, relations between caucus and cabinet remain fairly shaky and are at the root of a certain discontent among government members. This situation can be attributed to several factors.

First, everyone will agree that, although members are elected, they by no means constitute the most influential or the most privileged segment of the government apparatus. That apparatus is dominated by the ministers, the senior civil servants, and various interest groups. Because these groups have the know-how, the specialization and the information, they logically have more influence than the ordinary member of the legislature.

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In this regard, it would appear that within the government machinery in both Canada and Québec, the decision-making process is not much different from that which French and American authors have noted in their own countries. The process is generally set in motion at the instigation of spokesmen who represent the interests of certain groups. In the face of changes, or possible future changes, these groups seek, at every stage, to sway those in power to their side. Those in power are usually divided, and while formal authority may be vested in a certain body, close study of the facts will show a major division within the government machinery, according to functions, sectors and territories. All these different factors and variables enhance the feelings of frustration experienced by the members, particularly the government backbenchers.

A backbencher colleague of mine once dropped a remark which provides a good illustration of the discontent felt by a good number of members: "A member has a better chance than anyone else to get fed up... I can't help wondering whether in the long run Parliament — with the way it's set up, — won't end up blinding its members to reality".

In our own party, the problem was compounded at the outset since a great majority of our members are sitting in the Assembly for the first time. Their background had accustomed them to doing something other than just providing opinions when decisions were to be made. I myself have had a number of jobs in the teaching sector, and have been involved in decision-making in the union and hospital sectors. The transition to political life was not an easy one. A new member must have the patience of Job if he is to follow all the stages of a particular project. If called upon to make a decision which will affect his region or his electors, he needs even more patience than old Job could muster. No matter what question interests you, and no matter how pressing it may be, things will never go the way you want them to. Sometimes, the decision-making process becomes so slow that when the time comes to implement a solution it is outmoded.

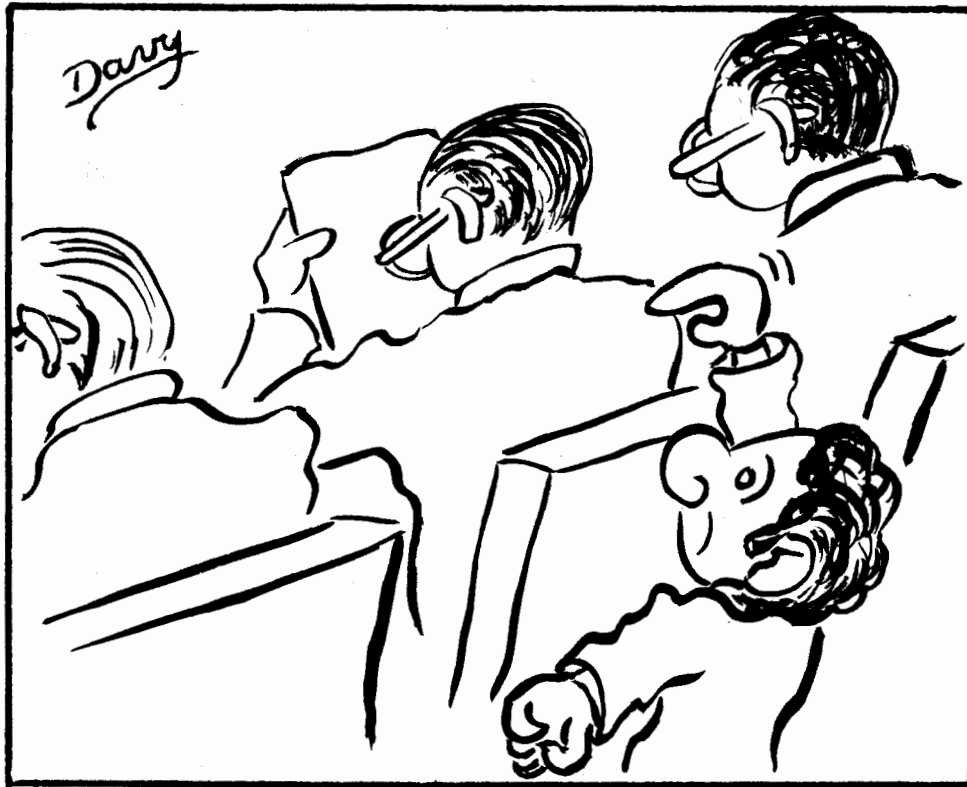
But there are more reasons behind what the journalists call the "Backbenchers' Revolt". Some members blame individual ministers for the deterioration of the members' influence in the political process. In particular, they accuse cabinet members of unduly broadening their field of action, of treating their individual departments as fiefdoms, and of too fre-

quently taking refuge behind the principle of confidentiality of executive files to justify voluntarily withholding information. These complaints are not new and they apply equally well in Quebec, in Canada and in parliamentary systems similar to ours.

In a study submitted to the *Ecole nationale d'administration publique*, two former Quebec liberal members, Mark Assad and Yves Tardif, turned up some interesting facts. Of all the ministers interviewed within the framework of their study, 60% had never consulted any backbenchers before making a decision. This figure rose to 95% for government members. The survey also revealed that ministers are virtually never all present at caucus meetings. Out of a possible twenty-five or thirty, sometimes three or four or possibly a dozen will show up. A member who wishes to obtain specific information or who makes known his observations on a given subject or questions a departmental policy or submits a recommendation, will often find that the minister involved is nowhere to be seen. Even if that minister is there and gives a prompt answer, the meeting will immediately move on to study the next item which, of course, will in no way be related to the first. Another finding of this study was that ministers who had sat as members for at least two years were more apt to inform and consult government members.

Recently, the commission inquiring into the cost of Montreal's Olympic Games strongly criticized the fact that the cabinet was able to prepare bills, and have them approved by the National Assembly, without any assistance from the people's elected representatives.

The same conclusions can be seen in the recent *Report of the Royal Commission on Financial Management and Accountability* and in a report of the Business Council on National Issues where we read that the caucus is insufficiently structured, that the ordinary member's role is belittled, and that people occupying key positions in cabinet and government never show any spirit of collaboration. The attitude shown by these people is described as secretive, elitist and condescending. Information is short-circuited and the machinery for accountability is weak. Professors Robert Jackson and Michael Atkinson in a very detailed study, also observed that, when it came to preparing legislation, ministers enjoyed too great an independence not only with regard to Parliament but also — notwithstanding the efforts made by the Privy Council office — with regard to cabinet. In particular, they regretted that there



was no machinery allowing caucuses and members to supply any input government policy.

These various testimonies emphasize the dilemma which I pointed out at the beginning: the need for democratically-elected governments to govern effectively, with the conviction that they are going to last, and the need for us, as elected agents of the people, to exercise adequate control over the executive without endlessly embarrassing and threatening it. There are no easy solutions. If our system of government is to be effective and productive, government must be strong, and founded on ministerial discretion and solidarity. The repercussions of excessively rigid control of the government must never be underestimated. But all that is another story.

INCREASING THE GOVERNMENT MEMBER'S INFLUENCE

The search for new ways to give ordinary members more influence continues with each new legislature. In April 1970, the Liberals came to power in Quebec. Two months later, aware that the responsibilities and powers

of the elected representatives of the people had been weakened, they instituted a committee on the role of the private member. Another task force headed by Robert Lamontagne was set up after the 1973 election. Its report on government members, better known in Quebec City as the Lamontagne Report was submitted in 1975. In November 1973, the Minister of Communications, Jean-Paul L'Allier, also made a suggestion to Prime Minister Robert Bourassa regarding the situation created by the election of 102 Liberal Members to the National Assembly. In 1976, the newly-elected Parti québécois created a Ministry of State for electoral and parliamentary reform. One of the ministry's objectives was to outline new duties for ordinary members.

After the 1968 federal election, the Liberals under Prime Minister Trudeau attempted to facilitate communication between caucus and cabinet. In 1979, the Conservative government's Throne Speech contained well-defined measures to facilitate parliamentary initiative and to involve backbenchers in certain advisory study groups.

Let me conclude with a survey of some of the principal ideas brought up in discussions on parliamentary and caucus reform?

- that regional caucus be formally created within the government caucus, and that members be allowed to select subjects for study, according to their own concerns;
- that each member be officially entitled to take part in the preparation of policy, at all levels, concerning his riding and his region;
- that parliamentary assistants or members be especially assigned to the government corporations, with a view to maintaining closer, more direct relations with these corporations. (Since I have already acted in that position, I would like to make a personal observation on this point. Parliamentary assistants could be even more closely integrated with the departments concerned. They could become a sort of spokesman for the caucus within the departments — a liaison officer if you like between them and the ordinary Members, who could answer their questions in the absence of the minister);
- that the Chief Whip — and I hope I am not in a conflict-of-interest situation here, be authorized and empowered to meet every month with the members of cabinet or to attend a cabinet meeting;
- that the principle of the “free vote” be abolished for government Members, but that the leaders of the party in power recognize and adopt a more flexible method on the matter of party discipline.
- that no administrative regulation issued by any department take effect until it is submitted to a caucus committee expressly appointed for the purpose;
- that the principles of every bill be discussed in caucus before that bill is tabled for first reading;
- that the role of the parliamentary assistant be defined by law and that greater government responsibilities be attached to the position;

- that whenever at least 2/3 of the government caucus agrees that a matter is worthy of discussion, a committee be created for the purpose, or an already-existing committee be entrusted with studying the matter;
- that a new theory on the administrative responsibility of deputy ministers be thought out, to specify the obligations of senior civil servants in this regard, particularly the obligation to testify before parliamentary committees on matters of administration;
- that certain members who are not in cabinet be chosen, both from the party in power and from the opposition party, to act as watch dogs over the economy;

CONCLUSION

So there's no dearth of ideas. But, as you know, there's many a slip between theory and practice, and the least that can be said is that implementing all these changes will not be easy. The question is frequently asked as to whether the British-type parliamentary system is becoming increasingly anachronistic?

There are those who maintain that we should favour the presidential system, like that in the United States, over the parliamentary system derived from Westminster. But, there is no sense in believing that we can enjoy all the advantages of the American system and none of its inconveniences.

Surely there is some kind of middle ground between the presidential system and the British-type parliamentary system. To close, I would add that while members may often gripe about their working conditions, they have nothing to say against government stability which allows them to carry on their work at the service of their electors. And if every four or five years they seek a new term, it is certainly not because of the Stockholm Syndrome.

(Translated from French)

SUGGESTIONS FOR FURTHER READING

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