

REFORMING THE HOUSE



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Although the terms "parliament" and "government" are often used interchangeably they are not one and the same. Members of Parliament can fulfil their own role in Parliament only when they distinguish between the duty of those who govern and those who hold the government accountable. Although the primary initiative for proposing legislation and spending is the government's, only Parliament can pass, or authorize it, and the members should therefore be recognized primarily as legislators and "advocates" for the taxpayer and citizen.

Debate is the *esse* of Parliament, and debating is therefore essential to a member's fulfilling his role. The legislator is not intended to be primarily one who gets things done, but one who uses debate to assess, criticize, amend, resist as well as to promote, advocate, motivate and advance ideas.

Parliament is necessarily, therefore, a place for give and take, each member learning from the others as well as contributing to them. A member is not there to do things on his own as much as to help Parliament do them. A private member's familiar sense of frustration is exacerbated chiefly if he ignores this corporate nature of the work. The very term "member" shows it. By definition a legislator is part of something greater than himself and he can function only when he works as a part.

The current discussion on reform can be most profitable, therefore, if it can suggest answers to one key question: "How can we help members participate in Parliament?"

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Barriers to Participation

Most of the barriers to participation have already been described in the many studies of parliamentary practice. The tight-fisted control of its supporters by whatever government is in power, the dominance of governments by most prime ministers, the unyielding lines of partisan division, the sheer volume of constituency work, the limited resources available to committees — all of these and other barriers to participation are familiar to any student of Parliament. But they are no less high and formidable as barriers because they have been looked at over many years, and study of the private member's role cannot be serious if it fails to address the problems they pose.

Constitutionally, the government depends on the support of a majority in the House but, in practice, it is the private member of the government party who seems dependent. His hopes for advancement, or even for perks such as better offices or special trips, can be dashed if he does not follow the government's lead. Not only is it demanded that he vote with the government on crucial matters such as the Speech from the Throne or the budget, but also that he vote, speak or remain silent according to the dictate of the government. Even though a government may be at no risk of falling, it requires this all but unconditional commitment, and renders the member a seeming robot, at least imaginatively replaceable by a voting machine.

The same pressures are felt no less by opposition members whose comparable hopes depend on supporting their leader, adhering to the party line, and voting against the government even though there may be no chance of defeating it. The House of Commons is so dominated by party priorities that an MP might think himself a member of a party first and a member of Parlia-

ment so far second that he is seldom aware of this larger membership!

A second barrier is ministerial dominance of standing committees insofar as their agenda is effectively determined by ministerial references, their information comes largely from departmental officials attached to their minister in a mutual defence alliance kind of way, and their own staff resources are limited to clerical administration. The committee meetings themselves can disappoint a member who finds he has enough material for hours of dialogue with a witness but is given only ten minutes to have at him. He may also be repelled by the fruitless passion for drawing party lines when committee members could more usefully collaborate on improving legislation.

A less familiar barrier to members' participation is erected by a Press Gallery which gives some issues and personalities so much priority that it virtually ignores the rest of the agenda and the House. Are most members the irrelevant nonentities this kind of treatment implies? Even a cursory reading of Hansard reveals numerous impressive speeches which receive almost no media attention, and are lost except to the reader of Hansard.

Even more surprising is the barrier erected by constituents who provide the member with an alternative role which bypasses parliamentary frustrations by asking him to act as their ombudsman. Here is work he can do, here are problems he can solve, here are people he can help. There is no party discipline to obey, no whip to heed, no media to attract. At last the frustrated MP can succeed. Obviously an MP must do that kind of work for his people but, if it becomes his primary role, he will not truly participate in Parliament itself. He will not be a real MP.

Suggestions

What can be done to lower some barriers or create a few ladders for climbing over the others. All behaviour being motivated by symbols, the activity of MPs can be influenced by symbols that reflect the dignity of their office. Here are three symbolic actions that may seem only gestures but can prove to be meaningful ones:

- (1) Swearing-In. Let a new Parliament begin with the televised taking of the oath by all members in the chamber itself. If the cabinet's swearing-in at Rideau Hall is televised coast to coast, and the MPs take their oaths almost clandestinely in the Clerk's office, the public is readily persuaded that the one group matters and the other does not. But the opposite impression will be given when all members assemble equally to be commissioned for their common task.
- (2) The Speaker. This officer, being necessarily independent of the government, should not be in effect chosen by the prime minister, with the concurrence of opposition party leaders, but be elected by secret ballots cast by the members meeting in an all-party caucus chaired by the Clerk of the House. This election should be ratified by an open vote in the chamber and followed by the traditional installation.
- (3) Chairmen. The chairman of each party caucus and each caucus committee should be chosen by the members without direction and, similarly, the chairmen of the standing committees should be elected on nomination by a caucus of the government party's members on the committee concerned. As in the case of electing the Speaker, these elections will indicate the members have a life of their own.

A number of changes should be made to the way the House uses its time. The House sits far too often for members to

attend in the numbers they should provide. In view of the other work for which time must be provided, consideration should be given to reducing the number of days the House sits and requiring members to be present in the chamber most of those days. As far as possible, committees should meet or travel chiefly on days when the House is not in session. Few reforms will enhance the role of the MP more than giving greater priority to the House itself, and a change of this kind has incalculable potential.

Nothing will restore the dignity of the MP more than liberating Parliament from the implication that Question Period is the only House activity important enough to command attendance by party leaders, the media, and the majority of members. Let the House command increased attendance for days at a time, those days being far fewer than now, and what happens there will matter more.

If voting means choosing, it has to be the individual act now suggested by our Parliament's method of requiring each member to stand up and be counted. Some sparing of the whip, however, has to be adopted if that is to be so in fact as well as in appearance. Tight party lines need be drawn only when the government's confidence is at stake, i.e. when the government decides the fate of a bill is absolutely essential to its objectives.

Surely members can be given freedom to vote on their own on most other occasions. At the very least, there should be many more free votes where matters of conscientious scruples and regional interests are involved. The parties should drastically reduce their control of Private Members' Hour. Is there any more ironic contradiction than an hour called by that name and yet firmly manacled to the parties? Let all who are serious about enhancing the role of MPs begin by respecting the right of private members to vote freely on bills other private members introduce. As long as these bills can be talked out as a matter of course, private members cannot rightly be considered full participants in Parliament.

The work of committees will improve when their members can determine their agenda, be free to make relevant enquiries, and have the resources they need to probe, research and assess. If Government and Parliament are to work together, they each must have sufficient confidence in the other to respect the prerogatives necessary to do their work.

Two prerogatives, if assigned to committees, would magnify the importance of these extensions of the House. One would be the right to review major government appointments, such as senators, deputy ministers and ambassadors. If an open review were required, any government would probably avoid making appointments that could not stand up to the kind of scrutiny demanded by MPs.

A second prerogative should be the right to reduce particular items in the estimates under its study, or to remove them altogether. The present system all but emasculates the committees and, with them, the House as a significant instrument for budget control.

These and other reforms depend, in the last analysis, on an increased consciousness of what it means to hold the greatest honour fellow Canadians can bestow — a seat in the House of Commons. At present a widespread assumption exists that a member does not count for much unless he is a minister or has serious hopes of becoming one. That will not change in the minds of the media and the public until it changes in the minds of the members themselves. Only then can we have the will to change our ways, to reduce our passivity towards a process that is open to change, and to participate by making changes. In the last analysis, the reform of Parliament must begin in the members themselves, all of us exercising our will to be in fact what we are in name — Members of Parliament. ■