
Beyond the McGrath Report

Nic Leblanc, MP

In light of the report by the Special Committee on Reform of the House of Commons, chaired by James A. McGrath, and on the eve of international free trade negotiations with the United States, Canada must acquire the political infrastructures to enable it to become highly competitive at both the domestic and international level in all sectors of economic activity.

In a society as diverse as ours, with different economic sectors evolving faster than the government is able to adapt, it is important for us to devise a mechanism attuned to the needs of specific economic sectors, a mechanism able to show the government which approach to take so that it can introduce appropriate legislation and thus keep abreast of developments in these areas. The government must not take the place of business. However, at the same time, it must provide these sectors with the necessary tools to grow in tandem with a rapidly evolving economy.

Given the present structure of our parliamentary system, only the Cabinet can order policy changes. Private members who, given the very nature of their job, should be called upon to determine the focus of government action, only participate on a limited basis in the process of formulating new economic policies.

The three components of the governmental process are the formulation of government policy; the adoption of policy initiatives in the form of laws; and the application and implementation of laws. As things now stand, the first and third responsibilities lie with the minister. The Special Committee on the Reform of the House, mindful of the importance of participation by those involved in economic activity sectors in government policy formulation wisely recommended that certain changes be made that would restore to parliamentarians their fundamental role and even to give them expanded responsibilities.

If the recommendations of the above-mentioned special committee are adopted, the first and second components would come under the purview of members of the House of Commons. What is really needed, however, is a structure to truly separate the three phases of the governmental process. Let us take a closer look at these three phases.

Departments were initially created to implement specific laws. The minister was accountable to the department and to Parliament. This is fundamental to the process of government. Over the years, and in response to certain needs, ministers have come to be the ones who decide the direction which they would like their respective departments to take. In fact, senior officials are actually the ones who either recommend to ministers legislative amendments or who formulate new government policies.

Acting through its ministers and senior officials, the government tables draft legislation to meet the needs of the various sectors of activity in society, often after having realized the deplorable state of a particular sector. The government usually takes

corrective action only once an emergency situation exists. Often, it is too late to save these sectors from disaster. The government must devise a mechanism enabling it to anticipate a crisis situation as early as possible and thus take the necessary corrective action before the situation deteriorates to the point where nothing can be done.

The House of Commons adopts the laws tabled by the government with a view to ensuring the smooth running of the country. By the time legislation is tabled the outcome of the activity to which the bill pertains has already been decided. Private members study the bill in committees of the House but tend to conform to party policy, since members of other political parties also sit on the committee. Thus, private members can only make a few minor amendments to draft legislation. They do not contribute to the formation of government policy. Government members, who are usually referred to as backbenchers, are therefore far removed from the real centre of power and decision-making, namely the cabinet. However, I do not believe that just by giving more authority to House committees that the true role of legislators will be restored to them.

Much has been written and said about the role of private members and their duties in Canada's Parliament. The common complaint voiced is the under utilization of the resources which private members represent. The Special Committee on the Reform of the House of Commons had this to say on the subject. "The purpose of reform of the House of Commons in 1985 is to restore to private members an effective legislative function, to give them a meaningful role in the formation of public policy and, in so doing, to restore the House of Commons to its rightful place in the Canadian political process . . . It is time to change this situation. Private members must once again become instruments through which citizens can contribute to shaping the laws under which they live."

We must come back to the time when the private member's fundamental role was to influence and formulate government policy. Unless we get back to the basics, the private member will lose touch even more with the public and with the government

The Need for Consultation

Throughout the ages, governments have resorted to various consultation mechanisms to gauge and thus bring their policy directions in line with public opinion. Asking the public for its opinion and consulting with it have always been important in Canada since political parties have always wanted the public to have hand in the formulation of government policies.

Our governments through commissions of inquiry, white or green papers, task forces or advisory bodies have been eager to find out what the public is thinking. It would be easy to believe that public participation in government policy-making is guaranteed but this has rarely been the case.

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None of these mechanisms has any official standing in our parliamentary system. This reduces the effectiveness of all of them. In the words of a former MP, James Gillies, "If there is to be effective consultation before policy is translated into legislation, there must be a permanent institution with some power – where the right to consultation on all significant matters is guaranteed to the people most affected by the laws."¹

At the present time, there is no institution providing this consultative mechanism. Neither Parliament nor the caucus through their various committees really guarantee the public's right to be consulted. The government, through its many development assistance programs, pour billions of dollars every year into the outstretched hands of regions and businesses. We must ask seriously whether this meets adequately the real needs of various economic sectors, and whether, in collaboration with the people active in such sectors, we could not find other ways to act that would enable the sectors to develop themselves. Only if all those concerned come together to work on the problem will we be able to decide on a universally-accepted long-term policy to stop the endless draining of Canada's funds.

A Proposal for Collective Action

I propose creation of a new structure for collective action and economic strategy. It would be made up of sectorial units in turn made up of representatives of the party in power, management, labour, and senior civil servants of the departments concerned.

The primary objective of these units would be in-depth study of a sector of economic activity to determine its orientation (given its evolution and the influences that shape it) and then to recommend the necessary legislative amendments. The sectorial unit could then go on to promote this activity sector.

Such a mechanism should not be viewed as duplicating the work of the departments, but rather as a necessary complement to them. Departments exist essentially to apply and implement the legislation voted by Parliament. They are also seen, perhaps mistakenly, as determining policy, and this is often incompatible with, and even antagonistic to, their primary role.

In the existing structure, it is the mechanism for recommending legislative amendments (which once passed are applied by the various departments) that would benefit from being strengthened.

At present a bill originating from a department represents the ideology and orientations of senior civil servants with an eye to future applications. It is by no means certain that the proposed amendments always meet adequately the needs of the economic activities sector affected. We must divorce the legislative process from the departmental structure as it now exists. This would allow greater impartiality and make it possible to get the most out of proposals that are presented.

The sectorial unit representing a given economic activity sector would consist of a government MP for each of the regions (the Maritimes, Quebec, Ontario, the West), a representative number of employers, an equal number of union people, and the senior civil servants from the department or departments involved in that sector. The unit would also have the power to retain the resource people necessary for the pursuit of its goals, in order to have a genuine understanding of the forces at work in the sector.

The advantage of keeping a departmental structure is that the new sectorial units would then be entitled to the budgetary envelopes necessary to maintain the support infrastructure that the collective action and strategy units would require. (The expenses would not be high since participants would already be receiving salaries).

It would be preferable for an MP to be part of only one sectorial unit. In that way he or she would be able to concentrate on learning about the sector, and still have the time to carry out his or her responsibilities as a member of House of Commons committees. Each sectorial unit would have an MP as its chairman, who could act as spokesman for the unit in dealing with the government.

Each unit would make proposals to the Priorities and Planning Committee of Cabinet regarding the direction that a given economic sector ought to take. It would also pass on any unanimous recommendations for changes that would enable the sector to evolve in the direction chosen by the collective action and strategy unit.

Only at that point would the Cabinet be called upon to deal with the recommendations and orientations. Each minister could then express his or her own views and comment on the recommendations. Freed from departmental constraints, the strategic sectors, which give our economy its drive, would be able to evolve in directions they had themselves selected, rather than in a direction the government wishes to impose upon them.

In this way we would obtain a national policy in each activity sector, one that had the support of everyone acting in a particular sector. When the proposed sectorial approach is adopted by Cabinet, recommendations can be formulated into a bill and tabled in the House.

Conclusion

The structure I propose would enable MPs to formulate changes in various activity sectors, and give them an opportunity to put their vast resources and personal knowledge and experience at the public's service. They would be participating in one of the three fundamental components of government by studying needs and making recommendations. They would be able to provide informed opinions, since their participation in a sectorial unit gives them a chance to deepen their knowledge of a particular field and the forces acting on it. They would find their duties more fulfilling.

This mechanism would force the various sectors to organize themselves. They could choose representative teams as their delegates to the collective action and strategy unit. Being organized would enable them to plan and to forecast the future, as well as to decide on action needed immediately to meet goals they set for themselves. By joining forces, the people active within a sector would encourage the development and promotion of their sector and take a positive step toward the formulation of a joint position. ■

(translation)

Notes

¹James Gillies, "The Role of Committees of Parliament in Policy Formation, brief submitted to the Special Committee of Reform of the House of Commons.