



# If we only had time and less of a schmozzle over allocation

We need a better system of allocating time in either a minority or a majority situation

By GARY LEVY

As a general rule, governments would like every bill adopted in the shortest possible time while opposition parties always want more debate. To reconcile these opposing interests, an elaborate number of Standing Orders, or House rules, set out time limits for most speeches and for various items of Parliamentary business.

Despite these rules, the struggle for time is ongoing with discussions and negotiations leading to a weekly statement by the government House leader who announces the schedule for the coming week. When there is no agreement, governments (both Liberal and Conservative) have shown an increasing willingness to limit debate using time allocation. Complaints about muzzling the House have become a standard feature of our Parliamentary life.

In a minority situation, of course, the government cannot unilaterally impose time allocation. Any agreement on limits will likely be obtained only in exchange for something else that the opposition wants. When the government cannot get agreement it simply does not have the votes to impose time allocation. Therefore we will likely see more time spent debating bills than we have in recent years and the complaints will be about obstruction rather than muzzling.

Instead of trading one extreme for another, why not take the opportunity to come up with a better system of allocating time – a system that could be used in either a minority or a majority situation?

For example, if the parties are unable to agree on whether a particular bill deserves 20 hours of debate or 100 hours, why not give each House leader an opportunity to argue the case and then allow the Speaker to decide, without appeal, what is a reasonable time for the particular item under consideration? Some issues require

more debate than others but this need not be a purely partisan decision.

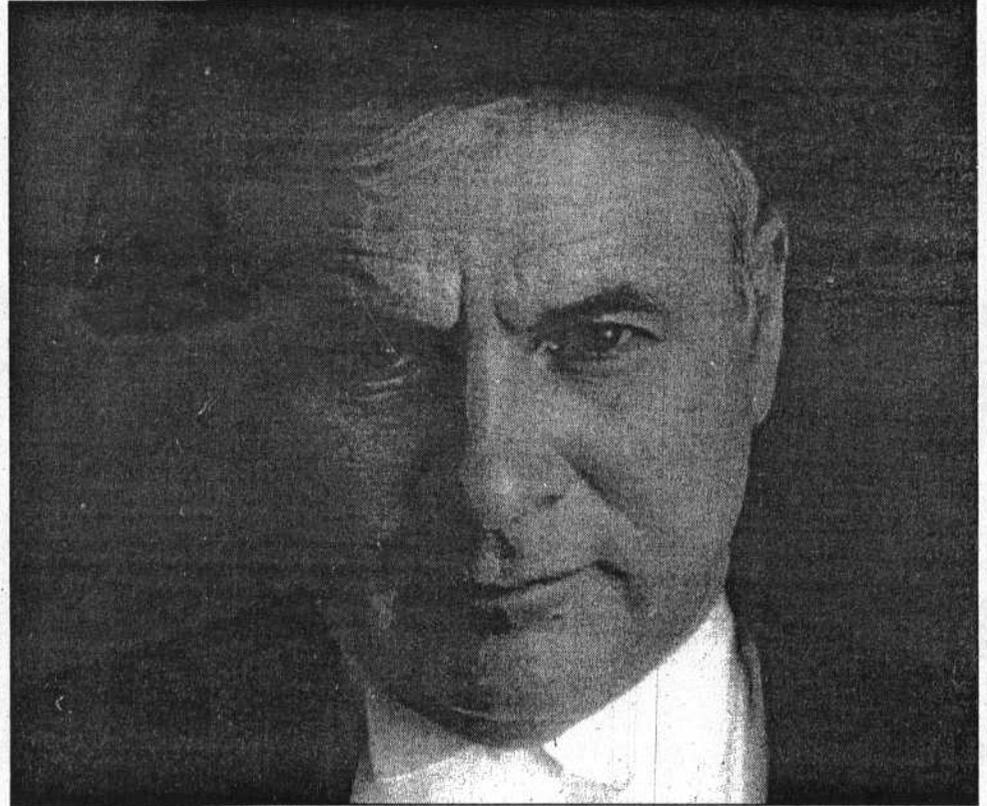
Is it not more logical to have this decided by an impartial presiding officer than by a government majority trying to advance its agenda or an opposition mainly interested in embarrassing the government. The House Speaker, particularly now that he or she is elected by secret ballot of all the Members, is ideally suited to make an informed decision about how much House time should be devoted to a particular bill.

Speakers are fond of noting that they are servants of the House. There could be no greater service than to bring some order to how time is used in the Chamber.

A related issue is the way the House gets bogged down with more business than it can handle. The Throne Speech is supposed to set out government priorities for a certain period of time. A session is supposed to be the period in which the work set out is accomplished. Instead we get Throne Speeches with little sense of priority. Legislation is then introduced at the start, middle and end of a session. Whatever is not passed at prorogation is routinely brought back to life in the next session where it joins all the other items in the new Throne Speech.

This process reflects departments' view of Parliament as a pot luck dinner. Everyone can bring his own favourite piece of legislation. But even pot luck needs some planning. Cabinet is responsible for setting the Parliamentary agenda, but when every minister is urged by his department to get its legislation into the hopper, the easy course is to dump everything on the poor Members of Parliament.

One useful change would be a standing order that would limit the government to introducing legislation within 15 days of the Throne Speech. Is it asking too much to have everything in the Speech, backed up by legislation, so that we know what is



Photograph from The Hill Times files

**TIME IS MONEY:** THE HOUSE SPEAKER, PETER MILLIKEN, IS IDEALLY SUITED TO MAKE AN INFORMED DECISION ABOUT HOW MUCH HOUSE TIME SHOULD BE DEVOTED TO A PARTICULAR BILL.

on the agenda for the next year? There could be some issues completely unforeseen at the time of the Throne Speech that might require subsequent legislation but such items would need a higher threshold, perhaps a two-thirds majority, in order jump the queue and get introduced into Parliament late in the session.

The scheduling of public business will

never be an exact science but these changes would introduce elements of discipline and planning into the Parliamentary timetable calendar and hence into the conduct of public business.

Gary Levy is editor of the *Canadian Parliamentary Review* and a former Professor at the University of Western Ontario  
*The Hill Times*