



PARLIAMENT

Fads and fashions in Parliamentary reform

Minority Parliament could see rapid increase in extra-Parliamentary approaches

By GARY LEVY

Parliamentary reform, like the world of fashion, has its own fads and trends. For example, over the last 50 years, Parliaments have taken very different approaches to the reform process.

There was not much innovation until four elections in eight years (1957, 1962, 1963 and 1965) returned minorities and marked the beginning of the modern era.

A first wave of Parliamentary reform lasted from 1963 to 1969. One of its defining characteristics was the active involvement of the Speaker. Then-prime minister Lester Pearson specifically asked then-House Speaker Alan Macnaughton, to take the lead in dragging the House into the 20th century. Over the next six years, Macnaughton and his successor Lucien Lamoureux coordinated, cajoled, and challenged MPs to rethink the House of Commons from A-Z.

Under their leadership, subcommittees were established and set to work. By 1969, a new institution had emerged and, for all intents and purposes, that structure remains in place to this day. Speakers Macnaughton and Lamoureux lent credibility and wisdom to the reform process although the task took its toll, particularly on Speaker Macnaughton who retired, exhausted, after two tumultuous years in the Chair.

Another approach emerged in the 1980s, characterized by the use of special committees chaired by respected senior members on the government side. This

time the background was the tense atmosphere created by the repatriation debate, the first Quebec referendum and a two-week opposition boycott, commonly known as "the Bells Crisis." Both Pierre Trudeau in 1982 and Brian Mulroney, after his election in 1984, appointed special committees headed first by Tom Lefebvre and later by James McGrath to address the reform issues of the day.

Among other things, these committees recommended reducing the size of committees and restricting the substitution process, providing automatic referral of departmental annual reports to appropriate committees, requiring government responses to committee reports within 150 days and many other matters. They called for a Speaker elected by a secret ballot of all Members of the House of Commons instead of being chosen by the Prime Minister. Other notable changes included a Parliamentary review procedure for non-judicial appointments; the addition of private members to the Commons Board of Internal Economy and a fixed Parliamentary calendar of about 135 days.

Special committees, particularly when the membership is drawn from some of the most knowledgeable MPs, have a number of advantages over standing committees. They can set priorities and work uninterrupted by other business. They can develop a sense of independence and expertise. The problem, of course, is to find MPs with the right combination of knowledge and flexi-

bility to work together on topics in which the media have no interest.

A third approach emerged in the Chrétien era. It was characterized by the extensive use of the five House leaders plus a chairman meeting under the guise of "The Special Committee on Modernization." They worked mostly *in camera* but made numerous recommendations for changes to the *Standing Orders*. Perhaps their best work was in the area of Private Members' Business.

While House leaders are logical actors in the Parliamentary reform process they also have a very specific interest in the daily operation of the House, and it is not necessarily identical with the interest of the ordinary private Member.

The first Martin government did not last long enough to establish any distinctive approach to reform. It did venture into the area with a collection of ideas previously floated by individuals from all sides of the House. These were presented to the House last February in a document authored by the PCO and it received a less than enthusiastic response from the opposition. Nevertheless the Liberal majority did manage to enact many of these ideas, such as establishment of the House of Commons Ethics Commissioner.

Another Martin reform initiative, which survived the election period, was the appointment of professors and retired Parliamentary officials as special advisers to various government departments. Presum-

ably the fruits of their travails will be revealed when the House begins sitting in October.

When it comes to the process of Parliamentary reform there is no best practice. What fits one Parliament may be inappropriate for another. The political context and the personalities must be taken into consideration. The present situation is not as chaotic as the 1960s or as bitter as the 1980s but years of neglect and uncoordinated tinkering have left us with many dysfunctional rules and practices.

After five consecutive majority Parliaments where most thinking about reform came from the top down, the challenge for Members of the 38th Parliament is to see if they can come up with their own process for dealing with reform. Unless this Parliament can find the will and the resources to address problems ranging from simple procedural reform to more complex electoral reform to extremely difficult Senate reform, we are going to see a rapid increase in demand for extra Parliamentary approaches such as citizen's assemblies. This could lead to a corresponding decrease in the belief (already tenuous) that Parliamentary government is, for all its flaws, still the best mechanism we have been able to devise for the pursuit and the protection of the public interest.

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