
The Parliamentary Tradition in Canada

Pierre Lorrain

Quebec's Parliament is not the oldest in Canada. That distinction belongs to Nova Scotia, where Canada's first legislative assembly met on October 2, 1758. When New Brunswick separated from Nova Scotia in 1784, the people of that new province formed their own assembly, which met on January 3, 1786. In the meantime, representative institutions were also set up in Prince Edward Island, in 1773.

Nonetheless, Quebec's Parliament is almost two hundred years old: it sat for the first time on December 17, 1792, — one year after the *Constitutional Act* of 1791 was proclaimed.

The establishment of a parliamentary system in Lower Canada marked the culmination of a long struggle in which English-speaking inhabitants figured prominently. The parliamentary institutions created in 1792 bore obvious signs of their British origin: there was a bicameral Parliament, consisting of a Lower House elected by a single-ballot majority vote, and an Upper House whose members were appointed for life. In both its organization and its operation, this Parliament was a carbon copy of the British institution.

It is easy to imagine a French-speaking majority imparting to its institutions peculiar characteristics different from those in the province whose majority spoke English. I leave to others the task of examining this question in depth and confirming or denying this hypothesis. My own feeling is that, until the early sixties, the people of Quebec were no more interested in altering their British traditions than were those citizens of other provinces.

The British-type parliamentary system survived 1867, both at the federal and at the provincial level. A hundred

years later, no less respected an observer than Jean-Charles Bonenfant worried that our parliamentary institutions were operating under obsolete rules, with outdated methods. By the mid-sixties, there was no longer any doubt: parliamentary reform had become an urgent necessity.

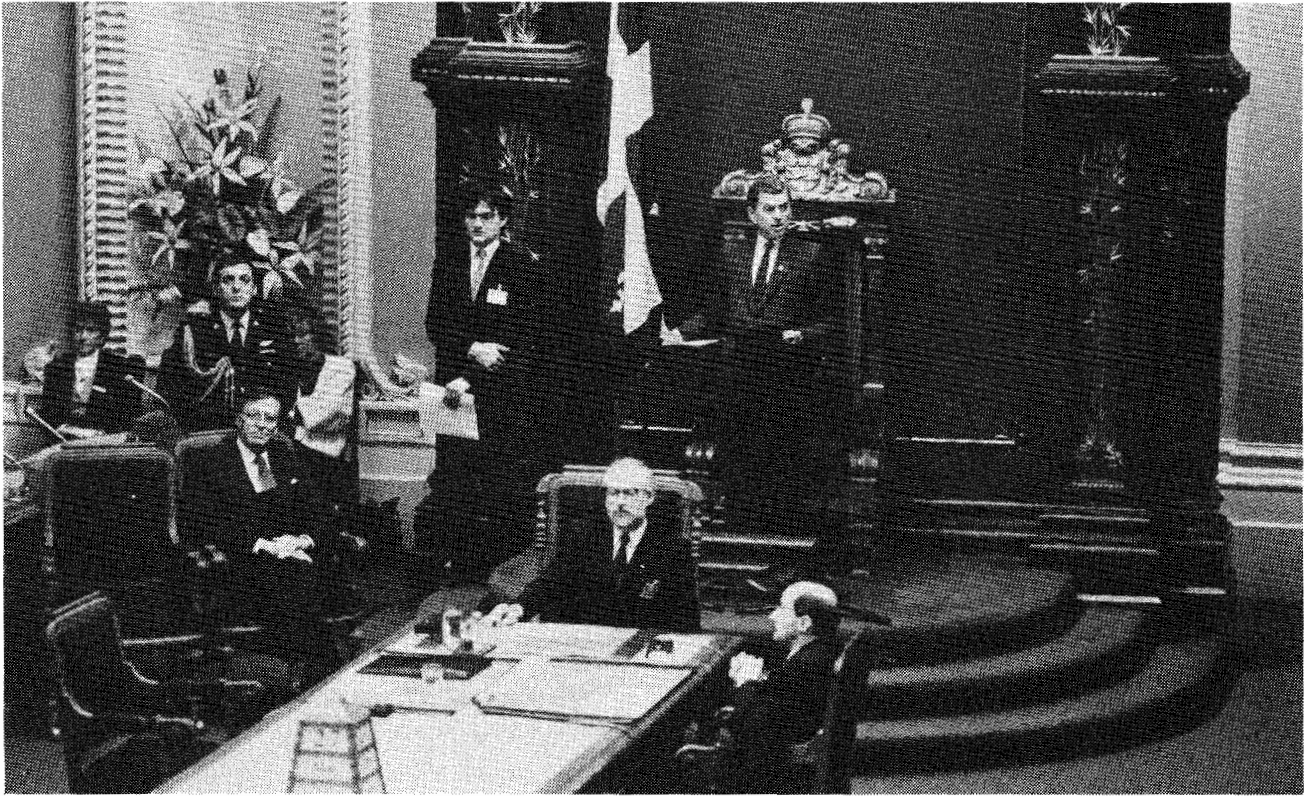
On February 25, 1967, Jean-Marc Léger of *Le Devoir* wrote that, in a world where transformation had become the order of the day, parliaments tended too often toward the anachronistic the dry and dusty.

Quebec's parliamentary reform got well and truly off the ground when the Legislative Council was abolished in December 1968. With this gesture, Parliament lost much of the "dramatic". The ceremonies surrounding the opening and prorogation of sessions were simplified, as was that accompanying the assent to Bills. Cast aside was the traditional "pro forma Bill", which showed that Members were ready to legislate even before the Speech from the Throne. At the same time, the Assembly made some changes in its terminology: from now on, the Speaker would be President of the Assembly, and the Clerk its Secretary General.

This first step was followed in 1969 by adoption of a series of sessional amendments to the Assembly's code of procedure. These amendments marked the first stage in an overall reform of parliamentary procedure, intended to shorten debates, to curtail the number and duration of interventions, and to abbreviate Question Period. The reforms also did away with appeals from the President's decisions.

One of the foremost ambitions in the minds of the members at that time was to give a boost to the parliamentary committees. Reform of these committees took fifteen years, and drew its inspiration from Britain, France and the United States. Today, thanks to their structures, their powers, their operating rules and their resources, the committees truly can make an effective contribution to the work of Parliament.

Pierre Lorrain is Speaker of the Quebec National Assembly. This is a revised version of his address opening the Conference on the Parliamentary Tradition in Canada held in Quebec City in March 1987



Speaker Lorrain delivering the opening address to the Conference on the Parliamentary Tradition

I will not enumerate all the changes which have taken place over the past twenty years, or describe in detail the operation of our parliamentary institutions. Still, there are some major innovations that I simply must mention.

In 1978, the National Assembly began to set dates for its June and December adjournments. Until that time, nothing of the sort had existed in any British-type parliamentary institution. This reform was finalized in 1984, when dates for Sessions were fixed in advance, making it easier to plan the work of the National Assembly.

In legislative matters, the National Assembly imposed certain restrictions on the executive, with a view to making sure bills were more closely examined. No longer could the Executive enjoy the freedom to table bills in the closing days of a session. Now, under the rules of procedure, one week must go by between the day a bill is introduced and the day it is studied in principle. Parliamentary committees have made extensive use of hearings to learn what various individuals and groups think of the bills introduced in the Assembly.

The reformers developed new methods of parliamentary supervision: in 1969, the study of financial commitments, and in 1977, interpellation. Under reforms introduced in 1984, Committees can now examine delegated legislation and study the activities and orientations of at least one government agency each year.

The member's role has also changed. Today's parliamentarians come from the most widely varied backgrounds, whereas in the past they were drawn from the more restricted sectors. Our political and administrative practices have been tidied up, so that Members now have less to do with administration, though they remain heavily committed to representing those who elect them. Moreover, with the reform of the committees, the way has been opened for Members to do great things, both as legislators and in controlling the Executive.

In 1987, it can no longer be said that, of all the Canadian Parliaments, Quebec's is the most faithful replica of the "Mother of Parliaments" in London. For the parliamentarians of Quebec have brought their institutions into line with their tastes, their attitudes and their political culture. Not enough people have an opportunity to compare and discuss our legislative institutions. As we study all the Canadian parliamentary assemblies, perhaps the principal lines of their evolution can be determined. Then, possibly, we shall be able to speak not of one tradition but of several traditions, differing according to the age of the institutions, the number of members, the culture of society or similar factors.