
Parliamentarians: Lobbyists or Instruments of Lobbyists?

by Normand Cherry

A committee of the Quebec National Assembly is presently considering the registration of lobbyists and the regulation of lobbying. This task inevitably involves questions of definition. Are trade unions lobbies? Are parliamentarians lobbyists or instruments of lobbyists? These issues were discussed at a symposium organized by Le Courier parlementaire in Montreal on May 22, 1997. In this article, based on a presentation at the symposium, the author reflects on some of these questions based on his experience as a trade unionist, a member of the Assembly and a former Minister.

My views are no doubt influenced by my long association with the union movement. I was a Canadair employee for 35 years and President of Local 712 of the International Association of Machinists and Aerospace Workers (IAMAW) from 1969 to 1989. When I was elected to the Quebec Legislature and named to Cabinet in 1989, I found myself on the other side of the fence. This allows me to speak about lobbying from a number of different perspectives.

Strictly speaking, unions are not lobbyists. They are interest groups that do their own lobbying, using their own resources, without intermediaries. When a group of workers, a union or a labour confederation wants to exert pressure on a minister or the government, it must make itself heard from the outside.

I remember many times in my capacity as union representative I tried to influence government policy. For example, when the federal government put Canadair up for sale, it did not ensure that the process was carried out properly. I was called upon on behalf of the employees—and practically on behalf of the company,

(which could hardly criticize its sole shareholder) to make representations to the government.

The same thing happened again when the federal government was reluctant to give the F-18 maintenance contract to Canadair (then owned by Bombardier and which was in danger of losing its advantage to Bristol Aerospace Ltd), and again in a matter in which my union's interests were less at stake when I intervened to have the Space Agency located in Montreal.

One each occasion, I asked to meet with my MNA, who was also Premier of Quebec. I asked him to intervene to protect a Quebec industry that happened to be the main industry in his constituency.

When I became Minister of Labour I had to reposition myself, with regard to lobbyists, who had ceased being my allies or my adversaries in a labour relations context and become parties toward whom I had positive feelings.

When the government proposes new legislation or regulations, particularly when it takes the trouble to submit its proposal to public consultation through a parliamentary committee, a pulse-taking process ensues. Experienced consultants are mobilized and ordinary representatives of interest groups, swing into action. They become extremely useful sources of information for ministers and the government. They are openly solicited, and the opinions they express allow decision-makers to better grasp the issues, refine their

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approaches, and often refocus their efforts. As Minister I found I could learn something new about issues or simply obtain additional information. Most often you learn more from what lobbyists consciously or unconsciously leave unsaid. During consideration of the principle of a bill, and particularly during clause-by-clause consideration in committee the cat is let out of the bag. Confrontation among the views of various stakeholders reveals their individual strategies. These presentations are not major diplomatic negotiations but all issues involve their share of manoeuvring, with which ministers must learn to deal.

Let me turn now to the question of whether parliamentarians are instruments of lobbyists or lobbyists themselves. I have no problem with the idea of members as lobbyist just as I do not object to the idea that union leaders have to lobby. Elected representatives are, first and foremost, legislators, although they are not the ones who draft legislation. Bills are usually brought to them ready-made by the Executive Branch. While members of a given party often vote together, it is nevertheless true that parliamentarians are jointly responsible for passing legislation. But they also carry out many other duties, which the television cameras could not show even if the broadcasting rules permitted it, because these duties are most often performed outside legislative assemblies. These duties are often grouped together under the heading of being "facilitators". This summarizes a host of other descriptions used to define this aspect of parliamentarians' duties as intermediaries between the government and the public. They are mediators, ombudspersons, community leaders, information officers, social workers, promoters, development officers, and out-and-out lobbyists.

One basic concern is to ensure that government departments give their constituencies fair consideration. From this perspective, elected representatives become regional development officers, busy emphasizing to public-sector decision-makers their constituencies' needs in all fields in which the government is active. This activity can occasionally be seen, in the form of questions, interventions when budget votes are being considered, and speeches during major debates when Parliaments are opened and budgets tabled. Usually, however, it takes place outside legislative assemblies, in meetings

with ministers, officials, political advisors, and agency heads. Elected representatives are in contact with representatives of local communities (municipalities and Regional County Municipalities), interest groups and individuals that solicit their help as representatives or guides through the labyrinth of government red tape.

Innumerable examples could be given. A business considering the possibility of setting up operations in Quebec, once in touch with the MLA, can then rely on that person's services to obtain information, make or re-establish a contact, or solve a problem. MNAs are also interested in businesses that might leave Quebec for another province.

Parliamentarians trust that they can be of use to their constituents and their fellow citizens in general; but can they themselves be used by lobbyists? As a former president of a machinists' union, I believe I have some idea of the different shades of meaning among a tool, an instrument, and a machine. A tool is an object used to do work; an instrument is also used to perform operations, but is larger or more complex; a machine is used for more sophisticated manufacturing. All three, however, are objects that are handled, used, or run.

Lobbyists who approach parliamentarians in order to advance the interests of their clients may have an attraction for and a feeling of using an instrument in order to achieve their objectives, but there are surely not many parliamentarians who accept this passive role. In his memoirs, one former MNA told how, in 1966, the then Government House Leader had told his new colleagues to take precautions in their new duties. Far be it from me to put lobbyists in either of the categories of persons against which that warning was issued (contractors and "shady ladies"); but elected representatives can undeniably let themselves be drawn into all sorts of causes. I think parliamentarians know quite well—or will quickly learn—how the system works and why they are solicited. If they decide to sponsor a cause, after taking care to examine the interests involved, they do so by choice, in full awareness, because the cause is a valid one. Are parliamentarians used by lobbyists? I think not. Rather, they are co-operators, in whose own best interest it is to participate in the efforts of lobbyists and interest groups.