

Time Allocation in the House of Commons

by Yves Yvon J. Pelletier

Is "time allocation" the best means by which to silence the opposition or does it allow rather for effective time management in the House of Commons? In 1969, the Trudeau government adopted, not without a vigorous reaction from opposition parties, a new procedure that allotted a certain period of time for a debate, reducing the use of closure. Despite promises that this measure would never be used, 150 time allocation motions were adopted by the House of Commons since December 1971. This article analyses the context in which time allocation was adopted and determines which government has used it most often.

The centralization of political powers in the hands of senior management within the office of the Prime Minister and the central agencies of the federal government cannot alone account for the reduction in the legislative role of Canadian Parliamentarians. In fact, changes to the Standing Orders of the House of Commons by its members over the years have limited the opportunities of private members to influence the final wording of government bills. With growing intervention by the Government of Canada in the post war economy, the number of government initiatives increased rapidly, adding to the work of the House. Accordingly, it became necessary to set up mechanisms to manage the time allocated to debate so that a final decision could be made in a reasonable period of time. However, a balance had to be struck between the right to speak for an appropriate length of time and Parliament's right to reach decisions. Since the use of closure upset this balance, the Trudeau government adopted a new procedure in the House of Commons whereby a period

of time could be allocated for debate. The partisan position when this measure was adopted did not prevent its use by all federal governments since 1971, on 163 occasions. This article examines the decline of the legislative role of MPs as the result of time allocation and determines which government, from Trudeau to Chrétien, have made most frequent use of it in terms of the number of seats held by the government, sitting days and bills introduced and passed.

This article contributes to a new trend in political science that studies the centralization of powers within the executive to the detriment of Canada's Parliament. A number of political scientists state that Prime Ministers take advantage of the loyalty and the inexperience of their members and use his/her persuasion skills to limit, if not silence, their opposition to government measures on the public stage.¹ In caucus, however, government backbenchers can express their disagreement with the content of bills and try to influence Cabinet. From this, political scientist Donald Savoie concludes that Canadian MPs, even those on the government side, are not elected to govern but rather to ensure that those who do are held accountable for their decisions.² In addition, in order to maintain Cabinet dominance in the legislative process, government members have rejected the relaxa-

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tion of party lines in the House in 1985-86, a decision that would have increased the legislative role of members to the detriment of the executive.³ The introduction of time allocation is another example of the executive's desire to maintain full control over the legislative process in the House of Commons.

Towards Time Allocation

The passage of a bill in 1956 on public funding for a pipeline by a company partly owned by American interests set a precedent in the history of Canada's Parliament. The St-Laurent government, using its majority in the House of Commons and imposing closure at each stage of the bill, ensured its passage in less than fifteen days. Finding his right to speak denied at each stage of the bill, Conservative MP Donald Fleming said: "The Canadian House of Commons has been gagged and fettered in this debate by a despotic government. You [the government] are jeopardizing the institutions that have proven themselves the bastions of democratic freedom and destroying the rights of the minority in the House. This stratagem was not given birth in any democratic mentality".⁴ Despite the passage of this bill and the vigorous reaction of opposition MPs and the public, the use of closure in the pipeline debate gave rise to longstanding resentment. Clearly, the Pearson government's decision to apply closure to the debate on the Canadian flag in 1964 reinforced the need to pass a new means of time management less stringent than closure.

Between 1964 and 1969, the House of Commons modernized its Standing Orders by adopting new rules for a trial period in order to find another way to manage time. A number of procedural committees examined the question as well, but in the absence of a unanimous decision, they all agreed that the Standing Orders of the House of Commons could not be amended without unanimous consent. In June 1969, the government majority on a newly created procedure committee proposed three new ways to apply time allocation to debate in the House. Standing order 75A would permit the allocation of a specified period of time, when "there is agreement among the representatives of all parties"; Standing Order 75B would apply when "a majority of the representatives of several parties have come to an agreement in respect of a proposed allotment of days or hours"; and Standing Order 75C, the most contentious of the three, would permit "[when no] agreement could be reached under the provisions of Standing Order 75A or 75B (...), that a minister of the Crown [may] propose a motion for allotting time".⁵ Although the opposition parties supported the first two recommendations of the report, Standing Order 75C was passed by the committee after a

vote pitting the members of the government against the members of the other parties. Not surprisingly, the opposition members described the amendments to the Standing Orders as "the will of the government only".

Following a long debate and just one day before the House of Commons rose for the summer recess, the Trudeau government invoked closure on the debate.⁶ In response to this motion, the Leader of the Progressive Conservative Party, Robert Stanfield, said:

The use of closure to force through rule changes, which are opposed by every member of the opposition, is of course an aggravation, and the use of this method of forcing through rules is so completely foreign to the traditions of this House as to constitute a breach of privilege. If the rules can be changed in these circumstances, and if closure can be resorted to in order to implement these rule changes, and can be used so as to alter fundamentally the very nature and role of the House of Commons, then we are in a very sorry state indeed in so far as democracy and freedom are concerned.⁷

During this brief debate, the opposition members argued as one that parliamentary procedure should give all parties equal privilege in a limited debate and that amendments to Standing Orders should be based on a consensus. In the defence of his government's actions, Trudeau listed the parliamentary reforms his government had put in place since 1968, such as the funding of a research service for the opposition and the institution of supply days. "Are these the acts of a government which is seeking to muzzle the opposition" Trudeau wondered, in the context of replacing a measure that was precarious and at times inefficient.⁸ Despite a last ditch attempt by the opposition to send rule 75C back to committee with instructions to change it, the House of Commons passed it on July 24, 1969. In a vote of 142 to 84, it agreed to adopt the report of the procedure committee. Ironically, the time allocation measure was passed only through the use of closure, the very rule it was to suppose to lighten.

The First Use of Standing Order 75C

An important precedent was set in the December 1, 1971 proceedings of the House of Commons with the presentation of the first time allocation motion in its current form. Under study was Bill C-259, *The Income Tax Act*, a voluminous tax bill of 707 pages, together with the 97 amendments proposed by the opposition, that was debated in the committee of the whole for over 25 days. On December 2 and 14, 1971, the House of Commons voted on two time allocation motions under Standing Order 75C, imposing a period of four days to complete debate in the committee of the whole and three days at third reading of the bill. The President of the Privy Council,

the Honourable Allan MacEachen, and the Minister of Justice, the Honourable John Turner, supported the use of this rule to enable the government to assume its responsibilities and the House to assume its own by deciding on the bill.

For its part, the opposition described the use of the controversial Standing Order 75C as anti democratic, an adventure into the unknown, because of the "dangers, shoals and reefs of Standing Order 75".⁹ In arguing its disapproval, the opposition vigorously attacked the Trudeau government on a number of fronts. First, the government had promised that, despite the imposition of closure to ensure the passage of the time allocation rule, this measure would never be implemented. Second, the opposition rejected the government's statement that the bill had been studied for months, indeed years, and a bill that had foiled tax experts warranted even longer study by MPs. Third, as the result of a number of reports criticizing the content of the bill, Stanfield believed that the use of Standing Order 75C was a tactic "to save the political face of the Prime Minister and the Minister of Finance".¹⁰ The opposition feared that "If, some day, Canada should live under a government with more pronounced dictatorial ideas, then, our parliamentary system might be ruined".¹¹ In fact, it was argued that, if this motion meant the slow but gradual decay of Parliament, "the Commons will no longer represent a forum for public debate but will flounder and disintegrate as an anachronistic tower of Babel, scorned by the Canadian people".¹²

Along with the opposition in the House, journalists also recognized the importance of this debate. From the *Globe and Mail* to the *Ottawa Citizen*, from the *Montreal Gazette* to *Le Droit*, the initial imposition of time allocation made the headlines the day after it was introduced in the House. All of them considered this initial use of time allocation to be closure and compared it to a guillotine or imposition by force. Despite strong political and media opposition, the government majority easily passed the two time allocation motions and enabled the House of Commons to pass the bill before the Christmas holidays. Despite the assurance of the President of the Privy Council that "what is occurring now would not constitute a precedent", for a total of over 150 occasions, every government since, from that of Trudeau to Chrétien, has made use of this rule in managing the time of its legislative agenda. In every case, the opposition used the same arguments to show the government it could not make Canada's Parliament its instrument or manipulate it for its own ends.

From Precedent to Norm: The Use of Time Allocation Since 1971

From December 1971, when time allocation was first used in the House of Commons, to October 2000, 163 time allocation motions were presented in the Chamber. Of these, thirteen were withdrawn by their presenter and 150 were passed. Accordingly, the government has been able to expedite the passage of bills through one or more stages. Table 1 breaks down the time allocation motions by bill stage. Most of the motions, as we can see, were passed at second reading and at report stage and third reading (120 motions, or 80%). It is at these stages that the House of Commons serves as a public forum to discuss the merits of a bill. When it invokes time allocation, the government limits debate and can easily silence the opposition in the House of Commons along with its own backbenchers. At the other extreme, the government majority on each Commons' committee ensures that Cabinet can decide on the length of committee deliberations before forcing the bill's return to the House, without the need for time allocation. Similarly, by his choice of senators the Prime Minister often ensures that only the senatorial amendments sought by the government reach the House of Commons.

Table 1: Time Allocation Motions by Bill Stage

Stage	Frequency
Second Reading	55 motions (36.6%)
Committee	9 motions (6%)
Third Reading	11 motions (7.3%)
Report and Third Reading	65 motions (43.3%)
All Stages, or 3 stages	7 motions (4.6%)
Senate Amendments	3 motions (2%)
Total	150 motions (100%)

When only the government supports the time allocation motion, members' right to speak is limited. Overall, 131 of the 150 time allocation motions, or 87%, were imposed by the government (Standing Order 75C), ten motions, or 6.6% with the support of a majority of the parties (Standing Order 75B) and nine motions or 6% with the support of all parties (Standing Order 75A). It is clear from this breakdown of the three ways of using this Standing Order that the ability to silence dissent is more important than true time management in the House. In order to better understand the impact of its use over the past 30 years, each type of time allocation must be analyzed.

Consensus: Standing Order 75A

Under Standing Order 75A, the House can quickly and officially pass many bills in the case of non controversial bills, hold an emergency debate or reach a decision. However, many bills can be passed quickly with the consensus of the parties, without invoking time allocation, as was the case with Bill C-37 of the second session of the 36th Parliament, a bill to change MPs' pension plan, which the House of Commons passed in under two days. Since 1971, nine time allocation motions have been passed pursuant to Standing Order 75A. With this rule, the report stage and third reading of the bill on reforms to the *Canada Elections Act* (1993) took only 21 minutes, that is, six minutes for report stage and 15 minutes for third reading. In addition, unanimous consent of the House permitted the passage of the bill to create the territory of Nunavut in one hour and 45 minutes and the official adoption of Canada's national anthem in a single day.

In addition, political parties have used this approach to force a debate on urgent matters, including the impact of national or regional strikes on Canada's economy. By way of example, the Chrétien government introduced a law obliging the Pacific coast ports to re-open barely 15 hours after a strike was called. The Bloc Québécois agreed to the use of Standing Order 75A, as well, in order to debate the pressing problem of labour relations on the west coast on the same day. However, MP Gilles Duceppe, speaking for his party, criticized this special legislation, which questioned the right to strike only 15 hours after it was declared. At the end of the day, no recorded division was required by the presence of a minimum of five members, and the bill was passed. Accordingly, the Bloc Québécois circumvented its principle of the right to strike: it acknowledged the impact of the walkout on the economy of western Canada and permitted the passage of the bill.

With the Agreement of the Majority: Standing Order 75B

Despite its passage with very little dissent, rule 75B was used only in the 35th Parliament where three political parties - the Liberal Party, the Bloc Québécois and the Reform Party - had official party status. On ten occasions, one or the other of the opposition parties supported the government's decision to quickly pass a bill.

The Bloc Québécois supported the government in passing seven motions on the use of Standing Order 75B between June 1994 and June 1995. On the day before the House rose for the summer recess in 1994, the Bloc members voted to limit the third reading of four bills to one hour: two concerned self-government for native peoples in the Yukon, the third was an amendment to the excise

tax and the fourth provided for the anticipated restructuring of the new Department of Citizenship and Immigration. The following year, the Bloc Québécois again supported the government's use of this rule in limiting debate on three bills, including the firearms bill, which continues to provoke heated debate. As a matter of principle, the Reformers refused to support these time allocation motions because of the Liberal Party of Canada's 1993 Red Book, which provided for a return of Parliament's integrity with the defence of Canadians' interests.

The Reform Party, despite its description of time allocation as a threat to parliamentary supremacy, supported the government's use of time allocation on three occasions. In fewer than nine hours, thanks to its support, legislation was enacted to put an end to the strike in the rail transport sector in 1995. Perceiving this special legislation to be a measure that "denies both the right to strike and the right to negotiate", the Bloc Québécois opposed it, preferring to have the government act on the recommendations of the report by commissioner Allan Hope, a mediator the government itself had appointed the preceding year to advise it on the situation. The government ignored the recommendations of the report, tabled in early February 1995, and imposed an end to the strike according to its own conditions.

The dichotomous nature of our parliamentary system ensures opposition criticism of measures introduced by Cabinet and the limited use of Standing Orders 75A and 75B. According to Stéphane Bergeron, the chief whip of the Bloc Québécois, Bloc MPs:

have always held that limiting the right to speak and members' time is totally inconceivable. I know full well that, during our first mandate, we were torn between arguments supporting the government's intention to impose time allocation and this fundamental principle that parliamentarians cannot be muzzled. However, it seems that, on a few occasions, we considered arguments in support of the government's intention to guillotine the House were stronger than the principle that the opposition cannot be guillotined, for reasons of strategy or political ethics.¹³

Silencing the Opposition: Standing Order 75C

Since 1971, the various governments have imposed time allocation motions on the opposition parties 131 times. It has become standard practice for a government to impose time allocation, especially when the legislative measure may lead to major disagreements. Over the past 30 years, federal governments have each used this order for bills involving a social issue or a contentious national debate. For example, controversy over the free trade agreements, rights accorded to gays and lesbians, the *Clarity Act* (2000) and the Nisga'a treaty was reduced in

Table 2: Quantitative Data on the Use of Time Allocation in the House of Commons

Parliament (Years) Prime Minister	Seats in the House of Commons			Time Allocation		# of Sitting Days (Time Allocation Imposed / Sitting Days (%))	# of Government Bills Introduced (Time Allocation Imposed / Bills Introduced (%))	# of Government Bills Passed (Time Allocation Imposed / Bills Passed (%))
	Gov't	Opposition	Majority/ Minority	Total	Imposed			
28 (1968-1972) Trudeau	155	109	+46	3	2	688 (0.3 %)	204 (0.9 %)	157 (1.3 %)
29 (1972-1974) Trudeau	109	155	-46	0	0	256	89	57
30 (1974-1979) Trudeau	141	123	+18	14	11	767 (1.4 %)	276 (4.0 %)	176 (6.3 %)
31 (1979) Clark	136	146	-10	1	1	49 (2.0 %)	28 (3.6 %)	6 (16.7 %)
32 (1980-1984) Trudeau/Turner	147	135	+12	21	20	725 (2.7 %)	228 (8.8 %)	178 (11.2 %)
33 (1984-1988) Mulroney	211	71	+140	18	17	698 (2.4 %)	285 (6.0 %)	233 (7.2 %)
34 (1988-1993) Mulroney/ Campbell	169	126	+43	31	29	556 (5.2 %)	234 (12.4 %)	200 (14.5 %)
35 (1993-1997) Chrétien	177	118	+59	31	20	444 (4.5 %)	216 (9.0 %)	152 (13.2 %)
36 (1997-2000) Chrétien	155	146	+9	29	29	376 (7.7 %)	134 (21.6 %)	95 (30.5 %)

Sources: Robert Marleau and Camille Montpetit, *House of Commons Procedure and Practice* (Ottawa, House of Commons, 2000), Appendix 12: Parliaments since 1867, pp. 1036-1042. Appendix 11, General Election Results Since 1867, pp. 1028-1035, and Appendix 12: Parliaments since 1867, pp. 1036-1042. Table of legislation introduced and given Royal Assent by session, since 11.11.1909, table prepared by the Library of Parliament; The use of time allocation in the House of Commons, document prepared by the House of Commons.

the House somewhat by limiting debate. The National Energy Program (1981), the end of the postal strike of 1983, the privatization of Petro-Canada (1990), the introduction of the G.S.T. (1991), the construction of the Confederation Bridge (1993) and the amendment of the *Canada Elections Act* (2000) are other examples of controversial bills passed more quickly as the result of time allocation. In addition, many bills on financial matters, including amendments to income and excise taxes and provincial transfers, were passed more easily thanks to this Standing Order. The number of time allocation motions presented under Standing Order 75C permits an analysis of its use by each Parliament from the 28th to the 36th Parliaments.

Governing by Time Allocation: From Trudeau to Chrétien

Despite the promises made by the President of the Privy Council in 1971 that no precedent would be created with its initial use, time allocation has become common in the management of the time of each Parliament. The data in Table 2 on the use of time allocation, including the number of time allocation motions passed, government seats in the Chamber, sitting days and bills introduced and passed, was compiled from December 1971 to October 2000.

Governing from a Majority Position

In the Canadian parliamentary system, the ease with which the government can get its legislation passed, both in committee and in the House of Commons, is proportional to the number of seats it holds. From the 28th to the 36th Parliaments, the Canadian electorate returned seven majority governments, including those of Pierre Elliott Trudeau, for three mandates, and those of Brian Mulroney and Jean Chrétien, each for two.¹⁴ By analyzing the size of their majority, the number of sitting and the number of bills introduced and passed, we can conclude which majority government used time allocation most frequently as a way of effectively managing time in the House of Commons.

Parliamentary Majority

The size of a parliamentary majority, regardless of how big it is, does not account for the frequency of the use of time allocation. In the 34th Parliament, Canadians elected the party of Brian Mulroney with the largest parliamentary majority in the 20th century: 210 Conservative members compared with a total of 71 members from all other parties. Despite its overwhelming numbers in the House, the Mulroney government applied Standing Order 75C 17 times, less often than a number of other

governments. With its overwhelming majority, the Conservative government could anticipate parliamentary obstructions and push its bills through without needing to impose time allocation. On the other hand, following its re-election in 1988, this time with a reduced majority of 43 seats, the Mulroney government made greater use of time allocation, imposing it 29 times.

This phenomenon was repeated during the two mandates of Jean Chrétien. With a 59 seat majority in the House of Commons from 1993 to 1997, the first Chrétien government imposed time allocation 20 times, in addition to reaching agreements with one of the two opposition parties 11 times. However, with a smaller majority in its second mandate, the Chrétien government imposed time allocation 29 times during the 36th Parliament, the same number of times as in the second mandate of Brian Mulroney.

So, a large parliamentary majority does not determine the frequency of use of time allocation. Put another way, when the gap between the government and the opposition is narrower, Cabinet is more disposed to introduce such a motion. Likewise, if a tendency may be extrapolated from the data taken from the 28th to the 36th Parliaments, a government, during its second mandate in office, is more likely to use time allocation than in its first mandate, and when its majority is reduced.

Sitting days

Since the 28th Parliament, the length of a Parliament has varied from 376 days, during Chrétien's second mandate to 767 days, during Trudeau's third mandate, from 1974 to 1979. Upon dissolution, the 36th Parliament invoked time allocation on 7.7% of the sitting days, the highest rate since the introduction of this Standing Order. In addition, during the second mandate of the Mulroney government (34th Parliament) and the first of the Chrétien government (35th Parliament), time allocation motions were presented on 5.2% and 4.5% of the sitting days, respectively. In the case of the other Parliaments since the 28th, the figure was 2.7% or less. Accordingly, with limited number of sittings days, the Chrétien government has, since 1997, made the most frequent use of time allocation. Meanwhile, in the 34th and 35th Parliaments, the Mulroney and Chrétien governments used time allocation almost equally.

Bills Introduced and Passed

If parliamentary productivity is based on the number of bills introduced and passed during a mandate, an analysis of the use of time allocation reveals how this rule is used in the passing of these bills. Under the Mulroney government, with the third longest parliamentary ses-

sion since 1968, Royal Assent was given to 233 of the 285 bills introduced. Seventeen time allocation motions were introduced in order to get the 233 bills passed, a rate of 7.2%. This percentage drops to 6% in terms of the number of bills introduced. The highest frequency of bills introduced and passed with the use of time allocation is to be found in the second mandate of the Chrétien government where time allocation was imposed in the case of 30.5% of bills passed or 21.6% of bills introduced. Despite all, the use of time allocation on 29 occasions in order to pass 95 bills is a very high rate compared with those of other Parliaments.

In the first mandate of the Chrétien government, time allocation was applied to 13.2% of the bills introduced and 9.0% the bills passed. Despite this seemingly high rate, the figure for the second mandate of the Mulroney government was slightly higher: 14.5% for bills passed and 12.4% for bills introduced. From this data, we can see once again that a government in its second mandate makes greater use of time allocation. Despite the high rates of time allocation use by the Mulroney and Chrétien governments, further examination of their use of this Standing Order is needed.

Governing by Time Allocation: a Mulroney-Chrétien Comparison

During its nine years in office, the Mulroney government used time allocation 49 times, imposing it 46 times. The most controversial bills passed thanks in part to the use of time allocation include the free trade agreements, family allowance reform and the patent regulation act, the privatization of Petro-Canada, the law on the use of referendums and the law downsizing the public service. In the case of all of these, the Conservative government used time allocation at least twice while they were being considered. Accordingly, because of the controversy surrounding them, the government wanted to limit debate, and its parliamentary majority, thanks to party discipline, ensured their passage.

Meanwhile, the Liberal opposition nattered on at the government majority for abusing power and offending parliamentary democracy. Criticisms of the House proceedings under the Mulroney government varied from Peter Milliken's condemnation of its lack of respect for the Canadian people to Alfonso Gagliano's desire to discover why bills were rushed through in the middle of the night. Support from the media enabled the Liberals to make the Canadian public aware of their interpretation of the way the Mulroney government managed time in the House of Commons. Despite the attacks by the Liberals, New Democratic MP Bill Blaikie believes that the Mulroney government gave the opposition greater opportunity to present its criticism before gagging it. Mr.

Milliken says that, had the media not been negative about it, the Mulroney government would probably have used time allocation more often in order to get its bills through.¹⁵ Taking advantage of the media coverage, the Liberal Party promised in its first red book to give all political parties ample opportunity to criticize its bills. However, since the Liberals took office in 1993, the style of time management has changed little.

Prime Minister Chrétien's election promise to govern without guillotining the opposition was broken barely two months after the start of the first session of the 35th Parliament with a bill to change electoral boundaries. Following this initial use, the Chrétien government obtained support from the two opposition parties the next nine times it applied time allocation. Accordingly, the Chrétien government, despite limiting debate on gun control and constitutional protection for gays and lesbians, imposed Standing Order 75C 20 times, while 11 time allocation motions were passed with the support of at least one other of the political parties.

In the 36th Parliament, with a majority of only nine members, the Chrétien government used this form of time management 29 times. Despite frequent use of Standing Order 75C, Bloc Québécois MP Stéphane Bergeron argues that the government initially introduced few, barely any, bills and then almost always ended up using time allocation to pass them.¹⁶ In order to have the House pass four of them, namely the Nisga'a accord, the clarity act, the legislation on benefits to same sex couples and the *Canada Elections Act*, the government passed eight time allocation motions, affecting 13 stages of bills. In addition, these eight uses of Standing Order 75C represent 61.5% of the time allocation motions introduced since October 1999.

The Bloc Québécois and the Reform Party often attack the Chrétien government's time management style. The Bloc Québécois' strong attacks on the government dominated the debate on the clarity bill and the Canada elections bill. According to Bergeron, the passage by time allocation of the Canada elections legislation, the cornerstone of Canadian democracy, with only two interveners speaking at third reading, is unacceptable use of this Standing Order. Although Peter Milliken, as the chair of the committee on Bill C-20 supported time allocation in committee, the Bloc members did their best to obstruct House proceedings. The Reform members, in addition to stating that the Liberals "showed [their] true colours" by invoking time allocation four times on June 21, 1994 in order to ensure that "[none of] the taxpayers affected by this...[would] have an opportunity to actually organize and get their opposition to the bill heard", took a new approach in May 2000. Using Standing Order 43(1), which imposes no time limit on a speech by the Leader of the

Opposition, Deborah Grey, the acting leader of the Canadian Alliance, talked for over three hours on May 16, 2000 about the Chrétien government's lack of respect for the primacy of the House of Commons. Criticizing primarily this government's use of time allocation, she argued that the government uses time allocation for things that it simply wants to brush out of the way.¹⁷ According to her, despite any subtle distinction between time allocation and closure, the result was the same. She showed that, in only six years, the Chrétien government had made as much use of time allocation as had the Mulroney government in its nine years in office. Accordingly, she called Mulroney a slowpoke compared to the present Prime Minister.

Despite their tactics, the opposition members got no support from the media in their campaign, support that had been important to the Liberals during the mandate of the Mulroney government. According to MP Grant Hill, the speeches of the Canadian Alliance members had been unheralded by the jaded media,¹⁸ even when one of them described Chrétien as being "less democratic and even more arrogant than Brian Mulroney".¹⁹ Despite attempts to amend Standing Order 75C, the Canadian Alliance and the other parties found themselves stuck with this means of time management, a measure that suits only the party in power.

Conclusion

The use of time allocation by the House of Commons to improve proceedings is not limited to Canada. Indeed, all democratic legislatures have adopted similar time management measures, informally for the most part, but in a few cases this option is formalized in their rules. In Australia, for example, the House of Representatives (Standing Order 92(a), paragraphs (i) to (iv)) and the Senate (Standing Order 142) may make use of orders similar to that of time allocation in the Canadian House of Commons to enable all "urgent" bills to be passed quickly. However, in London, a legislative calendar is used to schedule the introduction of government orders and the time period required before a bill is passed or rejected. Accordingly the detailed planning of a legislative calendar eliminates the need for a time allocation rule. The Trudeau government preferred the advantages of time allocation, which allowed it to introduce government orders and have them passed as it wanted.

Since the initial debate in 1969 and the first use of time allocation in December 1971, governments have each in turn used this Standing Order to control the passage of bills through the labyrinth of Parliament. Despite increased use of it since the 34th Parliament, the Chrétien government remains its greatest user, regardless of the

analysis criteria used. The Liberal Party of Canada has learned that, despite its strong opposition to the use of this Standing Order by the Mulroney government and the opportunity to quickly pass legislation and silence criticism in the House, its increased use of time allocation is of almost no political consequence, since its action is not reported. At the request of the opposition members, a procedural committee tabled a report in April 1993 and in May 2000 recommending changes to the Standing Order, but failed to get the support of the executive, which saw this as weakening its legislative control. The only significant change to it came in the fall of 1989, when the House of Commons renumbered its Standing Orders, making time allocation Standing Order 78. In the absence of government desire to change this Standing Order, which serves it exceedingly well, time allocation will remain the government's preferred time management method. So long as this Standing Order is not amended, time allocation will continue to be a most effective way to silence the opposition.²⁰

Notes

1. C.E.S. Franks, *The Parliament of Canada*, p. 33. According to Paul G. Thomas, an election call, promotion to a parliamentary secretary position, chair of a standing committee and even a seat in Cabinet, trips and personal honours are some of the ways the Prime Minister and whips ensure the appearance of cohesion within a party. See: Paul G. Thomas, "Parliamentary Reform Through Political Parties", in John C. Courtney, ed., *The Canadian House of Commons: Essays in Honour of Norman Ward* (Calgary: University of Calgary Press, 1985), pp.43-68.
2. Donald Savoie, *Governing from the Center: The Concentration of Power in Canadian Politics*, (Toronto, University of Toronto Press, 1999), p.50.
3. Rand Dyck, *Canadian Politics: Critical Approaches* (Toronto, Nelson, 1996), p. 560. The procedure committee published a report in 1985-86 calling for the abolition of party lines within the House. The report received opposition approval, but the government members ensured that the report was not adopted.
4. Canada, House of Commons, *Debates*, May 15, 1956, pp. 3932-3933
5. Canada, House of Commons, *Journals*, June 20, 1969, pp. 1211-1212.
6. Library of Parliament, "Application of Closure in the House of Commons Since 1913", unpublished document prepared by the research service of the Library of Parliament, March 13, 2000. Closure was invoked three times, in the following debates: the passage of Standing Order 75C in 1969, the patriation of the Constitution in 1980 and the adjournment of the spring session of Parliament in 1981.
7. Canada, House of Commons, *Debates*, July 24, 1969, p. 11557.

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8. Canada, House of Commons, *Debates*, July 24, 1969, pp. 11570-11573.
 9. Canada, House of Commons, *Debates*, December 1, 1971, p. 10047.
 10. Canada, House of Commons, *Debates*, December 2, 1971, p. 10079.
 11. Canada, House of Commons, *Debates*, December 1, 1971, p. 10049.
 12. Canada, House of Commons, *Debates*, December 14, 1971, p. 10449.
 13. Conversation with MP Stéphane Bergeron, Bloc Québécois Chief Whip, June 5, 2000.
 14. Since the 1968 general election, only two minority governments have been elected federally: the Trudeau government in its second mandate from October 1972 to May 1974 and the Clark government, from May to December 1979. In both instances, the minority position of the government in the House made it difficult to get government bills passed and to introduce time allocation motions unilaterally or jointly. In fact, the only post war government using closure was the government of Prime Minister Joe Clark, which, despite Parliament's sitting only 49 days, made use of Standing Order 75C on one occasion. In an attempt to pass tax amendments before the Christmas holidays, the President of the Privy Council used this order to limit debate in committee of the whole to one additional day. The unexpected defeat of the Clark government the next day, in a vote on a sub-amendment to the budget, and the resignation of the Prime Minister ensured, despite the controversy surrounding the use of 75C, that the bill was never passed.
 15. Liberal Party election document, 1993, "Reviving Parliamentary Democracy: The Liberal Plan for House of Commons and Election Reform". See section on parliamentary reform.
 16. Conversation with MP Stéphane Bergeron, Chief Whip, Bloc Québécois, June 5, 2000.
 17. Canada, House of Commons, *Debates*, May 16, 2000, 10:15 a.m.
 18. Canada, House of Commons, *Debates*, June 22, 1994, p. 5722.
 19. Canada, House of Commons, *Debates*, June 5, 1995, p. 13230.
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