
Round Table on Modernizing the House of Commons

by Don Boudria, MP; John Reynolds, MP; Michel Guimond, MP; Bill Blaikie, MP and John Herron, MP

On November 29, 2002 the House of Commons unanimously adopted a motion to create a Special Committee on the Modernization and Improvement of House procedures. This followed a special two day debate on the subject. The following extracts are taken from the first five speakers in that debate. For the full text and for other speakers see Hansard for November 20 and 21, 2002.



Don Boudria (Government House Leader): I want to suggest that the United Kingdom and Australia have made a number of useful changes and we should inform ourselves of what those two jurisdictions have done.

The U.K. has finished the second phase of its modernization. It has moved the time for question period.

The U.K. has agreed to the programming of legislative stages of bills. It has a process by which to agree on the overall time for when a bill starts and when it ends. If more time is spent in committee, less time is spent at report stage and so on. We would ascribe an overall time and then we would decide whether we want a lot of House debate, a lot of committee debate and so on, within that set timeframe. Is that something that would interest us? I think we should at least look at it.

The U.K. and Australia have adopted a chamber parallel to the House of Commons. Westminster Hall in the U.K., for instance, debates issues of local concern. Australia has what it calls the main committee, which considers legislation later on in the process. To what extent, for instance, could this kind of chamber be used to debate committee reports, concurrences and other things like that?

I want to raise the issue of reinstatement of government bills after prorogation. We do that for private members' bills. The Quebec National Assembly does this

already. Phase two of the U.K. modernization committee has recommended it. Why are we not doing that here? It seems a little inconsistent to go through a procedural motion and two days of debate and closure to do that which we should do on the very first day.

What about committee review and the ability of whips to apply a previous vote to a successive vote, structuring what we do most of the time anyway in a way that would enable whips to work more closely together?

What about this idea of concurrence in committee reports and ways in which we could deal with this? We have reports where no concurrence is sought by the committee and concurrence is moved in the House, or we ask the government to comment but we move concurrence before the government has. Surely there is something wrong with that procedure. It seems to me that it needs modernization.

How about changing Standing Order 104, which requires committee memberships to be re-established and start all over again every September? I have been deputy whip in opposition and deputy and chief whip in government. I have never yet figured out what this is supposed to do except give a giant headache for about one month in September of every year to anybody who is a whip. Perhaps we should look at this and instead have membership expire only when there is a new session. Anyway, it is a theme that the committee should look at.

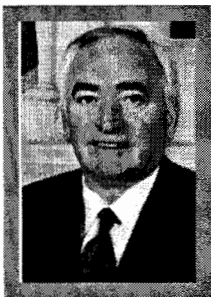
How about reviewing Standing Order 43 to allow a process to move to 10 minute speeches for a government

motion? There is an anomaly here between government bills and government motions. Government bills fall to 10 minutes after a certain period of debate while government motions remain at 20.

What about modern technology to be used for members of Parliament? We do not even have electronic voting in here. Electronic voting is one issue, but it is not the only one involving technology, and I do not want to make it look like the be-all and end-all.

What about encouraging our colleagues to have more functional websites? We have a greater use of technology with which to consult Canadians, for instance. What about the webcast of House of Commons committees proceedings? What about electronic filing of motions? Why do we have to physically send a written motion to the office in 2002, in the most technologically advanced nation on earth.

Some would argue that drafting initiatives regarding plainer language should be looked at. I am a little nervous about that one, but it is still something that we should explore to see what others do. I would like to move perhaps a little more slowly than others in that area, but still, I do not think it would be a modernization debate without at least raising this.



John Reynolds (Canadian Alliance): The first thing I would like to discuss is a recommendation from our Building Trust II document, which my party presented here at the start of this Parliament. The issue surfaced during the procedural wrangling over the vote on the secret ballot elections at all committees. What the Canadian Alliance is recommending in Building Trust II is that the Standing Orders be

amended to ensure that motions to concur in committee reports be put to a vote. This recommendation seems rather minor on the surface, but its impact on the authority of committees would be huge.

The authority of parliamentary committees stems from the adoption of their reports by the House. Prior to the adoption of the McGrath committee recommendations in the mid-1980s, committees could deal only with the matters referred to them by the House. They could not undertake studies or make recommendations without being directed to do so by the House. Giving committees freedom from this restriction was probably the most important committee reform that came out of the package of reforms. However, this was only the first step.

Other steps are required to give committees true independence and real authority.

The second step toward the goal of freedom and democracy for committees came two weeks ago, when the House adopted a Canadian Alliance motion that amended Standing Order 106 and introduced secret ballot elections at committees. This reform will enhance the independence of the chairmen, releasing them from the heavy-handed control of the Prime Minister's Office.

What is missing is a mechanism to ensure that motions to concur in reports come to a vote. This is vital to the authority of committees. Currently, the government, simply by talking on a report for a morning, can prevent coming to a vote. In these cases, the motion to concur in a report becomes a government order and can thereafter be moved only by a cabinet minister.

I refer to the order paper. There we will find the concurrence motions regarding the report of the procedure and House affairs committee calling for secret ballot elections at committee. Below each motion to concur in the committee report is a note in italics, which reads "Cannot be moved (see Government Business No. 5)".

How did that happen? The simple answer is that the government leadership did not want that report to come to a vote. The government suspected, and it was correct, that this report would get the support of the majority of members of the House and the government did not want that to happen. As we saw on Thursday, November 19, 2002, the government moved the concurrence motion and talked it out until 2 p.m., at which point the motion was automatically adjourned and the motion became a government order, to be moved at the prerogative of the cabinet. What kind of power do these committees really enjoy when their reports, which are where their powers lie, can be shelved by a few government members delivering their canned speeches?

We ended up getting a vote on the secret ballot procedure for committees through a supply day, but even after that it did not come easy. The government House leader went to extraordinary efforts to try to derail a vote on our supply motion. He was expecting a double hit for his manoeuvre to talk out and shelve the committee report. He argued that because the concurrence motion was moved and adjourned, the Alliance motion dealing with the same subject matter should not be allowed to be moved. Not only was he not satisfied with complete control over committee reports, he wanted complete control over the subject matter of supply motions.

The government House leader has suggested in the past that we restrict the moving of concurrence motions until the government has had a chance to respond to a committee report. Not all committee reports deal with the government. We did not need the government's

opinion on secret ballot elections at committee. This was, as the Prime Minister said, a matter of procedure and a matter for the House.

Reports sending for persons and papers have nothing to do with the opinions of the government. Most likely the committee is responding to a stubborn government department that refuses to comply with a committee's request. Reports defending the authority of the committee in matters of contempt have nothing to do with the government. It is the height of arrogance to assume that every report needs the government's approval before proceeding.

Once we get the independence of committees straightened out by ensuring that their recommendations can come to a vote in the House, we need to give them a little more power over government appointments.

The resistance for this reform is once again the Prime Minister but he has a new partner. His tag team partner is none other than the member for LaSalle—Émard. Both the Prime Minister and the member for LaSalle—Émard believe that the House should not enjoy a veto over order in council appointments that do not deal with officers of parliament. They base their beliefs on the notion that they are preserving parliamentary tradition and responsible government.

How wrong they are. Let us consider a few responsibilities of the government and the role of the House.

Legislation that proposes to spend money required a royal recommendation and, while it is the exclusive right of the cabinet to attach such royal recommendations to legislation, the final decision to proceed with legislation rests with the House. If the House does not concur in the government's legislation the legislation dies.

Let us consider the government's other prerogative, the way in which taxpayer money is spent. Through the estimates process, the final say as to that spending rests again with the House. Raising taxes through ways and means motions are another exclusive prerogative of the government, yet it can only continue if the House permits it. The government proposes officers of parliament, yet it is the House that has the authority to ratify or deny such appointments.

Let us recap. The House has a veto over government legislation. It has a veto over how the government spends money. It has a veto over the government's prerogative to change a tax. It has a veto over the appointment of officers of parliament.

How can it possibly be argued that it is inconsistent or unparliamentary for the House to have a veto over order in council appointments? Clearly, it is inconsistent for these appointments to be excluded from the veto power of the House.

How do we see this power being exercised by the House? It would begin with committees. We do not expect them to review every appointment. In cases where an appointment is particularly bad, and Alfonso Gagliano is an excellent example, committees should have the power to review and recommend that an appointment be withdrawn or not proceeded with. The House should then have the opportunity to vote on the committee's recommendation through concurrence of its report.

During the public debate on secret ballot elections at committee, the television media used the review process of Mr. Gagliano's appointment as an example of how a partisan chairman, chosen by the Prime Minister, can hinder the independence of committees. We saw on the news how the chairman of the committee reviewing Mr. Gagliano's appointment acted very partisan. She was not acting in the interest of the committee process but in the interest of the Prime Minister. The media was suggesting that had the chair been duly elected by the committee the outcome might have been very different.

If all the reforms I am recommending here today were in place I believe the outcome of that particular committee review would have been very different. The chairman, being elected by a committee, would likely allow the committee to do its work if the committee were free to decide that the appointment of Mr. Gagliano should be removed, which I think most members and Canadians believe, then it could report that recommendation to the House and the House would be given the opportunity to consider the recommendation of the committee without procedural obstacles and with the powers to remove an appointment.

I want to comment on the authority of the House with respect to motions calling on the government to take action. We have passed motions calling for action and often the government does not take that action. The establishment of the sex offender registry is one great example. Going back over 10 years there was the NDP motion regarding child poverty. Both were ignored yet passed by the House.

When the House passed a motion directing the procedure and House affairs committee to make all private members' business votable, the government's first reaction was to throw up its hands and give up.

On October 24, 2002, the House adopted a motion that read:

That, before the Kyoto Protocol is ratified by the House, there should be an implementation plan that Canadians understand, that sets out the benefits, how the targets are to be reached and its costs.

My concern is that the government is planning on ignore the motion and ratify the Kyoto protocol without regard to the conditions of the motion passed in the House. However the motion is different from motions calling on the government to act. The motion refers to the House only.

The House, by adopting that motion, placed a restriction on itself from considering any motion or legislation that would ratify the Kyoto protocol until certain conditions are met. When the government voted for that motion it probably did not consider that angle. We will no doubt be arguing that one in the weeks to come so I will return to the type of motions that give an instruction to the government because there are certain things that private members cannot do and the House would have to rely on the government to act, such as changes to a tax, spending money, et cetera.

If motions that call on the government to act are not binding then what good are they? Most of my speech addressed the lack of authority afforded committees but we have a more serious problem with the lack of authority of the House with respect to these types of motions.

We must find a way to ensure that the government gives effect to the motions that the House passes. If it is a matter of disrespect, then perhaps through its powers of contempt it can enforce its authority in obvious cases when the government ignores the wishes of the House. There may be budgetary restraints that give the government legitimate reasons not to comply but there are some examples where the government is obviously being very dismissive of a motion.

The other reforms we need to look at are supporting the election of senators who would then have a democratic mandate to carry out their constitutional responsibilities. We can start by encouraging the Prime Minister to appoint senators who have been elected. At present there is an Alberta vacancy and an Alberta senator duly elected by the people in the province of Alberta, and he should be the one appointed to the Senate to fill that vacancy, and the sooner the better.

In Building Trust II, we suggest reforms to the way we consider regulations and there are suggestions how to improve the consideration of supply. We address the issue of smaller committees, which was also a recommendation of the McGrath committee that cannot be carried out in a five party House so we have a suggestion to remedy the problem of large, unruly committees. Scheduling conflicts between committees and the House is also in the document.

We will be proposing a petition reform idea that would empower citizens to bring issues for a decision to Parliament and not just use the process to be heard.



Michel Guimond (BQ): The purpose of this debate is primarily to modernize the Standing Orders, which govern the proceedings and procedures of this House.

We Bloc Quebecois members had the opportunity to benefit, to a certain extent, from clear rules, which is not to say that the Standing Orders of the House of Commons should not be updated or modernized. However, I remember that, in 1993, a large number of sovereignists, 54 of them, were democratically elected by Quebecers. These were the Bloc Quebecois members. At the time, given the number of seats that we won, we were the second largest party and thus became the official opposition.

I clearly remember the battles that took place in this House and in some committees because we, sovereignists, had been elected. Some members of this House whom I will not name because some of them are no longer here said "It makes no sense that sovereignists would form the official opposition". In other words, if there had not been these Standing Orders applied by the then Speaker of the House, Gilbert Parent, and if the government had listened to these people, it could have led to quite the little situation of anarchy.

So, the Standing Orders are, to a certain extent, the rules that protect democracy in this House.

As for us Bloc Quebecois members, there is no ambiguity as to why we are here. There is no ambiguity as to our sovereignist convictions. However, we said that as long as Quebec is not a sovereign nation, as long as Quebecers continue to pay \$32 billion in taxes to Ottawa every year, they have the right to elect people to represent them in this House.

The point I want to make is that, as is the case in any evolving and ever-changing society, our Standing Orders—the democratic rules by which we are governed—need to be updated. Therefore, we agree with the government that we need to hold a debate on modernizing our procedures.

For the purpose of this debate, let me go over some of the changes that we feel need to be made.

The first change is the following. We agree with the proposal made by the House leader for the Canadian Alliance, to have a secret ballot to elect committee chairs and vice-chairs.

However, as the Prime Minister told us and as the government House leader reminded us earlier in his speech where he made some suggestions, we should seriously consider the opportunity to take this one step further to enhance our democratic process. Which is why the Bloc Québécois is recommending that the chairs and vice-chairs be distributed half and half between the opposition and the government, half of them coming from the government party and the other half from the opposition. I think this would ensure greater fairness and, again, greater democracy.

The government leader often refers to changes made in the United Kingdom or in Australia. He seems to like what is being done in these two countries. I will remind the government leader that committees chaired 50-50 by opposition members and government members exist not too far from here. This is how it has been working for decades at the National Assembly in Quebec, under successive Liberal, Union nationale and Parti Québécois governments. If it works in Quebec, why would the federal government not agree to take democracy one step further by instituting 50-50 chairing of committees?

The second change is the following. We in the Bloc Québécois are asking that any commitment made by Canada on the international scene be subject to a vote in the House.

I am convinced that this will not come as much of a surprise, because during question period and in debate, we have repeatedly asked that all issues such as the sending of troops abroad or international treaties be subject to a vote. If we agree that this parliamentary assembly, made up of 301 men and women democratically elected by their fellow citizens, represents the ultimate expression of democracy, why not ensure, before sending troops to Iraq or participating in peace missions around the world, that there is first a clear, open and transparent debate in this place? Why not have a debate before signing international treaties?

There is talk of signing a pan-American free trade agreement, creating the FTAA. We in the Bloc Québécois have serious questions to ask the government concerning this future FTAA agreement. Why would the government not let the debate take place in this House to take advantage of the opposition's insight? I hope the government does not think it knows it all or has a monopoly on truth. I think that members from all parties can make constructive contributions. International treaties need therefore to also be ratified through a vote by this House.

There is another point I have often made. We, as parliamentarians, must take a serious look at productivity on Fridays. I often count the number of members present on both sides of the House on Fridays, and I dare say it is paltry. I do not mean to suggest that members who are not

present are not working. I am sure that they are busy in their offices or in their ridings, but we must take a serious look at productivity on Fridays.

I can hear the government House leader saying, "yes, but from 10.00 a.m. to oral question period, we would lose one hour of debate. From noon to private members' business at 1.30 p.m., we would lose even more time for debate".

If the government were serious, it would come up with a concrete proposal. We in the opposition could seriously consider prolonging the sitting hours. I recognize that the government may have a legislative agenda. However, I must say that it is a meagre one lately. However, a party in power—that is not in a leadership campaign, as is the case with the Liberal Party right now—usually has a fairly hefty legislative agenda.

I recognize that if we take time away for government orders on Fridays, this time, which cannot be compressed, must be added elsewhere. We could make it up during the remaining days of the week, even if it means starting a half hour or an hour earlier. Instead of starting at 10.00 a.m., we could start at 9.00 a.m. Instead of finishing at 6.30 p.m., we could finish at 7.00 p.m. to make up during the four remaining days for the time "lost" for debate on government orders.

On the other hand, I am not calling for there to be no Friday sittings. I am not asking for a day off. Anyway, it always makes me laugh to be asked by reporters when we are adjourning for the summer or for Christmas, "So, what are you going to do in your three months of holidays?" I have heard that twice since 1993. I invite the reporters to spend a weekend with me, when I have eight or ten social activities over the weekend. I invite them to come and bring their colleagues, to see whether we take seven straight weeks off over the holiday season. I issue an invitation to the representatives of the media.

The purpose would not be to have an extra day off. We could, however, do something productive with our Fridays. Here is what I propose on behalf of my party for Fridays. In the Quebec National Assembly, Fridays are the day for what is called "interpellation". This means an inquiry on a given subject, of which the appropriate minister is forewarned. The minister has time to prepare and there is a period of questions and answers and exchanges of views on a given subject between the opposition critics and the minister.

For example, they could address the Coast Guard, immigration or official languages. The minister has to be there on Fridays, as do the members taking part in the inquiry process, of course. This could lead to something highly productive.

I would like to see serious thought given to this, and maybe an on-site visit. Perhaps the government leader

would prefer Australia or the UK, but he could go to Quebec City.

If worthwhile things are being done in other legislatures, in the legislative assemblies of Manitoba or Alberta, they can go and see for themselves what is going on.

A fourth element is that we would like more flexible rules regarding petitions. We have had debates on this issue. The government House leader told us about new technologies. An increasing number of Canadians have access to the Internet. We need some clarification regarding the possibility of accepting petitions through the Internet. The signature does not appear on the Internet. Therefore, we would need an Internet signature. Something could be done to modernize the presentation of petitions.

Petitions are a valuable tool for citizens. On any given issue that affects them, people will contact their member of Parliament and tell him "Our group met and we think that the government should take a stand on this issue".

I believe in the petition process. The government is even required to respond to petitions. This is another illustration of a country that has a democratic process. I will not elaborate further on this issue, but we could look at the presentation of petitions through the use of new technologies.

Fifth, I would like to say, on behalf of my party, that the rules governing parliamentary privilege should be tightened up. I am referring to Standing Order 33(1) on the need to respect the primacy of our institution, namely Parliament, and on the privilege of parliamentarians to be the first ones informed of ministerial decisions.

The list of examples is getting longer. There have even been a few instances where we surprised the leader of the government with the news that press conferences had been held in Victoria or Halifax, while we parliamentarians had not been informed.

I think that the Standing Orders could be tightened, so that ministers and parliamentary secretaries, if they are not ashamed of their announcements, are required to make them before all of us here, and not out of the spotlight in a Kiwanis club or in a chamber of commerce in Vancouver, before a partisan audience that applauds them and laps up every word.

We want ministers and parliamentary secretaries, if they are not afraid of their decisions, to announce them here in this House, where opposition members can question them.

My sixth point is the following: earlier, the government House leader mentioned that the voting process has improved following the most recent changes made to the Standing Orders. We no longer spend hours voting on commas and semicolons. I admit that there was room

for improvement and, indeed, some improvement has been made.

I am asking the government House leader to go a little bit further in his thinking and to tell me what he thinks of the suggestion that I am going to make. I would like the committee of House leaders to look seriously at the possibility of having electronic voting. I know that my fellow parliamentarians are not unanimous on this.

When I was on parliamentary missions, for example with the Association des parlementaires de la Francophonie and as guest speaker in Sofia, Bulgaria, I had the opportunity to visit parliaments in fledgling democracies. After the Romanians and the Bulgarians got rid of the communist regime, they elected their first parliament in the early 1990s.

Electronic voting is used in Bulgaria, as well as in France, in Russia, at the Council of Europe in Strasbourg and in the United States. However, because some people are attached to British parliamentary tradition, we still go through the exercise of rising one after the other for hours. I would like the committee to consider electronic voting.

Earlier, the government House leader mentioned free votes. He seemed so proud when he said that there had been 110 free votes in the last few years. Those who are not familiar with procedure will think that this government is transparent and open because it allowed 110 free votes.

When a vote is on an item under private members' business, a bill introduced by a member who is not a minister, it is always a free vote on both sides of the House. So when the government House leader brags about those 110 free votes, all he did was follow the Standing Orders. Items under private members' business are always subject to a free vote.

In closing, the government House leader talks a lot about improvements that were made in the United Kingdom and in Australia. I would like to remind him also that, in Australia, senators are democratically elected by the people. If he is so fond of what they do in Australia, he should consider the possibility of having our senators democratically elected.

I will conclude by expressing the hope that there will be improvements in discipline and decorum in the House.

Even today, I had a group of 58 people from my riding who made comments to me, following oral question period, without blaming any particular party, about discipline in the House, which should be improved for the good of democratic expression.



Bill Blaikie (NDP): First, I want to say that I agree with the Bloc member. As in several other legislative assemblies, there is a lot to learn from Quebec's National Assembly on parliamentary reform.

I am always pleased to talk about parliamentary reform. It has been a preoccupation of mine. In 2003 it will be 20 years ago that I was appointed to the special committee that was struck at a time of crisis in the life of Parliament.

You perhaps will recall, the bell-ringing crisis, when the bells rang for 16 days in this place and the whole place ground to a halt. As a result of that, a special committee of the House was struck, under the chairmanship of former Liberal whip Tom Lefebvre. The work that committee did in 1983-84 actually became the basis for a much more prominently known report called the McGrath report, but really the first report of the Special Committee on Reform of the House of Commons, sometimes known as the McGrath report, in effect was what the conclusions were that had been reached by the Lefebvre committee in a previous Parliament. I sat on both those committees.

I want to begin by saying that at the end of the day procedurally we can lead many horses to water, but we cannot necessarily make them drink, because ultimately parliamentary reform is a cultural matter. Parliamentary reform is something that happens in the individual and collective heads and minds of members of Parliament and their respective political parties. No amount of tinkering with the rules or with how committee chairmen are elected or whatever other things we might do, while all of these are appropriate and all help to create a context in which that cultural change might be encouraged, will do it. Ultimately what needs to happen is that people need to change their way of relating to Parliament and to each other.

It seems to me that we have an opportunity after the vote today to see whether or not there has been a change in the attitude of the House and in the attitude of the government toward the House.

The House just passed, unanimously, an NDP motion calling for the withdrawal of proposed amendments to the *Income Tax Act* having to do with people with disabilities. The government yesterday was asking us to weaken our motion so that it might be able to feel freer to vote for it. In the end, we refused to weaken our motion. Because our motion was so correct, I think, because it called for something so obviously right, in the end the government voted for the NDP motion.

So that motion is there now. Tomorrow I want to see an announcement by the government that those proposals

have been withdrawn, that the wishes of the House have in fact been respected, because too often I have seen motions passed unanimously in the House and then nothing has happened.

I remember a motion from February 9, 1999, when the House unanimously passed a motion calling for a national ban on the bulk export of water. Do we have a national ban on the bulk export of water? No, we do not, yet the House unanimously called for such a ban.

So one of the things we need to have around here is a little more respect for the decisions taken either by the House or by committees. When there is a unanimous recommendation by a committee that something happen, it should happen. We should not have to bring the matter before the House and have the House express itself as it did today.

However, now we have the committee and the House. The next stage is for the government to show respect for the House and the committee and make that happen. I think that when this kind of thing starts to happen, then we will know that we have made real progress at the cultural level with respect to parliamentary reform.

I listened to the member from the Bloc. He talked about the need for chairmen of committees to be chosen from different parties. I recall that this was one of the things that we did achieve for a short time. Probably not too many members of Parliament know this, but following the initial implementation of the McGrath committee, the House adopted two different kinds of standing committees, standing committees that would do investigative work and study of different issues while legislation would go to special legislative committees. Those special legislative committees were actually chosen from a panel of chairmen made up of people from all parties.

We had a very good experience with that. We abandoned that system for a bunch of other reasons, but one of the good things about that system was that members of opposition parties, all opposition parties, got to exercise the role of chairman and we actually developed a number of people who become known for their expertise at chairing committees.

We want the Standing Orders to be amended to give the Speaker authority to determine whether there has been reasonable opportunity for debate before a motion of time allocation or closure is heard. We still think that the Speaker should have the authority to protect Parliament and a minority point of view in Parliament from being abused in a time-allocated way by the majority. It is not unusual for speakers in other parliaments to have this kind of power and I think our Speaker should have it too. That is certainly something that the NDP will continue to work for.

We also wanted the minister responsible for the legislation that was having time allocation moved on it to have to come to the House and answer questions for 60 minutes. We got 30 out of the modernization committee. Not bad. I think it is a good start and a good procedure to have that requirement put upon a government that wants to move time allocation with respect to any particular legislation.

We would like the House to be taken more seriously. I think that the Bloc member made this point. Over and over again I have had occasion to rise in the House and complain that major policy announcements were being made outside the House. Here we are in a week when we have just come back and it appears that the government does not have much on its agenda, but one of the things it could have on its agenda is having ministers making policy announcements in the House and taking the House seriously. Then the opposition could respond and Canadians would come to see the House of Commons as the place where major policy announcements are made. That might be an improvement in terms of how Canadians see the House of Commons.

When Canadians see major policy announcements being made elsewhere and they see, in some cases, arguably meaningless debate, because we are having more and more take note debates and we are not really debating motions that will be voted on and have some effect, arguably this is not something that enhances the reputation of the House of Commons. If we had more policy announcements being made here, as they should be, by ministers, it would be one way of enhancing the role of the chamber. This is something that I have argued for before and that I intend to keep arguing for.

With respect to standing committees of the House, we are not going to get real independence on committees until we implement the recommendations of the McGrath committee. It recommended that membership on committees be independent of whips for a certain period of time. Then, once people get appointed to a committee, they can replace themselves if they are going to be absent but they alone choose their replacement, so that members on committees cannot be disciplined, at least for a period of time, either for a session or an entire Parliament or whatever we determine. They cannot be disciplined by their whips and they cannot be removed by their whips if they begin to have independent thoughts.

Because we know all too often what has happened around here. Members, particularly government members, get on a committee, they study the legislation, they find out that it is maybe not as good as they were told it was, they begin to demonstrate critical faculties or independent thoughts, and the next thing we know they are not on the committee and what we often refer to as parlia-

mentary goon squads show up to vote one way or another. They do not even know what they are voting on. This has to stop. One of the ways to do that is to appoint people to committees for the duration of a Parliament or a session and enable them and only them to name their replacements in circumstances when they cannot be there.

With regard to treaties, this is a funny kind of thing. We have asked for treaties to be considered by the House of Commons for a long time. I was surprised and pleased when the Prime Minister said that he would bring the Kyoto accord before Parliament to have it debated and ratified. I hope this is the beginning of a new attitude on the part of the government and subsequent governments toward Parliament when it comes to the ratification of treaties.

We will see how it is done. I do not want to approve of a procedure I have not seen yet, but the idea of debating and ratifying the Kyoto accord in Parliament seems to me to be progress. I hope from here on in we might see Parliament involved in a way that just does not suit the political agenda of the Prime Minister but happens as a result of a growing sense that Parliament is the place where treaties ought to be debated and ratified.

We would like to see some of the Standing Orders amended to reflect the fact that there are five parties of the House. We just went through a procedure. In this case it was the government and the official opposition that were treated differently than the other parties, and perhaps that should stand. However we have other Standing Orders where things are allocated in threes. It says that the first three parties shall have so many minutes in terms of speeches. These Standing Orders were designed when we had a three party House, nearly 10 years ago.

It is not too much to ask after nine years that the Standing Orders of the House of Commons catch up with the reality that we now have a five party House, or are we waiting until we go back to three parties so we do not have to change the Standing Orders. It is kind of ridiculous. All we are asking is a reality that was once recognized, that all the parties be treated the same, be reinstated through changing the numbers in the Standing Orders, yet that has not happened.

The House leader of the official opposition talked about parliamentary review of appointments. The McGrath committee recommended that certain appointments be reviewed by House of Commons committees, although I do not think we went as far as to recommend that ambassadorial appointments be reviewed. I am not sure I agree that would be progress to have them reviewed by a parliamentary committee, but there is room for an expanded role of parliamentary committees in considering certain kinds of appointments. That recom-

mendation goes back 20 years and we need to look at that.

I wish this was called the reform debate and not the modernization debate. I want to say that in closing. I think I said it at the beginning of my remarks the last time we set up a modernization committee. It is as if the government does not want to admit that it is reforming the House of Commons or does not want to be answerable to a spirit of reform but wants what happens to only be seen in the context of this modernizing paradigm of seeking efficiencies or whatever. We should not be apologetic about wanting to reform the House of Commons. People want the House of Commons reformed. They also want their electoral system reformed.

We will not be addressing voter apathy and voter cynicism about politics until there is parliamentary reform, which is just so much inside baseball to a lot of Canadians. Nevertheless they are concerned about the inordinate amount of power that the Prime Minister has, et cetera. They want to see a package. They want to see parliamentary reform and see electoral reform. Many people are arguing for a system of proportional representation. Some people want the Senate abolished or replaced with an elected Senate or something done to ensure that the regions are more properly represented at the centre here.

We need reform when it comes to campaign finances and the financing of political parties. I think the government is finally moving very slowly in that direction. We will see what it comes up with and what is finally produced.

In terms of democracy, ultimately we need to look at the trade agreements differently. I know not everybody in the House will agree with me but the fact of the matter is that we can have an absolutely perfect democracy in Parliament. We can have a perfect electoral system and all that. However, if in the end we have nothing left to decide because it is all decided at some trade tribunal somewhere, either at the WTO or the NAFTA, behind closed doors, non-transparently and decided only on the basis of what constitutes a barrier to commerce and not whether it is in the public interest, then we do not have much of a democracy. It seems to me that, at least from an NDP point of view, a debate about democracy in this country has to extend to debating the extent to which the trade agreements, global and regional, are restricting the power of duly democratically elected people to act in the public interest.



John Herron (PC): I bring to the attention of the House that the Progressive Conservative Party of Canada took this work of parliamentary reform seriously. We earnestly worked to develop a concrete list of proposals that Parliament should consider adopting. These proposals would empower parliamentary committees, empower individual MPs, empower the parliamentary process itself, renew

the Senate and restore democracy to our most important institution, that being the Parliament of Canada.

Canada today has the forms but not the substance of parliamentary democracy. Over a period of more than 30 years cabinet has gradually slipped away from its parliamentary moorings, from its real accountability to Parliament. In all the commentary in this so-called elected dictatorship, one important point gets overlooked, which is that the current Prime Minister has no more legal or constitutional power over the House of Commons than had Sir John A. Macdonald, Sir Wilfrid Laurier or John Diefenbaker. The Commons has no less authority over the executive government than it ever had.

The solution to our problem lies with the members of the House of Commons themselves. They have the power to take back their rights and exercise them on behalf of the people who elected them.

The proposals the Progressive Conservative Party voted on at the convention in Edmonton relate to the House of Commons. They could be put into effect either by changing the rules, the standing orders, or by legislation that Parliament itself could enact. All it would take is a government committed to implement these changes, or backbenchers, opposition members and government private members who are bloody minded enough to push the changes through.

The federal Progressive Conservative Party wants to lead the way in revitalizing parliamentary democracy. That is what we did at our Edmonton convention. We borrowed and adapted some ideas of direct citizen involvement that have been utilized in the Scottish parliament and perhaps in the U.K. government. Essentially we have put forth a concrete list of proposals that would empower individual parliamentarians through enhancing parliamentary committees.

The Westminster and Canadian systems allow for a strong united executive government exercising real powers, but really accountable and responsible to the representatives of the people in Parliament. Strong government makes a strong Parliament with a strong democracy.

Without having to trace the history of the past 30 or 40 years, Canadians know that over that period executive government has relentlessly accumulated power. It has found ways to circumvent Parliament, which sadly in practice has become weaker, programmed to the convenience of the executive government.

We propose that Parliament could directly and fairly quickly make changes that would weed out this interference from the parliamentary process. The report that we tabled greatly limits the imposition of whips and House leaders to discipline and use party solidarity on virtually every vote in the House of Commons. The report we tabled last summer in Edmonton would make it more difficult for any Prime Minister to brandish the confidence weapon and threaten his followers with an election according to his mood swings.

The report that we presented would have Parliament legislate an ethics code for senators and members of the Commons, with special and more stringent provisions for ministers and parliamentary secretaries. Parliament would appoint an ethics commissioner who would report to us.

A year ago more than \$160 billion in spending estimates was deemed to have been approved in a procedural shortcut involving one vote in the Commons without any committee having opened a book on the spending procedures. Progressive Conservative members of Parliament stood up in protest.

A few months ago the Auditor General gave chapter one of her report the heading "Placing the Public's Money Beyond Parliament's Reach". That says it all. Our report would go some way to restoring the power of the purse to the House of Commons, the ancient and fundamental power by which Parliament traditionally held the government to account.

I would like to take this opportunity to go into detail on the specifics of the report itself. There are essentially 14 chapters in the document, ranging from free votes to revitalizing Commons committees, and codes of ethics for parliamentarians, ministers and parliamentary secretaries. I would like to touch on a few of these initiatives.

One of our proposals under the chapter entitled "Free Votes, Confidence Votes and Party Discipline" is that free votes especially on amendments to government bills and at third reading stage of bills should be the norm rather than the exception. The extravagant and unwarranted use by government of the confidence convention with its threat of dissolution and a new election in the event of losing a vote would essentially be eradicated.

Another chapter is that members of Parliament themselves be assigned to committees by a vote of the House. Once there, they would be permanent and would serve until prorogation of that session of Parliament. A mem-

ber of Parliament must co-sign any whip's notice for his or her removal from the committee. We could do away with the ugly spectre of a member of Parliament who was inclined to vote for a particular motion being tapped on the shoulder by a staffer from the whip's office and told to move on because someone else was taking his or her place. We saw this occur on countless occasions in the environment committee.

We also proposed that committee chairs and vice-chairs be elected by secret ballot by members on the committee. That particular issue has become increasingly more in vogue today than it was only a few weeks ago. It was an initiative we brought forward in a proposal last spring and was voted on by members of the Progressive Conservative Party last August.

We also propose, in order to provide a broader perspective at the committee level, that opposition parties should have a share of the committee chairmanships that is roughly equal to their share of seats in the House. This would be negotiated among the House leaders. The other place follows a similar route. I encourage the House of Commons to go down that track and allocate the chairmanships proportionately to the number of seats that the parties have in the House of Commons itself.

We also advocate that parliamentary secretaries and other MPs in receipt of extra pay, such as whips and caucus chairs, should generally not be eligible for membership on standing committees. Those standing committees should be there for parliamentarians and not merely there as a process to carry out the wishes of the executive branch of the government itself.

We advocate that when their bills and amendments are discussed, the ministers should be required to remain at committees while the witnesses are heard. In particular, ministers must be present for clause by clause consideration of their bills.

We also call for the establishment of a code of ethics system for parliamentarians to discipline parliamentarians for particular infractions. Our proposal essentially reads as follows:

Parliament should legislate a code of ethical standards for members of Parliament and senators, including particular and more stringent provisions for ministers of the crown and parliamentary secretaries, and create an "ethics commissioner" to be an independent officer of Parliament with authority to monitor compliance, investigate alleged breaches and report to either or both Houses as applicable.

The essence of this is to adopt what other professions do, whether it be the medical community or the legal community. No one likes being dragged before an audience of their peers and their peers would have a chance to

make a determination about what particular sanction could actually be taken.

The ethics commissioner would report his or her findings to Parliament. Parliament would set up a discipline and ethics committee to decide what sanctions would be appropriate based on the recommendations of the ethics commissioner. Sanctions would include censure; fines; suspension, with or without pay; and declaring a member's seat to be vacant, which could trigger a byelection.

We also are advocating that we need to address the loophole that we have in legislative federalism. This really speaks to the Kyoto debate that we are going through right now. Hardly a week goes by without a meeting of 14 federal, provincial or territorial cabinet ministers in one part of the country or another, whether it is agriculture, environment, finance, health or justice. Under the present government, these meetings, like first minister's meetings, are held behind closed doors. On their agendas we have no idea what they are going to discuss in advance more often than not. Decisions involving billions of dollars of taxpayer money are made on policy and programs between these different levels of government, yet Parliament is not in the loop.

We are advocating that Parliament have a briefing session before any of these conferences between the federal,

provincial and territorial cabinet ministers are held so that Parliament can understand what is being debated and potentially what is at stake, and that we provide some insight. Having that more constructive approach would have paid huge dividends in building a broader consensus with respect to climate change.

The government must, in advance of any federal, provincial and territorial meeting, table the agenda in Parliament together with a statement of the federal position on the major issues facing the conference. At that same time there must be an opportunity for opposition critics to express their views and to question the responsible minister. It is a very prudent approach for us given the nature of our federation itself. The same process must be respected immediately upon the conclusion of intergovernmental affairs ministers meetings.

I also would like to touch very briefly on Senate reform. I also would like to use my full 20 minutes, if I can. The House empowered British Columbia to be a separate region for the purposes of a constitutional veto. Ontario has 24 Senate seats and Quebec has 24. I see no reason for B.C. not to be granted 24 Senate seats as well if we consider it an equal region, as well as the western provinces. Those are elements that are in this document.