
The Changing Use of Standing Order 31 Statements

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Standing Order 31s are permitted 15 minutes of the House's floor time each day during which selected MPs can speak for a maximum of one minute each in order to draw attention to issues or events. These have often been used to congratulate groups or individual citizens, bring attention to a problem, or make a statement on a policy issue. Increasingly, they appear to have also been used to make negative statements about other parliamentary parties or leaders, or to praise the MPs' own party. The purpose of this article is to provide evidence of the changing nature of this venue toward partisan purposes, and to highlight the trends of change and party use of this venue in recent years.

One of the House of Commons' least visible, and likely least known, venues has received a fair bit of attention over the past year. This recent attention to Standing Order 31 members' statements (SO 31s) has been due in part to MPs asserting themselves to counter what they have deemed to be excessive party control over the venue, while other attention has been given to a broader analysis of how these statements have changed over time by those in academia and the media.

Conservative MP Mark Warawa was recently seen as contributing to a Conservative "open revolt"¹ when he resorted to attempting to make a statement on the issue of sex-selective abortions after having a committee deem his motion on the same topic unvotable. Warawa decided to settle for simply an opportunity to state his position on the matter during the allotted time for doing so in SO 31. However, he found that this opportunity was also denied by his party, and argued that parties are selecting the statements they wish delivered, while leaving less space (or in Warawa's case, no space) for MPs to express themselves. A number of other Conservative MPs supported Warawa's request to the Speaker that MPs be given some autonomy in this venue.

While this particular parliamentary venue may not be deemed particularly "important", in that very little substantive change is likely accomplished through it, the position taken in this paper is that the venue still matters a good deal to observers of politics in Canada. First, the tone and nature of interaction in our Parliament translates to much more than the single venue in which it is studied. Recently in Canada, MPs have charged that various venues have become negatively partisan and, as a result, less constructive. SO 31s, as a measure of overall tone in Parliament, tell us about how our Parliament behaves and changes in terms of partisanship and adversarial behaviour. Second, the nature of partisanship also affects the degree to which MPs can pursue more localized matters and innovate to develop policy. While individual MPs in Canada are usually not considered of high importance to policy outcomes, they do nevertheless represent the views of electors and bring proposals from a range of perspectives, and these actions and the attention they bring may on occasion also play some role in policy outcomes. Finally, as Canada's top law-making body, there is an inherent importance in seeking to know and understand the full range of Parliament's activities. That is to say, if Parliament commits regularly scheduled time to either a representative or legislative activity, then there is reason to explore and understand the nature of that activity.

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I've recently collected the text of all SO 31 statements that were made in the House over the period 2001-2012 (22,248 statements in total) and used a software program² to content code each statement to determine how often MPs mention either their own party, or another party. The results are provided below and indicate significant changes over the period.

However, to first aid in understanding how the statements are analyzed, below are two examples of statements given by members that fit the form which are of interest in this essay. The first is a translation (as recorded in Hansard) of a statement given by Bloc Québécois MP Pauline Picard in October 2001:

Mr. Speaker, like many Quebecers, I am wondering what the Minister of Finance is waiting for to make his action plan public, when whole sectors of our economy have been affected by the terrorist attacks that took place in the United States and by the economic downturn prior to September 11.

On numerous occasions, we asked the Minister of Finance about his plans to boost the economy. While the problems are real and tangible, the minister's comments have been sketchy and inconsistent.

It is not as though he lacks the means to restore economic growth and create jobs, because in a worst case scenario, he has at his disposal a surplus of \$13 billion between now and March 31, 2002.

The Bloc Québécois is only asking him to use 5 of the \$13 billion that he has to provide oxygen to the economy. It is imperative that the Liberal government end its silence and reveal to parliamentarians its strategic plan to put an end to the economic downturn.

This statement makes mention of two political parties; both the MP's *own party* (Bloc Québécois) and an *other party* (Liberal). It does so one time for each of the parties mentioned.

The second is a statement by Conservative MP Jeff Watson from September 2006:

*Mr. Speaker,
Mirror, mirror on the wall,
Which party has no ethics at all?*

*Mirror, mirror thought, then declared,
"The last Liberal government from which we've been spared."*

*"But don't take my word," Mirror, mirror did speak,
"I'm only agreeing with what a Liberal report said last week."*

*Liberals admitted they set the ethics bar low,
Then rushed to see just how low Liberals could go.*

*Liberals let Dingwall have an illegal lobbying commission,
Then Liberals offered him handsome severance in addition;*

*Grants for a wharf to a Liberal's brother-in-law;
Frulla's home makeover without a Liberal pshaw.*

*Liberal appointees attending a Liberal convention;
Ethics lapses never Liberal bones of contention.*

*Millions granted by Liberals to family ships,
Only proves how far Liberal ethics have slipped.*

*Liberal fur coats bought on the taxpayer dime;
Ad scam Liberals should be charged and convicted of crimes.*

*Admitting they're ethically bankrupt is weak;
To their Liberal senators instead they must speak.*

*Stop dragging their unelected Liberal Senate feet.
Pass the accountability act now so there's no Liberal ethical repeat.*

This statement has 18 mentions of a party other than the speaker's own party, and is unique in that it has the maximum number of *other party* mentions within a single statement over the period analyzed.

In the remainder of this paper, I use counts of statements mentioning one's *own party*, as well as *other parties*, in order to assess how statements that include these terms have increased or decreased over time in Parliament. I do so by looking both at statements that simply include *at least* a single mention, and then also by looking at the total number of mentions as a proportion of all words spoken.

One key assumption about party mentions made in this paper is that MPs are generally making a negative statement or attacking another party when mentioning it (as in the above examples), and similarly that they are positively recognizing or praising their own party when mentioning it. This is, of course, not universally true. In terms of the former assumption at least, there are occasions in which MPs will provide a positive reference when mentioning another party; usually while recognizing the work of, or a form of cooperation with, another MP. Such instances are exceedingly rare however. My own reading of SO 31 statements suggests that this occurs perhaps once or twice out of every 1,000 statements, though a closer analysis would be necessary to accurately quantify such behaviour. Certainly the vast majority of party statements fit the assumption stated.

Partisan term usage trends in SO 31

The first table below considers any statement in which another party is mentioned. In the second example above by Mr. Watson, despite the number of mentions within the statement, it would be counted as equal to any other statement in which at least one mention of another party occurred.

Table 1 Proportion of Statements including one or more Other Party mentions						
Year	Lib	PC/CPC	CA	NDP	BQ	All
2001	6	25	24	24	14	13
2002	4	35	33	26	13	15
2003	4	28	34	38	11	15
2004	5	40	-	30	14	18
2005	10	42	-	44	12	23
2006	30	30	-	41	16	28
2007	24	36	-	43	22	30
2008	29	48	-	37	28	37
2009	19	41	-	22	21	29
2010	18	35	-	20	24	27
2011	19	25	-	19	27	22
2012	10	29	-	37	37	29

As can be seen above, the proportion of statements that include a mention of a party other than that of the statement's giver has increased notably since the beginning of the millenium. The peak of almost 37% occurred in 2008, though the overall increase – from about 13% in 2001 to about 29% in 2012 is still a rather large increase in attention to rival parties in these statements.

Another interesting point should be made with regard to how each party engages in this behaviour. The Conservative Party tends to have the highest proportion (as well as the largest number of such statements, as its number of statements exceeds that of smaller parties with similar proportions). However, while the NDP had fewer members and therefore a smaller number of total statements, the proportion of statements that the NDP committed to mentioning other parties was comparable to, and even above, the proportion from the Canadian Alliance and Conservative parties until about 2007. Meanwhile, the Bloc Quebecois and the Liberal Party were much later to engage in the behaviour at such levels than were the NDP and Conservatives.

The proportion of statements mentioning other parties dropped dramatically in 2011 for both the NDP and Conservatives. This may be reflective of NDP leader Jack Layton's pledge to enhance the decorum and decrease negativity in the House when that party became Official Opposition following the 2011 federal election. However, the NDP then reversed this trend to have the highest proportion of *other party* mentions among all parties in 2012. The drop for the Conservatives might accompany its forming of a majority government at the same time, and perhaps the decrease reflects

spending less attention on partisan electioneering in the House. While the proportion is still relatively high for the Conservatives at 29% in 2012, this is about the same level as the PC and CA parties at the beginning of the period in 2001.

Another way of looking at partisan tone in Parliament is to consider the proportion of mentions among all words spoken. It is not uncommon for an MP to stand and repeatedly mention an opposing party in a single statement (with the example by Mr. Watson above being one of the most extreme cases). Such overall mentions do appear to be on the rise, as is shown by the increases in the table below.

Table 2 Other Party Mentions per 1000 Words						
Year	Lib	PC/CPC	CA	NDP	BQ	All
2001	0.6	2.4	2.4	2.6	1.1	1.3
2002	0.4	3.4	3.5	2.5	1.4	1.5
2003	0.4	3.0	3.7	4.2	0.8	1.5
2004	0.5	4.8	-	3.0	1.5	2.0
2005	1.5	6.1	-	4.3	1.4	3.1
2006	3.8	6.2	-	3.6	1.3	4.2
2007	2.4	6.3	-	3.2	2.4	3.9
2008	3.7	10.0	-	3.1	3.4	5.9
2009	2.6	8.5	-	1.8	2.5	5.1
2010	2.1	7.2	-	1.5	2.8	4.4
2011	2.1	4.4	-	2.2	3.2	3.4
2012	0.7	5.6	-	4.4	2.6	4.6

The total proportion of mentions of other parties increases from an average of about 1.3 per 1000 words to about 4.6 per 1000 words over the period – an increase of almost 3 times. Table 2 indicates that the Conservative party well exceeds all other parties in terms of the proportion of party mentions among all words spoken. Between 2007 and 2011, Conservative MPs mentioned other parties approximately 2 to 3 times as often when speaking compared to other parties, though in 2012 the NDP was much closer (4.4 mentions per 1000 compared to 5.6 for the Conservatives).

While negativity in partisanship has received the greatest amount of attention in terms of a concern about Parliament in recent years, it is also possible that enhanced partisanship leads to more bolstering of one's own party. Table 3 shows significant fluctuations in this type of expression, though not the overall increase of the negative partisanship shown in tables 1 and 2.

Table 3 Proportion of statements including one or more Own Party mentions						
Year	Lib	PC/CPC	CA	NDP	BQ	All
2001	4	10	7	14	34	10
2002	3	15	15	15	36	11
2003	4	24	19	25	35	14
2004	6	15	-	19	34	14
2005	6	21	-	29	42	19
2006	15	22	-	20	49	25
2007	13	17	-	19	47	21
2008	12	25	-	19	58	26
2009	10	21	-	15	48	23
2010	12	21	-	11	44	22
2011	15	17	-	12	47	17
2012	13	12	-	19	30	14

Own party mentions, while having increased notably in the middle of the period studied, appear to have returned to levels only slightly higher than they were in 2001. Among all parties, the average increased from about 10% to about 14.5%. Only the Liberal party appears to have a large increase over the period (about 4.4% to about 12.2%) and, even so, still remains among the lowest level in this category. The BQ stands out as quite different from the other parties, in that while it completes the period at about the same level as it started the period, its MPs produce a much higher proportion than all other parties. It is noteworthy that many statements by BQ members tend to finish with a reference to the party, usually stating that the member 'stands with her/his colleagues in the BQ' or makes the statement 'on behalf of the BQ'.

Table 4 Own Party mentions per 1000 words						
Year	Lib	PC/CPC	CA	NDP	BQ	All
2001	0.4	0.8	0.5	0.8	2.8	0.8
2002	0.3	1.5	1.3	1.1	2.5	1.0
2003	0.5	2.9	1.5	2.0	2.2	1.2
2004	0.5	1.4	-	1.5	2.2	1.1
2005	0.5	1.9	-	1.8	3.2	1.7
2006	2.0	1.7	-	1.5	3.6	2.1
2007	1.0	1.2	-	1.1	3.7	1.6
2008	1.1	1.8	-	1.3	4.7	2.0
2009	0.9	1.6	-	0.9	3.3	1.6
2010	1.0	1.4	-	0.7	3.2	1.5
2011	1.3	1.4	-	0.8	3.1	1.3
2012	1.5	0.9	-	1.4	2.8	1.2

The trend with total mentions per 1000 words suggests that *own party* mentions are taking up more space in this venue, with an increase among all parties of about 50% (0.8 mentions per 1000, up to 1.2), which is much like the trend in the previous table. Here the increase among Liberals seems a bit more pronounced, with about three times the number of mentions in 2012 compared to 2001. Most other parties experience notable fluctuations throughout the period, with the high points tending to be in 2006 and 2008, where more than two words per 1000 were references to the MP's own party.

While it is clear that a focus upon parties is taking up increasing space in the statements that MPs make, on the whole, it appears clear that mentions of other parties take up the majority of that overall increase. While both *own party* and *other party* mentions have increased over the period analyzed here, other party mentions appear in about twice as many statements as own party mentions do and the former occurs about three times as often per 1000 words compared to the latter.

Concluding thoughts

There does appear to be a notable increase in partisanship in SO 31s which shows increases in both *own party* and *other party* references, though the brunt of this increase appears to be that of 'negative partisanship' rather than 'positive partisanship.' Whether or not this is a form of speech that most Canadians wish to see portrayed in their Parliament (most evidence suggests they do not), another problem arises with regard to the impact on MP's abilities to make statements of their choosing and for the representativeness of the statements made in Parliament.

In April 2013, Speaker Andrew Scheer ruled that MPs may be recognized by the Speaker if they have not been included by their party on the list for that day. As there appears to be demand for opportunities in this venue, we should hope that MPs are successful in gaining these speaking positions for their own chosen purposes. Nevertheless, there remains a concern that MPs who speak 'out of turn' will be treated in a less favourable manner by their parties for doing so.

These results suggest a broader trend in how our politicians communicate with each other, which in turn affects both how citizens see them, and how political ends are accomplished. Canada's Parliament has changed in the past 13 years, and these changes have implications for our expectations of legislators' behaviour in Parliaments comparatively. By examining behaviour in the House of Commons over the last

12 years, we are able to better understand legislative behaviour on a general level, as well as shed light on what appears to be a new and important reality in Canada's Parliament.

Prescriptively, two important ends would likely be served by curtailing the use of SO 31s by parties for their own purposes. First, the tone of Canada's Parliament would likely become less hostile. Even if this were confined to the single venue of SO 31s only, this would likely be a desirable change. It is possible that our MPs might feel less negatively about the place where they work and that a change in tone and negativity in one venue might foster a decline with this problem elsewhere in the Parliament. Second, some of those who study legislatures refer to venues such as SO 31 as "institutional safety valves" – meaning that these venues relieve pressure by allowing individual MPs an outlet through which to express themselves, speak to local or specialized interests, and break away from the partisan control that exists in many other activities that they must engage in. When such "safety valves" get

plugged, we see events such as those that occurred in the spring of 2013 among Conservative MPs. Typically, in such circumstances, MPs act out and use the media to undercut the efforts of the party, which is usually counter-productive for both MPs and parties in trying to meet their broader goals. While some parties may feel their goals are better pursued by limiting the use of this avenue to pursue partisan ends, it is quite likely that a broader cost-benefit analysis would suggest that such is not the case. Rather, the potential for unrest among MPs increases as the capacity of such safety valves to alleviate pressure decreases, and this normally causes problems for parties that exceed the benefits created – especially in a venue such as SO 31 which is designed primarily for symbolic expression.

Notes

- 1 Chase, Steven and Gloria Galloway. "Backbenchers plead for greater freedom." *The Globe and Mail*, March 29, 2013. Accessed at: <http://www.theglobeandmail.com/news/politics/backbenchers-plead-for-greater-freedom/article10487590/>
- 2 See <http://www.lexicoder.com>