

sion tends to see witnesses in something of an old-fashioned light as persons "called in and examined" on a concrete issue of fact. So often they appear as spokesmen, even if only for a bureaucratic practice or policy.

Those who are troubled by the supposed inability of Committees to compel evidence or the production of papers, or by the claims of civil servants and ministers to crown privilege, or of ministers to a special status as witnesses, will take heart from this report and the ringing declaration by the Commission of the subjection of all to the existing provisions of the *Ontario Legislative Assembly Act*. On the other hand those who hanker after American-type committee proceedings will find little comfort in this Report. Indeed, the recommendations on the right of witnesses' counsel to intervene and to participate in proceedings by examining and cross-examining witnesses are mercifully restrained. In the operation of any committee, the chairman and the members cannot escape their responsibilities for ensuring fairness, however probing the questioning, and of themselves developing and pursuing methodical and searching questioning. Is it hoping for too much that the actual operation of a legislative committee when hearing witnesses and presentations should be fair, methodical and searching rather than simply reproducing partisan positions taken in the Legislature itself? If so, all the law and wisdom now gathered in this Report will be of use only in the odd case and will make little contribution to the operation of committees. After reading this Report, one really does feel impatient for an equally sober and deliberate study of the ways in which committees can so conduct themselves as to make the best use of the presentations and evidence of witnesses.

The Commission is right to place so much emphasis on the protection and the rights of witnesses, as the counterpart to its firm attachment to their compellability. Several intensely practical suggestions are made, including the very attractive idea that a committee should inform a witness of the duties, privileges and penalties he enjoys or faces. This idea is really so basic one wonders that it is neglected. Why is it that the simplest things are often and usually overlooked? But there it is: the way to make committees work better does not lie through grand restructuring of the committee system, or revolutions in staffing or large doses of parliamentary reform, but by the steady accretion of sensible practices and of changes dictated by the common-

place quality of common sense. This Report is an admirable source for any Committee Chairman or member who wishes to be the unsung initiator of reform by stealth, by the introduction of changes in themselves so small and so eminently sensible governments may not take fright.

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**L'ASSEMBLEE NATIONALE  
EN DEVENIR: pour un meilleur  
equilibre de nos institutions.**  
by Denis Vaugeois,  
Quebec National Assembly,  
1982, 202 p.

Shortly after the April 1981 elections, Premier René Levesque asked the MLA for Trois-Rivières, Denis Vaugeois, to study the operations of the National Assembly and to recommend approaches for reform. The project followed the lines of previous work done by the Robert Lamontagne committee (1975), by former MLA Claude Forget (1977), by the Minister of State for Parliamentary Reform, Robert Burns (1978) and by the Gilles Michaud committee (1979).

Other assemblies have shown a concern for streamlining parliamentary operations; for instance the book by a French member of parliament, André Chandernagor, *Un Parlement, pour quoi faire*, and British MP Anthony King, *How to Strengthen Legislatures Assuming That We Want To*.

In this context, Mr. Vaugeois considers the future of the Quebec National Assembly. From the outset, he makes a fairly blunt diagnostic; "Not having found the proper cures", he writes in the introduction, "let us at least try to better identify this anemia which is plaguing our Parliament and threatening our democratic life" (p. 7). However, as the patient does not seem incurable, the author suggests a series of ways to improve the workings of the National Assembly. The recommendations center around two main avenues of reform: greater independence for individual members and true legislative responsibilities for the House as a whole. Mr. Vaugeois recommends that Parliament establish its own budget and organize operations along its

own specific lines. He believes the present internal economy commission should be replaced by a board that would include the Speaker and seven other members designated by caucus including four from the government side. The board would exercise control over the general management of the Assembly, and approve the yearly estimates, without need for approval from the Minister of Finance.

The report also suggests that parliamentary business should be submitted to a board which would include the Speaker, committee chairmen, parliamentary group chairmen and leaders of the recognized parties. Priority would, of course, be given to government business, but the government leader would also have to provide some time for private members' business.

Along with this concern for the independence of Parliament, there is also a need for more parliamentary responsibility. The second objective of the proposed reform would therefore be to give the Assembly responsibility for control of management and public corporations (Crown corporations). After review of the reports from the Auditor General, the Ombudsman, and the Human Rights Commissioner, the Assembly could establish sub-committees to question government and formulate reform proposals. A committee of the National Assembly would also review the public corporations' reports and hear their directors.

The report contains another proposal that would enable the Assembly to examine more closely the budget and to have greater control over public expenditures. To this end, a finance committee chaired by a government member would review the government's budget proposals and appraise, on an on-going basis, the situation with respect to public finances. To act as a counter-weight, the report recommends the establishment of a financial commitments committee, chaired in this case by an Opposition member. It would, twice a year, review each department's financial commitments.

In the legislative area, Mr. Vaugeois recommends setting up a parliamentary committee to study proposed legislation and ensure cohesion between acts of Parliaments and regulations prepared by government. The Quebec Bar Association has already formulated recommendations to this effect. In an interview following his report, Mr. Vaugeois stressed the need to streamline the 1,956 regulations which cov-

er 11,000 pages of text. He also recommends encouraging public debate of legislation and to improve the legislative work of the National Assembly. To this end, he suggests designating three or four committees to review bills and ensure that they are written in language that all citizens can understand. With respect to the work of the committees themselves, Mr. Vaugeois recommends that the chairmen be designated permanently and have at their disposal competent technical staff, who would provide the necessary support to all members of the committees. He also suggests that the National Assembly establish select committees. This has already been tried, since the Assembly set up, on November 24, 1981, a select committee on the review of the *Public Service Act*.

The final chapter contains a series of recommendations on the MLA, his role, his status, his resources and his "opportunity for promotion". He says that the quorum should be lowered, or at least kept only for votes. The proposed "Bill on the National Assembly", 1980 should be used to improve the MLA's working condition.

Parliamentary (or legislative) assistants should, according to Mr. Vaugeois, concentrate on the review of the bills and especially on the preparation of the legislation to be considered and its evaluation by the Assembly. Mr. Vaugeois also proposes that a special committee be set up to look into the matter of the MLA's salaries and submit recommendations to the National Assembly. Without taking a stand on the issue, the author of the report nevertheless states his preference for the formula proposed by the Jean-Charles Bonenfant committee in 1974. It suggested that the parliamentarians' compensation should be directly related to the salary of a category of senior civil servants (executives, class IV). According to this formula, the MLA's salary could vary between \$39,100.00 and \$ 8,470.00. In an interview (*La Presse*, February 12, 1982), Mr. Vaugeois stated that his proposals were not aimed at changing drastically the role of Parliament but rather at avoiding stagnation which is synonymous with failure in our democratic system. Parliamentary reform, in his view, is a call for openness and transparency against absolutism and arbitrariness. Both

caucuses should appoint representatives to a special committee that would try and reach some consensus, specify the alternatives and choose some approach for the future.

This future special committee could, besides studying the Vaugeois report, review the selective bibliography containing 150 titles which is appended to the report. Parliamentarians, columnists and political scientists would find in it basic literature on the issues raised the member for Trois-Rivières.

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